

Tab 1 SB 796 by Bean; (Compare to H 05103) Charter Schools

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|--------|----|-----|-----|------------|-------------------------|----------------|
| 839664 | D | S | WD | ED, Bean | Delete everything after | 04/17 03:34 PM |
| 482436 | AA | S | WD | ED, Farmer | Delete L.515 - 554: | 04/17 03:34 PM |
| 962034 | A | S L | WD | ED, Hukill | Delete L.95: | 04/17 03:34 PM |
| 926052 | A | S L | RCS | ED, Hukill | Delete L.95: | 04/17 03:34 PM |

Tab 2 SB 902 by Simmons; (Compare to CS/CS/CS/H 00015) Gardiner Scholarship Program

| | | | | | | |
|--------|---|-----|-----|-------------|-------------------------|----------------|
| 608826 | D | S L | RCS | ED, Simmons | Delete everything after | 04/17 03:34 PM |
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Tab 3 SB 1362 by Broxson; (Compare to CS/CS/H 07101) K-12 Education

| | | | | | | |
|--------|---|-----|-----|-------------|-------------------------|----------------|
| 143166 | D | S | WD | ED, Broxson | Delete everything after | 04/17 03:34 PM |
| 547528 | A | S L | WD | ED, Broxson | Delete L.78: | 04/17 03:34 PM |
| 477746 | A | S L | RCS | ED, Hukill | Delete L.78: | 04/17 03:34 PM |
| 233884 | A | S L | RCS | ED, Broxson | Delete L.150 - 191: | 04/17 03:34 PM |

Tab 4 SB 1474 by Perry (CO-INTRODUCERS) Mayfield; (Similar to CS/H 01111) Teacher Certification

Tab 5 SB 1586 by Garcia (CO-INTRODUCERS) Farmer; Student Eligibility for Interscholastic Athletic Competition

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION
Senator Hukill, Chair
Senator Mayfield, Vice Chair

MEETING DATE: Monday, April 17, 2017
TIME: 1:30—3:30 p.m.
PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Hukill, Chair; Senator Mayfield, Vice Chair; Senators Farmer, Flores, Galvano, Lee, Simmons, Simpson, Stewart, and Thurston

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|---|---|-------------------------|
| 1 | SB 796 Bean (Compare H 5103) | Charter Schools; Revising charter school contract and funding requirements; authorizing certain entities to apply for designation as a High-Impact Charter Management Organization; requiring the Department of Education to give priority to certain charter schools applying for specified grants, etc. ED 03/27/2017 Workshop-Discussed ED 04/03/2017 Not Considered ED 04/17/2017 Fav/CS AED AP RC | Fav/CS Yeas 5 Nays 1 |
| 2 | SB 902 Simmons (Compare CS/CS/CS/H 15) | Gardiner Scholarship Program; Revising program eligibility requirements; prohibiting a student who is enrolled in the Florida School for the Deaf and the Blind from being eligible for the program; specifying that certain actions of the private school are a basis for program ineligibility; providing an appropriation, etc. ED 03/27/2017 Workshop-Discussed ED 04/03/2017 Not Considered ED 04/17/2017 Fav/CS AED AP RC | Fav/CS Yeas 6 Nays 1 |
| 3 | SB 1362 Broxson (Compare CS/CS/H 7101) | K-12 Education; Removing a requirement that the Department of Education compare certain charter school student performance data to certain traditional public schools; authorizing certain entities to apply to the State Board of Education for designation as a High-Impact Charter Network; revising the exams each public high school is required to administer to all enrolled 10th grade students to include the preliminary ACT, rather than the ACT Aspire, etc. ED 03/27/2017 Workshop-Discussed ED 04/03/2017 Not Considered ED 04/17/2017 Fav/CS AED AP | Fav/CS Yeas 4 Nays 3 |

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, April 17, 2017, 1:30—3:30 p.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|---|--|----------------------------|
| 4 | SB 1474 Perry (Similar CS/H 1111, Compare CS/CS/H 1331, CS/S 1598) | Teacher Certification; Requiring the Department of Education to issue a temporary educator certificate within a specified period; requiring the department to provide the applicant an official statement of status of eligibility upon issuance of a temporary certificate; authorizing charter schools and charter management organizations to develop a professional development certification and education competency program, etc. ED 04/03/2017 Not Considered ED 04/17/2017 Favorable AED AP | Favorable Yeas 7 Nays 0 |

| | | | |
|---|--------------------------|---|----------------------------|
| 5 | SB 1586 Garcia | Student Eligibility for Interscholastic Athletic Competition; Revising requirements for the bylaws of the Florida High School Athletic Association governing student eligibility to participate in interscholastic athletic competition; revising the information that must be included on the preparticipation physical evaluation form, etc. ED 03/27/2017 Workshop-Discussed ED 04/03/2017 Not Considered ED 04/17/2017 Favorable HP RC | Favorable Yeas 6 Nays 0 |
|---|--------------------------|---|----------------------------|

| TAB | OFFICE and APPOINTMENT (HOME CITY) | FOR TERM ENDING | COMMITTEE ACTION |
|---|--------------------------------------|-----------------|------------------------------------|
| Senate Confirmation Hearing: A public hearing will be held for consideration of the below-named executive appointment to the office indicated. | | | |
| Board of Trustees, Florida State University | | | |
| 6 | Alvarez, Maximo (Doral) | 01/06/2021 | Recommend Confirm Yeas 7 Nays 0 |
| | Burr, Edward E. (Jacksonville Beach) | 01/06/2021 | Recommend Confirm Yeas 7 Nays 0 |
| Board of Trustees, Florida Gulf Coast University | | | |
| 7 | Priddy, Russell A. (Immokalee) | 01/06/2021 | Recommend Confirm Yeas 7 Nays 0 |
| Board of Trustees, New College of Florida | | | |
| 8 | Lilly, John N. (Minneapolis) | 01/06/2021 | Recommend Confirm Yeas 7 Nays 0 |
| Board of Trustees, University of North Florida | | | |
| 9 | Hollingsworth, Adam (Tallahassee) | 01/06/2021 | Recommend Confirm Yeas 7 Nays 0 |

COMMITTEE MEETING EXPANDED AGENDA

Education

Monday, April 17, 2017, 1:30—3:30 p.m.

| TAB | BILL NO. and INTRODUCER | BILL DESCRIPTION and SENATE COMMITTEE ACTIONS | COMMITTEE ACTION |
|-----|-------------------------|--|------------------|
|-----|-------------------------|--|------------------|

Other Related Meeting Documents

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 796

INTRODUCER: Senator Bean

SUBJECT: Charter Schools

DATE: April 18, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|---------------|
| 1. | Androff | Graf | ED | Fav/CS |
| 2. | | | AED | |
| 3. | | | AP | |
| 4. | | | RC | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 796 creates the High-Impact Charter Management Organization (HICMO) designation, authorizes certain entities to apply for the designation, and defines related terms. Specifically, the bill:

- Establishes the process and criteria for the initial designation and renewal of the designation.
- Provides incentives for HICMO entities to operate in Florida.
- Requires the Florida Department of Education (DOE) to provide school districts with technical assistance to ensure that federal funds are allocated to charter schools using an appropriate methodology.
- Removes the requirement that a charter school must have satisfactory student achievement based on state accountability standards to receive charter school capital outlay funding.
- Directs the State Board of Education to adopt rules to administer the HICMO provisions.

The bill takes effect July 1, 2017.

II. Present Situation:

The Florida Legislature has enacted legislation to promote school choice and strengthen education accountability.

