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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2014	.	
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Appropriations Subcommittee on Education (Legg) recommended the following:

Senate Amendment (with title amendment)

Delete lines 194 - 250

and insert:

Section 2. Paragraph (b) of subsection (17) and paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in



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11 a basic program or a special program, the same as students
12 enrolled in other public schools in the school district. Funding
13 for a charter lab school shall be as provided in s. 1002.32.

14 (b) The basis for the agreement for funding students
15 enrolled in a charter school shall be the sum of the school
16 district's operating funds from the Florida Education Finance
17 Program as provided in s. 1011.62 and the General Appropriations
18 Act, including gross state and local funds, discretionary
19 lottery funds, and funds from the school district's current
20 operating discretionary millage levy; divided by total funded
21 weighted full-time equivalent students in the school district;
22 multiplied by the weighted full-time equivalent students for the
23 charter school. Charter schools whose students or programs meet
24 the eligibility criteria in law are ~~shall be~~ entitled to their
25 proportionate share of categorical program funds included in the
26 total funds available in the Florida Education Finance Program
27 by the Legislature, including transportation and the Florida
28 digital classrooms allocation. Total funding for each charter
29 school shall be recalculated during the year to reflect the
30 revised calculations under the Florida Education Finance Program
31 by the state and the actual weighted full-time equivalent
32 students reported by the charter school during the full-time
33 equivalent student survey periods designated by the Commissioner
34 of Education.

35 (20) SERVICES.—

36 (a)1. A sponsor shall provide certain administrative and
37 educational services to charter schools. These services shall
38 include contract management services; full-time equivalent and
39 data reporting services; exceptional student education



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40 administration services; services related to eligibility and
41 reporting duties required to ensure that school lunch services
42 under the federal lunch program, consistent with the needs of
43 the charter school, are provided by the school district at the
44 request of the charter school, that any funds due to the charter
45 school under the federal lunch program be paid to the charter
46 school as soon as the charter school begins serving food under
47 the federal lunch program, and that the charter school is paid
48 at the same time and in the same manner under the federal lunch
49 program as other public schools serviced by the sponsor or the
50 school district; test administration services, including payment
51 of the costs of state-required or district-required student
52 assessments; processing of teacher certificate data services;
53 and information services, including equal access to student
54 information systems that are used by public schools in the
55 district in which the charter school is located. Student
56 performance data for each student in a charter school,
57 including, but not limited to, FCAT scores, standardized test
58 scores, previous public school student report cards, and student
59 performance measures, shall be provided by the sponsor to a
60 charter school in the same manner provided to other public
61 schools in the district.

62 2. A total administrative fee for the provision of such
63 services shall be calculated based upon up to 5 percent of the
64 available funds defined in paragraph (17)(b) for all students,
65 except that when 75 percent or more of the students enrolled in
66 the charter school are exceptional students as defined in s.
67 1003.01(3), the 5 percent of those available funds shall be
68 calculated based on unweighted full-time equivalent students.



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69 However, a sponsor may only withhold up to a 5-percent
70 administrative fee for enrollment for up to and including 250
71 students. For charter schools with a population of 251 or more
72 students, the difference between the total administrative fee
73 calculation and the amount of the administrative fee withheld
74 may only be used for capital outlay purposes specified in s.
75 1013.62(2).

76 3. For high-performing charter schools, as defined in ch.
77 2011-232, a sponsor may withhold a total administrative fee of
78 up to 2 percent for enrollment up to and including 250 students
79 per school.

80 4. In addition, a sponsor may withhold only up to a 5-
81 percent administrative fee for enrollment for up to and
82 including 500 students within a system of charter schools which
83 meets all of the following:

84 a. Includes both conversion charter schools and
85 nonconversion charter schools;

86 b. Has all schools located in the same county;

87 c. Has a total enrollment exceeding the total enrollment of
88 at least one school district in the state;

89 d. Has the same governing board; and

90 e. Does not contract with a for-profit service provider for
91 management of school operations.

92 5. The difference between the total administrative fee
93 calculation and the amount of the administrative fee withheld
94 pursuant to subparagraph 4. may be used for instructional and
95 administrative purposes as well as for capital outlay purposes
96 specified in s. 1013.62(2).

97 6. For a high-performing charter school system that also



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98 meets the requirements in subparagraph 4., a sponsor may
99 withhold a 2-percent administrative fee for enrollments up to
100 and including 500 students per system.

