

TITLE II, PART A
 Charter Schools

FREQUENTLY ASKED QUESTIONS

1. What is a charter school?

Charter schools are public schools that operate under a performance contract, or a “charter” which frees them from many regulations created for traditional public schools while holding them accountable for academic and financial results. The charter contract between the charter school governing board and the sponsor details the school’s mission, program, goals, students served, methods of assessment and ways to measure success. The length of time for which charters are granted varies but most are granted for five years.

The Florida Legislature, in authorizing the creation of public charter schools, established the following guiding principles: high standards of student achievement while increasing parental choice; the alignment of responsibility with accountability; and ensuring parents receive information on reading levels and learning gains of their children. Charter schools are intended to improve student learning; increase learning opportunities with special emphasis on low performing students and reading; and measure learning outcomes. Charter schools may create innovative measurement tools; provide competition to stimulate improvement in traditional schools; expand capacity of the public school system; and mitigate the educational impact created by the development of new residential units.

More information about charter schools can be found on the [Florida Department of Education Charter Schools website](#).

2. What section of Florida Statutes (F.S.) addresses the distribution of federal funds to charter schools?

[Section 1002.33, F.S., Charter schools.](#)

“(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 for a charter lab school shall be as provided in s. 1002.32.

(c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding, not later than 5 months after the charter school first opens and within 5 months after any subsequent expansion of enrollment. Unless otherwise mutually agreed to by the charter school and its sponsor, and consistent with state and federal rules and regulations governing the use and disbursement of federal funds, the sponsor shall reimburse the charter school on a monthly basis for all invoices submitted by the charter school for federal funds available to the sponsor for the benefit of the charter school, the charter school’s students, and the charter school’s students as public school students in the school district. Such federal funds include, but are not limited to, Title I, Title II, and Individuals with Disabilities Education Act (IDEA) funds. To receive timely reimbursement for an invoice, the charter school must submit the invoice to the sponsor at least 30 days before the monthly date of reimbursement set by the sponsor. In order to be reimbursed, any expenditures made by the

charter school must comply with all applicable state rules and federal regulations, including, but not limited to, the applicable federal Office of Management and Budget Circulars; the federal Education Department General Administrative Regulations; and program-specific statutes, rules, and regulations. Such funds may not be made available to the charter school until a plan is submitted to the sponsor for approval of the use of the funds in accordance with applicable federal requirements. The sponsor has 30 days to review and approve any plan submitted pursuant to this paragraph.”

3. Is the district responsible for making contact with the charter school(s) to initiate the reimbursement plan(s)?

While the statute does not assign responsibility for initial contact, we recommend that the district set up a process to annually notify charter schools of their ability to receive Title II-A fund reimbursements, with instructions for submitting a plan.

4. Is a charter school required to submit a reimbursement plan for reimbursement of Title II-A funds to receive services under the Title II-A programs?

No. A charter school has the choice to submit a reimbursement plan for Title II-A services or to continue to participate in Title II-A funded activities that are offered by the district.

5. May a charter school continue to receive services like all public schools if the charter school chooses not to submit a reimbursement plan?

Yes. It is up to the charter school to decide if it wants to participate in local activities funded by the Title II-A program or develop a reimbursement plan.

6. If the charter school decides to write a reimbursement plan and receive reimbursements from the Title II-A program allocation from the district, would the charter school continue to be allowed to participate in district Title II-A funded services?

We recommend that the district and the charter school mutually decide which type of arrangement is best for services provided by the district under the Title II-A program funds, be it a reimbursement plan, district participation or other means that best meets the needs of the teachers and appropriate personnel in the charter school.

7. Is it reasonable to request written affirmation from the charter school that wishes to continue to participate in district Title II-A activities and not submit a reimbursement plan?

Yes. It is reasonable to request written affirmation from the charter school of this choice.

8. Who determines the reimbursement allocation for the charter school plan?

The reimbursement allocation is determined at the district level.

9. How are the reimbursement allocations determined for charter schools?

The district may determine how the formula is derived. Because the funds issued to the state are calculated using the census data and based on student counts, ages five to 17, through the formula required in the legislation, it is recommended that the district use student counts to determine the reimbursement allocations.

Pursuant to [20 U.S.C. 8061 s. 10306](#), all charter schools shall receive all federal funding for which the school is otherwise eligible. Such federal funds include, but are not limited to, Title I, Title II, and IDEA funds.

10. Are there specific components a district must use in the formula to determine the reimbursement allocation?

No.

11. May the district use teacher counts to determine the reimbursement allocations for charter schools?

The reimbursement allocations may include a component of teacher data.

12. Are there appropriate services that may be removed from the district allocation prior to determining the reimbursement allocation to a charter school(s)?

Yes. The administration costs for implementing Title II-A programs may be removed from the district allocation prior to completion of the reimbursement allocation. However, this does not include the administration of services provided such as professional development staff funded by Title II-A to implement program activities. Specifically, this is the administration of the project itself and any support staff that are needed for maintaining documentation records in administering the programs funded in the district annual application.

13. What sequence should districts use in determining the reimbursement allocation for charter schools?

The reimbursement allocation to charter schools should be determined after the administration costs for the project have been considered (reasonable and necessary) and removed from the total amount of Title II-A funds issued to the district. At this point, the formula may be determined for individual charter school reimbursement allocations.