Charter Schools

Charter schools are nonsectarian, public schools that operate under a performance contract with a sponsor, called a charter.¹ A guiding principle of charter schools is to meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.²

Charter School Application Process

Florida law establishes an application process for establishing a new charter school.³ An applicant must submit a charter school application to the sponsor.⁴ The sponsor must review or deny the application.⁵ The law requires sponsors and applicants to use a standard charter school application and application evaluation instrument.⁶ The standard application is designed to enable the sponsor to evaluate the applicant's educational plan, organizational plan, financial viability, and business plan.⁷

In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application by May 1 with an application fee of \$500.⁸ Otherwise, a sponsor is prohibited from charging an applicant any fee for the processing or consideration of an application.⁹

Charter school sponsors evaluate a variety of factors when considering an application to open a charter school.¹⁰ The standard application requires the applicant to:¹¹

- List each proposed member of the charter school's governing board and his or her background and qualifications.
- Indicate to what extent the governing board will contract with a management company, summarize the management company's history of operating charter schools, and list other charter schools managed by the company along with student achievement and financial performance data of such schools.

Charter School Accountability

Florida law establishes several requirements designed to hold charter schools accountable both financially and academically, including:¹²

- A detailed application and rigorous review and approval process.

¹ Section 1002.33(5)(a), (6)(h), (7) and (9)(a), F.S.

² Section 1002.33(2)(a)1., F.S.

³ *Id.* at (6)(a).

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Section 1002.33(6)(b), F.S. The deadline for applications is August 1, although a sponsor may receive applications later if it so chooses. *Id.*

⁹ *Id.*

¹⁰ *Id.* at (6)(a), (7), (8), (9).

¹¹ *Id.* at (6).

¹² Sections 1002.33(6), (7), (9), (16), (21), (23), (24), (26), and 1002.345, F.S.

- The execution and maintenance of charter agreements between the charter school and its sponsor.
- Annual reporting, annual financial audits, and sponsor monitoring of monthly financial statements.
- Participation in statewide assessments and Florida’s school grading system.
- Interventions for unsatisfactory academic performance and financial instability.
- Reporting of student performance information to parents and the public.
- Compliance with ethical standards for employees and governing board members.

Florida assigns each public school, including charter schools, a school grade in order to help parents and the public measure the performance of a school.¹³

Schools are graded using one of the following grades:¹⁴

- “A,” for schools making excellent progress – 62% or higher of total points.
- “B,” for schools making above average progress – 54% to 61% of total points.
- “C,” for schools making satisfactory progress – 41% to 53% of total points.
- “D,” for schools making less than satisfactory progress – 32% to 40% of total points.
- “F,” for schools failing to make adequate progress – 31% or less of total points.

In Florida, the lowest performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting state determined student achievement goals.¹⁵ A school district must select a turnaround option when a traditional public school earns a grade of “F”, two consecutive grades of “D”, or a single grade of “F” immediately followed by a grade of “D” in the most recent grade release.¹⁶ The first full school year after such grade is a planning year during which the school district must implement intervention and support strategies, select a school turnaround option, and submit a plan for implementing the turnaround option to the DOE for approval.¹⁷ If the school does not improve by at least one letter grade at the end of the planning year, the turnaround option must be implemented in the following school year.¹⁸ Florida law specifies the turnaround options that a school district may select.¹⁹

Charter School Capital Outlay

State funds are the primary source of funding for charter school capital outlay.²⁰ Eligibility, allocation methodology, and allowable uses are defined by state law.²¹

¹³ Florida Department of Education, *2016 Preliminary School Grades Overview*, available at <http://schoolgrades.fldoe.org/pdf/1516/SchoolGradesOverview16.pdf>.

¹⁴ Section 1008.34(2), F.S.; rule 6A-1.09981, F.A.C.

¹⁵ Section 1008.33(2)(b) and (4), F.S.; *see* rule 6A-2.09981(2)(h), F.A.C. School improvement requirements were originally established under the federal 2002 reauthorization of Every Student Succeeds Act, otherwise known as the No Child Left Behind Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

¹⁶ Section 1008.33(4); rule 6A-1.099811(4)(b), F.A.C.

¹⁷ Section 1008.33(4); rule 6A-1.099811(4)(b), F.A.C.

¹⁸ Section 1008.33(4)(c)-(e); rule 6A-1099811(4)(c) and (5)(b), F.A.C.

¹⁹ Section 1008.33(4)(b).

²⁰ Section 1013.62, F.S.

²¹ *Id.*

Eligibility

To be eligible for charter school capital outlay funding, a charter school must:²²

- Have been in operation for 2 or more years,²³ be governed by a governing board established in the state for 3 or more years which operates both charter schools and conversion charter schools within the state, be an expanded feeder chain²⁴ of a charter school within the same school district that is currently receiving charter school capital outlay funds, have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools, or serve students in facilities that are provided by a business partner for a charter school-in-the-workplace.
- Have an annual audit that does not reveal any specified financial emergency conditions²⁵ for the most recent fiscal year for which such audits are available.
- Have satisfactory student achievement²⁶ based on state accountability standards applicable to the charter school.
- Have received final approval from its sponsor for operation during that fiscal year.
- Serve students in facilities that are not provided by the charter school's sponsor.

A charter school is not eligible for a funding allocation if it was created by the conversion of a public school and operates in facilities provided by the charter school's sponsor for a nominal fee, or at no charge, or if it is directly or indirectly operated by the school district.²⁷

III. Effect of Proposed Changes:

CS/SB 796 creates the High-Impact Charter Management Organization (HICMO) designation, authorizes certain entities to apply for the designation, and defines related terms. Specifically, the bill:

- Establishes the process and criteria for the initial designation and renewal of the designation.
- Provides incentives for HICMO entities to operate in Florida.
- Requires the Florida Department of Education (DOE) to provide school districts with technical assistance to ensure that federal funds are allocated to charter schools using an appropriate methodology.
- Removes the requirement that a charter school must have satisfactory student achievement based on state accountability standards to receive charter school capital outlay funding.
- Directs the State Board of Education to adopt rules to administer the HICMO provisions.

²² Section 1013.62(1)(a), F.S.

²³ Chapter 2016-237, L.O.F., effective July 1, 2016, reduced the eligibility period from 3 years to 2 years.

²⁴ Rule 6A-2.0020, F.A.C., provides that a charter school may be considered part of an expanded feeder chain if it either sends or receives a majority of its students directly to or from a charter school that is currently receiving capital outlay funding.

²⁵ The financial emergency conditions are provided in s. 218.503(1), F.S.

²⁶ Rule 6A-2.0020, F.A.C., provides that the eligibility requirement for student achievement must be determined in accordance with the language in the charter contract and the charter school's current school improvement plan if the school has a current school improvement plan. A charter school receiving an "F" grade designation through the state accountability system, as defined in s. 1008.34, F.S., must not be eligible for capital outlay funding for the school year immediately following the designation. *Id.*

²⁷ Section 1013.62(1)(b), F.S.

High-Impact Charter Management Organization

The bill establishes a High-Impact Charter Management Organization (HICMO) designation, authorizes certain entities to apply for the designation, and defines related terms. The bill defines critical need area as an area designated as such by the Legislature or an area served by one or more public schools that are subject to turnaround options. Entity, for purposes of HICMO, is defined as a nonprofit organization with tax exempt status under the federal Internal Revenue Code, which is authorized by law to operate a public charter school.

Under the bill, an entity that successfully operates a system of charter schools which primarily serves educationally disadvantaged students who are eligible for free or reduced-price lunch under the Richard B. Russell National School Lunch Act, may apply to the State Board of Education (SBE) for HICMO status.

Application and Review Process

The bill authorizes the SBE to adopt rules prescribing the process and criteria for initial designation of an HICMO and renewal of the designation. The bill states that the initial designation criteria must include a review of the data from all schools currently and previously operated by the entity during the past 3 years and the comparison of student-level data to the data of similar students in other schools. The bill provides that the initial designation period may not exceed 5 years and the criteria for initial and renewal designation must include, but need not be limited to, the following:

- Student demographic and achievement data, including performance on statewide assessments and nationally norm-referenced assessments.
- Student attendance, promotion, retention, and graduation rates.
- Other student outcome data, such as college attendance rates and completion rates.
- Annual finance statements and audits.

