

# FLORIDA

(Law passed in 1996; 7th strongest of the nation's 43 charter laws)



Florida has the potential to have a very strong charter law, if only the state would allow independent authorizers. Currently, only school boards are allowed to authorize charters, and while growth has been consistent, problems have begun to arise. Over time, many boards have become increasingly critical of charter schools, restricting the ability of the charter sector to grow as robustly as demanded by parents. Having a university authorizer or even the state board as an authorizer would remedy that problem. In addition, the funding of charter schools in Florida has become increasingly inequitable.

## INDEPENDENT OR MULTIPLE AUTHORIZERS – NO

APPROVAL	School boards are the only charter authorizer, although state universities can sponsor lab charter schools only, which has rarely happened.
APPEAL	Yes. Applications denied by the school board may be appealed to the Charter School Appeal Commission, whose recommendation is then forwarded to the State Board of Education. The state board's final decision is binding.

## OPERATIONAL AUTONOMY

STATE	Yes. Charters receive a blanket waiver from most state rules and regulations governing traditional public schools. Specific statewide statutes, such as class size limitations, apply to charter schools with no exemptions. Virtual schools are allowed. Management contracts with ESPs are not restricted, but there is a "model charter application form" that must be filled out and includes details on any agreement with a provider, including academic, operational, and financial data on the ESP. High-performing charters can replicate one a year and open new schools upon request (virtuals ineligible).
LOCAL	Yes. Charter schools are exempt from most local school rules and regulations with certain exceptions as prescribed by the district. Charter schools are not considered their own LEAs.
TEACHER FREEDOM	Yes. Teachers are exempt from district collective bargaining agreements. If a charter school is a public employer (and not a private one), then teachers have the option to participate in state's retirement system.

## NUMBER OF SCHOOLS ALLOWED

CAP	There is no legal limit on the number of charter schools that may be approved.
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## EQUITY

<p>STUDENT FUNDING</p>	<p>Funds pass through the district. The law states that funding for charter schools follows the same formula used for all other public schools minus administrative fees retained by school boards. They also are entitled to their share of categorical program funds, but that is not always done equitably. Administrative fees are five percent for all charters, or two percent for those charters considered “high-performing.”</p> <p>“Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district... (b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district’s operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district’s current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education.” [Fla. Stat. § 1002.33(17)(b)]</p>
<p>FACILITIES FUNDS</p>	<p>Yes. The state has appropriated \$75 million in its capital outlay program for per pupil facilities funding, which may be used for purchasing, construction, or maintenance of facilities. It is limited to charters that meet certain criteria, including: operation for at least three years, is accredited, and is an expanded feeder chain or charter within the same district (meaning an elementary charter that serves a middle school that serves a high school charter.) School boards may levy up to 1.5 mills for construction, renovation, maintenance or repair of facilities for district schools, which would include charters. [Fla. Stat. § 1013.62(e)]</p>

[LINK TO THE FLORIDA CHARTER SCHOOL LAW](#)