

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; providing requirements for specified
4 deadlines for charter schools; prohibiting a sponsor
5 from imposing certain limitations on charter schools;
6 authorizing a charter school to increase its
7 enrollment capacity under certain circumstances;
8 providing requirements for such charter school's
9 facilities; authorizing a charter school to assign its
10 charter to another governing board under certain
11 circumstances; providing requirements for such
12 assignment; providing additional grounds for
13 nonrenewal or termination of a charter school charter;
14 authorizing charter school governing boards to adopt
15 codes of student conduct; providing requirements for
16 such codes; providing requirements for the resolution
17 of complaints or appeals relating to such codes;
18 revising the criteria for a charter school to give
19 enrollment preferences or limit the enrollment process
20 to certain students; revising provisions relating to
21 the background screenings of charter school employees
22 and governing board members; requiring charter schools
23 to be in compliance with specified provisions relating
24 to student welfare; revising the facilities and land
25 exempt from specified ad valorem taxes; providing

26 sponsor and Department of Education requirements for
 27 the sharing of specified data with charter schools,
 28 including educational service providers; providing
 29 that certain provisions only apply to certain
 30 relationships and transactions with for-profit
 31 businesses; prohibiting certain persons from serving
 32 as members of a charter school governing board;
 33 amending s. 1002.331, F.S.; authorizing high-
 34 performing charter schools to assume the charters of
 35 certain charter schools; amending s. 1013.28, F.S.;
 36 providing legislative intent; requiring school
 37 districts to take specified actions before the
 38 disposal of real property; providing that charter
 39 schools within a school district have a right of first
 40 refusal for such real property; providing school
 41 district requirements before the finalization of any
 42 disposal of real property; prohibiting school
 43 districts from such disposal before meeting certain
 44 requirements; providing an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 **Section 1. Paragraph (b) of subsection (5), subsection**
 49 **(7), paragraph (d) of subsection (10), paragraph (g) of**
 50 **subsection (12), paragraphs (b) and (c) of subsection (16),**

51 **paragraph (c) of subsection (18), paragraph (a) of subsection**
 52 **(20), and paragraph (a) of subsection (26) of section 1002.33,**
 53 **Florida Statutes, are amended, paragraph (s) is added to**
 54 **subsection (9), and paragraph (d) is added to subsection (26) of**
 55 **that section, to read:**

56 1002.33 Charter schools.—

57 (5) SPONSOR; DUTIES.—

58 (b) Sponsor duties.—

59 1.a. The sponsor shall monitor and review the charter
 60 school in its progress toward the goals established in the
 61 charter.

62 b. The sponsor shall monitor the revenues and expenditures
 63 of the charter school and perform the duties provided in s.
 64 1002.345.

65 c. The sponsor may approve a charter for a charter school
 66 before the applicant has identified space, equipment, or
 67 personnel, if the applicant indicates approval is necessary for
 68 it to raise working funds.

69 d. The sponsor may not apply its policies to a charter
 70 school unless mutually agreed to by both the sponsor and the
 71 charter school. If the sponsor subsequently amends any agreed-
 72 upon sponsor policy, the version of the policy in effect at the
 73 time of the execution of the charter, or any subsequent
 74 modification thereof, shall remain in effect and the sponsor may
 75 not hold the charter school responsible for any provision of a

76 newly revised policy until the revised policy is mutually agreed
77 upon.

78 e. The sponsor shall ensure that the charter is innovative
79 and consistent with the state education goals established by s.
80 1000.03(5).

81 f. The sponsor shall ensure that the charter school
82 participates in the state's education accountability system. If
83 a charter school falls short of performance measures included in
84 the approved charter, the sponsor shall report such shortcomings
85 to the Department of Education.

86 g. The sponsor is not liable for civil damages under state
87 law for personal injury, property damage, or death resulting
88 from an act or omission of an officer, employee, agent, or
89 governing body of the charter school.

90 h. The sponsor is not liable for civil damages under state
91 law for any employment actions taken by an officer, employee,
92 agent, or governing body of the charter school.

93 i. The sponsor's duties to monitor the charter school do
94 not constitute the basis for a private cause of action.

95 j. The sponsor may not impose additional reporting
96 requirements on a charter school as long as the charter school
97 has not been identified as having a deteriorating financial
98 condition or financial emergency pursuant to s. 1002.345.

99 k. The sponsor may not impose upon a charter school
100 administrative deadlines that are earlier than the sponsor's own

101 corresponding deadlines for similar reports or submissions. Any
102 deadline imposed upon a charter school for financial audits or
103 other administrative requirements may not be earlier than 15
104 days before the sponsor's own deadline for similar submissions
105 to the department.

106 ~~1.k.~~ The sponsor shall submit an annual report to the
107 Department of Education in a web-based format to be determined
108 by the department.

109 (I) The report shall include the following information:

110 (A) The number of applications received during the school
111 year and up to August 1 and each applicant's contact
112 information.