The bill provides that if an entity seeks renewal of its HICMO status, the SBE must review the academic and financial performance for the charter schools established in critical need areas consistent with the initial designation criteria.

Incentives

The bill grants the following incentives to HICMO entities:

- Authorizes an HICMO to apply to a district school board to establish and operate charter schools in critical need areas.
- Allows the HICMO to be designated as a local educational agency for the purposes of receiving federal funds.
- Provides that an HICMO-operated charter school is eligible to receive charter school capital outlay immediately, rather than after 2 years of operation.
- Waives the administrative fee provided in law for HICMO charter schools if the entity maintains its HICMO status.
- Requires the Florida Department of Education (DOE) to give priority to new charter schools operated by HICMO in a critical need area in the Florida Public Charter School Grant Program competitions.

- Adds HICMO-operated charter schools to an exception authorized in current law that allows a charter school that earns two consecutive grades of “F” to continue to operate in Florida if the school serves a specified student population and the school earns at least a grade of “D” in its third year of operation.²⁸

The establishment of the HICMO designation may result in the creation of additional charter schools to serve students in critical need areas. The number of charter schools that may open in critical need areas is not known.

Charter School Capital Outlay

The bill removes the requirement that a charter school must have satisfactory student achievement based on state accountability standards to receive charter school capital outlay funding. This may increase the number of charter schools that are eligible for and receive charter school capital outlay funds. In 2016-2017, 557 of the charter schools that applied to receive capital outlay funds were approved while 38 were denied for a failure to meet eligibility requirements and 15 of those were denied because of such schools’ failure to meet the requirement for satisfactory student achievement.²⁹

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

²⁸ Section 1002.33(9)(n)4.b., F.S.

²⁹ Florida Department of Education, *SB 796 Analysis* (2017), at 5 and Florida Department of Education, *SB 1362 Analysis* (2017), at 6. The Department’s SB 1362 Analysis contains the most recent data regarding the number of charter schools receiving charter school capital outlay allocations; thus, the number from this analysis is used here.

C. Government Sector Impact:

CS/SB 796 provides that new charter schools opened by High-Impact Charter Management Organizations in critical needs areas will be eligible for charter school capital outlay, notwithstanding the statutory requirements. It is not known how many such schools will be opened under the bill and will be eligible for charter school capital outlay funding.

The bill removes the requirement that a charter school must have satisfactory student achievement based on state accountability standards to receive charter school capital outlay funding. This may increase the number of charter schools that are eligible for and receive charter school capital outlay. In 2016-2017, 557 of the charter schools that applied to receive capital outlay funds were approved while 38 were denied for a failure to meet eligibility requirements and 15 of those were denied because of failure to meet the requirement for satisfactory student achievement.³⁰

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33, and 1013.62.

This bill creates the following section of the Florida Statutes: 1002.336.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on April 17, 2017:

The committee substitute assigns a new section of law to the High-Impact Charter Management Organization provisions in the bill.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

³⁰ Florida Department of Education, *SB 796 Analysis* (2017), at 5 and Florida Department of Education, *SB 1362 Analysis* (2017), at 6. The Department's SB 1362 Analysis contains the most recent data regarding the number of charter schools receiving charter school capital outlay allocations; thus, the number from this analysis is used here.



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LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Bean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (18) and (21) of section 1001.42,
Florida Statutes, are amended to read:

1001.42 Powers and duties of district school board.—The
district school board, acting as a board, shall exercise all
powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
Maintain a system of school improvement and education



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12 accountability as provided by statute and State Board of
13 Education rule. This system of school improvement and education
14 accountability shall be consistent with, and implemented
15 through, the district's continuing system of planning and
16 budgeting required by this section and ss. 1008.385, 1010.01,
17 and 1011.01. This system of school improvement and education
18 accountability shall comply with the provisions of ss. 1008.33,
19 1008.34, 1008.345, and 1008.385 and include the following:

20 (a) *School improvement plans.*—

21 ~~1.~~ The district school board shall annually approve and
22 require implementation of a new, amended, or continuation school
23 improvement plan for each school in the district which has a
24 school grade of "D" or "F"; ~~-. If a school~~ has a significant gap
25 in achievement on statewide, standardized assessments
26 administered pursuant to s. 1008.22 by one or more student
27 subgroups, as defined in the federal Elementary and Secondary
28 Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not
29 significantly increased the percentage of students passing
30 statewide, standardized assessments; has not significantly
31 increased the percentage of students demonstrating Learning
32 Gains, as defined in s. 1008.34 and as calculated under s.
33 1008.34(3)(b), who passed statewide, standardized assessments;
34 or has significantly lower graduation rates for a subgroup when
35 compared to the state's graduation rate. The, that school's
36 improvement plan of a school that meets the requirements of this
37 paragraph shall include strategies for improving these results.
38 The state board shall adopt rules establishing thresholds and
39 for determining compliance with this subparagraph.

40 ~~2. A school that includes any of grades 6, 7, or 8 shall~~



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41 ~~include annually in its school improvement plan information and~~
42 ~~data on the school's early warning system required under~~
43 ~~paragraph (b), including a list of the early warning indicators~~
44 ~~used in the system, the number of students identified by the~~
45 ~~system as exhibiting two or more early warning indicators, the~~
46 ~~number of students by grade level that exhibit each early~~
47 ~~warning indicator, and a description of all intervention~~
48 ~~strategies employed by the school to improve the academic~~
49 ~~performance of students identified by the early warning system.~~
50 ~~In addition, a school that includes any of grades 6, 7, or 8~~
51 ~~shall describe in its school improvement plan the strategies~~
52 ~~used by the school to implement the instructional practices for~~
53 ~~middle grades emphasized by the district's professional~~
54 ~~development system pursuant to s. 1012.98(4)(b)9.~~

55 (b) *Early warning system.*—

56 1. A school that serves any students in kindergarten
57 through grade ~~includes any of grades 6, 7, or 8~~ shall implement
58 an early warning system to identify students in such grades ~~6,~~
59 ~~7, and 8~~ who need additional support to improve academic
60 performance and stay engaged in school. The early warning system
61 must include the following early warning indicators:

62 a. Attendance below 90 percent, regardless of whether
63 absence is excused or a result of out-of-school suspension.

64 b. One or more suspensions, whether in school or out of
65 school.

66 c. Course failure in English Language Arts or mathematics
67 during any grading period.

68 d. A Level 1 score on the statewide, standardized
69 assessments in English Language Arts or mathematics or, for



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70 students in kindergarten through grade 3, a substantial reading
71 deficiency under s. 1008.25(5)(a).

72
73 A school district may identify additional early warning
74 indicators for use in a school's early warning system. The
75 system must include data on the number of students identified by
76 the system as exhibiting two or more early warning indicators,
77 the number of students by grade level who exhibit each early
78 warning indicator, and a description of all intervention
79 strategies employed by the school to improve the academic
80 performance of students identified by the early warning system.

81 2. A school-based team responsible for implementing the
82 requirements of this paragraph shall monitor the data from the
83 early warning system. The team may include a school
84 psychologist. When a student exhibits two or more early warning
85 indicators, the team, in consultation with the student's parent,
86 shall school's child study team under s. 1003.02 or a school-
87 based team formed for the purpose of implementing the
88 requirements of this paragraph shall convene to determine
89 appropriate intervention strategies for the student unless the
90 student is already being served by an intervention program at
91 the direction of a school-based, multidisciplinary team. Data
92 and information relating to a student's early warning indicators
93 must be used to inform any intervention strategies provided to
94 the student ~~The school shall provide at least 10 days' written~~
95 ~~notice of the meeting to the student's parent, indicating the~~
96 ~~meeting's purpose, time, and location, and provide the parent~~
97 ~~the opportunity to participate.~~

98 (21) EDUCATIONAL AUTHORITY TO DECLARE AN EMERGENCY. ~~May~~



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99 ~~declare an emergency in cases in which one or more schools in~~
100 ~~the district are failing or are in danger of failing and~~
101 Negotiate special provisions of its contract with the
102 appropriate bargaining units to free ~~these~~ schools with a school
103 grade of "D" or "F" from contract restrictions that limit the
104 school's ability to implement programs and strategies needed to
105 improve student performance. The negotiations shall result in a
106 memorandum of understanding that addresses the selection,
107 placement, and expectations of instructional personnel and
108 school administrators. For purposes of this subsection, an
109 educational emergency exists in a school district if one or more
110 schools in the district have a school grade of "D" or "F."

