



## Charter Schools

**What are charter schools?** Charter schools are non-profit 501(c)(3) organizations that have a contract or charter to provide the same educational services to students as district public schools. The first charter school opened in 1996 in Miami. Currently there are 654 charter schools operating in Florida.

**How are charter schools funded?** Charter schools receive funding from the Florida Education Finance Program (FEFP) using the same FTE formula applied to district schools. Charter schools must also pay an administrative fee to their district sponsors that cannot exceed 5% of their total FTE funding.

**Charter School Closures** If a charter school receives two consecutive grades of "F" the district sponsor may close the school. Since 1997, 316 charter schools have been closed, some voluntarily, for academic and/or financial reasons. No public school operated by a Florida school district has ever been closed for poor performance.

**Management Organizations** About one-third of charter schools are created and operated by management organizations that operate multiple schools. These organizations can be nonprofit or for-profit.

## By the numbers...

	District	Charter	Total	Students Served
<b>Broward</b>	233	101	334	271,105

## Current Legislation

**House Bill 251** Revises sponsor duties relating to charter school contracts, funding, & property; authorizes charter school to enter into certain financial arrangements & assign future payment of its funding; provides exception to requirement that district make timely payment & reimbursement to charter school; requires district to issue payment to charter school within specified period after receiving FEFP funds.

*Broward County Public Schools does not support this legislation.*

**Senate Bill 376** Authorizing school boards to levy specified amounts for charter schools; providing that charter school capital outlay funding consists of shared local capital outlay and state funding as provided in the General Appropriations Act; prohibiting a charter school from being eligible for a funding allocation under certain circumstances, etc.

*Broward County Public Schools does not support this legislation.*

**Senate Bill 604** Revising the amount each school board may levy for certain purposes; revising the purposes for which a school district may levy additional millage by specified means to include fixed capital outlay, etc.

*Broward County Public Schools supports this legislation.*

## BCPS Legislative Platform Charter Schools Initiatives

- Amend Florida Statutes to allow school boards with at least 10 percent of student enrollment in charter schools to analyze the need for additional charter schools and/or require new charters to locate in areas to address overcrowding, provide choice opportunities to students/parents zoned to a failing school, or meeting a specific academic need the school district is not addressing.
- Specify s1.002.33, F.S., that school boards have the same constitutional authority over approval and oversight of charter schools as district schools within its county lines.
- Support legislation that extends the penalties in 11.40 (2)(a) F.S. for district school boards to charter schools and charter technical career centers which would withhold any funds not pledged for bond debt service from a charter school or charter technical career center that fails to submit their annual audit reports, monthly or quarterly financials, annual cost reports or any other financial information requested by the sponsor in alignment with a financial corrective action plan; repeated failure to provide financial information in the format and timeline required by the sponsor can result in a 10% FTE penalty and require an independent audit. The sponsor may retain the draw down to offset the cost of the independent audit and charter school will incur a 10% FTE penalty, which shall be retained by the sponsor, for each failure to comply with the submission of the required financial documents.
- Require a charter school to return any and all public funds, excluding the Charter School Planning Grant funds, to the sponsor upon the charter school's election of any deferral of opening the charter school.
- Require a charter governing board's request for hearing to be accompanied by a cost bond in the amount of \$50,000 to pay taxable costs pertaining to the hearing including, without limitation, fees of the Division of Administrative Hearings and court reporters fees in the event the sponsor prevails. In an instance of a withdrawal from a DOAH request, the withdrawer should be responsible for all costs pertaining to the hearing.
- Division of Administrative Hearings: The burden of proof shall be upon the sponsor and the standard of proof shall be whether the preponderance of the evidence supports the grounds for the sponsor's proposed action.
- The Florida Legislature should require FLDOE to conduct a state-wide study to determine the true cost of services provided to charter schools by school districts, in order to determine if the administrative fee covers all services and statutorily mandated oversight provided by the school districts.
- Revise Section 1002.33(17), F.S. to include language that does not hold district school boards liable for the disbursement of funds if it is subsequently determined that a charter school was ineligible for any funds it received for its students or programs. The charter governing board, management company or consulting group shall be fully responsible for any errors or omissions in the information provided by charter schools concerning the eligibility of its students or programs for funding and for the repayment of any funding for which the charter school is later found to be ineligible.
- Support legislation that closes statutory loopholes in Florida Statutes and provides school districts with greater authority in closing charters if necessary.