

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Rizo offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 1002.3301, Florida Statutes, is created to read:

1002.3301 Charter School Review Commission.—Subject to an appropriation, the Charter School Review Commission is created within the Department of Education to review and approve applications for charter schools overseen by district school boards.

(1) The commission shall consist of seven members who have charter school experience, selected by the State Board of

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14 Education and subject to confirmation by the Senate. The
15 commissioner shall designate one member as the chair. Each
16 member shall be appointed to a 4-year term. However, for the
17 purpose of achieving staggered terms, of the initial
18 appointments, three members shall be appointed to 2-year terms
19 and four members shall be appointed to 4-year terms. All
20 subsequent appointments shall be for 4-year terms. A majority of
21 the members of the commission constitutes a quorum.

22 (2) The commission has the same powers and duties as
23 sponsors pursuant to s. 1002.33 in regard to reviewing and
24 approving charter schools.

25 (3) The Department of Education shall contract with a
26 college or university to provide administrative and technical
27 assistance to the commission by reviewing and providing an
28 analysis of charter school applications submitted to the
29 commission.

30 (4) The district school board of the school district in
31 which the proposed charter school will be located shall be the
32 sponsor of and supervisor for the new charter school and shall
33 provide an initial proposed charter contract to the charter
34 school pursuant to s. 1002.33(7) (b) within 30 calendar days
35 after the commission's decision granting an application.

36 (5) Within 3 calendar days after an applicant submits an
37 application for a charter school to the commission, the
38 applicant must also provide a copy of the application to the

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39 school district in which the proposed charter school will be
40 located. Within 30 calendar days after receiving a copy of the
41 application, the school district may provide input to the
42 commission on a form prescribed by the department. The
43 commission must consider such input in reviewing the
44 application.

45 (6) The decisions of the commission may be appealed in
46 accordance with s. 1002.33(6)(c).

47 (7) The State Board of Education shall adopt rules to
48 implement this section.

49 Section 2. Subsection (2), paragraphs (a) and (b) of
50 subsection (5), paragraph (c) of subsection (7), paragraph (a)
51 of subsection (8), paragraph (p) of subsection (9), paragraphs
52 (a), (c), and (f) of subsection (18), and paragraph (a) of
53 subsection (20) of section 1002.33, Florida Statutes, are
54 amended to read:

55 1002.33 Charter schools.—

56 (2) GUIDING PRINCIPLES; PURPOSE; LEGISLATIVE INTENT.—

57 (a) Charter schools in Florida shall be guided by the
58 following principles:

59 1. Meet high standards of student achievement while
60 providing parents flexibility to choose among diverse
61 educational opportunities within this ~~the~~ state's public school
62 system.

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63 2. Promote enhanced academic success and financial
64 efficiency by aligning responsibility with accountability.

65 3. Provide parents with sufficient information on whether
66 their child is reading at grade level and whether the child
67 gains at least a year's worth of learning for every year spent
68 in the charter school.

69 (b) Charter schools shall fulfill the following purposes:

70 1. Improve student learning and academic achievement.

71 2. Increase learning opportunities for all students, with
72 special emphasis on low-performing students and reading.

73 3. Encourage the use of innovative learning methods.

74 4. Require the measurement of learning outcomes.

75 (c) Charter schools may fulfill the following purposes:

76 1. Create innovative measurement tools.

77 2. Provide rigorous competition within the public school
78 system to stimulate continual improvement in all public schools.

79 3. Expand the capacity of the public school system.

80 4. Mitigate the educational impact created by the
81 development of new residential dwelling units.

82 5. Create new professional opportunities for teachers,
83 including ownership of the learning program at the school site.

84 (d) It is the intent of the Legislature that charter
85 school students be considered as important as all other students
86 in this state and, to that end, comparable funding levels from

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87 existing and future sources should be maintained for charter
88 school students.

89 (5) SPONSOR; DUTIES.—

90 (a) *Sponsoring entities.*—

91 1. A district school board may sponsor a charter school in
92 the county over which the district school board has
93 jurisdiction.

94 2. A state university may grant a charter to a lab school
95 created under s. 1002.32 and shall be considered to be the
96 school's sponsor. Such school shall be considered a charter lab
97 school.

