A bill to be entitled
An act relating to charter schools capital outlay
funding; repealing s. 1013.62, F.S., relating to
charter schools capital outlay funding; amending ss.
1002.32, 1002.33, 1002.333, 1002.34, 1011.71, and
1013.64, F.S.; conforming provisions to changes made
by the act; conforming cross-references; providing an
effective date.

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

Section 1. Section 1013.62, Florida Statutes, is repealed.

Section 2. Paragraph (h) of subsection (9) of section
1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—
(9) FUNDING.—Funding for a lab school, including a charter
lab school, shall be provided as follows:

(h) A lab school to which a charter has been issued under
s. 1002.33(5)(a)2. is eligible to receive funding for charter
school capital outlay if it meets the eligibility requirements
of s. 1013.62. If the lab school receives funds from charter
school capital outlay, the school shall receive capital outlay
funds otherwise provided in this subsection only to the extent
that funds allocated pursuant to s. 1013.62 are insufficient to
provide capital outlay funds to the lab school at one fifteenth
26 of the cost per student station.

Section 3. Subsection (1), paragraph (b) of subsection (5), subsection (7), paragraph (d) of subsection (8), paragraph (e) of subsection (10), paragraph (b) of subsection (17), and subsection (19) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—
(1) AUTHORIZATION.—All charter schools in Florida are public schools and shall be part of the state's program of public education. A charter school may be formed by creating a new school or converting an existing public school to charter status. A charter school may operate a virtual charter school pursuant to s. 1002.45(1)(d) to provide full-time online instruction to students, pursuant to s. 1002.455, in kindergarten through grade 12. The school district in which the student enrolls in the virtual charter school shall report the student for funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home school district shall not report the student for funding. An existing charter school that is seeking to become a virtual charter school must amend its charter or submit a new application pursuant to subsection (6) to become a virtual charter school. A virtual charter school is subject to the requirements of this section; however, a virtual charter school is exempt from subsections (18) and (19), paragraph (19)(c), (20)(c), and s. 1003.03. A public school may not use the
term charter in its name unless it has been approved under this section.

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

   b. The sponsor shall monitor the revenues and expenditures of the charter school and perform the duties provided in s. 1002.345.

   c. The sponsor may approve a charter for a charter school before the applicant has identified space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

   d. The sponsor shall not apply its policies to a charter school unless mutually agreed to by both the sponsor and the charter school. If the sponsor subsequently amends any agreed-upon sponsor policy, the version of the policy in effect at the time of the execution of the charter, or any subsequent modification thereof, shall remain in effect and the sponsor may not hold the charter school responsible for any provision of a newly revised policy until the revised policy is mutually agreed upon.

   e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s.
f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor shall not be liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor shall not be liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school shall not constitute the basis for a private cause of action.

j. The sponsor shall not impose additional reporting requirements on a charter school without providing reasonable and specific justification in writing to the charter school.

k. The sponsor shall submit an annual report to the Department of Education in a web-based format to be determined by the department.

(I) The report shall include the following information:

(A) The number of draft applications received on or before May 1 and each applicant's contact information.

(B) The number of final applications received on or before
August 1 and each applicant's contact information.

(C) The date each application was approved, denied, or withdrawn.

(D) The date each final contract was executed.

(II) Beginning August 31, 2013, and each year thereafter, the sponsor shall submit to the department the information for the applications submitted the previous year.

(III) The department shall compile an annual report, by district, and post the report on its website by November 1 of each year.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. This paragraph does not waive a district school board's sovereign immunity.

4. A Florida College System institution may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. If a Florida College System institution operates an approved teacher preparation program under s. 1004.04 or s. 1004.85, the institution may operate no more than one charter school that serves students in kindergarten through grade 12. In
kindergarten through grade 8, the charter school shall implement innovative blended learning instructional models in which, for a given course, a student learns in part through online delivery of content and instruction with some element of student control over time, place, path, or pace and in part at a supervised brick-and-mortar location away from home. A student in a blended learning course must be a full-time student of the charter school and receive the online instruction in a classroom setting at the charter school. District school boards shall cooperate with and assist the Florida College System institution on the charter application. Florida College System institution applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Florida College System institutions may not report FTE for any students who receive FTE funding through the Florida Education Finance Program.

