

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 123](#)

TITLE: Education

SPONSOR(S): Andrade

COMPANION BILL: [SB 140](#) (Gaetz)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Education Administration](#)

13 Y, 5 N, As CS

[PreK-12 Budget](#)

[Education & Employment](#)

SUMMARY

Effect of the Bill:

The bill limits who may apply for a conversion charter school to only parents with children enrolled at the school and certain municipalities seeking a “job engine charter school” to attract job-producing entities to the municipality. The bill removes the requirement that at least 50 percent of a school’s teachers vote in support of a proposed conversion. The bill also establishes requirements for purchasing, occupying, and disposing of surplus real property by district school boards. The bill provides priority for the conversion of any real property deemed surplus by a school district.

Fiscal or Economic Impact:

None

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

The bill revises the application for a [conversion charter school](#), requiring such application to be made only by parents whose children are enrolled at the school, removing authority of the district school board or the school’s principal, teachers, or school advisory council to apply. A [municipality](#) with a school within its jurisdiction that has earned a grade below an “A” for 5 consecutive years may also apply to convert the school to a “job engine charter school” in order to attract job-producing entities to the municipality. The job engine charter must provide an annual report on investments made to attract and maintain job-producing entities in the municipality. (Section [1](#)).

The bill revises the support required to convert a public school to a charter, by removing the requirement that at least 50 percent of the school’s teachers vote in support. The bill prohibits a district school board from charging rental or leasing fees for the existing facility or property normally inventoried to the conversion school to a municipality organizing the charter school and prohibits any property normally inventoried to the school from being removed from the school. (Section [1](#)).

The bill requires that before a district school board occupies purchased or acquired [real property](#), the board must submit a 5-year [plan for the use of the property](#) in a public meeting. The plan must consider enrollment growth, demographic shifts, and changes in curriculum and must be updated and submitted to the Florida Department of Education annually. The bill prohibits a school board from purchasing or acquiring real property if enrollment in the district has declined during the preceding 5-year period. If such a decline has occurred, the board must dispose of real property deemed by the State Board of Education (SBE) to be surplus. Surplus real property must be given priority for conversion to affordable housing for teachers, first responders, or military servicemembers; charter school facilities; or recreational facilities developed by local government. (Section [2](#)).

The effective date of the bill is July 1, 2025. (Section [3](#)).

STORAGE NAME: h0123.EAS

DATE: 3/5/2025

RULEMAKING:

Current law authorizes the SBE to adopt rules establishing a charter school conversion ballot process. The bill modifies provisions of law already under the SBE's rulemaking authority, thus allowing the SBE to make rules to implement the bill. The bill also creates new rulemaking authority, requiring the SBE to adopt rules and procedures to implement provisions relating to real property.

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Conversion Charter Schools](#)

Conversion charter schools are traditional public schools that have been converted to charter schools.¹ The school must have operated for at least 2 years as a traditional public school, including a school-within-a-school, before an application to convert. An application for a conversion charter school may be made by the district school board, the principal, teachers, parents, and/or the school advisory council.²

An application submitted proposing to convert an existing public school to a charter school must demonstrate the support of at least 50 percent of the teachers employed at the school and 50 percent of the parents voting whose children are enrolled at the school, provided that a majority of the parents eligible to vote participate in the ballot process, according to rules adopted by the State Board of Education.³ To initiate a ballot process, the applicant may submit a request in writing to the school administrator to conduct a vote for conversion, and the administrator must complete the ballot process within 60 days of receipt of the written request. Written notification of a ballot must be provided to teachers and parents at least 30 days prior to conducting the ballot and only one vote per calendar year may be held. For parent voting, each household receives one ballot regardless of the number of students residing in the household. If a student has two households, the household of the enrolling parent will receive the ballot. If a majority of teachers employed at the school and a majority of voting parents support the charter proposal, the conversion charter application must be submitted during the same calendar year the vote is held.⁴ If a district school board denies an application for a conversion charter school, it must provide written notice of the denial, including specific reasons and supporting documentation, to the applicants within 10 days after the meeting at which the application was denied.⁵

A district school board may not charge the parents or teachers organizing a conversion charter school rental or leasing fees for the existing facility or property normally inventoried to the school.⁶

