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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2023	.	
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The Committee on Education Pre-K -12 (Burgess) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (d) of subsection (10), paragraph (a)
of subsection (20), and subsection (28) of section 1002.33,
Florida Statutes, are amended to read:

1002.33 Charter schools.—

(10) ELIGIBLE STUDENTS.—

(d) A charter school may give enrollment preference to the



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11 following student populations:

12 1. Students who are siblings of a student enrolled in the
13 charter school.

14 2. Students who are the children of a member of the
15 governing board of the charter school.

16 3. Students who are the children of an employee of the
17 charter school.

18 4. Students who are the children of:

19 a. An employee of the business partner of a charter school-
20 in-the-workplace established under paragraph (15)(b) or a
21 resident of the municipality in which such charter school is
22 located; or

23 b. A resident or employee of a municipality that operates a
24 charter school-in-a-municipality pursuant to paragraph (15)(c)
25 or allows a charter school to use a school facility or portion
26 of land provided by the municipality for the operation of the
27 charter school.

28 5. Students who have successfully completed, during the
29 previous year, a voluntary prekindergarten education program
30 under ss. 1002.51-1002.79 provided by the charter school, the
31 charter school's governing board, or a voluntary prekindergarten
32 provider that has a written agreement with the governing board.

33 6. Students who are the children of an active duty member
34 of any branch of the United States Armed Forces.

35 7. Students who attended or are assigned to failing schools
36 pursuant to s. 1002.38(2).

37 8. Students who are the children of a school safety officer
38 or officers assigned to the charter school.

39 (20) SERVICES.-



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40 (a)1. A sponsor shall provide certain administrative and
41 educational services to charter schools. These services shall
42 include contract management services; full-time equivalent and
43 data reporting services; exceptional student education
44 administration services; services related to eligibility and
45 reporting duties required to ensure that school lunch services
46 under the National School Lunch Program, consistent with the
47 needs of the charter school, are provided by the sponsor at the
48 request of the charter school, that any funds due to the charter
49 school under the National School Lunch Program be paid to the
50 charter school as soon as the charter school begins serving food
51 under the National School Lunch Program, and that the charter
52 school is paid at the same time and in the same manner under the
53 National School Lunch Program as other public schools serviced
54 by the sponsor or the school district; test administration
55 services, including payment of the costs of state-required or
56 district-required student assessments; processing of teacher
57 certificate data services; and information services, including
58 equal access to the sponsor's student information systems that
59 are used by public schools in the district in which the charter
60 school is located or by schools in the sponsor's portfolio of
61 charter schools if the sponsor is not a school district. Student
62 performance data for each student in a charter school,
63 including, but not limited to, FCAT scores, standardized test
64 scores, previous public school student report cards, and student
65 performance measures, shall be provided by the sponsor to a
66 charter school in the same manner provided to other public
67 schools in the district or by schools in the sponsor's portfolio
68 of charter schools if the sponsor is not a school district.



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69 2. A sponsor shall provide training on systems the sponsor
70 will require the charter school to use.

71 3. A sponsor may withhold an administrative fee for the
72 provision of such services which shall be a percentage of the
73 available funds defined in paragraph (17)(b) calculated based on
74 weighted full-time equivalent students. If the charter school
75 serves 75 percent or more exceptional education students as
76 defined in s. 1003.01(3), the percentage shall be calculated
77 based on unweighted full-time equivalent students. The
78 administrative fee shall be calculated as follows:

79 a. Up to 5 percent for:

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

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

84 (A) Includes conversion charter schools and nonconversion
85 charter schools.

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

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

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

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

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

94 b. Up to 2 percent for enrollment of up to and including
95 250 students in a high-performing charter school as defined in
96 s. 1002.331.

97 c. Up to 2 percent for enrollment of up to and including



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98 250 students in an exceptional student education center that
99 meets the requirements of the rules adopted by the State Board
100 of Education pursuant to s. 1008.3415(3).

101 ~~4.3.~~ A sponsor may not charge charter schools any
102 additional fees or surcharges for administrative and educational
103 services in addition to the maximum percentage of administrative
104 fees withheld pursuant to this paragraph. A sponsor may not
105 charge or withhold any administrative fee against a charter
106 school for any funds specifically allocated by the Legislature
107 for teacher compensation.