98 3. Because needs relating to educational capacity,
99 workforce qualifications, and career education opportunities are
100 constantly changing and extend beyond school district
101 boundaries:

102 a. A state university may, upon approval by the Department
103 of Education, solicit applications and sponsor a charter school
104 to meet regional education or workforce demands by serving
105 students from multiple school districts.

106 b. A Florida College System institution may, upon approval
107 by the Department of Education, solicit applications and sponsor
108 a charter school in any county within its service area to meet
109 workforce demands and may offer postsecondary programs leading
110 to industry certifications to eligible charter school students.

111 A charter school established under subparagraph (b)4. may not be

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112 sponsored by a Florida College System institution until its
113 existing charter with the school district expires as provided
114 under subsection (7).

115 c. Notwithstanding paragraph (6)(b), a state university or
116 Florida College System institution may, at its discretion, deny
117 an application for a charter school.

118 d. The Charter School Review Commission, as authorized
119 under s. 1002.3301, may solicit and review applications for
120 charter schools overseen by district school boards and, upon the
121 commission approving an application, the district school board
122 that oversees the school district in which the charter school
123 will be located shall serve as sponsor.

124 (b) *Sponsor duties.*—

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

128 b. The sponsor shall monitor the revenues and expenditures
129 of the charter school and perform the duties provided in s.
130 1002.345.

131 c. The sponsor may approve a charter for a charter school
132 before the applicant has identified space, equipment, or
133 personnel, if the applicant indicates approval is necessary for
134 it to raise working funds.

135 d. The sponsor may ~~shall~~ not apply its policies to a
136 charter school unless mutually agreed to by both the sponsor and

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137 the charter school. If the sponsor subsequently amends any
138 agreed-upon sponsor policy, the version of the policy in effect
139 at the time of the execution of the charter, or any subsequent
140 modification thereof, shall remain in effect and the sponsor may
141 not hold the charter school responsible for any provision of a
142 newly revised policy until the revised policy is mutually agreed
143 upon.

144 e. The sponsor shall ensure that the charter is innovative
145 and consistent with the state education goals established by s.
146 1000.03(5).

147 f. The sponsor shall ensure that the charter school
148 participates in the state's education accountability system. If
149 a charter school falls short of performance measures included in
150 the approved charter, the sponsor shall report such shortcomings
151 to the Department of Education.

152 g. The sponsor is ~~shall~~ not ~~be~~ liable for civil damages
153 under state law for personal injury, property damage, or death
154 resulting from an act or omission of an officer, employee,
155 agent, or governing body of the charter school.

156 h. The sponsor is ~~shall~~ not ~~be~~ liable for civil damages
157 under state law for any employment actions taken by an officer,
158 employee, agent, or governing body of the charter school.

159 i. The sponsor's duties to monitor the charter school do
160 ~~shall~~ not constitute the basis for a private cause of action.

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161 j. The sponsor ~~may shall~~ not impose additional reporting
162 requirements on a charter school as long as the charter school
163 has not been identified as having a deteriorating financial
164 condition or financial emergency pursuant to s. 1002.345 without
165 ~~providing reasonable and specific justification in writing to~~
166 ~~the charter school.~~

167 k. The sponsor shall submit an annual report to the
168 Department of Education in a web-based format to be determined
169 by the department.

170 (I) The report shall include the following information:

171 (A) The number of applications received during the school
172 year and up to August 1 and each applicant's contact
173 information.

174 (B) The date each application was approved, denied, or
175 withdrawn.

176 (C) The date each final contract was executed.

177 (II) Annually, by November 1, the sponsor shall submit to
178 the department the information for the applications submitted
179 the previous year.

180 (III) The department shall compile an annual report, by
181 sponsor, and post the report on its website by January 15 of
182 each year.

183 2. Immunity for the sponsor of a charter school under
184 subparagraph 1. applies only with respect to acts or omissions

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185 not under the sponsor's direct authority as described in this
186 section.

187 3. This paragraph does not waive a sponsor's sovereign
188 immunity.