113 (B) The date each application was approved, denied, or
114 withdrawn.

115 (C) The date each final contract was executed.

116 (II) Annually, by November 1, the sponsor shall submit to
117 the department the information for the applications submitted
118 the previous year.

119 (III) The department shall compile an annual report, by
120 sponsor, and post the report on its website by January 15 of
121 each year.

122 2. Immunity for the sponsor of a charter school under
123 subparagraph 1. applies only with respect to acts or omissions
124 not under the sponsor's direct authority as described in this
125 section.

126 3. This paragraph does not waive a sponsor's sovereign
127 immunity.

128 4. A Florida College System institution may work with the
129 school district or school districts in its designated service
130 area to develop charter schools that offer secondary education.
131 These charter schools must include an option for students to
132 receive an associate degree upon high school graduation. If a
133 Florida College System institution operates an approved teacher
134 preparation program under s. 1004.04 or s. 1004.85, the
135 institution may operate charter schools that serve students in
136 kindergarten through grade 12 in any school district within the
137 service area of the institution. District school boards shall
138 cooperate with and assist the Florida College System institution
139 on the charter application. Florida College System institution
140 applications for charter schools are not subject to the time
141 deadlines outlined in subsection (6) and may be approved by the
142 district school board at any time during the year. Florida
143 College System institutions may not report FTE for any students
144 participating under this subparagraph who receive FTE funding
145 through the Florida Education Finance Program.

146 5. For purposes of assisting the development of a charter
147 school, a school district may enter into nonexclusive interlocal
148 agreements with federal and state agencies, counties,
149 municipalities, and other governmental entities that operate
150 within the geographical borders of the school district to act on

151 | behalf of such governmental entities in the inspection,
152 | issuance, and other necessary activities for all necessary
153 | permits, licenses, and other permissions that a charter school
154 | needs in order for development, construction, or operation. A
155 | charter school may use, but may not be required to use, a school
156 | district for these services. The interlocal agreement must
157 | include, but need not be limited to, the identification of fees
158 | that charter schools will be charged for such services. The fees
159 | must consist of the governmental entity's fees plus a fee for
160 | the school district to recover no more than actual costs for
161 | providing such services. These services and fees are not
162 | included within the services to be provided pursuant to
163 | subsection (20). Notwithstanding any other provision of law, an
164 | interlocal agreement or ordinance that imposes a greater
165 | regulatory burden on charter schools than school districts or
166 | that prohibits or limits the creation of a charter school is
167 | void and unenforceable. An interlocal agreement entered into by
168 | a school district for the development of only its own schools,
169 | including provisions relating to the extension of
170 | infrastructure, may be used by charter schools.

171 | 6. The board of trustees of a sponsoring state university
172 | or Florida College System institution under paragraph (a) is the
173 | local educational agency for all charter schools it sponsors for
174 | purposes of receiving federal funds and accepts full
175 | responsibility for all local educational agency requirements and

176 | the schools for which it will perform local educational agency
177 | responsibilities. A student enrolled in a charter school that is
178 | sponsored by a state university or Florida College System
179 | institution may not be included in the calculation of the school
180 | district's grade under s. 1008.34(5) for the school district in
181 | which he or she resides.

182 | (7) CHARTER.—The terms and conditions for the operation of
183 | a charter school, including a virtual charter school, shall be
184 | set forth by the sponsor and the applicant in a written
185 | contractual agreement, called a charter. The sponsor and the
186 | governing board of the charter school or virtual charter school
187 | shall use the standard charter contract or standard virtual
188 | charter contract, respectively, pursuant to subsection (21),
189 | which shall incorporate the approved application and any addenda
190 | approved with the application. Any term or condition of a
191 | proposed charter contract or proposed virtual charter contract
192 | that differs from the standard charter or virtual charter
193 | contract adopted by rule of the State Board of Education shall
194 | be presumed a limitation on charter school flexibility. The
195 | sponsor may not impose unreasonable rules or regulations that
196 | violate the intent of giving charter schools greater flexibility
197 | to meet educational goals. Limitations on student enrollment
198 | which are less than the documented facility capacity are
199 | unreasonable and may not be imposed. The charter shall be signed
200 | by the governing board of the charter school and the sponsor,

201 following a public hearing to ensure community input.

202 (a) The charter shall address and criteria for approval of
203 the charter shall be based on:

204 1. The school's mission, the types of students to be
205 served, and, for a virtual charter school, the types of students
206 the school intends to serve who reside outside of the sponsoring
207 school district, and the ages and grades to be included.

208 2. The focus of the curriculum, the instructional methods
209 to be used, any distinctive instructional techniques to be
210 employed, and identification and acquisition of appropriate
211 technologies needed to improve educational and administrative
212 performance which include a means for promoting safe, ethical,
213 and appropriate uses of technology which comply with legal and
214 professional standards.

