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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/16/2024	.	
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The Committee on Fiscal Policy (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 289 - 390

and insert:

Section 5. Subsection (3) of section 1001.61, Florida Statutes, is amended to read:

1001.61 Florida College System institution boards of trustees; membership.—

(3) Members of the board of trustees shall receive no compensation but may receive reimbursement for expenses as



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11 provided in s. 112.061. A member may not do business or have any  
12 business affiliation with any institution under his or her  
13 purview in the Florida College System while he or she is a  
14 member of a Florida College System institution's board of  
15 trustees.

16 Section 6. Subsection (2) of section 1001.71, Florida  
17 Statutes, is amended to read:

18 1001.71 University boards of trustees; membership.—

19 (2) Members of the boards of trustees shall receive no  
20 compensation but may be reimbursed for travel and per diem  
21 expenses as provided in s. 112.061. A member may not do business  
22 or have any business affiliation with any institution under his  
23 or her purview in the State University System while he or she is  
24 a member of a state university's board of trustees.

25 Section 7. Paragraphs (d) and (e) of subsection (10) and  
26 paragraph (a) of subsection (24) of section 1002.33, Florida  
27 Statutes, are amended to read:

28 1002.33 Charter schools.—

29 (10) ELIGIBLE STUDENTS.—

30 (d) A charter school may give enrollment preference to the  
31 following student populations:

32 1. Students who are siblings of a student enrolled in the  
33 charter school.

34 2. Students who are the children of a member of the  
35 governing board of the charter school.

36 3. Students who are the children of an employee of the  
37 charter school.

38 4. Students who are the children of:

39 a. An employee of the business partner of a charter school—



40 in-the-workplace established under paragraph (15) (b) or a  
41 resident of the municipality in which such charter school is  
42 located; or

43 b. A resident or employee of a municipality that operates a  
44 charter school-in-a-municipality pursuant to paragraph (15) (c)  
45 or allows a charter school to use a school facility or portion  
46 of land provided by the municipality for the operation of the  
47 charter school.

48 5. Students who have successfully completed, during the  
49 previous year, a voluntary prekindergarten education program  
50 under ss. 1002.51-1002.79 provided by the charter school, the  
51 charter school's governing board, or a voluntary prekindergarten  
52 provider that has a written agreement with the governing board.

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

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

57 8. Students who are the children of a safe-school officer,  
58 as defined in s. 1006.12, at the school.

59 9. Students who transfer from a classical school in this  
60 state to a charter classical school in this state. For purposes  
61 of this subparagraph, the term "classical school" means a  
62 traditional public school or charter school that implements a  
63 classical education model that emphasizes the development of  
64 students in the principles of moral character and civic virtue  
65 through a well-rounded education in the liberal arts and  
66 sciences which is based on the classical trivium stages of  
67 grammar, logic, and rhetoric.

68 (e) A charter school may limit the enrollment process only



69 to target the following student populations:

70 1. Students within specific age groups or grade levels.

71 2. Students considered at risk of dropping out of school or  
72 academic failure. Such students shall include exceptional  
73 education students.

74 3. Students enrolling in a charter school-in-the-workplace  
75 or charter school-in-a-municipality established pursuant to  
76 subsection (15).

77 4. Students residing within a reasonable distance of the  
78 charter school, as described in paragraph (20)(c). Such students  
79 shall be subject to a random lottery and to the racial/ethnic  
80 balance provisions described in subparagraph (7)(a)8. or any  
81 federal provisions that require a school to achieve a  
82 racial/ethnic balance reflective of the community it serves or  
83 within the racial/ethnic range of other nearby public schools.

84 5. Students who meet reasonable academic, artistic, or  
85 other eligibility standards established by the charter school  
86 and included in the charter school application and charter or,  
87 in the case of existing charter schools, standards that are  
88 consistent with the school's mission and purpose. Such standards  
89 shall be in accordance with current state law and practice in  
90 public schools and may not discriminate against otherwise  
91 qualified individuals. A school that limits enrollment for such  
92 purposes must place a student on a progress monitoring plan for  
93 at least one semester before dismissing such student from the  
94 school.

95 6. Students articulating from one charter school to another  
96 pursuant to an articulation agreement between the charter  
97 schools that has been approved by the sponsor.



