

Charter School Review Commission

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FL Statute 1002.3301 - Charter School Review Commission

Effective July 1, 2022

Creation of the Charter School Review Commission.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1002/Sections/1002.3301.html

1002.33 Charter schools.—

Subject to an appropriation, the Charter School Review Commission is created within the Department of Education to review and approve applications for charter schools overseen by district school boards.

(1) The commission shall consist of seven members who have charter school experience, selected by the State Board of Education and subject to confirmation by the Senate. The commissioner shall designate one member as the chair. Each member shall be appointed to a 4-year term. However, for the purpose of achieving staggered terms, of the initial appointments, three members shall be appointed to 2-year terms and four members shall be appointed to 4-year terms. All subsequent appointments shall be for 4-year terms. A majority of the members of the commission constitutes a quorum.

(2) The commission has the same powers and duties as sponsors pursuant to s. 1002.33 in regard to reviewing and approving charter schools.

(3) The Department of Education shall contract with a college or university to provide administrative and technical assistance to the commission by reviewing and providing an analysis of charter school applications submitted to the commission.

(4) The district school board of the school district in which the proposed charter school will be located shall be the sponsor of and supervisor for the new charter school and shall provide an initial proposed charter contract to the charter school pursuant to s. 1002.33(7)(b) within 30 calendar days after the commission's decision granting an application.

(5) Within 3 calendar days after an applicant submits an application for a charter school to the commission, the applicant must also provide a copy of the application to the school district in which the proposed charter school will be located. Within 30 calendar days after receiving a copy of the application, the school district may provide input to the commission on a form prescribed by the department. The commission must consider such input in reviewing the application.

(6) The decisions of the commission may be appealed in accordance with s. 1002.33(6)(c).

(7) The State Board of Education shall adopt rules to implement this section.

State Board Rule 6A-6.0792 - Charter School Review Commission

Effective November 29, 2023

These are the rules related to the operation of the Charter School Review Commission.

<https://www.flrules.org/gateway/RuleNo.asp?title=SPECIAL%20PROGRAMS%20I&ID=6A-6.0792>

6A-6.0792 Charter School Review Commission.

(1) Purpose. The purpose of this rule is to set forth the process by which the Charter School Review Commission will review charter school applications and subsequently inform the applicant and sponsor on whether the Commission has approved or denied an application.

(2) Definitions.

(a) "Applicant" means the proposed charter school.

(b) "Commission" means the Charter School Review Commission.

(c) "Department" means the Florida Department of Education.

(d) "Institute" means the entity selected by the Department pursuant to s. 1002.3301, F.S., for purposes of providing administrative and technical assistance by reviewing and providing an analysis of charter school applications submitted to the Commission.

(e) "Sponsor" means a district school board of the school district in which the proposed charter school will be located.

(3) The Commission.

(a) The Commission must consist of seven (7) members who have charter school experience, selected by the State Board of Education and subject to confirmation by the Senate.

(b) The Commissioner of Education must designate one member as the chair. Each member must be appointed to a 4-year term. However, for the purpose of achieving staggered terms, of the initial appointments, three (3) members must be appointed to 2-year terms and four (4) members must be appointed to 4-year terms. All subsequent appointments must be for 4-year terms.

(4) Application submission.

(a) In order to request an application review from the Charter School Review Commission, an applicant must submit a completed Model Florida Charter School Application to the Institute using

Form IEPC-M1, incorporated by referenced in Rule 6A-6.0786, F.A.C., which may be obtained electronically on the Department's website at <http://www.floridaschoolchoice.org>. Information on the Institute's method of receiving applications electronically also may be obtained at <http://www.floridaschoolchoice.org>.

(b) In addition to IEPC-M1, an applicant must submit the Standard Letter of Intent for Commission Review, incorporated in this rule as IEPC-LOI, effective November 2023 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-16021>), which may be obtained electronically on the Department's website at <http://www.floridaschoolchoice.org>.