[Charter School-in-a-Municipality](#)

Charter schools-in-a-municipality are a partnership with a municipality and a charter school sponsor.⁷ Such schools enroll students based upon a random lottery that involves all of the children of the residents of the municipality who are seeking enrollment and according to the racial/ethnic balance reflective of the community or other nearby public schools or school districts.⁸ Charter schools-in-a-municipality may limit enrollment or give an enrollment preference to students who are residents of the municipality or students whose parents are employees

¹ [Section 1002.33\(3\)\(b\), F.S.](#)

² [Id.](#); [r. 6A-6.0786, F.A.C.](#) A person or entity submitting a charter school application must use form IEPC-M1, Model Florida Charter School Application. The form requires a school seeking approval to convert an existing public school to charter status to show evidence of compliance with the voting requirements under [s. 1002.33\(3\)\(b\), F.S.](#)

³ [Section 1002.33\(3\)\(b\), F.S.](#); see [r. 6A-6.0787, F.A.C.](#)

⁴ [Rule 6A-6.0787, F.A.C.](#)

⁵ [Section 1002.33\(3\)\(b\), F.S.](#)

⁶ [Section 1002.33\(18\)\(e\), F.S.](#)

⁷ [Section 1002.33\(5\)\(a\), F.S.](#) A charter school can be sponsored by a school district, Florida College System institution, or state university. All charter schools-in-a-municipality operating in Florida during the 2023-2024 school year were sponsored by a district school board.

⁸ [Section 1002.33\(15\)\(c\), F.S.](#)

of the municipality that operates the school or allows the charter school to use a school facility or portion of land provided by the municipality.⁹ If a municipality applies to establish a charter school feeder pattern and the sponsor has approved each individual charter for each elementary, middle, and high school in the feeder pattern, the schools are designated as one charter school.¹⁰

Sixteen charter schools-in-a-municipality operated in Florida during the 2023-2024 school year.¹¹

[School District Educational Facilities Planning](#)

Each year, prior to adopting the school district budget, a district school board must prepare a tentative district educational facilities plan that includes long-range planning for facilities needs over 5-year, 10-year, and 20-year periods. The plan must be developed in coordination with the general-purpose local governments and be consistent with local government comprehensive plans. The school board's plan for provision of new schools must meet the needs of all growing communities in the district, ranging from small rural communities to large urban cities. The plan must include projected student populations; an inventory of existing school facilities; projections of facilities space needs; information on leased, loaned, and donated space and relocatables used for instructional programs; information on proposed school construction; options for reducing the need for additional permanent student stations; and the criteria and method for determining the impact of proposed development to public school capacity.¹²

[Real Property](#)

Florida statute defines “real property” as land, buildings, fixtures, and all other improvements to land. The terms “land,” “real estate,” “realty,” and “real property” may be used interchangeably.¹³

OTHER RESOURCES:

Education & Employment Committee: [Charter School Background Fact Sheet](#)

⁹ [Section 1002.33\(10\)\(d\)4. and \(e\)3., F.S.](#)

¹⁰ [Section 1002.33\(15\)\(c\), F.S.](#)

¹¹ Email, Florida Department of Education (Oct. 18, 2024).

¹² [Section 1013.35\(2\)\(a\), F.S.](#)

¹³ [Section 192.001, F.S.](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Education Administration Subcommittee	13 Y, 5 N, As CS	3/4/2025	Sleap	Blalock
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none">• Clarifies that a job engine charter school is a conversion charter school that may be granted to a municipality.• Provides authority for a municipality to apply for a conversion charter school if a school within the municipality’s jurisdiction has earned a school grade below an “A” for 5 consecutive years.• Removes provisions that a job engine charter must require a municipality to include the statutorily-required provision of ESE administration services, require the use of sufficient security technology to ensure a secure facility, prohibit students transferring to a job engine charter from participating in a high school athletic competition during their first year of enrollment, and accept responsibility for all debts incurred by the school.• Adds a prohibition on a district school board charging rental or leasing fees for the existing facility or property normally inventoried to the conversion school to a municipality organizing the charter school.• Adds a prohibition on any property normally inventoried to a conversion charter school from being removed from the school.			
PreK-12 Budget Subcommittee				
Education & Employment Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