5. A school district may enter into nonexclusive interlocal agreements with federal and state agencies, counties, municipalities, and other governmental entities that operate within the geographical borders of the school district to act on behalf of such governmental entities in the inspection, issuance, and other necessary activities for all necessary permits, licenses, and other permissions that a charter school needs in order for development, construction, or operation. A
charter school may use, but may not be required to use, a school
district for these services. The interlocal agreement must
include, but need not be limited to, the identification of fees
that charter schools will be charged for such services. The fees
must consist of the governmental entity's fees plus a fee for
the school district to recover no more than actual costs for
providing such services. These services and fees are not
included within the services to be provided pursuant to
subsection (19) (20).

(7) CHARTER.—The terms and conditions for the operation of
a charter school shall be set forth by the sponsor and the
applicant in a written contractual agreement, called a charter.
The sponsor and the governing board of the charter school shall
use the standard charter contract pursuant to subsection (20)
(21), which shall incorporate the approved application and any
addenda approved with the application. Any term or condition of
a proposed charter contract that differs from the standard
charter contract adopted by rule of the State Board of Education
shall be presumed a limitation on charter school flexibility.
The sponsor may not impose unreasonable rules or regulations
that violate the intent of giving charter schools greater
flexibility to meet educational goals. The charter shall be
signed by the governing board of the charter school and the
sponsor, following a public hearing to ensure community input.

(a) The charter shall address and criteria for approval of
the charter shall be based on:

1. The school's mission, the students to be served, and
the ages and grades to be included.

2. The focus of the curriculum, the instructional methods
to be used, any distinctive instructional techniques to be
employed, and identification and acquisition of appropriate
technologies needed to improve educational and administrative
performance which include a means for promoting safe, ethical,
and appropriate uses of technology which comply with legal and
professional standards.

   a. The charter shall ensure that reading is a primary
focus of the curriculum and that resources are provided to
identify and provide specialized instruction for students who
are reading below grade level. The curriculum and instructional
strategies for reading must be consistent with the Next
Generation Sunshine State Standards and grounded in
scientifically based reading research.

   b. In order to provide students with access to diverse
instructional delivery models, to facilitate the integration of
technology within traditional classroom instruction, and to
provide students with the skills they need to compete in the
21st century economy, the Legislature encourages instructional
methods for blended learning courses consisting of both
traditional classroom and online instructional techniques.

Charter schools may implement blended learning courses which
combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description of:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.
The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. The methods shall provide a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

6. A method for resolving conflicts between the governing board of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct. Admission or dismissal must not be based on a student's academic performance.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or
within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and shall be compared with information provided in the annual report of the charter school.

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance,
and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 5 years, excluding 2 planning years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of
14. The qualifications to be required of the teachers and
the potential strategies used to recruit, hire, train, and
retain qualified staff to achieve best value.

15. The governance structure of the school, including the
status of the charter school as a public or private employer as
required in paragraph (12)(i).

16. A timetable for implementing the charter which
addresses the implementation of each element thereof and the
date by which the charter shall be awarded in order to meet this
timetable.

17. In the case of an existing public school that is being
converted to charter status, alternative arrangements for
current students who choose not to attend the charter school and
for current teachers who choose not to teach in the charter
school after conversion in accordance with the existing
collective bargaining agreement or district school board rule in
the absence of a collective bargaining agreement. However,
alternative arrangements shall not be required for current
teachers who choose not to teach in a charter lab school, except
as authorized by the employment policies of the state university
which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives
employed by the charter school who are related to the charter
school owner, president, chairperson of the governing board of
directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

19. Implementation of the activities authorized under s. 1002.331 by the charter school when it satisfies the eligibility requirements for a high-performing charter school. A high-performing charter school shall notify its sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following school year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable.