189 4. A Florida College System institution may work with the
190 school district or school districts in its designated service
191 area to develop charter schools that offer secondary education.
192 These charter schools must include an option for students to
193 receive an associate degree upon high school graduation. If a
194 Florida College System institution operates an approved teacher
195 preparation program under s. 1004.04 or s. 1004.85, the
196 institution may operate charter schools that serve students in
197 kindergarten through grade 12 in any school district within the
198 service area of the institution. District school boards shall
199 cooperate with and assist the Florida College System institution
200 on the charter application. Florida College System institution
201 applications for charter schools are not subject to the time
202 deadlines outlined in subsection (6) and may be approved by the
203 district school board at any time during the year. Florida
204 College System institutions may not report FTE for any students
205 participating under this subparagraph who receive FTE funding
206 through the Florida Education Finance Program.

207 5. For purposes of assisting the development of a charter
208 school, a school district may enter into nonexclusive interlocal
209 agreements with federal and state agencies, counties,

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210 municipalities, and other governmental entities that operate
211 within the geographical borders of the school district to act on
212 behalf of such governmental entities in the inspection,
213 issuance, and other necessary activities for all necessary
214 permits, licenses, and other permissions that a charter school
215 needs in order for development, construction, or operation. A
216 charter school may use, but may not be required to use, a school
217 district for these services. The interlocal agreement must
218 include, but need not be limited to, the identification of fees
219 that charter schools will be charged for such services. The fees
220 must consist of the governmental entity's fees plus a fee for
221 the school district to recover no more than actual costs for
222 providing such services. These services and fees are not
223 included within the services to be provided pursuant to
224 subsection (20). Notwithstanding any other provision of law, an
225 interlocal agreement or ordinance that imposes a greater
226 regulatory burden on charter schools than school districts or
227 that between a school district and a federal or state agency,
228 county, municipality, or other governmental entity which
229 prohibits or limits the creation of a charter school ~~within the~~
230 ~~geographic borders of the school district~~ is void and
231 unenforceable. An interlocal agreement entered into by a school
232 district for the development of only its own schools, including
233 provisions relating to the extension of infrastructure, may be
234 used by charter schools.

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235 6. The board of trustees of a sponsoring state university
236 or Florida College System institution under paragraph (a) is the
237 local educational agency for all charter schools it sponsors for
238 purposes of receiving federal funds and accepts full
239 responsibility for all local educational agency requirements and
240 the schools for which it will perform local educational agency
241 responsibilities. A student enrolled in a charter school that is
242 sponsored by a state university or Florida College System
243 institution may not be included in the calculation of the school
244 district's grade under s. 1008.34(5) for the school district in
245 which he or she resides.

246 (7) CHARTER.—The terms and conditions for the operation of
247 a charter school shall be set forth by the sponsor and the
248 applicant in a written contractual agreement, called a charter.
249 The sponsor and the governing board of the charter school shall
250 use the standard charter contract pursuant to subsection (21),
251 which shall incorporate the approved application and any addenda
252 approved with the application. Any term or condition of a
253 proposed charter contract that differs from the standard charter
254 contract adopted by rule of the State Board of Education shall
255 be presumed a limitation on charter school flexibility. The
256 sponsor may not impose unreasonable rules or regulations that
257 violate the intent of giving charter schools greater flexibility
258 to meet educational goals. The charter shall be signed by the

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259 governing board of the charter school and the sponsor, following
260 a public hearing to ensure community input.

261 (c)1. A charter may be renewed provided that a program
262 review demonstrates that the criteria in paragraph (a) have been
263 successfully accomplished and that none of the grounds for
264 nonrenewal established by paragraph (8)(a) have ~~has~~ been
265 expressly found. The charter of a charter school that meets
266 these requirements and has received a school grade lower than a
267 "B" pursuant to s. 1008.34 in the most recently graded school
268 year must be renewed for no less than a 5-year term except as
269 provided in paragraph (9)(n) documented. In order to facilitate
270 long-term financing for charter school construction, charter
271 schools operating for a minimum of 3 years and demonstrating
272 exemplary academic programming and fiscal management are
273 eligible for a 15-year charter renewal. Such long-term charter
274 is subject to annual review and may be terminated during the
275 term of the charter.

276 2. The 15-year charter renewal that may be granted
277 pursuant to subparagraph 1. must ~~shall~~ be granted to a charter
278 school that has received a school grade of "A" or "B" pursuant
279 to s. 1008.34 in the most recently graded school year ~~3 of the~~
280 ~~past 4 years~~ and that is not in a state of financial emergency
281 or deficit position as defined by this section. Such long-term
282 charter is subject to annual review and may be terminated during
283 the term of the charter pursuant to subsection (8).