215 a. The charter shall ensure that reading is a primary
216 focus of the curriculum and that resources are provided to
217 identify and provide specialized instruction for students who
218 are reading below grade level. The curriculum and instructional
219 strategies for reading must be consistent with the state's
220 academic standards and grounded in scientifically based reading
221 research. Reading instructional strategies for foundational
222 skills shall include phonics instruction for decoding and
223 encoding as the primary instructional strategy for word reading.
224 Instructional strategies may not employ the three-cueing system
225 model of reading or visual memory as a basis for teaching word

226 reading. Such strategies may include visual information and
227 strategies that improve background and experiential knowledge,
228 add context, and increase oral language and vocabulary to
229 support comprehension, but may not be used to teach word
230 reading.

231 b. The charter shall ensure that mathematics is a focus of
232 the curriculum and that resources are provided to identify and
233 provide specialized instruction for students who are performing
234 below grade level.

235 c. In order to provide students with access to diverse
236 instructional delivery models, to facilitate the integration of
237 technology within traditional classroom instruction, and to
238 provide students with the skills they need to compete in the
239 21st century economy, the Legislature encourages instructional
240 methods for blended learning courses consisting of both
241 traditional classroom and online instructional techniques.
242 Charter schools may implement blended learning courses which
243 combine traditional classroom instruction and virtual
244 instruction. Students in a blended learning course must be full-
245 time students of the charter school pursuant to s.
246 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
247 1012.55 who provide virtual instruction for blended learning
248 courses may be employees of the charter school or may be under
249 contract to provide instructional services to charter school
250 students. At a minimum, such instructional personnel must hold

251 an active state or school district adjunct certification under
252 s. 1012.57 for the subject area of the blended learning course.
253 The funding and performance accountability requirements for
254 blended learning courses are the same as those for traditional
255 courses.

256 3. The current incoming baseline standard of student
257 academic achievement, the outcomes to be achieved, and the
258 method of measurement that will be used. The criteria listed in
259 this subparagraph shall include a detailed description of:

260 a. How the baseline student academic achievement levels
261 and prior rates of academic progress will be established.

262 b. How these baseline rates will be compared to rates of
263 academic progress achieved by these same students while
264 attending the charter school.

265 c. To the extent possible, how these rates of progress
266 will be evaluated and compared with rates of progress of other
267 closely comparable student populations.

268

269 A district school board is required to provide academic student
270 performance data to charter schools for each of their students
271 coming from the district school system, as well as rates of
272 academic progress of comparable student populations in the
273 district school system.

274 4. The methods used to identify the educational strengths
275 and needs of students and how well educational goals and

276 performance standards are met by students attending the charter
277 school. The methods shall provide a means for the charter school
278 to ensure accountability to its constituents by analyzing
279 student performance data and by evaluating the effectiveness and
280 efficiency of its major educational programs. Students in
281 charter schools shall, at a minimum, participate in the
282 statewide assessment program created under s. 1008.22.

283 5. In secondary charter schools, a method for determining
284 that a student has satisfied the requirements for graduation in
285 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

286 6. A method for resolving conflicts between the governing
287 board of the charter school and the sponsor.

288 7. The admissions procedures and dismissal procedures,
289 including the school's code of student conduct. Admission or
290 dismissal must not be based on a student's academic performance,
291 except as authorized under subparagraph (10)(e)5.

292 8. The ways by which the school will achieve a
293 racial/ethnic balance reflective of the community it serves or
294 within the racial/ethnic range of other nearby public schools or
295 school districts.

296 9. The financial and administrative management of the
297 school, including a reasonable demonstration of the professional
298 experience or competence of those individuals or organizations
299 applying to operate the charter school or those hired or
300 retained to perform such professional services and the

301 description of clearly delineated responsibilities and the
302 policies and practices needed to effectively manage the charter
303 school. A description of internal audit procedures and
304 establishment of controls to ensure that financial resources are
305 properly managed must be included. Both public sector and
306 private sector professional experience shall be equally valid in
307 such a consideration.

308 10. The asset and liability projections required in the
309 application which are incorporated into the charter and shall be
310 compared with information provided in the annual report of the
311 charter school.

312 11. A description of procedures that identify various
313 risks and provide for a comprehensive approach to reduce the
314 impact of losses; plans to ensure the safety and security of
315 students and staff; plans to identify, minimize, and protect
316 others from violent or disruptive student behavior; and the
317 manner in which the school will be insured, including whether or
318 not the school will be required to have liability insurance,
319 and, if so, the terms and conditions thereof and the amounts of
320 coverage.