111 Section 2. Subsections (3), (4), and (5) of section
112 1008.33, Florida Statutes, are amended to read:

113 1008.33 Authority to enforce public school improvement.—

114 (3) (a) The academic performance of all students has a
115 significant effect on the state school system. Pursuant to Art.
116 IX of the State Constitution, which prescribes the duty of the
117 State Board of Education to supervise Florida's public school
118 system, the state board shall equitably enforce the
119 accountability requirements of the state school system and may
120 impose state requirements on school districts in order to
121 improve the academic performance of all districts, schools, and
122 students based upon the provisions of the Florida K-20 Education
123 Code, chapters 1000-1013; the federal ESEA and its implementing
124 regulations; and the ESEA flexibility waiver approved for
125 Florida by the United States Secretary of Education.

126 (b) ~~Beginning with the 2011-2012 school year,~~ The
127 Department of Education shall annually identify each public



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128 school in need of intervention and support to improve student
129 academic performance. All schools earning a grade of "D" or "F"
130 pursuant to s. 1008.34 are schools in need of intervention and
131 support.

132 (c) The state board shall adopt by rule a differentiated
133 matrix of intervention and support strategies for assisting
134 traditional public schools identified under this section and
135 rules for implementing s. 1002.33(9)(n), relating to charter
136 schools. The intervention and support strategies must address
137 student performance and may include improvement planning,
138 leadership quality improvement, educator quality improvement,
139 professional development, curriculum alignment and pacing, and
140 the use of continuous improvement and monitoring plans and
141 processes. In addition, the state board may prescribe reporting
142 requirements to review and monitor the progress of the schools.
143 The rule must define the intervention and support strategies for
144 school improvement for schools earning a grade of "D" or "F" and
145 the roles for the district and department. ~~The rule shall~~
146 ~~differentiate among schools earning consecutive grades of "D" or~~
147 ~~"F," or a combination thereof, and provide for more intense~~
148 ~~monitoring, intervention, and support strategies for these~~
149 ~~schools.~~

150 (4) (a) The state board shall apply intensive ~~the most~~
151 ~~intense~~ intervention and support strategies to schools earning a
152 grade of "D" or "F." In the first full school year after a
153 school initially earns a grade of "D" or "F," the school
154 district must immediately implement intervention and support
155 strategies prescribed in rule under paragraph (3) (c) and, by
156 September 1, provide, ~~select a turnaround option from those~~



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157 ~~provided in subparagraphs (b)1. 5., and submit a plan for~~
158 ~~implementing the turnaround option to the department with the~~
159 ~~memorandum of understanding negotiated pursuant to s.~~
160 ~~1001.42(21) and a district-managed turnaround plan for approval~~
161 ~~by the state board. Upon approval by the state board, the school~~
162 ~~district must implement the plan for the remainder of the school~~
163 ~~year and continue the plan for 1 full school year. The state~~
164 ~~board may allow a school an additional year of implementation~~
165 ~~before the school must implement a turnaround option required~~
166 ~~under paragraph (b) if it determines that the school is likely~~
167 ~~to improve to a grade of "C" or higher after the first full~~
168 ~~school year of implementation. for approval by the state board.~~
169 ~~Upon approval by the state board, the turnaround option must be~~
170 ~~implemented in the following school year.~~

171 (b) Unless an additional year of implementation is provided
172 pursuant to paragraph (a), ~~The turnaround options available to a~~
173 ~~school district to address a school that earns three consecutive~~
174 ~~grades below a "C" must implement one of the following a grade~~
175 ~~of "F" are:~~

176 ~~1. Convert the school to a district-managed turnaround~~
177 ~~school;~~

178 ~~1.2.~~ Reassign students to another school and monitor the
179 progress of each reassigned student;

180 2. Contract with an outside entity that has a demonstrated
181 record of effectiveness to operate the school; or

182 3. Close the school and reopen the school as one or more
183 charter schools, each with a governing board that has a
184 demonstrated record of effectiveness.~~.~~

185 ~~4. Contract with an outside entity that has a demonstrated~~



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186 ~~record of effectiveness to operate the school; or~~

187 ~~5. Implement a hybrid of turnaround options set forth in~~
188 ~~subparagraphs 1. 4. or other turnaround models that have a~~
189 ~~demonstrated record of effectiveness.~~

190 ~~(c) A school earning a grade of "F" shall have a planning~~
191 ~~year followed by 2 full school years to implement the initial~~
192 ~~turnaround option selected by the school district and approved~~
193 ~~by the state board. Implementation of the turnaround option is~~
194 ~~no longer required if the school improves to a grade of "C" or~~
195 ~~higher by at least one letter grade.~~

196 ~~(d) A school earning a grade of "F" that improves its~~
197 ~~letter grade must continue to implement strategies identified in~~
198 ~~its school improvement plan pursuant to s. 1001.42(18)(a). The~~
199 ~~department must annually review implementation of the school~~
200 ~~improvement plan for 3 years to monitor the school's continued~~
201 ~~improvement.~~

202 ~~(d)(e) If a school earning a grade of "D" or "F" does not~~
203 ~~improve to a grade of "C" or higher by at least one letter grade~~
204 ~~after 2 full school years of implementing the turnaround option~~
205 ~~selected by the school district under paragraph (b), the school~~
206 ~~district must implement select a different option and submit~~
207 ~~another turnaround option implementation plan to the department~~
208 ~~for approval by the state board. Implementation of the~~
209 ~~turnaround option approved plan must begin the school year~~
210 ~~following the implementation period of the existing turnaround~~
211 ~~option, unless the state board determines that the school is~~
212 ~~likely to improve to a "C" or higher a letter grade if~~
213 ~~additional time is provided to implement the existing turnaround~~
214 ~~option.~~



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215 ~~(5) A school that earns a grade of "D" for 3 consecutive~~
216 ~~years must implement the district-managed turnaround option~~
217 ~~pursuant to subparagraph (4)(b)1. The school district must~~
218 ~~submit an implementation plan to the department for approval by~~
219 ~~the state board.~~

220 Section 3. Paragraph (d) of subsection (6) of section
221 1008.345, Florida Statutes, is amended to read:

222 1008.345 Implementation of state system of school
223 improvement and education accountability.—

224 (6)

225 (d) The commissioner shall assign a community assessment
226 team to each school district or governing board with a school
227 that earned a grade of "D" or "F" ~~or three consecutive grades of~~
228 ~~"D"~~ pursuant to s. 1008.34 to review the school performance data
229 and determine causes for the low performance, including the role
230 of school, area, and district administrative personnel. The
231 community assessment team shall review a high school's
232 graduation rate calculated without high school equivalency
233 diploma recipients for the past 3 years, disaggregated by
234 student ethnicity. The team shall make recommendations to the
235 school board or the governing board and to the State Board of
236 Education based on the interventions and support strategies
237 identified pursuant to subsection (5) to which address the
238 causes of the school's low performance and to incorporate the
239 strategies ~~and may be incorporated~~ into the school improvement
240 plan. The assessment team shall include, but not be limited to,
241 a department representative, parents, business representatives,
242 educators, representatives of local governments, and community
243 activists, and shall represent the demographics of the community



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244 from which they are appointed.

