

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HJR 759 Charter Schools
SPONSOR(S): K-12 Subcommittee, Diaz, Jr.
TIED BILLS: **IDEN./SIM. BILLS:** SJR 976

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) K-12 Subcommittee	9 Y, 3 N, As CS	Dehmer	Fudge
2) Appropriations Committee			
3) Education Committee			

SUMMARY ANALYSIS

Under current law, an applicant seeking to operate a charter school submits an application that is reviewed and approved by the school board in the district in which the applicant seeks to operate. Once approved, the applicant and school district enter into a contract called a charter.

The House Joint Resolution directs the State Board of Education to establish a statewide charter school authorizer to authorize, operate, control and supervise charter schools as provided by law. Additionally, it clarifies that a school board has the authority to operate, control and supervise all free public schools within its district, except charter schools under the control and supervision of the statewide charter school authorizer.

HJR 759 impacts state funds to the extent that the cost of placing the constitutional amendment on the ballot must be administered by the Department of State. The estimated printing and publication costs for advertising the joint resolution and other necessary materials would be approximately \$28,145.79, possibly greater, depending on the final wording of the joint resolution and the resulting ballot language. The estimate is based on the cost to advertise constitutional amendments for the 2014 general election which was \$135.97 per word.

A joint resolution proposing an amendment to the Florida Constitution must be passed by three-fifths of the membership of each house of the Legislature.

The Constitution requires 60 percent voter approval for passage of a proposed constitutional amendment.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Statewide Charter School Authorizer

Present Situation

Under current law, an applicant seeking to operate a charter school submits an application that is reviewed and approved by the school board in the district in which the applicant seeks to operate.¹ Once approved, the applicant and school district enter into a contract called a charter.²

Effect of Proposed Changes

The House Joint Resolution directs the State Board of Education to establish a statewide charter school authorizer to authorize, operate, control and supervise charter schools as provided by law. Additionally, it clarifies that a school board has authority to operate, control and supervise all free public schools within its district, except charter schools under the control and supervision of the statewide charter school authorizer.

B. SECTION DIRECTORY:

Section 1. Amends art. IX, Fla. Const., directing the State Board of Education to establish a statewide charter school authorizer and clarifying a school board has authority to operate, control and supervise all free public schools within its district, except for those charter schools authorized by the statewide authorizer.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Article XI, s. 5(d) of the State Constitution, requires proposed amendments or constitutional revisions to be published in a newspaper of general circulation in each county where a newspaper is published. The amendment or revision must be published once in the tenth week and again in the sixth week immediately before the week the election is held.

The estimated average cost per word to advertise an amendment to the State Constitution is \$135.97 for this fiscal year.³ The estimated publication costs for advertising the joint resolution will be approximately \$28,145.79, possibly greater, depending on the final wording of the joint resolution and the resulting ballot language.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

¹ Section 1002.33(6), F.S.

² Section 1002.33(7), F.S.

³ *Legislative Bill Analysis for CS/HJR 165 (2016)*.

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 20, 2016, the K-12 Subcommittee adopted one amendment and reported HJR 759 favorably as a committee substitute. The amendment:

- Directs the State Board of Education to establish a statewide charter school authorizer to authorize, operate, control and supervise charter schools as provided by law.
- Clarifies that a school board has authority to operate, control and supervise all free public schools within its district, except charter schools under the control and supervision of the statewide charter school authorizer.

This analysis is drafted to the committee substitute as approved by the K-12 Subcommittee.