321 12. The term of the charter which shall provide for
322 cancellation of the charter if insufficient progress has been
323 made in attaining the student achievement objectives of the
324 charter and if it is not likely that such objectives can be
325 achieved before expiration of the charter. The initial term of a

326 charter shall be for 5 years, excluding 2 planning years. In
327 order to facilitate access to long-term financial resources for
328 charter school construction, charter schools that are operated
329 by a municipality or other public entity as provided by law are
330 eligible for up to a 15-year charter, subject to approval by the
331 sponsor. A charter lab school is eligible for a charter for a
332 term of up to 15 years. In addition, to facilitate access to
333 long-term financial resources for charter school construction,
334 charter schools that are operated by a private, not-for-profit,
335 s. 501(c)(3) status corporation are eligible for up to a 15-year
336 charter, subject to approval by the sponsor. Such long-term
337 charters remain subject to annual review and may be terminated
338 during the term of the charter, but only according to the
339 provisions set forth in subsection (8).

340 13. The facilities to be used and their location. The
341 sponsor may not require a charter school to have a certificate
342 of occupancy or a temporary certificate of occupancy for such a
343 facility earlier than 15 calendar days before the first day of
344 school. A charter school is authorized to increase its student
345 enrollment to more than the capacity identified in the charter,
346 but such enrollment may not exceed the capacity of the facility
347 at the time the enrollment increase will take effect. For
348 purposes of a charter school's expansion, a facility's capacity
349 includes any improvements to an existing facility or any new
350 facility that will be used by the students of the charter

351 school. The sponsor may not require facility capacity
352 documentation earlier than 15 calendar days before the first day
353 of school. The sponsor may not impose a limitation on the
354 charter school's student enrollment that is less than the
355 facility capacity.

356 14. The qualifications to be required of the teachers and
357 the potential strategies used to recruit, hire, train, and
358 retain qualified staff to achieve best value.

359 15. The governance structure of the school, including the
360 status of the charter school as a public or private employer as
361 required in paragraph (12) (i).

362 16. A timetable for implementing the charter which
363 addresses the implementation of each element thereof and the
364 date by which the charter shall be awarded in order to meet this
365 timetable.

366 17. In the case of an existing public school that is being
367 converted to charter status, alternative arrangements for
368 current students who choose not to attend the charter school and
369 for current teachers who choose not to teach in the charter
370 school after conversion in accordance with the existing
371 collective bargaining agreement or district school board rule in
372 the absence of a collective bargaining agreement. However,
373 alternative arrangements shall not be required for current
374 teachers who choose not to teach in a charter lab school, except
375 as authorized by the employment policies of the state university

376 | which grants the charter to the lab school.

377 | 18. Full disclosure of the identity of all relatives
378 | employed by the charter school who are related to the charter
379 | school owner, president, chairperson of the governing board of
380 | directors, superintendent, governing board member, principal,
381 | assistant principal, or any other person employed by the charter
382 | school who has equivalent decisionmaking authority. For the
383 | purpose of this subparagraph, the term "relative" means father,
384 | mother, son, daughter, brother, sister, uncle, aunt, first
385 | cousin, nephew, niece, husband, wife, father-in-law, mother-in-
386 | law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
387 | stepfather, stepmother, stepson, stepdaughter, stepbrother,
388 | stepsister, half brother, or half sister.

389 | 19. Implementation of the activities authorized under s.
390 | 1002.331 by the charter school when it satisfies the eligibility
391 | requirements for a high-performing charter school. A high-
392 | performing charter school shall notify its sponsor in writing by
393 | March 1 if it intends to increase enrollment or expand grade
394 | levels the following school year. The written notice shall
395 | specify the amount of the enrollment increase and the grade
396 | levels that will be added, as applicable.

397 | (b) The sponsor has 30 days after approval of the
398 | application to provide an initial proposed charter contract to
399 | the charter school. The applicant and the sponsor have 40 days
400 | thereafter to negotiate and notice the charter contract for

401 final approval by the sponsor unless both parties agree to an
402 extension. The proposed charter contract shall be provided to
403 the charter school at least 7 calendar days before the date of
404 the meeting at which the charter is scheduled to be voted upon
405 by the sponsor. The Department of Education shall provide
406 mediation services for any dispute regarding this section
407 subsequent to the approval of a charter application and for any
408 dispute relating to the approved charter, except a dispute
409 regarding a charter school application denial. If either the
410 charter school or the sponsor indicates in writing that the
411 party does not desire to settle any dispute arising under this
412 section through mediation procedures offered by the Department
413 of Education, a charter school may immediately appeal any formal
414 or informal decision by the sponsor to an administrative law
415 judge appointed by the Division of Administrative Hearings. If
416 the Commissioner of Education determines that the dispute cannot
417 be settled through mediation, the dispute may also be appealed
418 to an administrative law judge appointed by the Division of
419 Administrative Hearings. The administrative law judge has final
420 order authority to rule on issues of equitable treatment of the
421 charter school as a public school, whether proposed provisions
422 of the charter violate the intended flexibility granted charter
423 schools by statute, or any other matter regarding this section,
424 except a dispute regarding charter school application denial, a
425 charter termination, or a charter nonrenewal. The administrative

426 law judge shall award the prevailing party reasonable attorney
427 fees and costs incurred during the mediation process,
428 administrative proceeding, and any appeals, to be paid by the
429 party against whom the administrative law judge rules.

