

**By** the Committees on Rules; and Education Pre-K - 12; and  
Senator Rodriguez

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1                                   A bill to be entitled  
2       An act relating to education; amending s. 1002.32,  
3       F.S.; providing that a lab school may use the lab  
4       school's discretionary capital improvement funds for  
5       specified purposes; requiring that an expenditure be  
6       at or below appraised value; defining the term  
7       "appraised value"; requiring that certain  
8       documentation be provided to the Department of  
9       Education upon request; amending s. 1002.33, F.S.;  
10      providing requirements for specified deadlines for  
11      charter schools; authorizing a charter school  
12      governing board to adopt its own code of student  
13      conduct; providing requirements for the code of  
14      student conduct; providing that charter schools are  
15      not exempt from a specified statute; authorizing a  
16      charter school to increase its student enrollment  
17      beyond the capacity identified in the charter under  
18      certain conditions; requiring a charter school to  
19      notify its sponsor in writing by a specified date, and  
20      to include specified information, if it plans to  
21      increase enrollment; revising services a sponsor must  
22      provide to a charter school; requiring the department  
23      to provide student performance data to a charter  
24      school and its contractor; providing an exception;  
25      prohibiting specified individuals from being on a  
26      charter school governing board; providing an  
27      exception; amending s. 1002.331, F.S.; authorizing a  
28      high-performing charter school to assume the charter  
29      of an existing charter school within the same school

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30 district; providing an effective date.

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

33  
34 Section 1. Paragraph (f) is added to subsection (9) of  
35 section 1002.32, Florida Statutes, to read:

36 1002.32 Developmental research (laboratory) schools.—

37 (9) FUNDING.—Funding for a lab school, including a charter  
38 lab school, shall be provided as follows:

39 (f) A lab school's governing body may use the lab school's  
40 discretionary capital improvement funds for the following  
41 purposes:

42 1. Purchase of real property.

43 2. Construction of school facilities.

44 3. Purchase, lease-purchase, or lease of permanent or  
45 relocatable school facilities.

46 4. Purchase of vehicles to transport students to and from  
47 the charter lab school.

48 5. Renovation, repair, and maintenance of school facilities  
49 that the charter lab school owns or is purchasing through a  
50 lease-purchase or long-term lease of 5 years or longer.

51 6. Payment of the cost of premiums for property and  
52 casualty insurance necessary to insure the school facilities.

53 7. Purchase, lease-purchase, or lease of driver's education  
54 vehicles; motor vehicles used for the maintenance or operation  
55 of plants and equipment; security vehicles; or vehicles used in  
56 storing or distributing materials and equipment.

57 8. Purchase, lease-purchase, or lease of computer and  
58 device hardware and operating system software necessary for

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59 gaining access to or enhancing the use of electronic and digital  
60 instructional content and resources; and enterprise resource  
61 software applications that are classified as capital assets in  
62 accordance with definitions of the Governmental Accounting  
63 Standards Board, have a useful life of at least 5 years, and are  
64 used to support schoolwide administration or state-mandated  
65 reporting requirements. Enterprise resource software may be  
66 acquired by annual license fees, maintenance fees, or a lease  
67 agreement.

68 9. Payment of the cost of the opening day collection for  
69 the library media center of a new school.

70  
71 Any purchase, lease-purchase, or lease made pursuant to this  
72 subsection must be at or below the appraised value. For purposes  
73 of this subsection, the term "appraised value" means the fair  
74 market value as determined by an independent, state-licensed,  
75 qualified appraiser selected by the governing board.

76 Documentation of the appraised value must be provided to the  
77 department upon request.

78 Section 2. Paragraphs (b) and (c) of subsection (5),  
79 paragraphs (d) and (h) of subsection (10), paragraph (b) of  
80 subsection (16), and paragraph (a) of subsection (20) of section  
81 1002.33, Florida Statutes, are amended, and paragraph (s) is  
82 added to subsection (9), paragraph (h) is added to subsection  
83 (18), and paragraph (d) is added to subsection (26) of that  
84 section, to read:

85 1002.33 Charter schools.—

86 (5) SPONSOR; DUTIES.—

87 (b) *Sponsor duties.*—

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88           1.a. The sponsor shall monitor and review the charter  
89 school in its progress toward the goals established in the  
90 charter.

