

## **6A-6.0790 Approval of Florida College System and State University System Institution Charter School**

### **Sponsors**

(1) Purpose. The purpose of this rule is to set forth the procedures and standards for review and approval of a Florida College System (FCS) institution or a State University System (SUS) institution to act as a sponsor of a charter school, pursuant to section (s.) 1002.33, Florida Statutes (F.S.).

#### (2) Definitions.

(a) “Department” means the Florida Department of Education.

(b) “LEA” or “local educational agency” means the entity responsible for administering federal programs, including federal education programs for the charter schools it sponsors. An LEA is responsible for overseeing activities funded by federal dollars and ensuring compliance and accountability with federal laws and regulations.

(c) “Service area” means the counties listed in s. 1000.21, F.S., that constitute the service areas for each FCS institution and for each state university. FCS institutions may only authorize a charter school located in its service area.

(d) “Sponsor” means an FCS institution or state university that meets and continues to meet the requirements of a sponsor described in s. 1002.33, F.S., and this rule to authorize or sponsor a charter school in Florida.

(e) “Workforce demands” means a program designed to provide any training or assistance as set forth in s. 14.36(2)(e), F.S.

(3) Sponsor Application. In order to apply to act as a charter school sponsor, a college or university must submit a completed Standard Application to Sponsor Charter Schools for Florida SUS Institutions and FCS Institutions (Form IEPC-CUA, August 2022, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14586>, incorporated by reference in this rule, and which may be obtained electronically on the Florida Department of Education’s (Department) website at <http://www.floridaschoolchoice.org>, or from the Office of Independent Education and Parental Choice, 325 West Gaines Street, Tallahassee, Florida 32399-0400).

#### (4) Review and Approval Process.

(a) Applications may be submitted at any time of the year.

(b) Within forty-five (45) days of receipt of the application, the Department will schedule an interview with the applicant and notify the applicant of any missing information and seek clarification of information needed in order to approve the application.

(c) The applicant shall have a minimum of twenty (20) days to provide to the Department missing or supplemental information, or to correct deficiencies.

(d) The Department must notify an applicant of approval or denial of the application within fifteen (15) business days of the interview or receipt of the information provided under paragraph (4)(c), whichever occurs later.

(5) Standards for Approval. In order to be approved to sponsor a charter school, an applicant must demonstrate the capacity to authorize, monitor, and support a charter school governing board in accordance with the requirements of this rule and s. 1002.33, F.S. An applicant must be able to provide administrative and education services to charter schools, as set forth in s. 1002.33(20), F.S., support and monitor charter schools to ensure all sponsored schools comply with the duties set forth in s. 1002.33(16), F.S., and associated rules, and meet all responsibilities as an LEA. Capacity may be provided in the form of documents, description of leadership and personnel, or other evidence. The application shall document:

(a) The college or university's vision and goals for charter school sponsoring;

(b) Evidence that the institution employs at least one individual at the president's leadership level to oversee the institution's sponsorship program, and has provided for additional personnel at the institution for a successful program;

(c) For an SUS institution, that the sponsored school will offer programs designed to meet educational or workforce demands; for an FCS institution, that the sponsored school will offer programs designed to meet workforce demands in any county of the sponsor's service area.

(d) The capacity to meet responsibilities of the local educational agency (LEA) for federal funding purposes, under the Elementary and Secondary Education Act, 20 U.S.C. ss. 6301, et seq., the Individuals with Disabilities Education Act, 20 U.S.C. ss. 1400 et seq., and the Carl D. Perkins Act, 20 U.S.C. 2301 ss. et seq., along with implementing regulations of these acts;

(e) The capacity to ensure there are one or more safe-school officers at each of the sponsored charter schools, pursuant to s. 1006.12, F.S., and ensure that each sponsored school is compliant with school safety measures, including ss. 943.082(4)(b), 1006.07(6)(c), (7), (9), 1006.12, 1006.1493, and 1012.584, F.S.;

(f) The capacity to determine eligibility of students for school food and nutrition programs and to provide reporting services for the National School Lunch Program, as set forth in 42 U.S.C. s. 1751 et seq, s. 595.404, F.S.,

and implementing regulations. The sponsor must ensure that funds due to sponsored charter schools are paid to the schools as they begin serving food under the program:

(g) The capacity and procedures to fully participate in the Department's accountability system, as set forth in ss. 1008.22, 1008.23, 1008.24, and 1008.25, F.S., and associated rules;

(h) The procedures or a contract for processing teacher certification data services under s. 1012.56, F.S., and an approved master inservice plan under s. 1012.98, F.S.;

(i) The procedures for reporting educator misconduct under chapter 1012, F.S.;

(j) The procedures or a contract to comply with student and staff information services and state reporting requirements, including applying to the Department for a unique Master School Identification number for each school to be sponsored under Rule 6A-1.0016, Florida Administrative Code;

(k) An assurance that the program will adhere to the reporting requirements outlined in the Statement of Assurances provided in the Standard Application to Sponsor Charter Schools referenced in this rule (Form IEPC-CUA); and

(l) Adequate funding for operation of the school. For institutions that did not receive an appropriation as provided in s. 1002.33(17)(b), F.S., evidence of equivalent funding from another source to support the operations of the school beginning in the school year when students are expected to enroll.

(6) Terms and Conditions of Approval to Sponsor.

(a) An approved sponsor shall require charter school applicants to utilize the Model Florida Charter School Application (Form IEPC-M1, referenced in Rule 6A-6.0786, F.A.C.).

(b) Unless an approved sponsor denies an application to operate a charter school based upon its discretionary authority under sub-sub paragraph (5)(a)3.c., a sponsor shall evaluate an application using the Standard Model Charter School Application Evaluation Instrument (Form IEPC-M2, referenced in Rule 6A-6.0786, F.A.C.).

(c) An approved sponsor shall use the Florida Standard Charter Contract for all initial contract negotiations with its sponsored school. The contract may include mutually agreed to revisions as indicated in s. 1002.33(7), F.S.

(d) Prior to initially sponsoring a charter school, the sponsor shall participate in Department training on the requirements in law for charter school sponsors.

(7) Termination of college or university charter school sponsorship authority.

(a) Any sponsor that decides to terminate its sponsorship authority shall submit to the Department a transition

plan for the charter schools and their students and provide notice of its decision to the Department, the schools, the families, and the school districts in which the schools are operating. The plan must include the date of termination of its sponsor authority and be designed to assure the academic continuity for all students at the schools, including the transfer of student records.

(b) In order to minimize any disruption to students, termination of sponsor authority and accompanying responsibilities may not occur during the school year (August to June). The sponsor also must provide a minimum of three months between the submission of its termination plan and the termination of its sponsorship.

*Rulemaking Authority 1002.33(28) FS. Law Implemented 1001.02(1), (2)(n), 1002.33. FS. History–New*