430 (c)1. A charter may be renewed provided that a program
431 review demonstrates that the criteria in paragraph (a) have been
432 successfully accomplished and that none of the grounds for
433 nonrenewal established by paragraph (8)(a) have been expressly
434 found. The charter of a charter school that meets these
435 requirements and has received a school grade lower than a "B"
436 pursuant to s. 1008.34 in the most recently graded school year
437 must be renewed for no less than a 5-year term except as
438 provided in paragraph (9)(n). In order to facilitate long-term
439 financing for charter school construction, charter schools
440 operating for a minimum of 3 years and demonstrating exemplary
441 academic programming and fiscal management are eligible for a
442 15-year charter renewal. Such long-term charter is subject to
443 annual review and may be terminated during the term of the
444 charter.

445 2. The 15-year charter renewal that may be granted
446 pursuant to subparagraph 1. must be granted to a charter school
447 that has received a school grade of "A" or "B" pursuant to s.
448 1008.34 in the most recently graded school year and that is not
449 in a state of financial emergency or deficit position as defined
450 by this section. Such long-term charter is subject to annual

451 review and may be terminated during the term of the charter
452 pursuant to subsection (8).

453 (d) A charter may be modified during its term upon the
454 recommendation of the sponsor or the charter school's governing
455 board and the approval of both parties to the agreement. Changes
456 to curriculum which are consistent with state standards shall be
457 deemed approved unless the sponsor and the Department of
458 Education determine in writing that the curriculum is
459 inconsistent with state standards. Modification during any term
460 may include, but is not limited to, consolidation of multiple
461 charters into a single charter if the charters are operated
462 under the same governing board, regardless of the renewal cycle.
463 A charter school that is not subject to a school improvement
464 plan and that closes as part of a consolidation shall be
465 reported by the sponsor as a consolidation. A request for
466 consolidation of multiple charters must be approved or denied
467 within 60 days after the submission of the request. If the
468 request is denied, the sponsor shall notify the charter school's
469 governing board of the denial and provide the specific reasons,
470 in reasonable detail, for the denial of the request for
471 consolidation within 10 days. A charter school may assign its
472 charter to the governing board of another charter if the
473 governing board is a nonprofit entity or otherwise meets the
474 requirements of paragraph (12) (i). A sponsor may require the
475 proposed governing board to provide information required by

476 subparagraph (6) (a) 6. and may deny a request for the assignment
477 of a charter if the sponsor demonstrates by clear and convincing
478 evidence that the proposed governing board does not meet the
479 requirements of this subsection.

480 (e) A charter may be terminated by a charter school's
481 governing board through voluntary closure. The decision to cease
482 operations must be determined at a public meeting. The governing
483 board shall notify the parents and sponsor of the public meeting
484 in writing before the public meeting. The governing board must
485 notify the sponsor, parents of enrolled students, and the
486 department in writing within 24 hours after the public meeting
487 of its determination. The notice shall state the charter
488 school's intent to continue operations or the reason for the
489 closure and acknowledge that the governing board agrees to
490 follow the procedures for dissolution and reversion of public
491 funds pursuant to paragraphs (8) (d)-(f) and (9) (o).

492 (f) A charter may include a provision requiring the
493 charter school to be held responsible for all costs associated
494 with, but not limited to, mediation, damages, and attorney fees
495 incurred by the district in connection with complaints to the
496 Office of Civil Rights or the Equal Employment Opportunity
497 Commission.

498 (9) CHARTER SCHOOL REQUIREMENTS.—

499 (s) A charter school governing board may adopt its own
500 code of student conduct. The code of student conduct must meet

501 or exceed the minimum standards set forth in the sponsor's code
502 of student conduct. Any provision of the code of student conduct
503 that is more stringent than the sponsor's code of student
504 conduct must align with the mission of the charter school. The
505 sponsor may review the code and offer recommendations. Any
506 complaint or appeal related to the code of student conduct shall
507 be resolved by the charter school's governing board using the
508 board's established procedures and must be in compliance with
509 applicable law and rules.

510 (10) ELIGIBLE STUDENTS.—

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

513 1. Students who are siblings of a student enrolled in the
514 charter school.

515 2. Students who are the children of a member of the
516 governing board of the charter school.

517 3. Students who are the children of an employee of the
518 charter school.

519 4. Students who are the children of:

520 a. An employee of the business partner of a charter
521 school-in-the-workplace established under paragraph (15) (b) or a
522 resident of the municipality in which such charter school is
523 located; or

524 b. A resident or employee of a municipality that operates
525 a charter school-in-a-municipality pursuant to paragraph (15) (c)

526 or allows a charter school to use a school facility or portion
 527 of land provided by the municipality for the operation of the
 528 charter school.

