



Office of Independent Education & Parental Choice

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2009 Legislative/Rules Update for Florida's Charter Schools Program

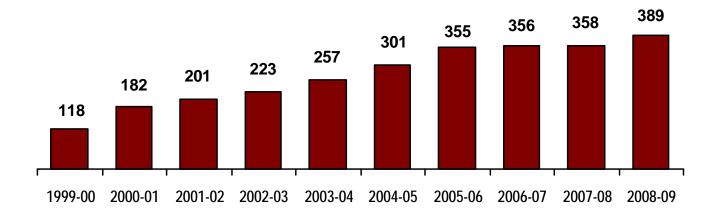
Jean Miller, Deputy Executive Director Independent Education and Parental Choice

Florida School Finance Officers Association

June 17, 2009

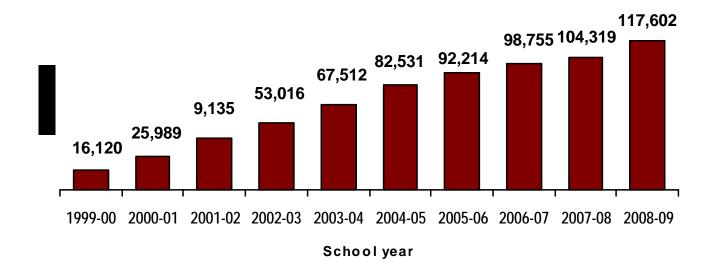


Florida Ranks *Fourth* in the Nation in the Number of Charter Schools





Florida's Student Enrollment in Charter Schools has Increased Steadily Since 1996





Student Demographics

- 41% White, Non Hispanic
- 31% Hispanic
- 22% Black, Non Hispanic
- 4% Multiracial
- 2% Asian/Pacific Islander
- <1% American Indian/Alaskan Native</p>





Gender

■ 50% Male

■ 50% Female

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Lunch Program

- 38% Free/Reduced Price Lunch
- 62% Not Eligible



Charter Schools School Grades 2008

<u>Grade</u>	<u>#</u>	<u>Percent</u>
A	112	52%
В	44	20%
C	41	19%
D	8	4%
F	11	5%



2009 Legislation Senate Bill 278

Key Points:

- Fiscal accountability
- Model forms
- New applicant training
- Restriction on employment of relatives
- Other



New Section 1002.345, Florida Statutes Charter school is subject to an expedited review by the sponsor if:

- the school fails to provide for an audit required by s. 218.503, F.S.
- the school fails to comply with reporting requirements in s. 1003.33(9), F.S.



- a deteriorating financial condition is identified through the annual audit or the monthly financial statements to the sponsor.
- a notification must be sent to the Commissioner of Education, the sponsor, and the Legislative Auditing Committee stating 1 or more of the conditions in s. 218.503(1), F.S., has occurred or will occur if assistance is not provided to the school.



"Deteriorating financial condition" means a circumstance that significantly impairs the ability of a charter school to generate enough revenue to meet its expenditures without causing the occurrence of one of the conditions described in s. 218.503(1), F.S.

Requires DOE to define and establish procedures for determining a "deteriorating financial condition" in State Board Rule.



The sponsor shall:

- notify the charter school governing board within 7 business days after notification to the Commissioner, et al. (s.218.503(2), F.S.).
- develop a corrective action plan, with the governing board, and file it with the Commissioner within 30 days of the original notification. (Commissioner resolves any disagreement)



The Governing Board shall:

- include the corrective action plan and its implementation status with the annual audit report.
- implement the corrective action plan within one year after one or more of the fiscal conditions in s. 218.503, F.S., was identified.



If the governing board fails to implement the corrective action plan in the prescribed time:

- the State Board of Education (SBE) shall prescribe any steps necessary for the charter school to comply with state requirements.
- the governing board chair, annually, must report to the SBE on the plan's progress.



Financial Emergency Requirements

A charter school is considered in a state of financial emergency when:

 a financial audit reveals that one or more of the conditions in s.218.503(1), F.S., have occurred or will occur if action is not taken to assist the charter school; and



 as a result of the audit finding, the Commissioner of Education determines that the charter school needs a financial recovery plan to resolve the condition.

Requires DOE, in coordination with sponsors, charter schools, and the Auditor General, to establish guidelines for developing a financial recovery plan in State Board Rule.



The charter school governing body must include the financial recovery plan and its implementation status in its annual audit report to the sponsor.

The Commissioner of Education shall annually report to the SBE any charter school that is subject to a financial recovery plan.