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284 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

285 (a) The sponsor shall make student academic achievement
286 for all students the most important factor when determining
287 whether to renew or terminate the charter. The sponsor may ~~also~~
288 choose not to renew or may terminate the charter only if the
289 sponsor expressly finds that one of the grounds set forth below
290 exists by clear and convincing evidence:

291 1. Failure to participate in the state's education
292 accountability system created in s. 1008.31, as required in this
293 section, or failure to meet the requirements for student
294 performance stated in the charter.

295 2. Failure to meet generally accepted standards of fiscal
296 management due to deteriorating financial conditions or
297 financial emergencies determined pursuant to s. 1002.345.

298 3. Material violation of law.

299 ~~4. Other good cause shown.~~

300 (9) CHARTER SCHOOL REQUIREMENTS.—

301 (p)1. Each charter school shall maintain a website that
302 enables the public to obtain information regarding the school;
303 the school's academic performance; the names of the governing
304 board members; the programs at the school; any management
305 companies, service providers, or education management
306 corporations associated with the school; the school's annual
307 budget and its annual independent fiscal audit; the school's

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308 grade pursuant to s. 1008.34; and, on a quarterly basis, the
309 minutes of governing board meetings.

310 2. Each charter school's governing board must appoint a
311 representative to facilitate parental involvement, provide
312 access to information, assist parents and others with questions
313 and concerns, and resolve disputes. The representative must
314 reside in the school district in which the charter school is
315 located and may be a governing board member, a charter school
316 employee, or an individual contracted to represent the governing
317 board. If the governing board oversees multiple charter schools
318 in the same school district, the governing board must appoint a
319 separate representative for each charter school in the district.
320 The representative's contact information must be provided
321 annually in writing to parents and posted prominently on the
322 charter school's website. The sponsor may not require governing
323 board members to reside in the school district in which the
324 charter school is located if the charter school complies with
325 this subparagraph.

326 3. Each charter school's governing board must hold at
327 least two public meetings per school year in the school district
328 where the charter school is located. The meetings must be
329 noticed, open, and accessible to the public, and attendees must
330 be provided an opportunity to receive information and provide
331 input regarding the charter school's operations. The appointed
332 representative and charter school principal or director, or his

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333 or her designee, must be physically present at each meeting.
334 Members of the governing board or any member of a committee
335 formed or designated by the governing board may attend in person
336 or by means of communications media technology used in
337 accordance with rules adopted by the Administration Commission
338 under s. 120.54(5).

339 (18) FACILITIES.—

340 (a) A startup charter school shall utilize facilities
341 which comply with the Florida Building Code pursuant to chapter
342 553 except for the State Requirements for Educational
343 Facilities. Conversion charter schools shall utilize facilities
344 that comply with the State Requirements for Educational
345 Facilities provided that the school district and the charter
346 school have entered into a mutual management plan for the
347 reasonable maintenance of such facilities. The mutual management
348 plan shall contain a provision by which the district school
349 board agrees to maintain charter school facilities in the same
350 manner as its other public schools within the district. Charter
351 schools, with the exception of conversion charter schools, are
352 not required to comply, but may choose to comply, with the State
353 Requirements for Educational Facilities of the Florida Building
354 Code adopted pursuant to s. 1013.37. The local governing
355 authority shall not adopt or impose any local building
356 requirements or site-development restrictions, such as parking
357 and site-size criteria, student enrollment, and occupant load,

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358 that are addressed by and more stringent than those found in the
359 State Requirements for Educational Facilities of the Florida
360 Building Code. A local governing authority must treat charter
361 schools equitably in comparison to similar requirements,
362 restrictions, and site planning processes imposed upon public
363 schools that are not charter schools, including such provisions
364 that are established by interlocal agreement. An interlocal
365 agreement entered into by a school district for the development
366 of only its own schools, including provisions relating to the
367 extension of infrastructure, may be used by charter schools. A
368 charter school may not be subject to any land use regulation
369 requiring a change to a local government comprehensive plan or
370 requiring a development order or development permit, as those
371 terms are defined in s. 163.3164, that would not be required for
372 a public school in the same location. The agency having
373 jurisdiction for inspection of a facility and issuance of a
374 certificate of occupancy or use shall be the local municipality
375 or, if in an unincorporated area, the county governing
376 authority. If an official or employee of the local governing
377 authority refuses to comply with this paragraph, the aggrieved
378 school or entity has an immediate right to bring an action in
379 circuit court to enforce its rights by injunction. An aggrieved
380 party that receives injunctive relief may be awarded attorney
381 fees and court costs.