529 5. Students who have successfully completed, during the
 530 previous year, a ~~voluntary~~ prekindergarten education program
 531 under s. 402.3025 or ss. 1002.51-1002.79 provided by the charter
 532 school, the charter school's governing board, or a ~~voluntary~~
 533 prekindergarten provider that has a written agreement with the
 534 governing board.

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

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

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

541 9. Students who transfer from a classical school in this
 542 state to a charter classical school in this state. For purposes
 543 of this subparagraph, the term "classical school" means a
 544 traditional public school or charter school that implements a
 545 classical education model that emphasizes the development of
 546 students in the principles of moral character and civic virtue
 547 through a well-rounded education in the liberal arts and
 548 sciences which is based on the classical trivium stages of
 549 grammar, logic, and rhetoric.

550 (12) EMPLOYEES OF CHARTER SCHOOLS.—

551 (g)1. A charter school shall employ or contract with
552 employees and governing board members who have undergone
553 background screening as provided in s. 1012.32. Such background
554 screening must have been conducted through the sponsor or
555 through fingerprinting at a Department of Law Enforcement-
556 approved provider. The sponsor must accept fingerprints taken by
557 a provider approved by the Department of Law Enforcement.
558 Employees and members of a governing board who serve in more
559 than one county shall also have the option to undergo
560 fingerprinting through the Department of Law Enforcement at the
561 charter school's expense. ~~Members of the governing board of the~~
562 ~~charter school shall also undergo background screening in a~~
563 ~~manner similar to that provided in s. 1012.32.~~ An individual may
564 not be employed as an employee or contract personnel of a
565 charter school or serve as a member of a charter school
566 governing board if the individual is on the disqualification
567 list maintained by the department pursuant to s. 1001.10(4)(b).
568 2. A charter school shall prohibit educational support
569 employees, instructional personnel, and school administrators,
570 as defined in s. 1012.01, from employment in any position that
571 requires direct contact with students if the employees,
572 personnel, or administrators are ineligible for such employment
573 under s. 1012.315 or have been terminated or have resigned in
574 lieu of termination for sexual misconduct with a student. If the
575 prohibited conduct occurs while employed, a charter school must

576 report the individual and the disqualifying circumstances to the
577 department for inclusion on the disqualification list maintained
578 pursuant to s. 1001.10(4)(b).

579 3. The governing board of a charter school shall adopt
580 policies establishing standards of ethical conduct for
581 educational support employees, instructional personnel, and
582 school administrators. The policies must require all educational
583 support employees, instructional personnel, and school
584 administrators, as defined in s. 1012.01, to complete training
585 on the standards; establish the duty of educational support
586 employees, instructional personnel, and school administrators to
587 report, and procedures for reporting, alleged misconduct that
588 affects the health, safety, or welfare of a student; and include
589 an explanation of the liability protections provided under ss.
590 39.203 and 768.095. A charter school, or any of its employees,
591 may not enter into a confidentiality agreement regarding
592 terminated or dismissed educational support employees,
593 instructional personnel, or school administrators, or employees,
594 personnel, or administrators who resign in lieu of termination,
595 based in whole or in part on misconduct that affects the health,
596 safety, or welfare of a student, and may not provide employees,
597 personnel, or administrators with employment references or
598 discuss the employees', personnel's, or administrators'
599 performance with prospective employers in another educational
600 setting, without disclosing the employees', personnel's, or

601 administrators' misconduct. Any part of an agreement or contract
602 that has the purpose or effect of concealing misconduct by
603 educational support employees, instructional personnel, or
604 school administrators which affects the health, safety, or
605 welfare of a student is void, is contrary to public policy, and
606 may not be enforced.

607 4. Before employing an individual in any position that
608 requires direct contact with students, a charter school shall
609 conduct employment history checks of each individual through use
610 of the educator screening tools described in s. 1001.10(5), and
611 document the findings. If unable to contact a previous employer,
612 the charter school must document efforts to contact the
613 employer.

614 5. The sponsor of a charter school that knowingly fails to
615 comply with this paragraph shall terminate the charter under
616 subsection (8).

617 (16) EXEMPTION FROM STATUTES.—

618 (b) Additionally, a charter school shall be in compliance
619 with the following statutes:

620 1. Section 286.011, relating to public meetings and
621 records, public inspection, and criminal and civil penalties.

622 2. Chapter 119, relating to public records.

623 3. Section 1003.03, relating to the maximum class size,
624 except that the calculation for compliance pursuant to s.
625 1003.03 shall be the average at the school level.