108 ~~5.4.~~ A sponsor shall provide to the department by September
109 15 of each year the total amount of funding withheld from
110 charter schools pursuant to this subsection for the prior fiscal
111 year. The department must include the information in the report
112 required under sub-sub-subparagraph (5)(b)1.k.(III).

113 6. A sponsor shall annually provide a report to its charter
114 schools on what services are being rendered from the sponsor's
115 portion of the administrative fee. The report must include the
116 listed services and be submitted to the department by September
117 15 of each year.

118 (28) RULEMAKING.—The Department of Education, after
119 consultation with sponsors and charter school directors, shall
120 recommend that the State Board of Education adopt rules to
121 implement specific subsections of this section. Such rules shall
122 require minimum paperwork and shall not limit charter school
123 flexibility authorized by statute. The State Board of Education
124 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
125 implement a standard charter application form, standard
126 application form for the replication of charter schools in a



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127 high-performing charter school system, standard evaluation
128 instrument, standard monitoring tool, and standard charter and
129 charter renewal contracts in accordance with this section.

130 Section 2. Subsections (1) and (3) of section 1012.71,
131 Florida Statutes, are amended to read:

132 1012.71 The Florida Teachers Classroom Supply Assistance
133 Program.—

134 (1) For purposes of the Florida Teachers Classroom Supply
135 Assistance Program, the term "classroom teacher" means a
136 certified teacher employed by a public school district or a
137 public charter school in that district on or before September 1
138 of each year whose full-time or job-share responsibility is the
139 classroom instruction of students in prekindergarten through
140 grade 12, including full-time media specialists and certified
141 school counselors serving students in prekindergarten through
142 grade 12, who are funded through the Florida Education Finance
143 Program. A "job-share" classroom teacher is one of two teachers
144 whose combined full-time equivalent employment for the same
145 teaching assignment equals one full-time classroom teacher. The
146 term "classroom teacher" may also include an administrator or a
147 substitute teacher who holds a valid teaching certificate and
148 who is filling a vacancy in an identified teaching position on
149 or before September 1 of each year.

150 (3) From the funds allocated to each school district and
151 any funds received from local contributions for the Florida
152 Teachers Classroom Supply Assistance Program, the district
153 school board shall calculate an identical amount for each
154 classroom teacher who is estimated to be employed by the school
155 district or a charter school in the district on September 1 of



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156 each year, which is that teacher's proportionate share of the
157 total amount allocated to the district from state funds and
158 funds received from local contributions. A job-share classroom
159 teacher may receive a prorated share of the amount provided to a
160 full-time classroom teacher. The school district shall calculate
161 a prorated share of the funds for a classroom teacher who
162 teaches less than full time. For a classroom teacher determined
163 eligible on July 1, the district school board and each charter
164 school board may provide the teacher with his or her total
165 proportionate share by August 1 based on the estimate of the
166 number of teachers who will be employed on September 1. For a
167 classroom teacher determined eligible after July 1, the district
168 school board and each charter school board shall provide the
169 teacher with his or her total proportionate share by September
170 30. The proportionate share may be provided by any means
171 determined appropriate by the district school board or charter
172 school board, including, but not limited to, direct deposit,
173 check, debit card, or purchasing card. If a debit card is used,
174 an identifier must be placed on the front of the debit card
175 which clearly indicates that the card has been issued for the
176 Florida Teachers Classroom Supply Assistance Program.
177 Expenditures under the program are not subject to state or local
178 competitive bidding requirements. Funds received by a classroom
179 teacher do not affect wages, hours, or terms and conditions of
180 employment and, therefore, are not subject to collective
181 bargaining. Any classroom teacher may decline receipt of or
182 return the funds without explanation or cause.

183 Section 4. This act shall take effect July 1, 2023.

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185 ===== T I T L E A M E N D M E N T =====

186 And the title is amended as follows:

187 Delete everything before the enacting clause

188 and insert:

189 A bill to be entitled

190 An act relating to education; amending s. 1002.33,
191 F.S.; revising which students may be eligible for an
192 enrollment preference for charter schools; specifying
193 training and reporting requirements for charter school
194 sponsors; requiring the State Board of Education to
195 adopt rules to implement a standard monitoring tool;
196 amending s. 1012.71, F.S.; revising the definition of
197 the term "classroom teacher"; revising how a district
198 school board calculates certain teachers' shares of
199 funds from the Florida Teachers Classroom Supply
200 Assistance Program; providing an effective date.