

By the Committee on Education Pre-K - 12; and Senator Gaetz

581-02509-25

2025140c1

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; revising which persons or entities may
4 apply for a conversion charter school; requiring a
5 college or state university to provide a written
6 notice of denial for denying an application for a
7 conversion charter school; revising eligible students
8 who may receive an enrollment preference; authorizing
9 a municipality to apply for a charter that it may
10 designate as a job engine charter under certain
11 conditions; providing the purpose of a job engine
12 charter school; providing requirements for a job
13 engine charter; prohibiting a district school board
14 from charging a rental or leasing fee for a conversion
15 school; requiring a municipality to negotiate certain
16 rental or leasing fees; prohibiting certain property
17 from being removed; amending s. 1011.801, F.S.;
18 revising entities that are included in the Workforce
19 Development Capitalization Incentive Grant Program to
20 include charter schools; requiring the State Board of
21 Education to consider applications from a job engine
22 charter school for rulemaking purposes; amending s.
23 1013.15, F.S.; requiring a district school board to
24 approve a 5-year plan before occupying purchased or
25 acquired real property; requiring a school board to
26 dispose of real property in certain areas of the
27 district if enrollment in those areas has declined in
28 the preceding 5-year period; requiring that surplus
29 real property be given priority for conversion for

581-02509-25

2025140c1

30 specified purposes; providing an effective date.

31
32 Be It Enacted by the Legislature of the State of Florida:

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34 Section 1. Paragraph (b) of subsection (3), paragraph (d)
35 of subsection (10), paragraph (c) of subsection (15), and
36 paragraph (e) of subsection (18) of section 1002.33, Florida
37 Statutes, are amended to read:

38 1002.33 Charter schools.—

39 (3) APPLICATION FOR CHARTER STATUS.—

40 (b) An application for a conversion charter school must
41 ~~shall~~ be made by the district school board, the principal,
42 teachers, parents whose children are enrolled at the school, or
43 ~~and/or~~ the school advisory council at an existing public school
44 that has been in operation for at least 2 years before ~~prior to~~
45 the application to convert. A public school-within-a-school ~~that~~
46 ~~is~~ designated as a school by the district school board may also
47 apply ~~submit an application~~ to convert to charter status. A
48 municipality seeking to attract job-producing entities by
49 establishing a job engine charter school pursuant to paragraph
50 (15) (c) may apply to the district school board to convert an
51 existing public school to a charter school. An application
52 submitted proposing to convert an existing public school to a
53 charter school must ~~shall~~ demonstrate the support of at least 50
54 ~~percent of the teachers employed at the school and~~ 50 percent of
55 the parents voting whose children are enrolled at the school,
56 provided that a majority of the parents eligible to vote
57 participate in the ballot process, according to rules adopted by
58 the State Board of Education. A district school board, college,

581-02509-25

2025140c1

59 or state university that denies ~~denying~~ an application for a
60 conversion charter school shall provide notice of denial to the
61 applicants in writing within 10 days after the meeting at which
62 the district school board denied the application. The notice
63 must articulate in writing the specific reasons for denial and
64 must provide documentation supporting those reasons. A private
65 school, parochial school, or home education program is ~~shall~~ not
66 ~~be~~ eligible for charter school status.

67 (10) ELIGIBLE STUDENTS.—

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

70 1. Students who are siblings of a student enrolled in the
71 charter school.

72 2. Students who are the children of a member of the
73 governing board of the charter school.

74 3. Students who are the children of an employee of the
75 charter school.

76 4. Students who are the children of:

77 a. An employee of the business partner of a charter school-
78 in-the-workplace established under paragraph (15)(b) or a
79 resident of the municipality in which such charter school is
80 located; or

81 b. A resident or employee of a municipality that operates a
82 charter school-in-a-municipality pursuant to paragraph (15)(c)
83 or allows a charter school to use a school facility or portion
84 of land provided by the municipality for the operation of the
85 charter school.

86 5. Students who have successfully completed, during the
87 previous year, a voluntary prekindergarten education program

581-02509-25

2025140c1

88 under ss. 1002.51-1002.79 provided by the charter school, the
89 charter school's governing board, or a voluntary prekindergarten
90 provider that has a written agreement with the governing board.

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

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

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

97 9. Students who transfer from a classical school in this
98 state to a charter classical school in this state. For purposes
99 of this subparagraph, the term "classical school" means a
100 traditional public school or charter school that implements a
101 classical education model that emphasizes the development of
102 students in the principles of moral character and civic virtue
103 through a well-rounded education in the liberal arts and
104 sciences which is based on the classical trivium stages of
105 grammar, logic, and rhetoric.

106 10. Students who attend a job engine charter school under
107 paragraph (15)(c) who are the children of an employee of a job-
108 producing entity identified by the municipality in the annual
109 job engine charter report.

110 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
111 A-MUNICIPALITY.-

112 (c)1. A charter school-in-a-municipality designation may be
113 granted to a municipality that possesses a charter; enrolls
114 students based upon a random lottery that involves all of the
115 children of the residents of that municipality who are seeking
116 enrollment, as provided for in subsection (10); and enrolls

581-02509-25

2025140c1

117 students according to the racial and ethnic ~~racial/ethnic~~
118 balance provisions described in subparagraph (7)(a)8. When a
119 municipality has submitted charter applications for the
120 establishment of a charter school feeder pattern, consisting of
121 elementary, middle, and senior high schools, and each individual
122 charter application is approved by the sponsor, such schools
123 shall then be designated as one charter school for all purposes
124 listed pursuant to this section. Any portion of the land and
125 facility used for a public charter school shall be exempt from
126 ad valorem taxes, as provided for in s. 1013.54, for the
127 duration of its use as a public school.

