

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Education Pre-K - 12 Appropriations Committee

BILL: CS/SB 2092

INTRODUCER: Committee on Education Pre-K --12 and Senator Deutch

SUBJECT: Charter Districts/Pilot Program

DATE: April 13, 2007 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>Matthews</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Armstrong</u>	<u>Hamon</u>	<u>EA</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Currently, there are four school districts (Palm Beach, Hillsborough, Orange, and Volusia) that operate as pilot charter school districts. The bill postpones the termination dates for Orange County and Palm Beach County charter school districts until July 1, 2008.

This bill substantially amends s. 1003.62 of the Florida Statutes.

II. Present Situation:

In 1999, the law authorized the State Board of Education (SBE) to enter into a performance contract with up to six school districts to establish them as pilot charter school districts.¹ The designation was based on a charter proposal approved by the SBE for the district to be exempt from statutes and administrative rules, if the district agreed to meet specific performance goals. These districts were allowed to use the same exemptions available to charter schools (i.e., the provisions of chapters 230 through 239, F.S.).² However, exemptions were not permitted to the provisions of chapters 236 or 237, F.S., if they affected funding allocations or created an inequity in public school funding.³ The law also provided that the school board of a charter school district is not exempt from any statute governing the election of board members, public meetings and public records requirements, financial disclosure, conflicts of interest, operation in the sunshine, or other provisions outside the Florida School Code.⁴

¹ s. 228.058, F.S., was created by ch. 99-374, L.O.F.

² s. 228.056(11), F.S., which is now codified in s. 1002.33(16), F.S.

³ Chapters 236 and 237, F.S., related to finance and taxation and financial accounts and expenditures of public schools, respectively.

⁴ s. 228.058(2), F.S.

The law was substantially amended in 2003 to allow for the designation of “academic performance-based charter school districts,”⁵ establish additional statutes from which a district may not be exempt, decrease the number of years that a charter is valid (from 3 years to 1 year), and grandfather the original four pilot programs until July 1, 2007, or the end of a 5-year renewal contract between the SBE and the districts, whichever is later.⁶

Four school districts (Palm Beach, Hillsborough, Orange, and Volusia) currently operate as pilot charter school districts. The performance contracts for Orange and Palm Beach expire in 2007 and the contracts for Hillsborough and Volusia expire in 2008. The law prohibits any other districts from being designated as a pilot charter district.

The pilot districts differ in the number and types of statutes and rules waived.⁷ However, some districts waived the same statutes. For example, Volusia and Hillsborough waived the requirements for covered walkways for relocatable facilities (portables)⁸ to save costs. Additionally, the districts waived the requirement for spending 50 percent of the instructional materials allocation on state-adopted materials.⁹ According to the districts, this waiver provides flexibility in selecting supplementary materials to accelerate student achievement.

III. Effect of Proposed Changes:

The bill postpones the termination dates for Orange¹⁰ and Palm Beach¹¹ County charter school districts until July 1, 2008. The bill is silent on whether or not these districts would need to extend their current contract with the SBE.

The effective date of the bill is upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

⁵ To be considered an academic performance-based charter district under s. 1003.62, F.S., at least 50 percent of schools in the district must earn an “A” or a “B” and no schools may earn a “D” or “F” for 2 consecutive years. A charter may not be renewed for districts in which the percentage of schools that earn an “A” or “B” is less than 50 percent for 2 consecutive years.

⁶ s. 1003.62(7), F.S. This provision applies to contracts between the SBE and charter school districts prior to July 1, 2003. The SBE was permitted to renew the pilot district programs based upon the criteria in the initial charter applications.

⁷ See *Addendum to State Board of Education Contract with Palm Beach Charter School District, 2006*; *State Board of Education Contract with Volusia Charter School District Agreement Renewal, 2002*; and *Hillsborough County Charter District Contract Annual Report, 2006*. The contracts include academic performance goals.

⁸ s. 1013.20, F.S. (previously s. 235.061, F.S.).

⁹ s. 1006.40(3)(a), F.S.

¹⁰ The contract was for the 2002-2003 school year through June 30, 2007.

¹¹ The initial contract was entered into on January 21, 2003. According to the Palm Beach County School District, an extension of the contract is effective from January 23, 2006 until July 1, 2007.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

There is no appropriations consequence resulting from this bill. There may be some minimal costs associated with the extension of the contract period for the Orange County and Palm Beach County school districts. These two districts will have one additional year of flexibility of expenditure for certain items in exchange for meeting performance requirements in their contract with the State Board.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