14. Are indirect costs included in administration costs?

Yes. Indirect costs are considered administration costs.

15. When are the [private school service allocations](#) determined?

Private school equitable service allocations should be completed first, as the “total LEA enrollment” numbers used in the private school calculation include both public charter and non-charter schools. After private school allocation amount(s) are determined, charter school allocation calculations can begin.

16. What should be included in a charter school reimbursement plan?

Similar to the district application, the plan should include a needs assessment based on documented data, proposed professional development activities and the proposed budget.

The needs assessment should demonstrate the need for allowable professional development under the Title II-A program. Just as districts must comply with the federal regulations, the submitted planned activities and expenditures from the charter school must also comply with federal and state regulations and applicable Office of Management and Budget Circulars ([2 CFR section 200](#)).

17. Must the charter school reimbursement plan meet the intent of the district’s requirement to develop strategies and activities to assist teachers:

- who are not infield according to [State Board of Education Rule 6A-1.0503](#), Florida Administrative Code (currently under development) requirements; or
- are not effective based on the district’s Performance Evaluation System (required under [section 1012.34, F.S.](#)); or
- are teaching a core course(s) for which the teacher is not infield?

Yes.

18. What types of activities are charter schools allowed to fund with Title II-A funds?

Charter schools may use Title II-A funds for any expenses that are [allowable under Title II-A](#). If the charter school proposes unallowable activities in the plan submitted to the district, the district should notify the school that the proposed activities are unallowable and request a revised plan.

If the teachers in the charter school are legally required to attend certain professional development activities and it would presumably provide those services regardless of whether federal funds are available, then these activities would likely be considered unallowable under the supplement not supplant requirement.

ESSA regulation requires that all uses of Title II-A funds supplement non-federal funds that would otherwise be used for activities ([section 2301](#)), and hence, the professional development provided with federal funds needs to be in addition to, and not in place of, what the charter school would otherwise provide.

The district and charter school(s) should work together to ensure the proper use of Title II-A funds.

19. Can Title II-A funds pay for charter school board members to participate in governance training?

No. Section [1002.33\(9\)\(j\)4., F.S.](#), requires the governing board of a charter school to participate in governance training approved by the Department of Education which must include government in the sunshine, conflicts of interest, ethics and financial responsibility. Because governance training is a state requirement, using Title II-A funds would violate ESSA [section 2301](#). All professional development provided with Title II-A funds needs to be in addition to, and not in place of, what the charter school would otherwise provide.

20. Will the state develop a template reimbursement plan for use by the charter school?

No.

21. In [section 1002.33\(5\) F.S.](#), who is the “sponsor”?

The sponsor is defined as the “district school board.”

22. When is the reimbursement plan for the Title II-A professional development due to the sponsor?

The district should establish a reasonable timeline for submission.

23. How long does the sponsor have to review and approve the reimbursement plans?

[Section 1002.33 \(17\)\(c\), F.S.](#), states that the sponsor has 30 days to review and approve any plan submitted.

24. When should the charter school be reimbursed for activities?

Pursuant to [section 1002.33 \(17\)\(c\), F.S.](#), the sponsor shall reimburse the charter school on a monthly basis for all invoices submitted by the charter school for federal funds available to the sponsor for the benefit of the charter school, the charter school’s students, and the charter school’s students as public school students in the school district. District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible ([section 1002.33 \(17\)\(e\), F.S.](#)).

25. What if the charter school reimbursement plan submitted to the district is not in line with the Title II-A allowable activities?

If the charter school proposes unallowable activities in the plan submitted to the district, the district should notify the school that the proposed activities are unallowable and request a revised plan. It is recommended that the district establish procedures to ensure that reviews are conducted in a timely manner including time for any necessary edits or revisions.

26. Who is responsible for monitoring the reimbursement plan for a charter school?

The district is responsible for monitoring the reimbursement plan(s) which includes the activities implemented based on the charter school Title II-A reimbursement plan.

27. Will the state monitor the implementation of these activities?

Yes. The state is required to monitor district implementation of the Title II-A programs.

28. Pursuant to [section 1012.98\(4\)\(b\), F.S.](#), are charter schools required to have a professional development plan (“Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must: 1.Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval...”)?

No. However, districts should consider the needs of charter schools in the development of their professional development plans.

29. Are charter schools required to have an evaluation plan that meets the requirements of [section 1012.34, F.S.](#), i.e., be based on Florida Educator Accomplished Practices and student learning growth?

Yes. Pursuant to section [1002.33\(16\)\(b\)7, F.S.](#), “(b) Additionally, a charter school shall be in compliance with the following statutes: (c) Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.”

30. Are charter school personnel subject to the requirements in [section 1012.98 \(10\), F.S.](#) (“For instructional personnel and administrative personnel who have been evaluated as less than effective, a district school board shall require participation in specific professional development programs as provided in subparagraph (4)(b)5. as part of the improvement prescription.”)?

No.

31. May a charter organization represent a group of charter schools and submit one reimbursement plan?

No. Reimbursement plans should be submitted by individual charter schools.