

Contract Negotiations

Florida Authorizer Bootcamp

Agenda

- **Statutory Requirements for Contract Negotiations**
- **Contract Negotiation Process**
- **Statutory Requirements for Contract Modifications**
- **Contract Modification Process**



Bootcamp Overview

Review Process

★ *You are here*
Contract Negotiation
and Finalization

Annual Report and
Site Visits

1

2

3

4

5

6

7

Application Stage

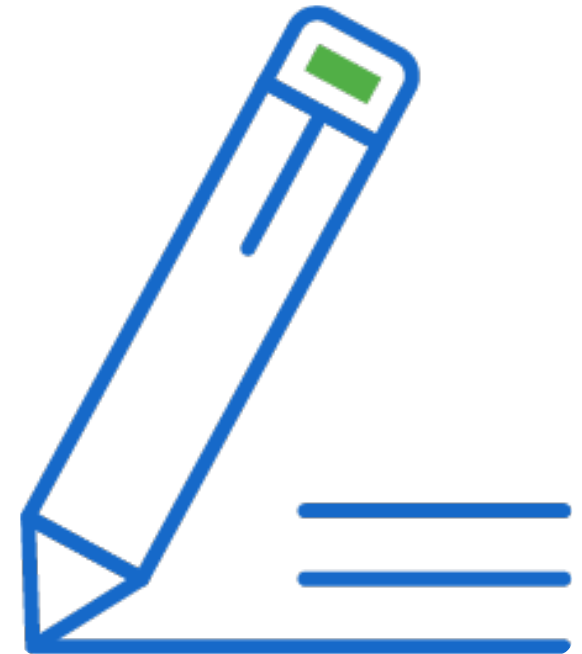
Decision Making

Ongoing Monitoring

Renewal Process

Objectives

- **Authorizers will understand the statutory requirements related to contract negotiations and the steps they need to take to negotiate a contract.**
- **Authorizers will understand the statutory requirements related to contract modifications and the steps they need to take to negotiate and modify a contract.**



Types of Contract Negotiations

-
- Initial contract negotiations
 - Modifications or amendments to an executed contract
 - Renewals



Statutory Requirements for Initial Contract (Review)

F.S. §1002.33 (7)

- “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 must use the standard charter contract adopted by the State Board of Education.
- Any differences from the standard contract are presumed to be a limitation on charter flexibility.

Statutory Requirements for Initial Contract

F.S. §1002.33 (19)(b)


- The sponsor must provide a proposed charter contract 30 days after approval of the application.
- The applicant and sponsor then have 40 days to negotiate the contract unless both parties agree to an extension.
- The sponsor must provide the charter to the school seven days before the public meeting at which the charter is voted on.
- The Department of Education will provide mediation services for disputes related to the charter.

Contract Negotiation Process



- A boiler plate contract should be based upon the state template.
- The governing board and sponsor must agree to the charter and amendments.

Contract Negotiation Norms

-
- 
- Stay true to the district/authorizer mission
 - Uphold charter autonomy
 - Provide equal time for the school and sponsor
 - Ensure modifications are in the best interests of students and families
 - Seek community input where appropriate

District Example

Valerie Hyer – School District of Manatee

- What does the contract negotiation process look like in your district?
- Can you tell us about any lessons you've learned about the contract negotiation process?



Contract Negotiations

Small Group Discussion Questions

- Does your district have a policy or process for conducting contract negotiations?
- Who reviews the contract or amendment in your district?
- Does your district have a review committee?
- If so, how will you ensure appropriate expertise on the committee?



Statutory Requirements for Modifications

F.S. § 1002.33 (19)(c)

- “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.”
- Modification may include consolidation of multiple charters into a single charter.

Why modify a charter contract?

A charter contract is modified when there are substantial changes to the original contract.

Examples of reasons for modification:

- Change of address
- Change in capacity/enrollment/grade configuration
- Consolidation/separation of schools
- Change in school's mission

Contract Modification Process

1. School's governing board submits a written request
2. Sponsor reviews the request
3. Sponsor may want to meet with the school leader and governing board members
4. Board votes to approve or disapprove

Renewal Contract Negotiations

During the renewal process, the contract negotiation process may occur again.

- All new schools have an initial five-year charter term
- Charters operated by a municipality or other public entity are eligible for 15-year contract

**Questions?
Reactions?
Ideas?**