(b) The sponsor has 30 days after approval of the application to provide an initial proposed charter contract to the charter school. The applicant and the sponsor have 40 days thereafter to negotiate and notice the charter contract for final approval by the sponsor unless both parties agree to an extension. The proposed charter contract shall be provided to the charter school at least 7 calendar days before the date of the meeting at which the charter is scheduled to be voted upon.
by the sponsor. The Department of Education shall provide
mediation services for any dispute regarding this section
subsequent to the approval of a charter application and for any
dispute relating to the approved charter, except a dispute
regarding a charter school application denial. If the
Commissioner of Education determines that the dispute cannot be
settled through mediation, the dispute may be appealed to an
administrative law judge appointed by the Division of
Administrative Hearings. The administrative law judge has final
order authority to rule on issues of equitable treatment of the charter school as a public school, whether proposed provisions
of the charter violate the intended flexibility granted charter schools by statute, or any other matter regarding this section,
except a dispute regarding charter school application denial, a charter termination, or a charter nonrenewal. The administrative law judge shall award the prevailing party reasonable attorney
fees and costs incurred during the mediation process,
administrative proceeding, and any appeals, to be paid by the
party whom the administrative law judge rules against.

(c)1. A charter may be renewed provided that a program
review demonstrates that the criteria in paragraph (a) have been successfully accomplished and that none of the grounds for
nonrenewal established by paragraph (8)(a) has been documented.
In order to facilitate long-term financing for charter school
construction, charter schools operating for a minimum of 3 years
and demonstrating exemplary academic programming and fiscal
management are eligible for a 15-year charter renewal. Such
long-term charter is subject to annual review and may be
terminated during the term of the charter.

2. The 15-year charter renewal that may be granted
pursuant to subparagraph 1. shall be granted to a charter school
that has received a school grade of "A" or "B" pursuant to s.
1008.34 in 3 of the past 4 years and is not in a state of
financial emergency or deficit position as defined by this
section. Such long-term charter is subject to annual review and
may be terminated during the term of the charter pursuant to
subsection (8).

(d) A charter may be modified during its initial term or
any renewal term upon the recommendation of the sponsor or the
charter school's governing board and the approval of both
parties to the agreement. Modification during any term may
include, but is not limited to, consolidation of multiple
charters into a single charter if the charters are operated
under the same governing board, regardless of the renewal cycle.
A charter school that is not subject to a school improvement
plan and that closes as part of a consolidation shall be
reported by the school district as a consolidation.

(e) A charter may be terminated by a charter school's
governing board through voluntary closure. The decision to cease
operations must be determined at a public meeting. The governing
board shall notify the parents and sponsor of the public meeting in writing before the public meeting. The governing board must notify the sponsor, parents of enrolled students, and the department in writing within 24 hours after the public meeting of its determination. The notice shall state the charter school's intent to continue operations or the reason for the closure and acknowledge that the governing board agrees to follow the procedures for dissolution and reversion of public funds pursuant to paragraphs (8)(d)-(f) and (9)(o).

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

(d) When a charter is not renewed or is terminated, the school shall be dissolved under the provisions of law under which the school was organized, and any unencumbered public funds, except for capital outlay funds and federal charter school program grant funds, from the charter school shall revert to the sponsor. Capital outlay funds provided pursuant to s. 1013.62 and Federal charter school program grant funds that are unencumbered shall revert to the department to be redistributed among eligible charter schools. In the event a charter school is dissolved or is otherwise terminated, all district school board property and improvements, furnishings, and equipment purchased with public funds shall automatically revert to full ownership by the district school board, subject to complete satisfaction of any lawful liens or encumbrances. Any unencumbered public funds from the charter school, district school board property
and improvements, furnishings, and equipment purchased with public funds, or financial or other records pertaining to the charter school, in the possession of any person, entity, or holding company, other than the charter school, shall be held in trust upon the district school board's request, until any appeal status is resolved.