91           b. The sponsor shall monitor the revenues and expenditures  
92 of the charter school and perform the duties provided in s.  
93 1002.345.

94           c. The sponsor may approve a charter for a charter school  
95 before the applicant has identified space, equipment, or  
96 personnel, if the applicant indicates approval is necessary for  
97 it to raise working funds.

98           d. The sponsor may not apply its policies to a charter  
99 school unless mutually agreed to by both the sponsor and the  
100 charter school. If the sponsor subsequently amends any agreed-  
101 upon sponsor policy, the version of the policy in effect at the  
102 time of the execution of the charter, or any subsequent  
103 modification thereof, shall remain in effect and the sponsor may  
104 not hold the charter school responsible for any provision of a  
105 newly revised policy until the revised policy is mutually agreed  
106 upon.

107           e. The sponsor shall ensure that the charter is innovative  
108 and consistent with the state education goals established by s.  
109 1000.03(5).

110           f. The sponsor shall ensure that the charter school  
111 participates in the state's education accountability system. If  
112 a charter school falls short of performance measures included in  
113 the approved charter, the sponsor shall report such shortcomings  
114 to the Department of Education.

115           g. The sponsor is not liable for civil damages under state  
116 law for personal injury, property damage, or death resulting

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117 from an act or omission of an officer, employee, agent, or  
118 governing body of the charter school.

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

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

124 j. The sponsor may not impose additional reporting  
125 requirements on a charter school as long as the charter school  
126 has not been identified as having a deteriorating financial  
127 condition or financial emergency pursuant to s. 1002.345.

128 k. The sponsor may not impose upon a charter school  
129 administrative deadlines that are earlier than the sponsor's own  
130 corresponding deadlines for similar reports or submissions. Any  
131 deadline imposed upon a charter school for financial audits or  
132 other administrative requirements may not be earlier than 15  
133 days before the sponsor's own deadline for similar submissions  
134 to the department.

135 ~~l.k.~~ The sponsor shall submit an annual report to the  
136 Department of Education in a web-based format to be determined  
137 by the department.

138 (I) The report must ~~shall~~ include the following  
139 information:

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

143 (B) The date each application was approved, denied, or  
144 withdrawn.

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

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146 (II) Annually, by November 1, the sponsor shall submit to  
147 the department the information for the applications submitted  
148 the previous year.

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

152 2. Immunity for the sponsor of a charter school under  
153 subparagraph 1. applies only with respect to acts or omissions  
154 not under the sponsor's direct authority as described in this  
155 section.

156 3. This paragraph does not waive a sponsor's sovereign  
157 immunity.

158 4. A Florida College System institution may work with the  
159 school district or school districts in its designated service  
160 area to develop charter schools that offer secondary education.  
161 These charter schools must include an option for students to  
162 receive an associate degree upon high school graduation. If a  
163 Florida College System institution operates an approved teacher  
164 preparation program under s. 1004.04 or s. 1004.85, the  
165 institution may operate charter schools that serve students in  
166 kindergarten through grade 12 in any school district within the  
167 service area of the institution. District school boards shall  
168 cooperate with and assist the Florida College System institution  
169 on the charter application. Florida College System institution  
170 applications for charter schools are not subject to the time  
171 deadlines outlined in subsection (6) and may be approved by the  
172 district school board at any time during the year. Florida  
173 College System institutions may not report FTE for any students  
174 participating under this subparagraph who receive FTE funding

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175 through the Florida Education Finance Program.

176       5. For purposes of assisting the development of a charter  
177 school, a school district may enter into nonexclusive interlocal  
178 agreements with federal and state agencies, counties,  
179 municipalities, and other governmental entities that operate  
180 within the geographical borders of the school district to act on  
181 behalf of such governmental entities in the inspection,  
182 issuance, and other necessary activities for all necessary  
183 permits, licenses, and other permissions that a charter school  
184 needs in order for development, construction, or operation. A  
185 charter school may use, but may not be required to use, a school  
186 district for these services. The interlocal agreement must  
187 include, but need not be limited to, the identification of fees  
188 that charter schools will be charged for such services. The fees  
189 must consist of the governmental entity's fees plus a fee for  
190 the school district to recover no more than actual costs for  
191 providing such services. These services and fees are not  
192 included within the services to be provided pursuant to  
193 subsection (20). Notwithstanding any other provision of law, an  
194 interlocal agreement or ordinance that imposes a greater  
195 regulatory burden on charter schools than school districts or  
196 that prohibits or limits the creation of a charter school is  
197 void and unenforceable. An interlocal agreement entered into by  
198 a school district for the development of only its own schools,  
199 including provisions relating to the extension of  
200 infrastructure, may be used by charter schools.

