

## CHAPTER 2022-146

### Committee Substitute for House Bill No. 225

An act relating to charter school charters; amending s. 1002.33, F.S.; requiring a request for a consolidation of multiple charters to be approved or denied within a specified timeframe; requiring a charter school sponsor to provide specified information relating to a denial of a request for a consolidation to the charter school within a specified timeframe; revising the time period for notification of specified actions relating to a charter school charter; providing for the automatic renewal of a charter under certain circumstances; providing an effective date.

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

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

1002.33 Charter schools.—

(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 (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.

(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. Changes to curriculum which are consistent with state standards shall be deemed approved unless the sponsor and the Department of Education determine in writing that the curriculum is inconsistent with state standards. 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 sponsor as a consolidation. A request for consolidation of multiple charters must be approved or denied within 60 days after the submission of the request. If the request is denied, the sponsor shall notify the charter school's governing board of the denial and provide

the specific reasons, in reasonable detail, for the denial of the request for consolidation within 10 days.

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.

(b) Before a vote on any proposed action to renew, terminate, other than an immediate termination under paragraph (c), or not renew the charter and at least 90 days before the end of the school year renewing, nonrenewing, or terminating a charter, the sponsor shall notify the governing board of the school in writing of the proposed action to renew, terminate, or not renew the charter. A charter automatically renews with the same terms and conditions if notification does not occur at least 90 days before the end of the school year in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school’s governing board may, within 14 calendar days after receiving the notice, request a hearing. The hearing shall be conducted by an administrative law judge assigned by the Division of Administrative Hearings. The hearing shall be conducted within 90 days after receipt of the request for a hearing and in accordance with chapter 120. The administrative law judge’s final order shall be submitted to the sponsor. The administrative law judge shall award the prevailing party reasonable attorney fees and costs incurred during the administrative proceeding and any appeals. The charter school’s governing board may, within 30 calendar days after receiving the final order, appeal the decision pursuant to s. 120.68.

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

Approved by the Governor May 26, 2022.

Filed in Office Secretary of State May 26, 2022.