

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; revising the requirements for an
4 application for a conversion charter school;
5 authorizing municipalities to apply for the conversion
6 of specified public schools to charter schools;
7 authorizing the Charter School Review Commission to
8 solicit and review applications for conversion charter
9 schools; requiring certain school district real
10 property to be designated as surplus by the Department
11 of Education and Department of Management Services;
12 requiring such surplus real property to be available
13 to certain charter schools and governing boards;
14 providing requirements for the transfer of such real
15 property; requiring such real property to be made
16 available for affordable housing under certain
17 circumstances; providing an effective date.

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

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21 Section 1. Paragraph (c) is added to subsection (3) of
22 section 1002.33, Florida Statutes, and paragraph (b) of
23 subsection (3), paragraph (a) of subsection (5), and paragraph
24 (e) of subsection (18) of that section are amended, to read:

25 1002.33 Charter schools.—

26 (3) APPLICATION FOR CHARTER STATUS.—
 27 (b) An application for a conversion charter school shall
 28 be made by a municipality, the district school board, the
 29 principal, teachers, parents, and/or the school advisory council
 30 at an existing public school that has been in operation for at
 31 least 2 years prior to the application to convert. A public
 32 school-within-a-school that is designated as a school by the
 33 district school board may also submit an application to convert
 34 to charter status. An application submitted proposing to convert
 35 an existing public school to a charter school shall demonstrate
 36 the support of at least ~~50 percent of the teachers employed at~~
 37 ~~the school and~~ 50 percent of the parents voting whose children
 38 are enrolled at the school, provided that a majority of the
 39 parents eligible to vote participate in the ballot process,
 40 according to rules adopted by the State Board of Education. The
 41 Charter School Review Commission or a district school board
 42 denying an application for a conversion charter school shall
 43 provide notice of denial to the applicants in writing within 10
 44 days after the meeting at which the commission or district
 45 school board denied the application. The notice must articulate
 46 in writing the specific reasons for denial and must provide
 47 documentation supporting those reasons. A private school,
 48 parochial school, or home education program shall not be
 49 eligible for charter school status.
 50 (c) A municipality may submit an application for

51 conversion for any or all of the public schools within its
52 jurisdictional boundary as part of a single application for
53 approval.

54 (5) SPONSOR; DUTIES.—

55 (a) Sponsoring entities.—

56 1. A district school board may sponsor a charter school in
57 the county over which the district school board has
58 jurisdiction.

59 2. A state university may grant a charter to a lab school
60 created under s. 1002.32 and shall be considered to be the
61 school's sponsor. Such school shall be considered a charter lab
62 school.

63 3. Because needs relating to educational capacity,
64 workforce qualifications, and career education opportunities are
65 constantly changing and extend beyond school district
66 boundaries:

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

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

76 | A charter school established under subparagraph (b)4. may not be
 77 | sponsored by a Florida College System institution until its
 78 | existing charter with the school district expires as provided
 79 | under subsection (7).

80 | c. Notwithstanding paragraph (6)(b), a state university or
 81 | Florida College System institution may, at its discretion, deny
 82 | an application for a charter school.

83 | d. The Charter School Review Commission, as authorized
 84 | under s. 1002.3301, may solicit and review applications for
 85 | conversion charter schools and charter schools overseen by
 86 | district school boards and, upon the commission approving an
 87 | application, the district school board that oversees the school
 88 | district in which the charter school will be located shall serve
 89 | as sponsor.

90 | (18) FACILITIES.—

91 | (e) In order to preserve the availability of scarce vacant
 92 | land for educational purposes, the Department of Education and
 93 | the Department of Management Services shall designate vacant
 94 | school district real property as surplus if such school district
 95 | has experienced a decline in student enrollment of 1 percent or
 96 | more for at least 2 consecutive years. Upon the designation of
 97 | such real property as surplus, the school district must make
 98 | such real property available to approved charter schools and
 99 | charter school governing boards within the school district. The
 100 | school district shall transfer the control and operation of such

101 real property to the charter school or charter school governing
 102 board without charging the charter school or charter school
 103 governing board any rental, leasing, or other usage fees. If a
 104 charter school or charter school governing board within the
 105 school district does not request the use of the surplus real
 106 property within 6 months after such real property is designated
 107 as surplus by the Department of Education and the Department of
 108 Management Services, the real property shall be made available
 109 for affordable housing within the county pursuant to s.
 110 1001.43(12). ~~If a district school board facility or property is~~
 111 ~~available because it is surplus, marked for disposal, or~~
 112 ~~otherwise unused, it shall be provided for a charter school's~~
 113 ~~use on the same basis as it is made available to other public~~
 114 ~~schools in the district.~~ A charter school receiving surplus real
 115 property pursuant to this subsection ~~property from the sponsor~~
 116 may not sell or dispose of such property without written
 117 permission of the sponsor. Similarly, for an existing public
 118 school converting to charter status, no rental or leasing fee
 119 for the existing facility or for the property normally
 120 inventoried to the conversion school may be charged by the
 121 district school board to the parents and teachers organizing the
 122 charter school. The charter school shall agree to reasonable
 123 maintenance provisions in order to maintain the facility in a
 124 manner similar to district school board standards. The Public
 125 Education Capital Outlay maintenance funds or any other

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126 | maintenance funds generated by the facility operated as a
127 | conversion school shall remain with the conversion school.
128 | Section 2. This act shall take effect July 1, 2024.