- 626 4. Section 1012.22(1)(c), relating to compensation and
 627 salary schedules.
- 628 5. Section 1012.33(5), relating to workforce reductions.
- 629 6. Section 1012.335, relating to contracts with
 630 instructional personnel hired on or after July 1, 2011.
- 631 7. Section 1012.34, relating to the substantive
 632 requirements for performance evaluations for instructional
 633 personnel and school administrators.
- 634 8. Section 1006.12, relating to safe-school officers.
- 635 9. Section 1006.07(7), relating to threat management
 636 teams.
- 637 10. Section 1006.07(9), relating to School Environmental
 638 Safety Incident Reporting.
- 639 11. Section 1006.07(10), relating to reporting of
 640 involuntary examinations.
- 641 12. Section 1006.1493, relating to the Florida Safe
 642 Schools Assessment Tool.
- 643 13. Section 1006.07(6)(d), relating to adopting an active
 644 assailant response plan.
- 645 14. Section 943.082(4)(b), relating to the mobile
 646 suspicious activity reporting tool.
- 647 15. Section 1012.584, relating to youth mental health
 648 awareness and assistance training.
- 649 16. Section 1001.42(4)(f)2., relating to middle school and
 650 high school start times. A charter school-in-the-workplace is

651 exempt from this requirement.

652 17. Section 1001.42(8)(c), relating to student welfare.

653 (c) For purposes of subparagraphs (b)4.-7. and 17.:

654 1. The duties assigned to a district school superintendent
655 apply to charter school administrative personnel, as defined in
656 s. 1012.01(3)(a) and (b), and the charter school governing board
657 shall designate at least one administrative person to be
658 responsible for such duties.

659 2. The duties assigned to a district school board apply to
660 a charter school governing board.

661 3. A charter school may hire instructional personnel and
662 other employees on an at-will basis.

663 4. Notwithstanding any provision to the contrary,
664 instructional personnel and other employees on contract may be
665 suspended or dismissed any time during the term of the contract
666 without cause.

667 (18) FACILITIES.—

668 (c) Any facility, or portion thereof, used to house a
669 charter school whose charter has been approved by the sponsor
670 and the governing board, pursuant to subsection (7), is exempt
671 from ad valorem taxes pursuant to s. 196.1983. Any facility or
672 land owned by a library, community service, museum, performing
673 arts, theater, cinema, or church facility; any facility or land
674 owned by a Florida College System institution or university; any
675 similar public institutional facilities or land; and any

676 facility recently used to house a school or child care facility
677 licensed under s. 402.305 may provide space to charter schools
678 within their facilities or land under their preexisting zoning
679 and land use designations without obtaining a special exception,
680 rezoning, or a land use change.

681 (20) SERVICES.—

682 (a)1. A sponsor shall provide certain administrative and
683 educational services to charter schools. These services shall
684 include contract management services; full-time equivalent and
685 data reporting services; exceptional student education
686 administration services; services related to eligibility and
687 reporting duties required to ensure that school lunch services
688 under the National School Lunch Program, consistent with the
689 needs of the charter school, are provided by the sponsor at the
690 request of the charter school, that any funds due to the charter
691 school under the National School Lunch Program be paid to the
692 charter school as soon as the charter school begins serving food
693 under the National School Lunch Program, and that the charter
694 school is paid at the same time and in the same manner under the
695 National School Lunch Program as other public schools serviced
696 by the sponsor or the school district; test administration
697 services, including payment of the costs of state-required or
698 district-required student assessments; processing of teacher
699 certificate data services; and information services, including
700 equal access to the sponsor's student information systems that

701 are used by public schools in the district in which the charter
702 school is located or by schools in the sponsor's portfolio of
703 charter schools if the sponsor is not a school district. Student
704 performance data for each student in a charter school,
705 including, but not limited to, FCAT scores, standardized test
706 scores, previous public school student report cards, and student
707 performance measures, shall be provided by the sponsor to a
708 charter school in the same manner provided to other public
709 schools in the district or by schools in the sponsor's portfolio
710 of charter schools if the sponsor is not a school district. The
711 sponsor and the department shall ensure that student data,
712 including student assessment data, are promptly and efficiently
713 shared with charter schools, including a charter school's
714 educational service provider. Such data shall be shared
715 programmatically. A sponsor or the department may not delay or
716 deny the sharing of student data with charter schools, including
717 a charter school's educational service provider, unless required
718 by general or federal law.

719 2. A sponsor shall provide training to charter schools on
720 systems the sponsor will require the charter school to use.

721 3. A sponsor may withhold an administrative fee for the
722 provision of such services which shall be a percentage of the
723 available funds defined in paragraph (17)(b) calculated based on
724 weighted full-time equivalent students. If the charter school
725 serves 75 percent or more exceptional education students as

726 defined in s. 1003.01(9), the percentage shall be calculated
727 based on unweighted full-time equivalent students. The
728 administrative fee shall be calculated as follows:

729 a. Up to 5 percent for:

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

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

734 (A) Includes conversion charter schools and nonconversion
735 charter schools.

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

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

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

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

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

744 b. Up to 2 percent for enrollment of up to and including
745 250 students in a high-performing charter school as defined in
746 s. 1002.331.