245 Section 4. Paragraph (n) of subsection (9) of section
246 1002.33, Florida Statutes, is amended to read:

247 1002.33 Charter schools.—

248 (9) CHARTER SCHOOL REQUIREMENTS.—

249 (n)1. The director and a representative of the governing
250 board of a charter school that has earned a grade of "D" or "F"
251 pursuant to s. 1008.34 shall appear before the sponsor to
252 present information concerning each contract component having
253 noted deficiencies. The director and a representative of the
254 governing board shall submit to the sponsor for approval a
255 school improvement plan to raise student performance. Upon
256 approval by the sponsor, the charter school shall begin
257 implementation of the school improvement plan. The department
258 shall offer technical assistance and training to the charter
259 school and its governing board and establish guidelines for
260 developing, submitting, and approving such plans.

261 2.a. If a charter school earns three consecutive grades
262 ~~below a "C," of "D," two consecutive grades of "D" followed by a~~
263 ~~grade of "F," or two nonconsecutive grades of "F" within a 3-~~
264 ~~year period,~~ the charter school governing board shall choose one
265 of the following corrective actions:

266 (I) Contract for educational services to be provided
267 directly to students, instructional personnel, and school
268 administrators, as prescribed in state board rule;

269 (II) Contract with an outside entity that has a
270 demonstrated record of effectiveness to operate the school;

271 (III) Reorganize the school under a new director or
272 principal who is authorized to hire new staff; or



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273 (IV) Voluntarily close the charter school.

274 b. The charter school must implement the corrective action
275 in the school year following receipt of a third consecutive
276 grade below a "C" ~~of "D,"~~ ~~a grade of "F" following two~~
277 ~~consecutive grades of "D,"~~ ~~or a second nonconsecutive grade of~~
278 ~~"F" within a 3-year period.~~

279 c. The sponsor may annually waive a corrective action if it
280 determines that the charter school is likely to improve a letter
281 grade if additional time is provided to implement the
282 intervention and support strategies prescribed by the school
283 improvement plan. Notwithstanding this sub-subparagraph, a
284 charter school that earns a second consecutive grade of "F" is
285 subject to subparagraph 3. ~~4.~~

286 d. A charter school is no longer required to implement a
287 corrective action if it improves to a "C" or higher ~~by at least~~
288 ~~one letter grade.~~ However, the charter school must continue to
289 implement strategies identified in the school improvement plan.
290 The sponsor must annually review implementation of the school
291 improvement plan to monitor the school's continued improvement
292 pursuant to subparagraph 4. ~~5.~~

293 e. A charter school implementing a corrective action that
294 does not improve to a "C" or higher ~~by at least one letter grade~~
295 after 2 full school years of implementing the corrective action
296 must select a different corrective action. Implementation of the
297 new corrective action must begin in the school year following
298 the implementation period of the existing corrective action,
299 unless the sponsor determines that the charter school is likely
300 to improve to a "C" or higher ~~a letter grade~~ if additional time
301 is provided to implement the existing corrective action.



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302 Notwithstanding this sub-subparagraph, a charter school that
303 earns a second consecutive grade of "F" while implementing a
304 corrective action is subject to subparagraph 3. 4.

305 ~~3. A charter school with a grade of "D" or "F" that~~
306 ~~improves by at least one letter grade must continue to implement~~
307 ~~the strategies identified in the school improvement plan. The~~
308 ~~sponsor must annually review implementation of the school~~
309 ~~improvement plan to monitor the school's continued improvement~~
310 ~~pursuant to subparagraph 5.~~

311 3.4. A charter school's charter contract is automatically
312 terminated if the school earns two consecutive grades of "F"
313 after all school grade appeals are final unless:

314 a. The charter school is established to turn around the
315 performance of a district public school pursuant to s.
316 1008.33(4)(b)3. Such charter schools shall be governed by s.
317 1008.33;

318 b. The charter school serves a student population the
319 majority of which resides in a school zone served by a district
320 public school subject to s. 1008.33(4) ~~that earned a grade of~~
321 ~~"F" in the year before the charter school opened~~ and the charter
322 school earns at least a grade of "D" in its third year of
323 operation. The exception provided under this sub-subparagraph
324 does not apply to a charter school in its fourth year of
325 operation and thereafter; or

326 c. The state board grants the charter school a waiver of
327 termination. The charter school must request the waiver within
328 15 days after the department's official release of school
329 grades. The state board may waive termination if the charter
330 school demonstrates that the Learning Gains of its students on



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331 statewide assessments are comparable to or better than the
332 Learning Gains of similarly situated students enrolled in nearby
333 district public schools. The waiver is valid for 1 year and may
334 only be granted once. Charter schools that have been in
335 operation for more than 5 years are not eligible for a waiver
336 under this sub-subparagraph.

337

338 The sponsor shall notify the charter school's governing board,
339 the charter school principal, and the department in writing when
340 a charter contract is terminated under this subparagraph. The
341 letter of termination must meet the requirements of paragraph
342 (8) (c). A charter terminated under this subparagraph must follow
343 the procedures for dissolution and reversion of public funds
344 pursuant to paragraphs (8) (e)-(g) and (9) (o).

345 ~~4.5.~~ The director and a representative of the governing
346 board of a graded charter school that has implemented a school
347 improvement plan under this paragraph shall appear before the
348 sponsor at least once a year to present information regarding
349 the progress of intervention and support strategies implemented
350 by the school pursuant to the school improvement plan and
351 corrective actions, if applicable. The sponsor shall communicate
352 at the meeting, and in writing to the director, the services
353 provided to the school to help the school address its
354 deficiencies.

355 ~~5.6.~~ Notwithstanding any provision of this paragraph except
356 sub-subparagraphs 3.a.-c. ~~4.a.-e.~~, the sponsor may terminate the
357 charter at any time pursuant to subsection (8).

358 Section 5. Effective upon this act becoming a law, section
359 1002.333, Florida Statutes, is created to read:



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360 1002.333 Persistently low-performing schools.-

361 (1) DEFINITIONS.-As used in this section, the term:

362 (a) "Hope operator" means an entity identified by the
363 department pursuant to subsection (2).

364 (b) "Persistently low-performing school" means a school
365 that has been subject to a differentiated matrix of intervention
366 and support strategies for more than 3 years and a school that
367 was closed pursuant to s. 1008.33(4) within 2 years after the
368 submission of a notice of intent.

369 (c) "School of hope" means a charter school operated by a
370 hope operator which serves students from one or more
371 persistently low-performing schools; is located in the
372 attendance zone of a persistently low-performing school or
373 within a 5-mile radius of such school, whichever is greater; and
374 is a Title I eligible school.

375 (2) HOPE OPERATOR.-A hope operator is a nonprofit
376 organization with tax exempt status under s. 501(c)(3) of the
377 Internal Revenue Code that operates three or more charter
378 schools that serve students in grades K-12 in Florida or other
379 states with a record of serving students from low-income
380 families and is designated by the State Board of Education as a
381 hope operator based on a determination that:

382 (a) The past performance of the hope operator meets or
383 exceeds the following criteria:

384 1. The achievement of enrolled students exceeds the
385 district and state averages of the states in which the
386 operator's schools operate;

387 2. The average college attendance rate at all schools
388 currently operated by the operator exceeds 80 percent, if such



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389 data is available;

390 3. The percentage of students eligible for a free or
391 reduced price lunch under the National School Lunch Act enrolled
392 at all schools currently operated by the operator exceeds 70
393 percent;

394 4. The operator is in good standing with the authorizer in
395 each state in which it operates;

396 5. The audited financial statements of the operator are
397 free of material exceptions and going concern issues; and

398 6. Other outcome measures as determined by the State Board
399 of Education;

400 (b) The operator was awarded a United States Department of
401 Education Charter School Program grant for Replication and
402 Expansion of High-Quality Charter Schools within the preceding 3
403 years before applying to be a hope operator;

404 (c) The operator receives funding through the National Fund
405 or a Regional Fund of the Charter School Growth Fund to
406 accelerate the growth of the nation's best charter schools; or

407 (d) The operator is selected by a district school board in
408 accordance with s. 1008.33.