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382 (c) Any facility, or portion thereof, used to house a
383 charter school whose charter has been approved by the sponsor
384 and the governing board, pursuant to subsection (7), ~~is shall be~~
385 exempt from ad valorem taxes pursuant to s. 196.1983. Any
386 library, community service, museum, performing arts, theatre,
387 cinema, or church facility; any facility or land owned by a
388 Florida College System institution or, college, and university;
389 any similar public institutional facilities; and any facility
390 recently used to house a school or child care facility licensed
391 under s. 402.305 may provide space to charter schools within
392 their facilities under their preexisting zoning and land use
393 designations without obtaining a special exception, rezoning, or
394 a land use change.

395 (f) To the extent that charter school facilities are
396 specifically created to mitigate the educational impact created
397 by the development of new residential dwelling units, pursuant
398 to subparagraph (2)(c)4., a proportionate share of costs per
399 student station ~~some of or all of the~~ educational impact fees
400 required to be paid in connection with the new residential
401 dwelling units must ~~may~~ be designated ~~instead~~ for the
402 construction of the charter school facilities that will mitigate
403 the student station impact, including charter school facilities
404 described in subparagraph (10)(e)7. Such facilities shall be
405 built to the State Requirements for Educational Facilities and
406 shall be owned by a public or nonprofit entity. The local school

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407 district retains the right to monitor and inspect such
408 facilities to ensure compliance with the State Requirements for
409 Educational Facilities. If a facility ceases to be used for
410 public educational purposes, either the facility shall revert to
411 the school district subject to any debt owed on the facility, or
412 the owner of the facility shall have the option to refund all
413 educational impact fees utilized for the facility to the school
414 district. The district and the owner of the facility may
415 contractually agree to another arrangement for the facilities if
416 the facilities cease to be used for educational purposes. The
417 owner of property planned or approved for new residential
418 dwelling units and the entity levying educational impact fees
419 shall enter into an agreement that designates the educational
420 impact fees that will be allocated for the charter school
421 student stations and that ensures the timely construction of the
422 charter school student stations concurrent with the expected
423 occupancy of the residential units. The application for use of
424 educational impact fees shall include an approved charter school
425 application. To assist the school district in forecasting
426 student station needs, the entity levying the impact fees shall
427 notify the affected district of any agreements it has approved
428 for the purpose of mitigating student station impact from the
429 new residential dwelling units. Any entity contributing toward
430 the construction of such facilities shall receive a credit
431 toward any impact fees or exactions imposed for public

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432 educational facilities to the extent that the entity has not
433 received a credit for such contribution pursuant to s.
434 163.3180(6)(h)2.

435 (20) SERVICES.—

436 (a)1. A sponsor shall provide certain administrative and
437 educational services to charter schools. These services shall
438 include contract management services; full-time equivalent and
439 data reporting services; exceptional student education
440 administration services; services related to eligibility and
441 reporting duties required to ensure that school lunch services
442 under the National School Lunch Program, consistent with the
443 needs of the charter school, are provided by the sponsor at the
444 request of the charter school, that any funds due to the charter
445 school under the National School Lunch Program be paid to the
446 charter school as soon as the charter school begins serving food
447 under the National School Lunch Program, and that the charter
448 school is paid at the same time and in the same manner under the
449 National School Lunch Program as other public schools serviced
450 by the sponsor or the school district; test administration
451 services, including payment of the costs of state-required or
452 district-required student assessments; processing of teacher
453 certificate data services; and information services, including
454 equal access to the sponsor's student information systems that
455 are used by public schools in the district in which the charter
456 school is located or by schools in the sponsor's portfolio of

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457 charter schools if the sponsor is not a school district. Student
458 performance data for each student in a charter school,
459 including, but not limited to, FCAT scores, standardized test
460 scores, previous public school student report cards, and student
461 performance measures, shall be provided by the sponsor to a
462 charter school in the same manner provided to other public
463 schools in the district or by schools in the sponsor's portfolio
464 of charter schools if the sponsor is not a school district.

