

By Senator Forman

32-1072-99

See HB 787

1                                   A bill to be entitled  
2           An act relating to charter schools capital  
3           outlay funding; amending s. 228.0561, F.S.;  
4           revising provisions relating to capital outlay  
5           funding for charter schools; providing for  
6           certain charter schools established by  
7           municipalities to be eligible for funding;  
8           requiring the development and adoption of a  
9           definition of "overcrowded area"; establishing  
10          a maximum funding level; providing an effective  
11          date.

13 Be It Enacted by the Legislature of the State of Florida:

15           Section 1. Subsection (1) of section 228.0561, Florida  
16 Statutes, 1998 Supplement, is amended to read:

17           228.0561 Charter schools capital outlay funding.--

18           (1) In each year in which funds are appropriated from  
19 the Public Education Capital Outlay and Debt Service Trust  
20 Fund for charter schools, the Commissioner of Education shall  
21 allocate the funds among eligible charter schools. To be  
22 eligible for a funding allocation, a charter school must meet  
23 the provisions of subsection (6), must have received final  
24 approval from its sponsor pursuant to s. 228.056 for operation  
25 during that fiscal year, and must serve students in facilities  
26 that are not provided by the charter school's sponsor or must  
27 be a charter school established by a municipality in an  
28 overcrowded area. The SMART Schools Clearinghouse shall  
29 develop and the Department of Education shall adopt a rule  
30 defining the term "overcrowded area." Prior to the release of  
31 capital outlay funds to the charter school, the Department of

1 Education shall enter into a written agreement that includes  
2 provisions for attaching a lien to property that has been  
3 improved through the use of these funds, in the event that the  
4 school terminates operations. Any funds recovered by the  
5 state shall be deposited in the Public Education Capital  
6 Outlay and Debt Service Trust Fund. A charter school is not  
7 eligible for a funding allocation if it was created by the  
8 conversion of a public school and operates in facilities  
9 provided by the charter school's sponsor for a nominal fee or  
10 at no charge. Unless otherwise provided in the General  
11 Appropriations Act, the funding allocation for each eligible  
12 charter school shall be determined by multiplying the school's  
13 projected student enrollment by one-thirtieth of the  
14 cost-per-student station specified in s. 235.435(6)(b) for an  
15 elementary, middle, or high school, as appropriate, except  
16 that a charter school established by a municipality in an  
17 overcrowded area shall be eligible for up to 80 percent of the  
18 maximum cost per student station established by that section.  
19 If the funds appropriated are not sufficient, the commissioner  
20 shall prorate the available funds among eligible charter  
21 schools. In the first quarter of the fiscal year, funds shall  
22 be distributed on the basis of projected enrollment as  
23 provided in this section. The commissioner shall adjust  
24 subsequent distributions as necessary to reflect each charter  
25 school's actual student enrollment. The commissioner shall  
26 establish the intervals and procedures for determining the  
27 projected and actual student enrollment of eligible charter  
28 schools. If a school district chooses to share funding for  
29 the capital outlay purposes described in subsection (2) with  
30 the applicable charter school or charter schools, any  
31 allocation from the Public Education Capital Outlay and Debt

1 Service Trust Fund allocation to the charter school or charter  
2 schools shall be reduced by the amount shared.

3 Section 2. This act shall take effect July 1, 1999.

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LEGISLATIVE SUMMARY

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8 Revises provisions relating to capital outlay funding for  
9 charter schools, to provide for authorizing certain  
10 charter schools established by municipalities to be  
11 eligible for funding. Requires the development and  
12 adoption of a definition of "overcrowded area."  
13 Establishes a maximum level of funding for a charter  
14 school established by a municipality in an overcrowded  
15 area.

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