409
410 An entity that meets the requirements of paragraph (b),
411 paragraph (c), or paragraph (d) before the adoption by the state
412 board of measurable criteria pursuant to paragraph (a) shall be
413 designated as a hope operator. After the adoption of the
414 measurable criteria, an entity shall be designated as a hope
415 operator if it meets the criteria or is selected by a district
416 school board in accordance with s. 1008.33.

417 (3) DESIGNATION OF HOPE OPERATOR.—Initial status as a hope



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418 operator is valid for 5 years from the opening of a school of
419 hope. If a hope operator seeks the renewal of its status, such
420 renewal shall solely be based upon the academic and financial
421 performance of all schools established by the operator in the
422 state since its initial designation.

423 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator may
424 submit a notice of intent to open a school of hope to the school
425 district in which a persistently low-performing school has been
426 identified by the State Board of Education pursuant to
427 subsection (10).

428 (a) The notice of intent must include:

429 1. An academic focus and plan.

430 2. A financial plan.

431 3. Goals and objectives for increasing student achievement
432 for the students from low-income families.

433 4. A completed or planned community outreach plan.

434 5. The organizational history of success in working with
435 students with similar demographics.

436 6. The grade levels to be served and enrollment
437 projections.

438 7. The proposed location or geographic area proposed for
439 the school and its proximity to the persistently low-performing
440 school.

441 8. A staffing plan.

442 (b) Notwithstanding the requirements of s. 1002.33, a
443 school district shall enter into a performance-based agreement
444 with a hope operator to open schools to serve students from
445 persistently low-performing schools.

446 (5) PERFORMANCE-BASED AGREEMENT.—The following shall



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447 comprise the entirety of the performance-based agreement:

448 (a) The notice of intent, which is incorporated by
449 reference and attached to the agreement.

450 (b) The location or geographic area proposed for the school
451 of hope and its proximity to the persistently low-performing
452 school.

453 (c) An enumeration of the grades to be served in each year
454 of the agreement and whether the school will serve children in
455 the school readiness or prekindergarten programs.

456 (d) A plan of action and specific milestones for student
457 recruitment and the enrollment of students from persistently
458 low-performing schools, including enrollment preferences and
459 procedures for conducting transparent admissions lotteries that
460 are open to the public. Students from persistently low-
461 performing schools shall be exempt from any enrollment lottery
462 to the extent permitted by federal grant requirements.

463 (e) A delineation of the current incoming baseline standard
464 of student academic achievement, the outcomes to be achieved,
465 and the method of measurement that will be used.

466 (f) A description of the methods of involving parents and
467 expected levels for such involvement.

468 (g) The grounds for termination, including failure to meet
469 the requirements for student performance established pursuant to
470 paragraph (e), generally accepted standards of fiscal
471 management, or material violation of terms of the agreement. The
472 nonrenewal or termination of a performance-based agreement must
473 comply with the requirements of s. 1002.33(8).

474 (h) A provision allowing the hope operator to open
475 additional schools to serve students enrolled in or zoned for a



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476 persistently low-performing school if the hope operator
477 maintains its status under subsection (3).

478 (i) A provision establishing the initial term as 5 years.
479 The agreement shall be renewed, upon the request of the hope
480 operator, unless the school fails to meet the requirements for
481 student performance established pursuant to paragraph (e) or
482 generally accepted standards of fiscal management or the school
483 of hope materially violates the law or the terms of the
484 agreement.

485 (j) A requirement to provide transportation consistent with
486 the requirements of ss. 1006.21-1006.27 and s. 1012.45. The
487 governing body of the school of hope may provide transportation
488 through an agreement or contract with the district school board,
489 a private provider, or parents of enrolled students.
490 Transportation may not be a barrier to equal access for all
491 students residing within reasonable distance of the school.

492 (k) A requirement that any arrangement entered into to
493 borrow or otherwise secure funds for the school of hope from a
494 source other than the state or a school district shall indemnify
495 the state and the school district from any and all liability,
496 including, but not limited to, financial responsibility for the
497 payment of the principal or interest.

498 (l) A provision that any loans, bonds, or other financial
499 agreements are not obligations of the state or the school
500 district but are obligations of the school of hope and are
501 payable solely from the sources of funds pledged by such
502 agreement.

503 (m) A prohibition on the pledge of credit or taxing power
504 of the state or the school district.



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505 (6) STATUTORY AUTHORITY.—

506 (a) A school of hope may be designated as a local education
507 agency, if requested, for the purposes of receiving federal
508 funds and, in doing so, accepts the full responsibility for all
509 local education agency requirements and the schools for which it
510 will perform local education agency responsibilities. Students
511 enrolled in a school established by a hope operator designated
512 as a local educational agency are not eligible students for
513 purposes of calculating the district grade pursuant to s.
514 1008.34(5).

515 (b) For the purposes of tort liability, the hope operator,
516 the school of hope, and its employees or agents shall be
517 governed by s. 768.28. The sponsor shall not be liable for civil
518 damages under state law for the employment actions or personal
519 injury, property damage, or death resulting from an act or
520 omission of a hope operator, the school of hope, or its
521 employees or agents.

522 (c) A school of hope may be either a private or a public
523 employer. As a public employer, the school of hope may
524 participate in the Florida Retirement System upon application
525 and approval as a covered group under s. 121.021(34). If a
526 school of hope participates in the Florida Retirement System,
527 the school of hope's employees shall be compulsory members of
528 the Florida Retirement System.

529 (d) A hope operator may employ school administrators and
530 instructional personnel who do not meet the requirements of s.
531 1012.56 if the school administrators and instructional personnel
532 are not ineligible for such employment under s. 1012.315.

533 (e) Compliance with s. 1003.03 shall be calculated as the



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534 average at the school level.

535 (f) Schools of hope operated by a hope operator shall be
536 exempt from chapters 1000-1013 and all school board policies.

537 However, a hope operator shall be in compliance with the laws in
538 chapters 1000-1013 relating to:

539 1. The student assessment program and school grading
540 system.

541 2. Student progression and graduation.

542 3. The provision of services to students with disabilities.

543 4. Civil rights, including s. 1000.05, relating to
544 discrimination.

545 5. Student health, safety, and welfare.

546 6. Public meetings and records, public inspection, and
547 criminal and civil penalties pursuant to s. 286.011. The
548 governing board of a school of hope must hold at least two
549 public meetings per school year in the school district in which
550 the school of hope is located. Any other meetings of the
551 governing board may be held in accordance with s. 120.54(2)(b)2.

552 7. Public records pursuant to chapter 119.

553 8. The code of ethics for public officers and employees
554 pursuant to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

555 (7) FACILITIES.—

556 (a) A school of hope shall use facilities that comply with
557 the Florida Building Code, except for the State Requirements for
558 Educational Facilities. A school of hope that uses school
559 district facilities must comply with the State Requirements for
560 Educational Facilities only if the school district and the hope
561 operator have entered into a mutual management plan for the
562 reasonable maintenance of such facilities. The mutual management



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563 plan shall contain a provision by which the district school
564 board agrees to maintain the school facilities in the same
565 manner as its other public schools within the district. The
566 local governing authority shall not adopt or impose any local
567 building requirements or site-development restrictions, such as
568 parking and site-size criteria, which are addressed by and more
569 stringent than those found in the State Requirements for
570 Educational Facilities of the Florida Building Code. A local
571 governing authority must treat schools of hope equitably in
572 comparison to similar requirements, restrictions, and site
573 planning processes imposed upon public schools. The agency
574 having jurisdiction for inspection of a facility and issuance of
575 a certificate of occupancy or use shall be the local
576 municipality or, if in an unincorporated area, the county
577 governing authority. If an official or employee of the local
578 governing authority refuses to comply with this paragraph, the
579 aggrieved school or entity has an immediate right to bring an
580 action in circuit court to enforce its rights by injunction. An
581 aggrieved party that receives injunctive relief may be awarded
582 reasonable attorney fees and court costs.

