



Florida School Boards Association

The voice of education in Florida.

SB 376 – Charter School Funding by Simmons

*The bill amends s. 1013.62, F.S., relating to charter school capital outlay funding and defines such funding as being derived from revenue derived from the local discretionary millage authority and also state funds **IF** they are appropriated in the General Appropriations Act (GAA). The bill retains the current limit on local capital outlay millage authority at 1.5 mills.*

With regard to charter school eligibility, the bill:

- *Retains all of the current eligibility criteria for charter schools to obtain state capital funding and stipulates that these eligibility requirements would apply to eligibility for funding from both shared local capital outlay revenue and for any state funds that may be provided in the GAA.*
- *Adds a new requirement that prohibits personal financial enrichment by owners, operators, managers, and other affiliated parties of charter schools.*
- *Emphasizes that a charter school is not eligible for a funding allocation unless the chair of the governing board and chief administrative officer of the charter school annually certify under oath that the funds will be used solely and exclusively for constructing, renovating, or improving charter school facilities.*
- *Clarifies that virtual charter schools are not eligible for charter school capital outlay funding.*

With regard to the allocation of funds to charter schools, the bill:

- *Codifies existing DOE implementation of an additional method to determine the funding allocation for eligible charter schools by adding an equivalent percentage of schools that are eligible under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010.*
- *Provides that the DOE must calculate the shared local capital outlay allocation by dividing the revenue generated from the local discretionary millage authorized under s. 1011.72(2), F.S., and levied by the school board by the sum of the district fixed capital outlay FTE and the FTE for eligible charter schools. This calculated capital outlay allocation per FTE must then be multiplied by the eligible charter school's FTE to provide a maximum calculated capital outlay allocation.*
- *Provides that the allocation formula for the shared local capital outlay allocation utilize a weighted funding approach to provide additional funds to charter schools. More specifically:*
 - *An eligible charter school will receive a base allocation of 50 percent of the maximum calculated capital outlay allocation.*
 - *Charter schools will receive an additional 25 percent of the base allocation if the school has a 75% or more free and reduced lunch enrollment or the equivalent or a 25% or more ESE enrollment.*
 - *Charter schools that that meet both criteria would receive an additional 50 percent of the base allocation – i.e. the full maximum allocation.*

With regard to the distribution and use of the funds, the bill:

- *Requires each school district to distribute 1/12th of the calculated shared local capital outlay funds to eligible charter schools on a monthly basis, beginning in the first quarter of the fiscal year, regardless of whether local funds are available.*
- *Limits the ability of a charter school governing board to only use charter school capital outlay funds at the charter school that generated the funding.*