465 2. A sponsor may withhold an administrative fee for the
466 provision of such services which shall be a percentage of the
467 available funds defined in paragraph (17)(b) calculated based on
468 weighted full-time equivalent students. If the charter school
469 serves 75 percent or more exceptional education students as
470 defined in s. 1003.01(3), the percentage shall be calculated
471 based on unweighted full-time equivalent students. The
472 administrative fee shall be calculated as follows:

473 a. Up to 5 percent for:

474 (I) Enrollment of up to and including 250 students in a
475 charter school as defined in this section.

476 (II) Enrollment of up to and including 500 students within
477 a charter school system which meets all of the following:

478 (A) Includes conversion charter schools and nonconversion
479 charter schools.

480 (B) Has all of its schools located in the same county.

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481 (C) Has a total enrollment exceeding the total enrollment
482 of at least one school district in this state.

483 (D) Has the same governing board for all of its schools.

484 (E) Does not contract with a for-profit service provider
485 for management of school operations.

486 (III) Enrollment of up to and including 250 students in a
487 virtual charter school.

488 b. Up to 2 percent for enrollment of up to and including
489 250 students in a high-performing charter school as defined in
490 s. 1002.331.

491 c. Up to 2 percent for enrollment of up to and including
492 250 students in an exceptional student education center that
493 meets the requirements of the rules adopted by the State Board
494 of Education pursuant to s. 1008.3415(3).

495 3. A sponsor may not charge charter schools any additional
496 fees or surcharges for administrative and educational services
497 in addition to the maximum percentage of administrative fees
498 withheld pursuant to this paragraph. A sponsor may not charge or
499 withhold any administrative fee against a charter school for any
500 funds specifically allocated by the Legislature for teacher
501 compensation.

502 4. A sponsor shall provide to the department by September
503 15 of each year the total amount of funding withheld from
504 charter schools pursuant to this subsection for the prior fiscal

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505 year. The department must include the information in the report
506 required under sub-sub-subparagraph (5)(b)1.k.(III).

507 Section 3. Section 1004.88, Florida Statutes, is created
508 to read:

509 1004.88 Florida Institute for Charter School Innovation.-

510 (1) The Florida Institute for Charter School Innovation is
511 established at Miami Dade College, subject to appropriation, for
512 the purpose of improving charter school authorizing practices in
513 this state.

514 (2) The institute shall do all of the following:

515 (a) Analyze charter school applications, identify best
516 practices, and create a state resource for developing and
517 reviewing charter school applications.

518 (b) Provide charter school sponsors with training,
519 technical assistance, and support in reviewing initial and
520 renewal charter applications.

521 (c) Conduct applied research on policy and practices
522 related to charter schools.

523 (d) Conduct or compile basic research on the status of
524 educational choice, charter authorizing, and charter school
525 performance in this state, and other topics related to charter
526 schools.

527 (e) Collaborate with the Department of Education in
528 developing the sponsor evaluation framework under s.
529 1002.33(5)(c).

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530 (f) Disseminate information regarding research-based
531 charter school teaching practices to teacher educators in this
532 state.

533 (g) Host research workshops and conferences that allow
534 charter school sponsors, charter school operators, students, and
535 parents to engage in topics related to charter schools.

536 (3) The institute may apply for and receive federal,
537 state, or local agency grants for the purposes of this section.

538 (4) The District Board of Trustees of Miami Dade College
539 shall establish policies for the supervision, administration,
540 and governance of the institute.

541 Section 4. (1) The Office of Program Policy Analysis and
542 Government Accountability shall conduct an analysis of the
543 current methodologies for the distribution of capital outlay
544 funds and federal funds through Titles I, II, III, and IV of the
545 Elementary and Secondary Education Act, as amended, and the
546 Individuals with Disabilities Education Act, as amended, to
547 charter schools. Based on its analysis, the office shall
548 recommend any changes to provide an equitable allocation of
549 capital outlay funds and specified federal funds to all public
550 schools.