101 7. Sponsors shall not charge charter schools any additional
102 fees or surcharges for administrative and educational services
103 in addition to the maximum 5-percent administrative fee withheld
104 pursuant to this paragraph.

105 8. The sponsor of a virtual charter school may withhold a
106 fee of up to 5 percent. The funds shall be used to cover the
107 cost of services provided under subparagraph 1. and
108 implementation of ~~for~~ the school district's digital classrooms
109 plan pursuant to s. 1011.62 ~~local instructional improvement~~
110 system pursuant to s. 1006.281 or other technological tools that
111 are required to access electronic and digital instructional
112 materials.

113 Section 3. Paragraph (e) of subsection (1) of section
114 1002.45, Florida Statutes, is amended to read:

115 1002.45 Virtual instruction programs.-

116 (1) PROGRAM.-

117 (e) Each school district shall:

118 1. Provide to the department by October 1, 2011, and by
119 each October 1 thereafter, a copy of each contract and the
120 amounts paid per unweighted full-time equivalent student for
121 services procured pursuant to subparagraphs (c)1. and 2.

122 2. Expend the difference in funds provided for a student
123 participating in the school district virtual instruction program
124 pursuant to subsection (7) and the price paid for contracted
125 services procured pursuant to subparagraphs (c)1. and 2. for
126 implementation of the school district's digital classrooms plan



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127 ~~pursuant to s. 1011.62 the district's local instructional~~
128 ~~improvement system pursuant to s. 1006.281 or other~~
129 ~~technological tools that are required to access electronic and~~
130 ~~digital instructional materials.~~

131 3. At the end of each fiscal year, but no later than
132 September 1, report to the department an itemized list of the
133 technological tools purchased with these funds.

134 Section 4. Section 1006.281, Florida Statutes, is repealed.

135 Section 5. Section 1006.282, Florida Statutes, is repealed.

136 Section 6. Paragraph (b) of subsection (3) of section
137 1006.38, Florida Statutes, is amended:

138 1006.38 Duties, responsibilities, and requirements of
139 instructional materials publishers and manufacturers.—This
140 section applies to both the state and district approval
141 processes. Publishers and manufacturers of instructional
142 materials, or their representatives, shall:

143 (3) Submit, at a time designated in s. 1006.33, the
144 following information:

145 (b) Evidence that the publisher or manufacturer has
146 provided materials that address the performance standards
147 provided for in s. 1001.03(1) and that can be accessed through
148 the school district's digital classrooms plan ~~local~~
149 ~~instructional improvement system~~ and a variety of electronic,
150 digital, and mobile devices.

151 Section 7. Paragraph (d) of subsection (2) of section
152 1011.71, Florida Statutes, is amended to read:

153 1011.71 District school tax.—

154 (2) In addition to the maximum millage levy as provided in
155 subsection (1), each school board may levy not more than 1.5



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156 mills against the taxable value for school purposes for district
157 schools, including charter schools at the discretion of the
158 school board, to fund:

159 (d) The purchase, lease-purchase, or lease of new and
160 replacement equipment; computer hardware, including electronic
161 hardware and other hardware devices necessary for gaining access
162 to or enhancing the use of electronic content and resources or
163 to facilitate the access to and the use of a school district's
164 digital classrooms plan pursuant to s. 1011.62 ~~electronic~~
165 ~~learning management system pursuant to s. 1006.281~~, excluding
166 software other than the operating system necessary to operate
167 the hardware or device; and enterprise resource software
168 applications that are classified as capital assets in accordance
169 with definitions of the Governmental Accounting Standards Board,
170 have a useful life of at least 5 years, and are used to support
171 districtwide administration or state-mandated reporting
172 requirements.

173
174 ===== T I T L E A M E N D M E N T =====

175 And the title is amended as follows:

176 Delete lines 34 - 39

177 and insert:

178 provisions to changes made by the act; amending s.
179 1002.45, F.S.; conforming provisions to changes made
180 by the act; repealing s. 1006.281, F.S., relating to
181 local instructional improvement systems; repealing s.
182 1006.282, F.S., relating to a pilot program for the
183 transition to electronic and digital instructional
184 materials; amending ss. 1006.38 and 1011.71, F.S.;



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conforming provisions to changes made by the act;
creating s.