

By Senator Burgess

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1 A bill to be entitled
2 An act relating to charter school charters; amending
3 s. 1002.33, F.S.; requiring a request for a
4 consolidation of multiple charters to be approved or
5 denied within a specified timeframe; requiring a
6 charter school sponsor to provide to the charter
7 school specified information relating to a denial of a
8 request for a consolidation within a certain
9 timeframe; revising the time period for notification
10 of specified actions relating to a charter school
11 charter; providing for the automatic renewal of a
12 charter under certain circumstances; providing an
13 effective date.

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15 Be It Enacted by the Legislature of the State of Florida:

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17 Section 1. Paragraph (d) of subsection (7) and paragraph
18 (b) of subsection (8) of section 1002.33, Florida Statutes, are
19 amended to read:

20 1002.33 Charter schools.—

21 (7) CHARTER.—The terms and conditions for the operation of
22 a charter school shall be set forth by the sponsor and the
23 applicant in a written contractual agreement, called a charter.
24 The sponsor and the governing board of the charter school shall
25 use the standard charter contract pursuant to subsection (21),
26 which shall incorporate the approved application and any addenda
27 approved with the application. Any term or condition of a
28 proposed charter contract that differs from the standard charter
29 contract adopted by rule of the State Board of Education shall

20-01034-22

2022892__

30 be presumed a limitation on charter school flexibility. The
31 sponsor may not impose unreasonable rules or regulations that
32 violate the intent of giving charter schools greater flexibility
33 to meet educational goals. The charter shall be signed by the
34 governing board of the charter school and the sponsor, following
35 a public hearing to ensure community input.

36 (d) A charter may be modified ~~during its initial term or~~
37 ~~any renewal term~~ upon the recommendation of the sponsor or the
38 charter school's governing board and the approval of both
39 parties to the agreement. Changes to curriculum which are
40 consistent with state standards shall be deemed approved unless
41 the sponsor and the Department of Education determine in writing
42 that the curriculum is inconsistent with state standards.
43 Modification during any term may include, but is not limited to,
44 consolidation of multiple charters into a single charter if the
45 charters are operated under the same governing board, regardless
46 of the renewal cycle. A charter school that is not subject to a
47 school improvement plan and that closes as part of a
48 consolidation shall be reported by the sponsor as a
49 consolidation. A request for consolidation of multiple charters
50 must be approved or denied within 60 days after the submission
51 of the request. If the request is denied, the sponsor shall
52 notify the charter school's governing board of the denial and
53 provide the specific reasons, in reasonable detail, for the
54 denial of the request for consolidation within 10 days.

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

56 (b) Before a vote on any proposed action to renew,
57 terminate, or not renew the charter and at least 90 days before
58 the end of the district school year ~~renewing, nonrenewing, or~~

20-01034-22

2022892__

59 ~~terminating a charter~~, the sponsor shall notify the governing
60 board of the school in writing of the proposed action to renew,
61 terminate, or not renew the charter. A charter must
62 automatically renew with the same terms and conditions if a vote
63 on the proposed action does not occur at least 90 days before
64 the end of the school year ~~in writing~~. The notice shall state in
65 reasonable detail the grounds for the proposed action and
66 stipulate that the school's governing board may, within 14
67 calendar days after receiving the notice, request a hearing. The
68 hearing shall be conducted by an administrative law judge
69 assigned by the Division of Administrative Hearings. The hearing
70 shall be conducted within 90 days after receipt of the request
71 for a hearing and in accordance with chapter 120. The
72 administrative law judge's final order shall be submitted to the
73 sponsor. The administrative law judge shall award the prevailing
74 party reasonable attorney fees and costs incurred during the
75 administrative proceeding and any appeals. The charter school's
76 governing board may, within 30 calendar days after receiving the
77 final order, appeal the decision pursuant to s. 120.68.

78 Section 2. This act shall take effect July 1, 2022.