(c) Within three (3) calendar days after an applicant submits an application to the Institute, the applicant must also provide a copy of the application to the school district in which the proposed charter school will be located. Within thirty (30) calendar days after receiving a copy of the application, the school district may provide input using the Standard Form for District School Board Input, Form IEPC-INP, effective November 2023, (<http://www.flrules.org/Gateway/reference.asp?No=Ref-16022>) incorporated by reference in this rule, and which may be obtained electronically on the Department's website at <http://www.floridaschoolchoice.org>.

(5) Application review.

(a) Within twenty- four (24) hours of receiving an application, the Institute must notify the Department of the date and time the application was received, the applicant's name, and the proposed sponsor.

(b) The Institute must complete its review of an application no later than thirty (30) days prior to the scheduled meeting of the Commission.

(c) The Institute must conduct a complete and thorough review of the application. The Institute, at its discretion, may request additional or supplemental information from the applicant, or the sponsor in which the proposed charter school will be located, and must consider such information.

(d) The application review must include an interview of the applicant's team. The interview may be conducted via electronic means.

(e) The Institute must consider input from the district in which the proposed charter school would be located as described in paragraph (4)(c) of this rule.

(6) Recommendations to the Commission.

(a) Upon completion of the application review and no later than thirty (30) days prior to the scheduled meeting of the Commission, the Institute must submit its recommendation to the Department using Form IEPC-M2, Florida Charter School Application Evaluation Instrument, incorporated by reference in Rule 6A-6.0786, F.A.C. Form IEPC-M2 may be obtained electronically on the Department's website at <http://www.floridaschoolchoice.org>.

(b) With its recommendation, the Institute must also submit to the Department a summary document describing the Institute's analysis of the application and addressing any specific concerns asserted by the proposed sponsor.

(c) Any documents or information used or relied upon in analyzing the application and making the recommendation, including available transcripts, must be submitted to the Department with the recommendation and summary document.

(7) Meetings of the Commission.

(a) General requirements.

1. All meetings of the Commission must be publicly noticed and open to the public.

2. A majority of the members of the Commission constitutes a quorum.

3. A majority of the Commission will meet four (4) times each year, or as required.

4. Meeting dates of the Commission will be published on an annual basis on the Department's website at <http://www.floridaschoolchoice.org>, or may be obtained from the Office of Independent Education and Parental Choice, 325 W. Gaines Street, Tallahassee, Florida

(b) Commission meeting procedures for considering complete applications.

1. To have an application considered during a meeting of the Commission, an applicant must submit a completed application pursuant to subsection (4) of this rule at least ninety (90) days prior to the date the Commission is scheduled to meet. Applications submitted less than ninety (90) days before that date will be considered at a future meeting, or the next available date.
2. At the Commission meeting in which the applicant's application is being considered for approval, the applicant may present information on its application before the Commission for a maximum of five (5) minutes.
3. The Department and, as necessary, the Institute will be provided with five (5) minutes to present its analysis and recommendations to the Commission.
4. The proposed sponsor, if in attendance, may, at its discretion, address the input it provided during the application review period pursuant to paragraph (4)(c) of this rule.
5. The Commission may ask questions of the applicant, the Department, the Institute, or the sponsor, if attending the meeting.
6. Upon reviewing the application, the relevant documents, the recommendations of the Department and the Institute, and considering the information presented at the meeting, the Commission must then proceed by majority vote to either approve or deny the charter school application.

(8) Informing the applicant and sponsor of the Commission's decision.

- (a) The chair of the Commission must inform the applicant and sponsor in writing as to the whether the Commission has approved or denied the charter application
- (b) Within thirty (30) days after the Commission's decision approving the application, the district school board of the school district in which the proposed charter school will be located must provide an initial proposed charter contract to the charter school pursuant to Section 1002.33(7)(b), F.S., and Rule 6A-6.0786, F.A.C.
- (c) If the application is denied, the applicant may appeal the Commission's decision in accordance with Section 1002.33(6)(c), F.S.