(10) ELIGIBLE STUDENTS.—

(e) A charter school may limit the enrollment process only to target the following student populations:

1. Students within specific age groups or grade levels.
2. Students considered at risk of dropping out of school or academic failure. Such students shall include exceptional education students.
3. Students enrolling in a charter school-in-the-workplace or charter school-in-a-municipality established pursuant to subsection (15).
4. Students residing within a reasonable distance of the charter school, as described in paragraph (19)(c) (20)(c). Such students shall be subject to a random lottery and to the racial/ethnic balance provisions described in subparagraph (7)(a)8. or any federal provisions that require a school to achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.
5. Students who meet reasonable academic, artistic, or
other eligibility standards established by the charter school and included in the charter school application and charter or, in the case of existing charter schools, standards that are consistent with the school's mission and purpose. Such standards shall be in accordance with current state law and practice in public schools and may not discriminate against otherwise qualified individuals.

6. Students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that has been approved by the sponsor.

7. Students living in a development in which a business entity provides the school facility and related property having an appraised value of at least $5 million to be used as a charter school to mitigate the educational impact created by the development of new residential dwelling units. Students living in the development shall be entitled to no more than 50 percent of the student stations in the charter school. The students who are eligible for enrollment are subject to a random lottery, the racial/ethnic balance provisions, or any federal provisions, as described in subparagraph 4. The remainder of the student stations shall be filled in accordance with subparagraph 4.

(17) FUNDING.—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. Funding

CODING: Words striken are deletions; words underlined are additions.
for a charter lab school shall be as provided in s. 1002.32.

(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 are 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, the research-based reading allocation, and the Florida digital classrooms allocation. 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. For charter schools operated by a not-for-profit or municipal entity, any unrestricted current and capital assets identified in the charter school's annual financial audit may be used for other
charter schools operated by the not-for-profit or municipal entity within the school district. Unrestricted current assets shall be used in accordance with s. 1011.62, and any unrestricted capital assets shall be used in accordance with s. 1013.62(2).

(19) CAPITAL OUTLAY FUNDING. Charter schools are eligible for capital outlay funds pursuant to ss. 1011.71(2) and 1013.62. Capital outlay funds authorized in ss. 1011.71(2) and 1013.62 which have been shared with a charter school in the workplace prior to July 1, 2010, are deemed to have met the authorized expenditure requirements for such funds.

Section 4. Subsection (8) and paragraph (c) of subsection (9) of section 1002.333, Florida Statutes, are amended to read:

1002.333 Persistently low-performing schools.—

(8) NONCOMPLIANCE.—A school district that does not enter into a performance-based agreement within 60 days after receipt of a notice of intent shall reduce the administrative fees withheld pursuant to s. 1002.33(19) s. 1002.33(20) to 1 percent for all charter schools operating in the school district. Upon execution of the performance-based agreement, the school district may resume withholding the full amount of administrative fees, but may not recover any fees that would have otherwise accrued during the period of noncompliance. Any charter school that had administrative fees withheld in violation of this subsection may recover attorney fees and costs...
to enforce the requirements of this subsection. A school
district subject to the requirements of this section shall file
a monthly report detailing the reduction in the amount of
administrative fees withheld.

(9) FUNDING.—

c) Schools of hope shall be considered charter schools
for purposes of s. 1013.62, except charter capital outlay may
not be used to purchase real property or for the construction of
school facilities.

Section 5. Paragraph (c) of subsection (10) and subsection
(13) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(10) EXEMPTION FROM STATUTES.—

c) A center must comply with the antidiscrimination
provisions in s. 1000.05 and the provisions in s. 1002.33(23) and
1002.33(24) which relate to the employment of relatives.

