

Bill No. CS for CS for SB 1030

Barcode 084114

CHAMBER ACTION

Senate

House

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The Committee on Education (Klein) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Paragraph (b) of subsection (5) and paragraph (f) of subsection (8) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.--

(5) SPONSOR; DUTIES.--

(b) Sponsor duties.--

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

~~b.2.~~ The sponsor shall monitor the revenues and expenditures of the charter school.

~~c.3.~~ The sponsor may approve a charter for a charter school before the applicant has secured space, equipment, or personnel, if the applicant indicates approval is necessary

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1 for it to raise working capital.

2 ~~d.4.~~ The sponsor's policies shall not apply to a  
3 charter school.

4 ~~e.5.~~ The sponsor shall ensure that the charter is  
5 innovative and consistent with the state education goals  
6 established by s. 1000.03(5).

7 ~~f.6.~~ The sponsor shall ensure that the charter school  
8 participates in the state's education accountability system.  
9 If a charter school falls short of performance measures  
10 included in the approved charter, the sponsor shall report  
11 such shortcomings to the Department of Education.

12 g. The sponsor shall not be liable for civil damages  
13 under state law for personal injury, property damage, or death  
14 resulting from an act or omission of an officer, employee,  
15 agent, or governing body of the charter school.

16 h. The sponsor shall not be liable for civil damages  
17 under state law for any employment actions taken by an  
18 officer, employee, agent, or governing body of the charter  
19 school.

20 i. The sponsor's duties to monitor the charter school  
21 shall not constitute the basis for a private cause of action.

22 2. Immunity for the sponsor of a charter school under  
23 this paragraph applies only with respect to acts or omissions  
24 that are not under the sponsor's direct authority as described  
25 in this section.

26 3. Nothing contained in this paragraph shall be  
27 considered a waiver of sovereign immunity by a sponsor.

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29 A community college may work with the school district or  
30 school districts in its designated service area to develop  
31 charter schools that offer secondary education. These charter

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1 schools must include an option for students to receive an  
 2 associate degree upon high school graduation. District school  
 3 boards shall cooperate with and assist the community college  
 4 on the charter application. Community college applications for  
 5 charter schools are not subject to the time deadlines outlined  
 6 in subsection (6) and may be approved by the district school  
 7 board at any time during the year. Community colleges shall  
 8 not report FTE for any students who receive FTE funding  
 9 through the Florida Education Finance Program.

10 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.--

11 (f) If a charter is not renewed or is terminated, the  
 12 charter school is responsible for all debts of the charter  
 13 school. The district may not assume the debt from any contract  
 14 ~~for services~~ made between the governing body of the school and  
 15 a third party, except for a debt that is previously detailed  
 16 and agreed upon in writing by both the district and the  
 17 governing body of the school and that may not reasonably be  
 18 assumed to have been satisfied by the district.

19 Section 2. This act shall take effect July 1, 2006.

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22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 Delete everything before the enacting clause

25

26 and insert:

27 A bill to be entitled  
 28 An act relating to charter schools; amending s.  
 29 1002.33, F.S.; providing that the sponsor of a  
 30 charter school is not liable for civil damages  
 31 for certain actions; providing that the duty to

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1 monitor a charter school shall not be the basis  
2 for a private cause of action; prescribing  
3 limits on immunities of a charter school  
4 sponsor; providing that nothing related to a  
5 sponsor's duties shall be considered a waiver  
6 of sovereign immunity by a sponsor; expanding a  
7 school district's immunity from assumption of  
8 contractual debts; providing an effective date.

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