128 2. A municipality may seek a charter under subparagraph 1.
129 from a sponsor in subsection (5). If granted, such a charter may
130 be designated a job engine charter. The purpose of a job engine
131 charter school is to attract job-producing entities to the
132 municipality. The charter must require the municipality to:

133 a. Provide an annual report to the sponsor which will be
134 made publicly available and include investments made to attract
135 and maintain job-producing entities, such as private sector
136 industries, in the municipality.

137 b. Include career education opportunities.

138 c. Include the provision of exceptional student education
139 administration services, pursuant to subparagraph (20)(a)1.

140 d. Require the use of sufficient security technology to
141 ensure a secure facility.

142 e. Notwithstanding paragraph (8)(e), accept responsibility
143 for all debts incurred by the job engine charter school.

144 3. A job engine charter school may give enrollment
145 preferences pursuant to subparagraph (10)(d)10.

581-02509-25

2025140c1

146 (18) FACILITIES.—

147 (e) If a district school board facility or property is
148 available because it is surplus, marked for disposal, or
149 otherwise unused, it shall be provided for a charter school's
150 use on the same basis as it is made available to other public
151 schools in the district. A charter school receiving property
152 from the sponsor may not sell or dispose of such property
153 without written permission of the sponsor. Similarly, for an
154 existing public school converting to charter status, a district
155 school board may not charge ~~no~~ rental or leasing fees ~~fee~~ for
156 the existing facility or for the property normally inventoried
157 to the conversion school ~~may be charged by the district school~~
158 ~~board~~ to the parents ~~and~~, principal, school advisory council, or
159 teachers organizing the charter school. The municipality must
160 negotiate rental or leasing fees with the district school board.
161 Property normally inventoried to the school may not be removed.
162 The charter school shall agree to reasonable maintenance
163 provisions in order to maintain the facility in a manner similar
164 to district school board standards. The Public Education Capital
165 Outlay maintenance funds or any other maintenance funds
166 generated by the facility operated as a conversion school shall
167 remain with the conversion school.

168 Section 2. Section 1011.801, Florida Statutes, is amended
169 to read:

170 1011.801 Workforce Development Capitalization Incentive
171 Grant Program.—The Legislature recognizes that the need for
172 school districts, charter schools, and Florida College System
173 institutions to be able to respond to emerging local or
174 statewide economic development needs is critical to the

581-02509-25

2025140c1

175 workforce development system. The Workforce Development
176 Capitalization Incentive Grant Program is created to provide
177 grants to school districts, charter schools, and Florida College
178 System institutions to fund some or all of the costs associated
179 with the creation or expansion of career and technical education
180 programs that lead to industry certifications included on the
181 CAPE Industry Certification Funding List. The programs may serve
182 secondary students or postsecondary students if the
183 postsecondary career and technical education program also serves
184 secondary students in grades 6-12.

185 (1) Funds awarded for a workforce development
186 capitalization incentive grant may be used for instructional
187 equipment, laboratory equipment, supplies, personnel, student
188 services, or other expenses associated with the creation or
189 expansion of a career and technical education program that
190 serves secondary students. Expansion of a program may include
191 either the expansion of enrollments in a program or expansion
192 into new areas of specialization within a program. No grant
193 funds may be used for recurring instructional costs or for
194 institutions' indirect costs.

195 (2) The Department of Education shall administer the
196 program. The State Board of Education may adopt rules for
197 program administration. The State Board of Education shall
198 consider the statewide geographic dispersion of grant funds in
199 ranking the applications and shall give priority to applications
200 from education agencies that are making maximum use of their
201 workforce development funding by offering high-performing, high-
202 demand programs or to applications from a job engine charter
203 school under s. 1002.33(15)(c).

581-02509-25

2025140c1

204 Section 3. Subsection (5) is added to section 1013.15,
205 Florida Statutes, to read:

206 1013.15 Lease, rental, and lease-purchase of educational
207 plants, ancillary plants, and auxiliary facilities and sites.—

208 (5) Before occupying purchased or acquired real property, a
209 district school board shall, in a public meeting, approve a 5-
210 year plan for the proposed use of the real property, taking into
211 consideration enrollment growth, demographic shifts, and changes
212 in curriculum.

213 (a) A school board must demonstrate actual or projected 5-
214 year growth in certain areas of a school district before
215 purchasing or acquiring real property, if enrollment in the
216 school district has declined by more than 4 percent in the
217 preceding 5-year period. If such a decline has occurred, a
218 school board must dispose of real property pursuant to s.
219 1013.28 in areas of the district which have declining
220 enrollment.

221 (b) Surplus real property must be disposed of only in the
222 best interests of the public, but priority must be given for
223 conversion to affordable housing for teachers, first responders,
224 or military servicemembers; charter school facilities; or the
225 use by a local government for the development of a recreational
226 facility.

227 Section 4. This act shall take effect July 1, 2025.