583 (b) Any facility, or portion thereof, used to house a
584 school of hope shall be exempt from ad valorem taxes pursuant to
585 s. 196.1983. Library, community service, museum, performing
586 arts, theatre, cinema, church, Florida College System
587 institution, college, and university facilities may provide
588 space to schools of hope within their facilities under their
589 preexisting zoning and land use designations without obtaining a
590 special exception, rezoning, land use charter, or other form of
591 approval.



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592 (c) School of hope facilities are exempt from assessments
593 of fees for building permits, except as provided in s. 553.80;
594 fees for building and occupational licenses; impact fees or
595 exactions; service availability fees; and assessments for
596 special benefits.

597 (d) No later than October 1, each school district shall
598 annually provide to the Department of Education a list of all
599 underused, vacant, or surplus facilities owned or operated by
600 the school district. A hope operator establishing a school of
601 hope may use an educational facility identified in this
602 paragraph at no cost or at a mutually agreeable cost not to
603 exceed \$600 per student. A hope operator using a facility
604 pursuant to this paragraph may not sell or dispose of such
605 facility without the written permission of the school district.
606 For purposes of this paragraph, "underused, vacant, or surplus
607 facility" means an entire facility or portion thereof which is
608 not fully used or is used irregularly or intermittently by the
609 school district for instructional or program use.

610 (8) NONCOMPLIANCE.—A school district that does not enter
611 into a performance-based agreement within 60 days after receipt
612 of a notice of intent shall reduce the administrative fees
613 withheld pursuant to s. 1002.33(20) to 1 percent for all charter
614 schools operating in the school district. Upon execution of the
615 performance-based agreement, the school district may resume
616 withholding the full amount of administrative fees, but may not
617 recover any fees that would have otherwise accrued during the
618 period of noncompliance. Any charter school that had
619 administrative fees withheld in violation of this subsection may
620 recover attorney fees and costs to enforce the requirements of



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621 this subsection. A school district subject to the requirements
622 of this section shall file a monthly report detailing the
623 reduction in the amount of administrative fees withheld.

624 (9) FUNDING.—

625 (a) Schools of hope shall be funded in accordance with s.
626 1002.33(17).

627 (b) Schools of hope shall receive priority in the
628 department's Public Charter School Grant Program competitions.

629 (c) Schools of hope shall be considered charter schools for
630 purposes of s. 1013.62, except charter capital outlay may not be
631 used to purchase real property or for the construction of school
632 facilities.

633 (d) Schools of hope shall receive funds from the "Special
634 Categories: Grants and Aids-Schools of Hope" which is created in
635 addition to the categories enumerated in s. 216.011(1)(c).

636 Eligible expenditures from an appropriation in the "Special
637 Categories: Grants and Aids-Schools of Hope" shall include:

638 1. Preparing teachers, school leaders, and specialized
639 instructional support personnel, including costs associated
640 with:

641 a. Providing professional development.

642 b. Hiring and compensating teachers, school leaders, and
643 specialized instructional support personnel for services beyond
644 the school day and year.

645 2. Acquiring supplies, training, equipment, and educational
646 materials, including developing and acquiring instructional
647 materials.

648 3. Providing one-time startup costs associated with
649 providing transportation to students to and from the charter



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650 school.

651 4. Carrying out community engagement activities, which may
652 include paying the cost of student and staff recruitment.

653 5. Providing funds to cover the nonvoted ad valorem millage
654 that would otherwise be required for schools and the required
655 local effort funds calculated pursuant to s. 1011.62 when the
656 State Board of Education enters into an agreement with a hope
657 operator pursuant to subsection (5).

658 (e) If a school of hope is not renewed or is terminated,
659 any unencumbered funds and all equipment and property purchased
660 with the funds shall revert to the ownership of the state. The
661 reversion of such equipment, property, and furnishings shall
662 focus on tangible or irrecoverable costs such as rental or
663 leasing fees, normal maintenance, and limited renovations. The
664 reversion of all property secured with grant funds is subject to
665 the complete satisfaction of all lawful liens or encumbrances.

666 (f) Notwithstanding s. 216.301 and pursuant to s. 216.351,
667 the balance of any appropriation from the Grants and Aids-
668 Schools of hope funding appropriation category which is not
669 disbursed by June 30 of the fiscal year in which the funds are
670 appropriated may be carried forward for up to 5 years after the
671 effective date of the original appropriation.

672 (10) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.-
673 Pursuant to Art. IX of the State Constitution, which prescribes
674 the duty of the State Board of Education to supervise the public
675 school system, the State Board of Education shall:

676 (a) Publish an annual list of persistently low-performing
677 schools after the release of preliminary school grades.

678 (b) Adopt a standard notice of intent and performance-based



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679 agreement that must be used by hope operators and district
680 school boards to eliminate regulatory and bureaucratic barriers
681 that delay access to high quality schools for students in
682 persistently low-performing schools.

683 (c) Resolve disputes between a hope operator and a school
684 district arising from a performance-based agreement or a
685 contract between a charter operator and a school district under
686 the requirements of s. 1008.33. The Commissioner of Education
687 shall appoint a special magistrate who is a member of The
688 Florida Bar in good standing and who has at least 5 years'
689 experience in administrative law. The special magistrate shall
690 hold hearings to determine facts relating to the dispute and to
691 render a recommended decision for resolution to the State Board
692 of Education. The recommendation may not alter in any way the
693 provisions of the performance agreement under subsection (5).
694 The special magistrate may administer oaths and issue subpoenas
695 on behalf of the parties to the dispute or on his or her own
696 behalf. Within 15 calendar days after the close of the final
697 hearing, the special magistrate shall transmit a recommended
698 decision to the State Board of Education and to the
699 representatives of both parties by registered mail, return
700 receipt requested. The State Board of Education must approve or
701 reject the recommended decision at its next regularly scheduled
702 meeting that is more than 7 calendar days and no more than 30
703 days after the date the recommended decision is transmitted. The
704 decision by the State Board of Education is a final agency
705 action that may be appealed to the District Court of Appeal,
706 First District in accordance with s. 120.68. A charter school
707 may recover attorney fees and costs if the State Board of



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708 Education determines that the school district unlawfully
709 implemented or otherwise impeded implementation of the
710 performance-based agreement pursuant to this paragraph.

711 (d) Provide students in persistently low-performing schools
712 with a public school that meets accountability standards. The
713 State Board of Education may enter into a performance-based
714 agreement with a hope operator when a school district has not
715 improved the school through the interventions and support
716 provided under s. 1008.33 or has not complied with the
717 requirements of subsection (4). Upon the State Board of
718 Education entering into a performance-based agreement with a
719 hope operator, the school district shall transfer to the school
720 of hope the proportionate share of state funds allocated from
721 the Florida Education Finance Program.

722 (11) RULES.—The State Board of Education shall adopt rules
723 pursuant to ss. 120.536(1) and 120.54 to implement this section.

724 Section 6. Section 1001.292, Florida Statutes, is created
725 to read:

726 1001.292 Schools of Hope Revolving Loan Program.—

727 (1) The Schools of Hope Revolving Loan Program is
728 established within the Department of Education to provide
729 assistance to hope operators, as defined in s. 1002.333, to meet
730 school building construction needs and pay for expenses related
731 to the startup of a new charter school. The program shall
732 consist of funds appropriated by the Legislature, money received
733 from the repayment of loans made from the program, and interest
734 earned.

735 (2) Funds provided pursuant to this section may not exceed
736 25 percent of the total cost of the project, which shall be



839664

737 calculated based on 80 percent of the cost per student station
738 established by s. 1013.64(6)(b) multiplied by the capacity of
739 the facility.

740 (3) The department may contract with a third-party
741 administrator to administer the program. If the department
742 contracts with a third-party administrator, funds shall be
743 granted to the third-party administrator to create a revolving
744 loan fund for the purpose of financing projects that meet the
745 requirements of subsection (4). The third-party administrator
746 shall report to the department annually. The department shall
747 continue to administer the program until a third-party
748 administrator is selected.