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98           7. Students living in a development, or students whose  
99 parent or legal guardian maintains a physical or permanent  
100 employment presence within the development, in which a  
101 developer, including any affiliated business entity or  
102 charitable foundation, contributes to the formation,  
103 acquisition, construction, or operation of one or more charter  
104 schools or charter school facilities and related property in an  
105 amount equal to or having a total appraised value of at least \$5  
106 million to be used as charter schools to mitigate the  
107 educational impact created by the development of new residential  
108 dwelling units. Students living in the development are entitled  
109 to 50 percent of the student stations in the charter schools.  
110 The students who are eligible for enrollment are subject to a  
111 random lottery, the racial/ethnic balance provisions, or any  
112 federal provisions, as described in subparagraph 4. The  
113 remainder of the student stations must be filled in accordance  
114 with subparagraph 4.

115           8. Students whose parent or legal guardian is employed  
116 within a reasonable distance of the charter school, as described  
117 in paragraph (20) (c). The students who are eligible for  
118 enrollment are subject to a random lottery.

119           (24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

120           (a) This subsection applies to charter school personnel in  
121 a charter school operated by a private entity. As used in this  
122 subsection, the term:

123           1. "Charter school personnel" means a ~~charter school owner,~~  
124 president, chairperson of the governing board of directors,  
125 superintendent, governing board member, principal, assistant  
126 principal, or any other person employed by the charter school



127 who has equivalent decisionmaking authority and in whom is  
128 vested the authority, or to whom the authority has been  
129 delegated, to appoint, employ, promote, or advance individuals  
130 or to recommend individuals for appointment, employment,  
131 promotion, or advancement in connection with employment in a  
132 charter school, including the authority as a member of a  
133 governing body of a charter school to vote on the appointment,  
134 employment, promotion, or advancement of individuals.

135 2. "Relative" means father, mother, son, daughter, brother,  
136 sister, uncle, aunt, first cousin, nephew, niece, husband, wife,  
137 father-in-law, mother-in-law, son-in-law, daughter-in-law,  
138 brother-in-law, sister-in-law, stepfather, stepmother, stepson,  
139 stepdaughter, stepbrother, stepsister, half brother, or half  
140 sister.

141  
142 Charter school personnel in schools operated by a municipality  
143 or other public entity are subject to s. 112.3135.

144 Section 8. Subsection (19) is added to s. 1002.42, Florida  
145 Statutes, to read:

146 1002.42 Private schools.—

147 (19) FACILITIES.—

148 (a) A private school may use facilities on property owned  
149 or leased by a library, community service organization, museum,  
150 performing arts venue, theatre, cinema, or church facility under  
151 s. 170.201, which is or was actively used as such within 5 years  
152 of any executed agreement with a private school to use the  
153 facilities; any facility or land owned by a Florida College  
154 System institution or university; any similar public  
155 institutional facilities; and any facility recently used to



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156 house a school or child care facility licensed under s. 402.305,  
157 under any such facility's preexisting zoning and land use  
158 designations without rezoning or obtaining a special exception  
159 or a land use change, and without complying with any mitigation  
160 requirements or conditions. The facility must be located on  
161 property used solely for purposes described in this paragraph,  
162 and must meet applicable state and local health, safety, and  
163 welfare laws, codes, and rules, including firesafety and  
164 building safety.

165 (b) A private school may use facilities on property  
166 purchased from a library, community service organization,  
167 museum, performing arts venue, theatre, cinema, or church  
168 facility under s. 170.201, which is actively or was actively  
169 used as such within 5 years of any executed agreement with a  
170 private school to purchase the facilities; any facility or land  
171 owned by a Florida College System institution or university; any  
172 similar public institutional facilities; and any facility  
173 recently used to house a school or child care facility licensed  
174 under s. 402.305, under any such facility's preexisting zoning  
175 and land use designations without obtaining a special exception,  
176 rezoning, or a land use change, and without complying with any  
177 mitigation requirements or conditions. The facility must be  
178 located on property used solely for purposes described in this  
179 paragraph, and must meet applicable state and local health,  
180 safety, and welfare laws, codes, and rules, including firesafety  
181 and building safety.

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

184 And the title is amended as follows:



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185           Delete lines 9 - 14  
186 and insert:  
187           providing penalties; amending ss. 1001.61 and 1001.71,  
188           F.S.; prohibiting members of the board of trustees of  
189           a Florida College System institution or a state  
190           university, respectively, from doing business with or  
191           having any business affiliation with any institution  
192           under their purview during their membership; amending  
193           s. 1002.33, F.S.; providing that students who transfer  
194           from certain classical schools to certain charter  
195           classical schools may be included as a student  
196           population to whom charter schools may give enrollment  
197           preference; defining the term "classical school";  
198           revising the list of student populations that may be  
199           targeted for enrollment by a charter school by  
200           limiting the enrollment process; revising the