747 c. Up to 2 percent for enrollment of up to and including
748 250 students in an exceptional student education center that
749 meets the requirements of the rules adopted by the State Board
750 of Education pursuant to s. 1008.3415(3).

751 4. A sponsor may not charge charter schools any additional
752 fees or surcharges for administrative and educational services
753 in addition to the maximum percentage of administrative fees
754 withheld pursuant to this paragraph. A sponsor may not charge or
755 withhold any administrative fee against a charter school for any
756 funds specifically allocated by the Legislature for teacher
757 compensation.

758 5. A sponsor shall provide to the department by September
759 15 of each year the total amount of funding withheld from
760 charter schools pursuant to this subsection for the prior fiscal
761 year. The department must include the information in the report
762 required under sub-sub-subparagraph (5)(b)1.k.(III).

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

768 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

769 (a) A member of a governing board of a charter school,
770 including a charter school operated by a private entity, is
771 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3) to
772 the extent that such statutes concern employment and contractual
773 relationships with for-profit businesses or transactions between
774 the charter school and for-profit businesses.

775 (d) A landlord of a charter school or his or her spouse or

776 an officer, director, or employee of an entity that is a
777 landlord of a charter school or his or her spouse may not be a
778 member of a governing board of a charter school unless the
779 charter school was established pursuant to paragraph (15) (c).

780 **Section 2. Subsection (2) of section 1002.331, Florida**
781 **Statutes, is amended to read:**

782 1002.331 High-performing charter schools.—

783 (2) A high-performing charter school is authorized to:

784 (a) Increase its student enrollment once per school year
785 to more than the capacity identified in the charter, but student
786 enrollment may not exceed the capacity of the facility at the
787 time the enrollment increase will take effect. Facility capacity
788 for purposes of expansion must ~~shall~~ include any improvements to
789 an existing facility or any new facility in which the students
790 of the high-performing charter school will enroll.

791 (b) Expand grade levels within kindergarten through grade
792 12 to add grade levels not already served if any annual
793 enrollment increase resulting from grade level expansion is
794 within the limit established in paragraph (a).

795 (c) Submit a quarterly, rather than a monthly, financial
796 statement to the sponsor pursuant to s. 1002.33(9)(g).

797 (d) Consolidate under a single charter the charters of
798 multiple high-performing charter schools operated in the same
799 school district by the charter schools' governing board
800 regardless of the renewal cycle.

801 (e) Receive a modification of its charter to a term of 15
802 years or a 15-year charter renewal. The charter may be modified
803 or renewed for a shorter term at the option of the high-
804 performing charter school. The charter must be consistent with
805 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
806 review by the sponsor, and may be terminated during its term
807 pursuant to s. 1002.33(8).

808 (f) Assume the charter of an existing charter school
809 within the same school district in which it operates.

810
811 A high-performing charter school shall notify its sponsor in
812 writing by March 1 if it intends to increase enrollment or
813 expand grade levels the following school year. The written
814 notice shall specify the amount of the enrollment increase and
815 the grade levels that will be added, as applicable. If a charter
816 school notifies the sponsor of its intent to expand, the sponsor
817 shall modify the charter within 90 days to include the new
818 enrollment maximum and may not make any other changes. The
819 sponsor may deny a request to increase the enrollment of a high-
820 performing charter school if the commissioner has declassified
821 the charter school as high-performing. If a high-performing
822 charter school requests to consolidate multiple charters or to
823 assume an existing charter, the sponsor has ~~shall have~~ 40 days
824 after receipt of that request to provide an initial draft
825 charter to the charter school. The sponsor and charter school

826 shall have 50 days thereafter to negotiate and notice the
827 charter contract for final approval by the sponsor.

828 **Section 3. Paragraph (b) of subsection (1) of section**
829 **1013.28, Florida Statutes, is redesignated as paragraph (c), and**
830 **a new paragraph (b) is added to that subsection, to read:**

831 1013.28 Disposal of property.—

832 (1) REAL PROPERTY.—

833 (b)1. It is the intent of the Legislature to prioritize
834 the continued use of real property for public education purposes
835 in alignment with the state's goal of supporting and expanding
836 educational opportunities.

837 2. Before the disposal of any real property, including
838 school facilities, by sale, transfer, lease, or disposal by a
839 school district, the school district must provide written notice
840 to each charter school operating within the school district of
841 the intent to dispose of such property. Charter schools within
842 the school district shall be granted a right of first refusal
843 for the purchase, lease, or use of the property for educational
844 purposes. The school district may not finalize any transaction
845 involving the disposal of property until each charter school
846 within the school district has been given a reasonable
847 opportunity to express interest in and submit an offer to the
848 school district for such property to ensure the continuity of
849 educational services within the community.

850 3. The school district may not engage in the disposal of

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851 | real property without first meeting the requirements of this
852 | paragraph.

853 | **Section 4.** This act shall take effect July 1, 2025.