(13) BOARD OF DIRECTORS AUTHORITY.—The board of directors
of a center may decide matters relating to the operation of the
school, including budgeting, curriculum, and operating
procedures, subject to the center's charter. The board of
directors is responsible for performing the duties provided in
s. 1002.345, including monitoring the corrective action plan.
The board of directors must comply with s. 1002.33(25) and
1002.33(26).

Section 6. Subsection (2) of section 1011.71, Florida
Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. 1013.62(1) and (3) and for district schools to fund:

(a) New construction and remodeling projects, as set forth in s. 1013.64(6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and replacement equipment; computer and device hardware and operating system software necessary for gaining access to or enhancing the use of electronic and digital instructional content and resources; and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board,
have a useful life of at least 5 years, and are used to support
districtwide administration or state-mandated reporting
requirements. Enterprise resource software may be acquired by
annual license fees, maintenance fees, or lease agreements.
  (e) Payments for educational facilities and sites due
under a lease-purchase agreement entered into by a district
school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
exceeding, in the aggregate, an amount equal to three-fourths of
the proceeds from the millage levied by a district school board
pursuant to this subsection. The three-fourths limit is waived
for lease-purchase agreements entered into before June 30, 2009,
by a district school board pursuant to this paragraph. If
payments under lease-purchase agreements in the aggregate,
including lease-purchase agreements entered into before June 30,
2009, exceed three-fourths of the proceeds from the millage
levied pursuant to this subsection, the district school board
may not withhold the administrative fees authorized by s.
1002.33(19) or 1002.33(20) from any charter school operating in
the school district.
  (f) Payment of loans approved pursuant to ss. 1011.14 and
1011.15.
  (g) Payment of costs directly related to complying with
state and federal environmental statutes, rules, and regulations
governing school facilities.
  (h) Payment of costs of leasing relocatable educational
facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(k) Payout of sick leave and annual leave accrued as of June 30, 2017, by individuals who are no longer employed by a
school district that transfers to a charter school operator all
day-to-day classroom instruction responsibility for all full-
time equivalent students funded under s. 1011.62. This paragraph
expires July 1, 2018.

Section 7. Paragraph (c) of subsection (6) of section
1013.64, Florida Statutes, is amended to read:
1013.64 Funds for comprehensive educational plant needs;
construction cost maximums for school district capital
projects.—Allocations from the Public Education Capital Outlay
and Debt Service Trust Fund to the various boards for capital
outlay projects shall be determined as follows:

(6)

(c) Except as otherwise provided, new construction for
which a contract has been executed for architectural and design
services or for construction management services by a district
school board on or after July 1, 2017, may not exceed the cost
per student station as provided in paragraph (b). A school
district that exceeds the cost per student station provided in
paragraph (b), as determined by the Auditor General, shall be
subject to sanctions. If the Auditor General determines that the
cost per student station overage is de minimus or due to
extraordinary circumstances outside the control of the district,
the sanctions shall not apply. The sanctions are as follows:

1. The school district shall be ineligible for allocations
from the Public Education Capital Outlay and Debt Service Trust
Fund for the next 3 years in which the school district would have received allocations had the violation not occurred.

2. The school district shall be subject to the supervision of a district capital outlay oversight committee. The oversight committee is authorized to approve all capital outlay expenditures of the school district, including new construction, renovations, and remodeling, for 3 fiscal years following the violation.

   a. Each oversight committee shall be composed of the following:

      (I) One appointee of the Commissioner of Education who has significant financial management, school facilities construction, or related experience.

      (II) One appointee of the office of the state attorney with jurisdiction over the district.

      (III) One appointee of the Chief Financial Officer who is a licensed certified public accountant.

   b. An appointee to the oversight committee may not be employed by the school district; be a relative, as defined in s. 1002.33(23)(a)2. s. 1002.33(24)(a)2., of any school district employee; or be an elected official. Each appointee must sign an affidavit attesting to these conditions and affirming that no conflict of interest exists in his or her oversight role.

Section 8. This act shall take effect July 1, 2019.