



1 A bill to be entitled

2 An act relating to educational facilities; authorizing
3 certain municipalities, by proposal and resolution, to
4 convert public schools to charter schools; providing
5 requirements for the resolution; providing for application
6 to the district school board for conversion; providing for
7 notice of denial of application and appeal; providing
8 restrictions relating to capital outlay funding; providing
9 for rules; providing an effective date.

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

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13 Section 1. (1) A municipality with an unincarcerated
14 population of at least 75,000 as of the latest federal census
15 shall have the ability, by proposal and resolution, to convert
16 all public schools within the jurisdictional boundaries of the
17 municipality to charter schools in accordance with the
18 provisions of this section. Except as otherwise provided in
19 this section, such conversion charter schools are subject to
20 the provisions of s. 1002.33, Florida Statutes. The governing
21 board of such conversion charter schools shall be the
22 legislative body of the municipality, which may serve as the
23 fiscal agent of such conversion charter schools.

24 (2) When it is proposed to exercise the powers granted by
25 this section, a resolution shall be passed by the city council
26 or the legislative body of the municipality, by whatever name
27 known. The resolution shall include a description of a plan for
28 the conversion of all public schools within the jurisdictional



29 boundaries of the municipality to charter schools, which plan
30 includes accountability for student academic achievement. The
31 resolution shall also include a description of a plan by which
32 the conversion charter schools will receive the public education
33 capital outlay maintenance funds or any other maintenance funds
34 generated by the facilities that will be operated as conversion
35 charter schools, as well as the proportionate share of ad
36 valorem tax proceeds. Such resolution shall be put to the voters
37 who reside within the jurisdiction of the municipality during
38 the next municipal election following passage of the resolution.

39 (3) Upon approval of the resolution by a majority of the
40 voters who reside within the jurisdiction of the municipality,
41 the municipality may apply to the district school board within
42 whose jurisdiction the municipality is located for the
43 conversion of all public schools within the jurisdictional
44 boundaries of the municipality. The application must include the
45 plan for the conversion of all public schools within the
46 jurisdictional boundaries of the municipality to charter
47 schools. The application must also include the plan by which the
48 conversion charter schools will receive the public education
49 capital outlay maintenance funds or any other maintenance funds
50 generated by the facilities that will be operated as conversion
51 charter schools, as well as the proportionate share of ad
52 valorem tax proceeds. The application must demonstrate, for each
53 school proposed for conversion, the support of at least 50
54 percent of the teachers employed at each school and the support
55 of at least 50 percent of the parents voting whose children are
56 enrolled at each school, provided that a majority of the parents



57 eligible to vote participate in the ballot process, according to
58 rules adopted by the State Board of Education.

59 (4) A district school board denying an application by a
60 municipality for conversion charter schools shall provide notice
61 of denial in writing within 30 days after the meeting at which
62 the district school board denied the application. The notice
63 must specify the exact reasons for denial and must provide
64 documentation supporting those reasons. Decisions of the school
65 district regarding the application of a municipality for
66 conversion charter schools may be appealed to the State Board of
67 Education.

68 (5) Conversion charter schools created pursuant to this
69 section are not eligible for capital outlay funding pursuant to
70 s. 1002.33(20), Florida Statutes, and shall not under any
71 circumstances request capital outlay funding pursuant to s.
72 1013.62, Florida Statutes.

73 (6) The State Board of Education shall adopt rules and
74 procedures necessary to implement the provisions of this
75 section, pursuant to ss. 120.536(1) and 120.54, Florida
76 Statutes.

77 Section 2. This act shall take effect July 1, 2003.
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