201       6. The board of trustees of a sponsoring state university  
202 or Florida College System institution under paragraph (a) is the  
203 local educational agency for all charter schools it sponsors for

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204 purposes of receiving federal funds and accepts full  
205 responsibility for all local educational agency requirements and  
206 the schools for which it will perform local educational agency  
207 responsibilities. A student enrolled in a charter school that is  
208 sponsored by a state university or Florida College System  
209 institution may not be included in the calculation of the school  
210 district's grade under s. 1008.34(5) for the school district in  
211 which he or she resides.

212 (c) *Sponsor accountability.*—

213 1. The department shall, in collaboration with charter  
214 school sponsors and charter school operators, develop a sponsor  
215 evaluation framework that must address, at a minimum:

216 a. The sponsor's strategic vision for charter school  
217 authorization and the sponsor's progress toward that vision.

218 b. The alignment of the sponsor's policies and practices to  
219 best practices for charter school authorization.

220 c. The academic and financial performance of all operating  
221 charter schools overseen by the sponsor.

222 d. The status of charter schools authorized by the sponsor,  
223 including approved, operating, and closed schools.

224 2. The department shall compile the results by sponsor and  
225 include the results in the report required under sub-sub-  
226 subparagraph (b)1.l.(III) ~~(b)1.k.(III)~~.

227 (9) CHARTER SCHOOL REQUIREMENTS.—

228 (s) A charter school governing board may adopt its own code  
229 of student conduct. The code of student conduct must meet or  
230 exceed the minimum standards set forth in the sponsor's code of  
231 student conduct. Any provision of the code of student conduct  
232 which is more stringent than the sponsor's code of student



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233 conduct must align with the mission of the charter school. The  
234 sponsor may review the code and offer recommendations. Any  
235 complaint or appeal related to the code of student conduct must  
236 be resolved by the charter school's governing board using the  
237 board's established procedures and must be in compliance with  
238 applicable law and rules.

239 (10) ELIGIBLE STUDENTS.—

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

242 1. Students who are siblings of a student enrolled in the  
243 charter school.

244 2. Students who are the children of a member of the  
245 governing board of the charter school.

246 3. Students who are the children of an employee of the  
247 charter school.

248 4. Students who are the children of:

249 a. An employee of the business partner of a charter school-  
250 in-the-workplace established under paragraph (15) (b) or a  
251 resident of the municipality in which such charter school is  
252 located; or

253 b. A resident or employee of a municipality that operates a  
254 charter school-in-a-municipality pursuant to paragraph (15) (c)  
255 or allows a charter school to use a school facility or portion  
256 of land provided by the municipality for the operation of the  
257 charter school.

258 5. Students who have successfully completed, during the  
259 previous year, a ~~voluntary~~ prekindergarten education program  
260 ~~under ss. 1002.51-1002.79~~ provided by the charter school, the  
261 charter school's governing board, or a ~~voluntary~~ prekindergarten

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262 provider that has a written agreement with the governing board.

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

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

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

269 9. Students who transfer from a classical school in this  
270 state to a charter classical school in this state. For purposes  
271 of this subparagraph, the term "classical school" means a  
272 traditional public school or charter school that implements a  
273 classical education model that emphasizes the development of  
274 students in the principles of moral character and civic virtue  
275 through a well-rounded education in the liberal arts and  
276 sciences which is based on the classical trivium stages of  
277 grammar, logic, and rhetoric.

278 (h) The capacity of the charter school shall be determined  
279 annually by the governing board, in conjunction with the  
280 sponsor, of the charter school in consideration of the factors  
281 identified in this subsection and subsection (18) unless the  
282 charter school is designated as a high-performing charter school  
283 pursuant to s. 1002.331. A sponsor may not require a charter  
284 school to waive the provisions of s. 1002.331 or require a  
285 student enrollment cap that prohibits a high-performing charter  
286 school from increasing enrollment in accordance with s.  
287 1002.331(2) as a condition of approval or renewal of a charter.

