

1 A bill to be entitled
 2 An act relating to education; amending s. 1002.33,
 3 F.S.; requiring charter school sponsors to provide
 4 specified training and a certain report to its charter
 5 schools; requiring the report to be submitted to the
 6 Department of Education by a specified date; requiring
 7 the State Board of Education to adopt rules to
 8 implement a standard monitoring tool; amending s.
 9 1012.71, F.S.; revising the definition of the term
 10 "classroom teacher"; requiring district school boards
 11 to calculate prorated shares of funds from the Florida
 12 Teachers Classroom Supply Assistance Program for
 13 certain classroom teachers; providing an effective
 14 date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraph (a) of subsection (20) and subsection
 19 (28) of section 1002.33, Florida Statutes, are amended to read:

20 1002.33 Charter schools.—

21 (20) SERVICES.—

22 (a)1. A sponsor shall provide certain administrative and
 23 educational services to charter schools. These services shall
 24 include contract management services; full-time equivalent and
 25 data reporting services; exceptional student education

26 administration services; services related to eligibility and
27 reporting duties required to ensure that school lunch services
28 under the National School Lunch Program, consistent with the
29 needs of the charter school, are provided by the sponsor at the
30 request of the charter school, that any funds due to the charter
31 school under the National School Lunch Program be paid to the
32 charter school as soon as the charter school begins serving food
33 under the National School Lunch Program, and that the charter
34 school is paid at the same time and in the same manner under the
35 National School Lunch Program as other public schools serviced
36 by the sponsor or the school district; test administration
37 services, including payment of the costs of state-required or
38 district-required student assessments; processing of teacher
39 certificate data services; and information services, including
40 equal access to the sponsor's student information systems that
41 are used by public schools in the district in which the charter
42 school is located or by schools in the sponsor's portfolio of
43 charter schools if the sponsor is not a school district. Student
44 performance data for each student in a charter school,
45 including, but not limited to, FCAT scores, standardized test
46 scores, previous public school student report cards, and student
47 performance measures, shall be provided by the sponsor to a
48 charter school in the same manner provided to other public
49 schools in the district or by schools in the sponsor's portfolio
50 of charter schools if the sponsor is not a school district.

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

53 ~~3.2.~~ A sponsor may withhold an administrative fee for the
 54 provision of such services which shall be a percentage of the
 55 available funds defined in paragraph (17)(b) calculated based on
 56 weighted full-time equivalent students. If the charter school
 57 serves 75 percent or more exceptional education students as
 58 defined in s. 1003.01(3), the percentage shall be calculated
 59 based on unweighted full-time equivalent students. The
 60 administrative fee shall be calculated as follows:

61 a. Up to 5 percent for:

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

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

66 (A) Includes conversion charter schools and nonconversion
 67 charter schools.

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

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

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

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

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

76 b. Up to 2 percent for enrollment of up to and including
77 250 students in a high-performing charter school as defined in
78 s. 1002.331.

79 c. Up to 2 percent for enrollment of up to and including
80 250 students in an exceptional student education center that
81 meets the requirements of the rules adopted by the State Board
82 of Education pursuant to s. 1008.3415(3).

83 ~~4.3.~~ A sponsor may not charge charter schools any
84 additional fees or surcharges for administrative and educational
85 services in addition to the maximum percentage of administrative
86 fees withheld pursuant to this paragraph. A sponsor may not
87 charge or withhold any administrative fee against a charter
88 school for any funds specifically allocated by the Legislature
89 for teacher compensation.

90 ~~5.4.~~ A sponsor shall provide to the department by
91 September 15 of each year the total amount of funding withheld
92 from charter schools pursuant to this subsection for the prior
93 fiscal year. The department must include the information in the
94 report required under sub-sub-subparagraph (5)(b)1.k.(III).

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

100 (28) RULEMAKING.—The Department of Education, after

101 consultation with sponsors and charter school directors, shall
 102 recommend that the State Board of Education adopt rules to
 103 implement specific subsections of this section. Such rules shall
 104 require minimum paperwork and shall not limit charter school
 105 flexibility authorized by statute. The State Board of Education
 106 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
 107 implement a standard charter application form, standard
 108 application form for the replication of charter schools in a
 109 high-performing charter school system, standard evaluation
 110 instrument, standard monitoring tool, and standard charter and
 111 charter renewal contracts in accordance with this section.

112 Section 2. Subsections (1) and (3) of section 1012.71,
 113 Florida Statutes, are amended to read:

114 1012.71 The Florida Teachers Classroom Supply Assistance
 115 Program.—

116 (1) For purposes of the Florida Teachers Classroom Supply
 117 Assistance Program, the term "classroom teacher" means a
 118 certified teacher employed by a public school district or a
 119 public charter school in that district on or before September 1
 120 of each year whose full-time or job-share responsibility is the
 121 classroom instruction of students in prekindergarten through
 122 grade 12, including full-time media specialists and certified
 123 school counselors serving students in prekindergarten through
 124 grade 12, who are funded through the Florida Education Finance
 125 Program. A "job-share" classroom teacher is one of two teachers

126 | whose combined full-time equivalent employment for the same
127 | teaching assignment equals one full-time classroom teacher. The
128 | term "classroom teacher" may also include an administrator or a
129 | substitute teacher who holds a valid teaching certificate who is
130 | filling a vacancy in an identified teaching position on or
131 | before September 1 of each year.

132 | (3) From the funds allocated to each school district and
133 | any funds received from local contributions for the Florida
134 | Teachers Classroom Supply Assistance Program, the district
135 | school board shall calculate an identical amount for each
136 | classroom teacher who is estimated to be employed by the school
137 | district or a charter school in the district on September 1 of
138 | each year, which is that teacher's proportionate share of the
139 | total amount allocated to the district from state funds and
140 | funds received from local contributions. A job-share classroom
141 | teacher may receive a prorated share of the amount provided to a
142 | full-time classroom teacher. The school district shall calculate
143 | a prorated share of the funds for a classroom teacher who
144 | teaches less than full time. For a classroom teacher determined
145 | eligible on July 1, the district school board and each charter
146 | school board may provide the teacher with his or her total
147 | proportionate share by August 1 based on the estimate of the
148 | number of teachers who will be employed on September 1. For a
149 | classroom teacher determined eligible after July 1, the district
150 | school board and each charter school board shall provide the

151 teacher with his or her total proportionate share by September
152 30. The proportionate share may be provided by any means
153 determined appropriate by the district school board or charter
154 school board, including, but not limited to, direct deposit,
155 check, debit card, or purchasing card. If a debit card is used,
156 an identifier must be placed on the front of the debit card
157 which clearly indicates that the card has been issued for the
158 Florida Teachers Classroom Supply Assistance Program.
159 Expenditures under the program are not subject to state or local
160 competitive bidding requirements. Funds received by a classroom
161 teacher do not affect wages, hours, or terms and conditions of
162 employment and, therefore, are not subject to collective
163 bargaining. Any classroom teacher may decline receipt of or
164 return the funds without explanation or cause.

165 Section 3. This act shall take effect July 1, 2023.