

26 (3) APPLICATION FOR CHARTER STATUS.—
 27 (b) An application for a conversion charter school shall
 28 be made by a municipality, the district school board, the
 29 principal, teachers, parents, and/or the school advisory council
 30 at an existing public school that has been in operation for at
 31 least 2 years prior to the application to convert. A public
 32 school-within-a-school that is designated as a school by the
 33 district school board may also submit an application to convert
 34 to charter status. An application submitted proposing to convert
 35 an existing public school to a charter school shall demonstrate
 36 the support of at least ~~50 percent of the teachers employed at~~
 37 ~~the school and~~ 50 percent of the parents voting whose children
 38 are enrolled at the school, provided that a majority of the
 39 parents eligible to vote participate in the ballot process,
 40 according to rules adopted by the State Board of Education. The
 41 Charter School Review Commission or a district school board
 42 denying an application for a conversion charter school shall
 43 provide notice of denial to the applicants in writing within 10
 44 days after the meeting at which the commission or district
 45 school board denied the application. The notice must articulate
 46 in writing the specific reasons for denial and must provide
 47 documentation supporting those reasons. A private school,
 48 parochial school, or home education program shall not be
 49 eligible for charter school status.
 50 (c) A municipality may submit an application for

51 conversion for any or all of the public schools within its
 52 jurisdictional boundary as part of a single application for
 53 approval.

54 (5) SPONSOR; DUTIES.—

55 (a) Sponsoring entities.—

56 1. A district school board may sponsor a charter school in
 57 the county over which the district school board has
 58 jurisdiction.

59 2. A state university may grant a charter to a lab school
 60 created under s. 1002.32 and shall be considered to be the
 61 school's sponsor. Such school shall be considered a charter lab
 62 school.

63 3. Because needs relating to educational capacity,
 64 workforce qualifications, and career education opportunities are
 65 constantly changing and extend beyond school district
 66 boundaries:

67 a. A state university may, upon approval by the Department
 68 of Education, solicit applications and sponsor a charter school
 69 to meet regional education or workforce demands by serving
 70 students from multiple school districts.

71 b. A Florida College System institution may, upon approval
 72 by the Department of Education, solicit applications and sponsor
 73 a charter school in any county within its service area to meet
 74 workforce demands and may offer postsecondary programs leading
 75 to industry certifications to eligible charter school students.

76 A charter school established under subparagraph (b)4. may not be
 77 sponsored by a Florida College System institution until its
 78 existing charter with the school district expires as provided
 79 under subsection (7).

80 c. Notwithstanding paragraph (6)(b), a state university or
 81 Florida College System institution may, at its discretion, deny
 82 an application for a charter school.

83 d. The Charter School Review Commission, as authorized
 84 under s. 1002.3301, may solicit and review applications for
 85 conversion charter schools and charter schools overseen by
 86 district school boards and, upon the commission approving an
 87 application, the district school board that oversees the school
 88 district in which the charter school will be located shall serve
 89 as sponsor.

90 (18) FACILITIES.—

91 (e) In order to preserve the availability of scarce vacant
 92 land for educational purposes, the Department of Education and
 93 the Department of Management Services shall designate vacant
 94 school district real property as surplus if such school district
 95 has experienced a decline in student enrollment of 1 percent or
 96 more for at least 2 consecutive years. Upon the designation of
 97 such real property as surplus, the school district must make
 98 such real property available to approved charter schools and
 99 charter school governing boards within the school district. The
 100 school district shall transfer the control and operation of such

101 real property to the charter school or charter school governing
 102 board without charging the charter school any rental, leasing,
 103 or other usage fees. If a charter school or charter school
 104 governing board within the school district does not request the
 105 use of the surplus real property within 6 months after such real
 106 property is designated as surplus by the Department of Education
 107 and the Department of Management Services, the real property
 108 shall be made available for affordable housing within the county
 109 pursuant to s. 1001.43(12). ~~If a district school board facility~~
 110 ~~or property is available because it is surplus, marked for~~
 111 ~~disposal, or otherwise unused, it shall be provided for a~~
 112 ~~charter school's use on the same basis as it is made available~~
 113 ~~to other public schools in the district.~~ A charter school
 114 receiving surplus real property pursuant to this subsection
 115 ~~property from the sponsor~~ may not sell or dispose of such
 116 property without written permission of the sponsor. Similarly,
 117 for an existing public school converting to charter status, no
 118 rental or leasing fee for the existing facility or for the
 119 property normally inventoried to the conversion school may be
 120 charged by the district school board to the parents and teachers
 121 organizing the charter school. The charter school shall agree to
 122 reasonable maintenance provisions in order to maintain the
 123 facility in a manner similar to district school board standards.
 124 The Public Education Capital Outlay maintenance funds or any
 125 other maintenance funds generated by the facility operated as a

PCS for HB 109

ORIGINAL

2024

126 | conversion school shall remain with the conversion school.

127 | Section 2. This act shall take effect July 1, 2024.