



Florida School Boards Association

The voice of education in Florida.

HB 7101 – K-12 Education/Charter Schools by PreK-12 Innovation

The bill makes several revisions to current policies relating to charter schools and related issues. The bill:

- *Revises the date a sponsor must receive all charter school applications from August 1, to February 1, beginning in 2018, for a charter school to open 18 months later or at a time agreed to by the applicant and the sponsor.*
- *Removes the provision allowing a charter school applicant to submit a draft application to a sponsor for review.*
- *Increases the amount of time the sponsor has to approve or deny an application from 60 to 90 days.*
- *Requires the sponsor and the charter school governing board to use the standard charter contract which incorporates the approved application and any addenda approved with the application but specifies that any term or condition of a proposed contract that differs from the standard contract shall be presumed a limitation on charter school flexibility.*
- *Allows a high-performing charter school to establish more than one charter school a year only if it chooses to operate in and serve students from an area where a school is subject to differentiated accountability.*
- *Provides a high-performing charter school whose application has been denied a hearing by requiring that an appeal of such denial be brought before the Charter School Appeals Commission.*
- *Clarifies that a high-performing system may replicate a school in any district in the state and establishes a streamlined high-performing standard application form for replicating a high-performing charter school.*
- *Requires the high-performing standard application form to:*
 - *contain goals and objectives for improving and measuring student learning;*
 - *contain an annual financial plan for each year requested by the charter for operation of the school for up to 5 years;*
 - *disclose the name of each applicant, governing board member and all proposed education services providers, the name and sponsor of any charter school operated by each applicant, each governing board member and each proposed education services provider that has closed and the reasons for the closure and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.*
- *Deletes the list of specific services that charter school cooperative agreements may provide and instead allows charter schools to enter into cooperative agreements to further any educational, operational or administrative purposes in which participating charter schools share common interests.*
- *Authorizes a nonprofit organization or municipality that operates a charter school to use unrestricted surplus operating funds, unrestricted surplus capital outlay funds, or unrestricted net assets identified in the charter school's annual audit may be used for other charter schools in the district operated by the not-for-profit or municipal entity.*
- *Specifies language regarding administrative fees for charter schools, high-performing charter schools and charter school systems and removes the restrictions on eligible expenditures of the funds resulting from the difference between the total calculated amount of administrative fees and the amount the district may withhold.*

- *Requires charter schools to annually complete and submit a survey to rate the timeliness and effectiveness of administrative services provided by sponsors. The Department of Education must develop and administer the survey, compile the results by district and include them in the annual authorizer report.*
- *Revises LEA eligibility status by removing the requirements that a system of charter schools include both conversion and non-conversion charter schools and the system does not contract with a for-profit service provider for management of school operations.*
- *Allows a charter school system's governing board to be designated as an LEA for purposes of receiving federal funds for all schools within a school district that are established under the turnaround option and are under the jurisdiction of the governing board.*
- *Removes the provision that charter school student performance data be compared to student performance data of traditional public schools.*
- *Requires a high school to include, in its graduation rate, a student who transfers from the high school to a private school with which the school district has a contractual relationship.*
- *Allows the use of concordant scores, in addition to assessment scores or comparable scores, in determining an alternative school's school improvement rating.*
- *Provides that any facility or portion of a facility used to house a charter school is exempt from ad valorem taxes.*
- *Provides that specified entities -- including a library, community service, museum, performing arts, theatre, cinema, church, Florida College System institution, college, and university -- may provide space to charter schools within their facilities under their preexisting zoning and land use designations and clarifies that the charter school within such entities shall not have to obtain any special exception, rezoning, land use charter, or other approval.*
- *Removes the requirement that students at both traditional public schools and charter schools receive online instruction in a classroom setting in a blended learning course.*
- *Revises the requirement that a student must be enrolled in grade 5 or 6 to be eligible to enroll in the College-Preparatory Boarding Academy Pilot Program to allow any student currently enrolled in grades 5-12 to be eligible to enter the program, if the operator determines that a seat is available.*
- *Requires school districts to provide Title I funds directly to all eligible schools and limits the amount of Title I funds that a district may withhold as follows:*
 - *1% for parent involvement.*
 - *A necessary and reasonable amount for administration not to exceed 8%.*
 - *A reasonable and necessary amount to provide homeless programs, delinquent and neglected programs, and private school equitable services.*
- *Provides that all remaining Title I funds must be distributed to all eligible schools in accordance with federal law and regulation.*
- *Provides that schools may participate in district-wide or district sponsored initiatives by paying a proportionate share of Title I funds to the school district.*
- *Clarifies when the controlled open enrollment process applies to charter schools;*
- *Clarifies that charter schools, including their governing body and employees, are subject to the same waiver of sovereign immunity in tort actions as the state, state agencies and or subdivisions but clarifies that these protections do not extend to any for-profit entity contracted by the charter school or its governing body.*
- *Deletes language regarding federal funds that conflicts with federal requirements for the distribution of such funds;*
- *Renames the ACT Aspire assessment to the preliminary ACT;*

- *Removes the requirement that an eligible dual enrollment program be located and chartered in Florida and revises eligibility requirements for postsecondary institutions to participate in dual enrollment by requiring that the institution be accredited by any regional or national accrediting agency recognized by the U.S. DOE (rather than only the Commission of Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools); and*
- *Requires sponsors to notify a charter school if they intend to not renew a contract and provide the charter school with a hearing.*

[NOTE: The Senate companion bill is [SB 1362](#).]