288 (16) EXEMPTION FROM STATUTES.—

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

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- 291           1. Section 286.011, relating to public meetings and  
292 records, public inspection, and criminal and civil penalties.  
293           2. Chapter 119, relating to public records.  
294           3. Section 1003.03, relating to the maximum class size,  
295 except that the calculation for compliance pursuant to s.  
296 1003.03 shall be the average at the school level.  
297           4. Section 1012.22(1)(c), relating to compensation and  
298 salary schedules.  
299           5. Section 1012.33(5), relating to workforce reductions.  
300           6. Section 1012.335, relating to contracts with  
301 instructional personnel hired on or after July 1, 2011.  
302           7. Section 1012.34, relating to the substantive  
303 requirements for performance evaluations for instructional  
304 personnel and school administrators.  
305           8. Section 1006.12, relating to safe-school officers.  
306           9. Section 1006.07(7), relating to threat management teams.  
307           10. Section 1006.07(9), relating to School Environmental  
308 Safety Incident Reporting.  
309           11. Section 1006.07(10), relating to reporting of  
310 involuntary examinations.  
311           12. Section 1006.1493, relating to the Florida Safe Schools  
312 Assessment Tool.  
313           13. Section 1006.07(6)(d), relating to adopting an active  
314 assailant response plan.  
315           14. Section 943.082(4)(b), relating to the mobile  
316 suspicious activity reporting tool.  
317           15. Section 1012.584, relating to youth mental health  
318 awareness and assistance training.  
319           16. Section 1001.42(4)(f)2., relating to middle school and

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320 high school start times. A charter school-in-the-workplace is  
321 exempt from this requirement.

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

323 (18) FACILITIES.—

324 (h) A charter school that is not implementing a school  
325 improvement plan pursuant to paragraph (9)(n) or a corrective  
326 action plan pursuant to s. 1002.345 may increase its student  
327 enrollment to more than the capacity identified in the charter,  
328 but student enrollment may not exceed the capacity of the  
329 facility at the time the enrollment increase will take effect.  
330 Facility capacity for purposes of expansion must include any  
331 improvements to an existing facility or any new facility in  
332 which the students of the charter school will enroll. A charter  
333 school must notify its sponsor in writing by March 1 if it  
334 intends to increase enrollment for the following school year.  
335 The written notice must specify the amount of the enrollment  
336 increase.

337 (20) SERVICES.—

338 (a)1. A sponsor shall provide certain administrative and  
339 educational services to charter schools. These services shall  
340 include contract management services; full-time equivalent and  
341 data reporting services; exceptional student education  
342 administration services; services related to eligibility and  
343 reporting duties required to ensure that school lunch services  
344 under the National School Lunch Program, consistent with the  
345 needs of the charter school, are provided by the sponsor at the  
346 request of the charter school, that any funds due to the charter  
347 school under the National School Lunch Program be paid to the  
348 charter school as soon as the charter school begins serving food

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349 under the National School Lunch Program, and that the charter  
350 school is paid at the same time and in the same manner under the  
351 National School Lunch Program as other public schools serviced  
352 by the sponsor or the school district; test administration  
353 services, including payment of the costs of state-required or  
354 district-required student assessments; processing of teacher  
355 certificate data services; and information services, including  
356 equal access to the sponsor's student information systems that  
357 are used by public schools in the district in which the charter  
358 school is located or by schools in the sponsor's portfolio of  
359 charter schools if the sponsor is not a school district. Access  
360 to the sponsor's student information system must be provided to  
361 the charter school and its contractor, unless prohibited by  
362 general or federal law. Student performance data for each  
363 student in a charter school, including, but not limited to,  
364 statewide FCAT scores, standardized test scores, coordinated  
365 screening and progress monitoring student results, previous  
366 public school student report cards, and student performance  
367 measures, shall be provided by the sponsor to a charter school  
368 in the same manner provided to other public schools in the  
369 district or by schools in the sponsor's portfolio of charter  
370 schools if the sponsor is not a school district. The department  
371 shall provide student performance data to a charter school and  
372 its contractor, unless prohibited by general or federal law.

