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August 25, 2009

MEMORANDUM

TO: District School Superintendents, Finance Officers, and Charter School Contacts

FROM: Spessard Boatright

SUBJECT: Distribution of Charter School Capital Outlay Funds for Fiscal Year 2009-2010

Specific Appropriation 14, Chapter 2009-81, Laws of Florida, provides \$56,112,466 of capital outlay funds to eligible charter schools for fiscal year 2009-2010. Section 1013.62(1), Florida Statutes, establishes eligibility criteria and allocation procedures for the distribution of capital outlay funds to charter schools.

Verification of eligibility is required to receive an allocation of capital outlay funds. To accomplish the required verification of eligibility, the Charter School Capital Outlay Plan includes certifications attesting to a sponsor's determination of eligibility. The Plan is attached and may also be found on our website at: <http://www.fldoe.org/edfacil/oef/chartsub.asp>. To be included in monthly funding distributions following October 12, 2009, a charter school must meet the following requirements:

- Submit the attached Charter School Capital Outlay Plan (Revised June 2009) to the Office of Educational Facilities no later than October 12, 2009; and,
- Meet the eligibility requirements as attested to within the Plan.

Distributions are transferred monthly to the sponsoring school district. Your district's first charter school capital outlay allocation for 2009-2010 was sent via electronic funds transfer on July 22, 2009. The remaining distributions will be made on the fourth Thursday of each month thereafter, except for November, which will be the fourth Wednesday. Districts are to remit the funds to charter schools within 10 days of receipt.

SPESSARD BOATRIGHT
DIRECTOR, OFFICE OF EDUCATIONAL FACILITIES AND SMART SCHOOLS CLEARINGHOUSE

Charter school allocations are recalculated during the fiscal year to reflect revised student membership data; therefore, your future distributions may be more or less. Recalculations are prompted by updated student membership data pursuant to the second and third enrollment surveys and reflections of closed charter schools and/or the addition of newly eligible charter schools. Until receipt of the results of the second enrollment survey, allocations of charter school capital outlay funds are based on the final enrollment data of the previous fiscal year (i.e., fiscal year 2008-2009). April 15 is the last day for which amendments to enrollment survey data are considered. Fluctuations in funding throughout the 2009-2010 fiscal year are adjusted when the Office of Educational Facilities conducts the final charter school calculations toward the end of the fiscal year. The final calculations ensure each school receives its actual entitlement of funds for the year.

Pursuant to Section 1013.62(2), Florida Statutes, capital outlay funds may be used for the following purposes:

- purchase of real property;
- construction of school facilities;
- purchase, lease purchase, or lease of permanent or relocatable school facilities;
- purchase of vehicles to transport students to and from the charter school; and,
- renovation, repair, and/or maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of 5 years or longer.

The 2009 Florida Legislature amended Section 1013.62(2), Florida Statutes, to include the following expenditures as allowable uses of capital outlay funds:

- the purchase, lease-purchase, or lease, of new and replacement equipment, and enterprise resource software applications that are classified as capital assets in accordance with definitions of the Governmental Accounting Standards Board, have a useful life for at least 5 years, and are used to support schoolwide administration or state-mandated reporting requirements;
- the payment of the cost of premiums for property and casualty insurance necessary to insure the school facilities; and,
- the purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

When a charter school is non-renewed or terminated, any unencumbered funds and all equipment and property purchased with public funds shall revert to the ownership of the district school board, as provided in Section 1002.33(8)(e) and (f), Florida Statutes. If there are additional local issues such as the shared use of facilities or partial ownership of facilities or property, these issues shall be agreed to in the charter contract prior to the expenditure of funds.

With any questions, please contact William Fontaine at 850-245-9240, or by email at: william.fontaine@fldoe.org.

SB/wef
Attachments