551 (2) The analysis of capital outlay funds must include, at
552 a minimum:

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553 (a) An analysis of the calculation methodology for the
554 allocation of state funds appropriated in the General
555 Appropriations Act under s. 1013.62(2), Florida Statutes.

556 (b) An analysis of the calculation methodology to
557 determine the amount of revenue that a school district must
558 distribute to a charter school under s. 1013.62(3), Florida
559 Statutes.

560 (c) For the most recent 3 years, a comparison of the
561 charter school capital outlay amounts between the allocation of
562 state funds and revenue that would result from the discretionary
563 millage authorized under s. 1011.71(2), Florida Statutes.

564 (d) Other state policies and methodologies for the
565 distribution of charter school capital outlay funds.

566 (3) The office shall submit a report of its findings and
567 recommendations to the Governor, the President of the Senate,
568 and the Speaker of the House of Representatives by January 1,
569 2023.

570 Section 5. This act shall take effect July 1, 2022.

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572 **T I T L E A M E N D M E N T**

573 Remove everything before the enacting clause and insert:

574 A bill to be entitled

575 An act relating to education; creating s. 1002.3301,

576 F.S.; creating the Charter School Review Commission

577 within the Department of Education, subject to

748401

Amendment No.

578 appropriation; providing the purpose of the
579 commission; specifying membership of the commission
580 and the duration of members' terms; requiring the
581 State Board of Education to appoint members, subject
582 to confirmation by the Senate; providing that a
583 majority of the commission members constitutes a
584 quorum; providing that the commission has the same
585 powers and duties relating to reviewing and approving
586 charter schools as a sponsor; requiring the department
587 to contract with a college or university to provide
588 administrative and technical assistance to the
589 commission; designating the district school board in
590 which a proposed charter school will be located as the
591 new charter school's sponsor and supervisor; requiring
592 a district school board to take specified actions
593 within a certain timeframe after the commission grants
594 a charter school application; requiring a charter
595 school applicant to provide the school district in
596 which the proposed charter school will be located with
597 a copy of the application within a specified
598 timeframe; authorizing the school district to provide
599 input to the commission within a specified timeframe;
600 requiring the commission to consider such input;
601 authorizing the appeal of commission decisions;
602 requiring the State Board of Education to adopt rules;

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Amendment No.

603 amending s. 1002.33, F.S.; providing legislative
604 intent; authorizing the commission to solicit and
605 review certain charter school applications; requiring
606 the district school board that oversees the school
607 district in which a charter school approved by the
608 commission will be located to serve as the charter
609 school's sponsor; prohibiting sponsors from imposing
610 additional reporting requirements unless a charter
611 school meets specified criteria; providing that
612 certain interlocal agreements and ordinances are void
613 and unenforceable; authorizing charter schools to use
614 school district interlocal agreements; revising the
615 terms and conditions for charter renewal; revising the
616 procedure and causes for nonrenewal or termination of
617 a charter; authorizing members of certain committees
618 of a charter school governing board to attend
619 specified meetings in person or through the use of
620 communications media technology; authorizing charter
621 schools to use certain interlocal agreements;
622 prohibiting a charter school from being subject to
623 certain land use regulations if such regulations would
624 not be required for certain public schools; providing
625 that specified facilities may provide space to charter
626 schools under existing zoning and land use
627 designations without obtaining a special exception,

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Amendment No.

628 rezoning, or a land use change; requiring a specified
629 proportionate share of certain educational impact fees
630 to be designated for the construction of certain
631 charter school facilities; providing credits toward
632 certain impact fees or exactions for certain entities;
633 providing that a sponsor may not charge or withhold
634 administrative fees for certain allocations; creating
635 s. 1004.88, F.S.; establishing the Florida Institute
636 for Charter Schools Innovation at Miami Dade College,
637 subject to appropriation; providing the purpose of the
638 institute; specifying the duties of the institute;
639 authorizing the institute to apply for and receive
640 certain grants; requiring the District Board of
641 Trustees of Miami Dade College to establish policies
642 regarding the institute; requiring the Office of
643 Program Policy Analysis and Government Accountability
644 to conduct an analysis of charter school capital
645 outlay funds and certain federal funds and submit a
646 report to the Governor and Legislature by a specified
647 date; providing an effective date.

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