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

375 3. A sponsor may withhold an administrative fee for the  
376 provision of such services which shall be a percentage of the  
377 available funds defined in paragraph (17) (b) calculated based on

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378 weighted full-time equivalent students. If the charter school  
379 serves 75 percent or more exceptional education students as  
380 defined in s. 1003.01(9), the percentage shall be calculated  
381 based on unweighted full-time equivalent students. The  
382 administrative fee shall be calculated as follows:

383 a. Up to 5 percent for:

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

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

388 (A) Includes conversion charter schools and nonconversion  
389 charter schools.

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

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

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

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

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

398 b. Up to 2 percent for enrollment of up to and including  
399 250 students in a high-performing charter school as defined in  
400 s. 1002.331.

401 c. Up to 2 percent for enrollment of up to and including  
402 250 students in an exceptional student education center that  
403 meets the requirements of the rules adopted by the State Board  
404 of Education pursuant to s. 1008.3415(3).

405 4. A sponsor may not charge charter schools any additional  
406 fees or surcharges for administrative and educational services

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407 in addition to the maximum percentage of administrative fees  
408 withheld pursuant to this paragraph. A sponsor may not charge or  
409 withhold any administrative fee against a charter school for any  
410 funds specifically allocated by the Legislature for teacher  
411 compensation.

412 5. A sponsor shall provide to the department by September  
413 15 of each year the total amount of funding withheld from  
414 charter schools pursuant to this subsection for the prior fiscal  
415 year. The department must include the information in the report  
416 required under sub-sub-subparagraph (5) (b) 1.k. (III).

417 6. A sponsor shall annually provide a report to its charter  
418 schools on what services are being rendered from the sponsor's  
419 portion of the administrative fee. The report must include the  
420 listed services and be submitted to the department by September  
421 15 of each year.

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

423 (d) A landlord of a charter school or his or her spouse or  
424 an officer, a director, or an employee of an entity that is a  
425 landlord of a charter school or his or her spouse may not be a  
426 member of a governing board of a charter school unless the  
427 charter school was established pursuant to paragraph (15) (c).

428 Section 3. Subsection (2) of section 1002.331, Florida  
429 Statutes, is amended to read:

430 1002.331 High-performing charter schools.—

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

432 (a) Increase its student enrollment once per school year to  
433 more than the capacity identified in the charter, but student  
434 enrollment may not exceed the capacity of the facility at the  
435 time the enrollment increase will take effect. Facility capacity

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436 for purposes of expansion must ~~shall~~ include any improvements to  
437 an existing facility or any new facility in which the students  
438 of the high-performing charter school will enroll.

439 (b) Expand grade levels within kindergarten through grade  
440 12 to add grade levels not already served if any annual  
441 enrollment increase resulting from grade level expansion is  
442 within the limit established in paragraph (a).

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

445 (d) Consolidate under a single charter the charters of  
446 multiple high-performing charter schools operated in the same  
447 school district by the charter schools' governing board  
448 regardless of the renewal cycle.

449 (e) Receive a modification of its charter to a term of 15  
450 years or a 15-year charter renewal. The charter may be modified  
451 or renewed for a shorter term at the option of the high-  
452 performing charter school. The charter must be consistent with  
453 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual  
454 review by the sponsor, and may be terminated during its term  
455 pursuant to s. 1002.33(8).

456 (f) Assume the charter of an existing charter school within  
457 the same school district in which it operates. Any request to  
458 assume a charter must be initiated by a school in a written  
459 format to the high-performing charter school.

460  
461 A high-performing charter school shall notify its sponsor in  
462 writing by March 1 if it intends to increase enrollment or  
463 expand grade levels the following school year. The written  
464 notice shall specify the amount of the enrollment increase and



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465 the grade levels that will be added, as applicable. If a charter  
466 school notifies the sponsor of its intent to expand, the sponsor  
467 shall modify the charter within 90 days to include the new  
468 enrollment maximum and may not make any other changes. The  
469 sponsor may deny a request to increase the enrollment of a high-  
470 performing charter school if the commissioner has declassified  
471 the charter school as high-performing. If a high-performing  
472 charter school requests to consolidate multiple charters or to  
473 assume an existing charter, the sponsor has ~~shall have~~ 40 days  
474 after receipt of that request to provide an initial draft  
475 charter to the charter school. The sponsor and charter school  
476 shall have 50 days thereafter to negotiate and notice the  
477 charter contract for final approval by the sponsor.

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