

ENROLLED

CS/HB 225

2022 Legislature

1
 2 An act relating to charter school charters; amending
 3 s. 1002.33, F.S.; requiring a request for a
 4 consolidation of multiple charters to be approved or
 5 denied within a specified timeframe; requiring a
 6 charter school sponsor to provide specified
 7 information relating to a denial of a request for a
 8 consolidation to the charter school within a specified
 9 timeframe; revising the time period for notification
 10 of specified actions relating to a charter school
 11 charter; providing for the automatic renewal of a
 12 charter under certain circumstances; providing an
 13 effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Paragraph (d) of subsection (7) and paragraph
 18 (b) of subsection (8) of section 1002.33, Florida Statutes, are
 19 amended to read:

20 1002.33 Charter schools.—

21 (7) CHARTER.—The terms and conditions for the operation of
 22 a charter school shall be set forth by the sponsor and the
 23 applicant in a written contractual agreement, called a charter.
 24 The sponsor and the governing board of the charter school shall
 25 use the standard charter contract pursuant to subsection (21),

ENROLLED

CS/HB 225

2022 Legislature

26 | which shall incorporate the approved application and any addenda
27 | approved with the application. Any term or condition of a
28 | proposed charter contract that differs from the standard charter
29 | contract adopted by rule of the State Board of Education shall
30 | be presumed a limitation on charter school flexibility. The
31 | sponsor may not impose unreasonable rules or regulations that
32 | violate the intent of giving charter schools greater flexibility
33 | to meet educational goals. The charter shall be signed by the
34 | governing board of the charter school and the sponsor, following
35 | a public hearing to ensure community input.

36 | (d) A charter may be modified during its ~~initial term or~~
37 | ~~any renewal~~ term upon the recommendation of the sponsor or the
38 | charter school's governing board and the approval of both
39 | parties to the agreement. Changes to curriculum which are
40 | consistent with state standards shall be deemed approved unless
41 | the sponsor and the Department of Education determine in writing
42 | that the curriculum is inconsistent with state standards.
43 | Modification during any term may include, but is not limited to,
44 | consolidation of multiple charters into a single charter if the
45 | charters are operated under the same governing board, regardless
46 | of the renewal cycle. A charter school that is not subject to a
47 | school improvement plan and that closes as part of a
48 | consolidation shall be reported by the sponsor as a
49 | consolidation. A request for consolidation of multiple charters
50 | must be approved or denied within 60 days after the submission

ENROLLED

CS/HB 225

2022 Legislature

51 of the request. If the request is denied, the sponsor shall
52 notify the charter school's governing board of the denial and
53 provide the specific reasons, in reasonable detail, for the
54 denial of the request for consolidation within 10 days.

55 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

56 (b) Before a vote on any proposed action to renew,
57 terminate, other than an immediate termination under paragraph
58 (c), or not renew the charter and at least 90 days before the
59 end of the school year ~~renewing, nonrenewing, or terminating a~~
60 charter, the sponsor shall notify the governing board of the
61 school in writing of the proposed action to renew, terminate, or
62 not renew the charter. A charter automatically renews with the
63 same terms and conditions if notification does not occur at
64 least 90 days before the end of the school year ~~in writing.~~ The
65 notice shall state in reasonable detail the grounds for the
66 proposed action and stipulate that the school's governing board
67 may, within 14 calendar days after receiving the notice, request
68 a hearing. The hearing shall be conducted by an administrative
69 law judge assigned by the Division of Administrative Hearings.
70 The hearing shall be conducted within 90 days after receipt of
71 the request for a hearing and in accordance with chapter 120.
72 The administrative law judge's final order shall be submitted to
73 the sponsor. The administrative law judge shall award the
74 prevailing party reasonable attorney fees and costs incurred
75 during the administrative proceeding and any appeals. The

ENROLLED

CS/HB 225

2022 Legislature

76 | charter school's governing board may, within 30 calendar days
77 | after receiving the final order, appeal the decision pursuant to
78 | s. 120.68.

79 | Section 2. This act shall take effect July 1, 2022.