

1                   A bill to be entitled  
 2           An act relating to charter schools; amending s. 1002.33,  
 3           F.S.; providing that the sponsor of a charter school shall  
 4           not be liable for civil damages for certain actions;  
 5           providing that the duty to monitor a charter school shall  
 6           not be the basis for a private cause of action; expanding  
 7           a school district's immunity from assumption of  
 8           contractual debts; providing an effective date.

9  
 10   Be It Enacted by the Legislature of the State of Florida:

11  
 12           Section 1. Paragraph (b) of subsection (5) and paragraph  
 13           (f) of subsection (8) of section 1002.33, Florida Statutes, are  
 14           amended to read:

15           1002.33 Charter schools.--

16           (5) SPONSOR; DUTIES.--

17           (b) Sponsor duties.--

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

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

23           ~~c.3.~~ The sponsor may approve a charter for a charter  
 24           school before the applicant has secured space, equipment, or  
 25           personnel, if the applicant indicates approval is necessary for  
 26           it to raise working capital.

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

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

32 f.6. The sponsor shall ensure that the charter school  
 33 participates in the state's education accountability system. If  
 34 a charter school falls short of performance measures included in  
 35 the approved charter, the sponsor shall report such shortcomings  
 36 to the Department of Education.

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

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

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

46 2. Nothing contained in this paragraph shall be considered  
 47 a waiver of sovereign immunity by a district school board.

48  
 49 A community college may work with the school district or school  
 50 districts in its designated service area to develop charter  
 51 schools that offer secondary education. These charter schools  
 52 must include an option for students to receive an associate  
 53 degree upon high school graduation. District school boards shall  
 54 cooperate with and assist the community college on the charter  
 55 application. Community college applications for charter schools  
 56 are not subject to the time deadlines outlined in subsection (6)

57 | and may be approved by the district school board at any time  
58 | during the year. Community colleges shall not report FTE for any  
59 | students who receive FTE funding through the Florida Education  
60 | Finance Program.

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

62 | (f) If a charter is not renewed or is terminated, the  
63 | charter school is responsible for all debts of the charter  
64 | school. The district may not assume the debt from any contract  
65 | ~~for services~~ made between the governing body of the school and a  
66 | third party, except for a debt that is previously detailed and  
67 | agreed upon in writing by both the district and the governing  
68 | body of the school and that may not reasonably be assumed to  
69 | have been satisfied by the district.

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