The sponsor may decide not to renew or to terminate a charter if the charter school:

- fails to correct the deficiencies within 1 year after being notified of the deficiencies, or
- exhibits one or more conditions specified in s. 218.503, F.S., for 2 consecutive years.



2009 Legislation Model Forms

SB 278 requires DOE to develop a:

- monthly financial statement form.
- corrective action plan and process.
- financial recovery plan.

The SBE shall adopt rules to implement the above formats.



2009 Legislation Model Forms

SB 278 requires DOE to develop a:

- model application form and evaluation instrument,
- charter (contract) format, and
- charter renewal format.

The SBE shall adopt rules to implement the above formats.



2009 Legislation New Applicant Training

SB 278 requires DOE to:

- develop and provide training for potential charter applicants that includes accurate financial planning and good business practices.
- develop training standards that districts must meet in order to provide the training.

The SBE shall adopt rules to define the above standards.



2009 Legislation New Applicant Training

SB 278 requires charter applicants to:

- participate in the training provided by DOE or by a sponsor, whose training meets or exceeds the standards established in rule, prior to submitting an application.
- have the charter school principal and chief financial officer, or equivalent, participate in training if the applicant is a management company or other nonprofit organization.



SB 278 requires charter applicants to:

disclose the identity of all relatives employed by the charter school who are related to the owner, president, chairperson of the governing board, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decision-making authority.



SB 278 restricts charter school personnel from:

appointing, employing, promoting, or advancing, or advocating for appointment, employment, promotion, or advancement, in or to a position in the charter school in which the personnel are serving or over which the personnel exercises jurisdiction or control over any individual who is a relative.



SB 278 does not allow an individual, who is related to charter school personnel who serve in or exercise jurisdiction or control over the school, to be:

appointed, employed, promoted, or advanced in or to a position advocated by that charter school personnel.



SB 278 does not allow an individual, who is related to a member of the school's governing board, to be:

appointed, employed, promoted, or advanced in or to a position advocated by that board member.



2009 Legislation Charter School New Duties

SB 278 requires charter schools to:

- complete and submit a monthly financial report to the sponsor.
- report student assessment data, according to s. 1002.33(21)(b), F.S., to parents of enrolled students, parents of those on waiting lists, the school district, and the governing board.



2009 Legislation Charter School New Duties

SB 278 requires charter schools to:

- provide student assessment comparison data on its Internet website and provide notice to the public at large in a manner prescribed by State Board of Education Rule.
- follow through with new requirements of s. 1002.345, F.S.



2009 Legislation District - New Duties

SB 278 requires districts to:

- include charter schools in the request for federal stimulus funds in the same manner as district school board-operated schools, including Title I and IDEA funds.
- pay funds due to charter schools for federal school lunch program at the same time and in the same manner as other public schools.



2009 Legislation District - New Duties

SB 278 requires districts to:

perform all the duties outlined in s. 1002.345, F.S.

SB 278 authorizes districts to:

 require that a charter applicant submit additional information as an addendum to the application format developed in State Board Rule.



2009 Legislation District - New Duties

- not renew or terminate a charter if the school fails to correct the deficiencies noted in the corrective action plan within 1 year of being notified of the deficiencies, or
- not renew or terminate a charter if the school exhibits 1 or more of the financial emergency conditions specified in s.218.503, F.S., for 2 consecutive years.



2009 Legislation DOE - New Duties

SB 278 charges the Department to adopt State Board of Education Rules:

- for a model format for the charter application, evaluation, charter (contract), and renewal process.
- to develop the process by which charter schools provide public notice of student achievement data comparison.



2009 Legislation DOE - New Duties

SB 278 charges the Department to adopt State Board of Education Rules:

- to establish standards for training that include accurate financial planning and good business practices, and approve district training plans.
- to develop a monthly financial statement that charter schools will submit to their sponsors.



2009 Legislation DOE - New Duties

SB 278 charges the Department to adopt State Board of Education Rules:

- to define a "deteriorating financial condition" and establish procedures for determining such.
- to develop corrective action plans and financial recovery plans.

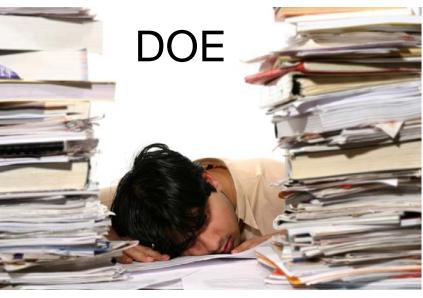


2009 Legislation Collaboration



Charter Schools

Stakeholders





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