749 (4) Hope operators that have been designated by the State
750 Board of Education and have executed a performance-based
751 agreement pursuant to s. 1002.333 shall be provided a loan up to
752 the amount provided in subsection (2) for projects that are
753 located in the attendance area of a persistently low-performing
754 school or within a 5-mile radius of such school and primarily
755 serve students from the persistently low-performing school.

756 (5) The department shall post on its website the projects
757 that have received loans, the geographic distribution of the
758 projects, the status of the projects, the costs of the program,
759 and student outcomes for students enrolled in the school of hope
760 receiving funds.

761 (6) All repayments of principal and interest shall be
762 returned to the loan fund and made available for loans to other
763 applicants.

764 (7) Interest on loans provided under this program may be
765 used to defray the costs of administration and shall be the



839664

766 lower of:

767 (a) The rate paid on moneys held in the fund; or

768 (b) A rate equal to 50 percent of the rate authorized under
769 the provisions of s. 215.84.

770 (8) Notwithstanding s. 216.301 and pursuant to s. 216.351,
771 funds appropriated for this purpose which are not disbursed by
772 June 30 of the fiscal year in which the funds are appropriated
773 may be carried forward for up to 5 years after the effective
774 date of the original appropriation.

775 Section 7. If any provision of this act or its application
776 to any person or circumstance is held invalid, the invalidity
777 does not affect the remaining provisions or applications of the
778 act which can be given effect without the invalid provision or
779 application, and to this end the provisions of this act are
780 severable.

781 Section 8. Except as otherwise expressly provided in this
782 act and except for this section, which shall take effect upon
783 this act becoming a law, this act shall take effect July 1,
784 2017.

785
786 ===== T I T L E A M E N D M E N T =====

787 And the title is amended as follows:

788 Delete everything before the enacting clause
789 and insert:

790 A bill to be entitled
791 An act relating to school improvement; amending s.
792 1001.42, F.S.; revising provisions relating to school
793 improvement plans; requiring only specified schools to
794 submit a school improvement plan; deleting a



795 requirement that certain information be included in
796 the improvement plans of certain schools; revising the
797 grade levels required to implement an early warning
798 system; revising the required content of an early
799 warning system; requiring a specified team to monitor
800 specified data; authorizing a psychologist to be a
801 member of the team; revising what constitutes an
802 educational emergency and establishing duties of
803 district school boards relating to such emergency;
804 amending s. 1008.33, F.S.; providing that intervention
805 and support services apply consistently to any school
806 meeting specified criteria; revising the required
807 timeline for the implementation of a district-managed
808 turnaround plan; providing turnaround options
809 available to school districts meeting specified
810 criteria; amending s. 1008.345, F.S.; revising the
811 criteria a school must meet to have a community
812 assessment team; revising the duties of a community
813 assessment team; amending 1002.33, F.S.; revising the
814 criteria a charter school must meet to require
815 corrective action; revising requirements for
816 corrective action by charter schools; revising
817 criteria for waiver of automatic charter termination;
818 creating s. 1002.333, F.S., relating to persistently
819 low-performing schools; providing definitions;
820 providing eligibility criteria for hope operators;
821 providing for the designation and redesignation of a
822 hope operator; authorizing hope operators to establish
823 schools of hope in specified areas; providing the



839664

824 process for the establishment of a school of hope;
825 providing the requirements for a performance-based
826 agreement; authorizing a school of hope to be
827 designated as a local education agency; providing that
828 a sponsor is not liable for specified damages;
829 providing that a school of hope may be a private or
830 public employer; authorizing a school of hope to
831 participate in the Florida Retirement System;
832 authorizing a hope operator to employ certain staff;
833 providing specific statutory exemptions for schools of
834 hope; providing requirements for facilities used by
835 schools of hope; requiring districts to annually
836 provide a list of specified property to the Department
837 of Education; providing that schools of hope shall be
838 funded through the Florida Education Finance Program;
839 establishing additional funding sources and guidelines
840 for eligible expenditures; providing a mechanism to
841 address school district noncompliance; providing
842 authority and obligations of the State Board of
843 Education; providing a mechanism for the resolution of
844 disputes; providing for rulemaking; creating s.
845 1001.291, F.S.; establishing the Schools of Hope
846 Revolving Loan Program; providing criteria for
847 administration of the program; providing for
848 severability; providing effective dates.



482436

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Farmer) recommended the following:

1 **Senate Amendment to Amendment (839664) (with title**
2 **amendment)**

3
4 Delete lines 515 - 554

5 and insert:

6 (b) A school of hope may be either a private or a public
7 employer. As a public employer, the school of hope may
8 participate in the Florida Retirement System upon application
9 and approval as a covered group under s. 121.021(34). If a
10 school of hope participates in the Florida Retirement System,
11 the school of hope's employees shall be compulsory members of



482436

12 the Florida Retirement System.

13 (c) A hope operator may employ school administrators and
14 instructional personnel who do not meet the requirements of s.
15 1012.56 if the school administrators and instructional personnel
16 are not ineligible for such employment under s. 1012.315.

17 (d) Compliance with s. 1003.03 shall be calculated as the
18 average at the school level.

19 (e) Schools of hope operated by a hope operator shall be
20

21 ===== T I T L E A M E N D M E N T =====

22 And the title is amended as follows:

23 Delete lines 827 - 828

24 and insert:

25 designated as a local education agency;



962034

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Hukill) recommended the following:

Senate Amendment (with directory and title amendments)

Delete line 95

and insert:

b. The charter school is designated under s. 10002.336 as a

Delete line 180

and insert:

1002.336 High-Impact Charter Management Organization.-

=====
D I R E C T O R Y C L A U S E A M E N D M E N T
=====

And the directory clause is amended as follows:



962034

12 Delete line 178
13 and insert:
14 Section 2. Section 1002.336 is created
15
16 ===== T I T L E A M E N D M E N T =====
17 And the title is amended as follows:
18 Delete line 4
19 and insert:
20 funding requirements; creating s. 1002.336, F.S.;



926052

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RCS | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Hukill) recommended the following:

Senate Amendment (with directory and title amendments)

Delete line 95

and insert:

b. The charter school is designated under s. 1002.336 as a

Delete line 180

and insert:

1002.336 High-Impact Charter Management Organization.-

1
2
3
4
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11



926052

12 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

13 And the directory clause is amended as follows:

14 Delete line 178

15 and insert:

16 Section 2. Section 1002.336, Florida Statutes, is created

17

18 ===== T I T L E A M E N D M E N T =====

19 And the title is amended as follows:

20 Delete line 4

21 and insert:

22 funding requirements; creating s. 1002.336, F.S.;

THE FLORIDA SENATE

APPEARANCE RECORD

04/17/2017

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

SB 796

Meeting Date

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name CESAR GRAJALES

Job Title COALITIONS DIRECTOR

Address 200 WEST COLLEGE AVE

Phone 786.260.9283

Street

TALLAHASSEE

FL

32301

Email

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing THE LIBRE INITIATIVE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

796

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Beth Overholt

Job Title

Address 4130 Faulkner Lane

Phone 728-0587

Street

Tally State 32311

Email overholthetha@gmail.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Opt Out Legion

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

7910

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Kelly Quintero

Job Title legislative Advocate

Address 540 Beverly Ct
Street

Phone 772 204 1792

Tallahassee FL 32301
City State Zip

Email lwvfvadvocacy@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing League of Women Voters

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-17-17

Meeting Date

796

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Styler Zander

Job Title Deputy State Director

Address ~~200~~ 200 W College Ave Suite 109

Phone 850-728-4522

Street

Tallahassee FL 32301

Email SZander@afphq.org

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 17 2017

Meeting Date

796

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Marie-Claire Leman

Job Title

Address 1911 Wahalaaw Ct

Phone 850 728 7514

Street

Tallahassee FL

Email

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Common Ground

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17
Meeting Date

SB 796
Bill Number (if applicable)

Topic SB 796 - High Impact Charters

Amendment Barcode (if applicable)

Name Debbie Mortham

Job Title Legislative Director

Address 215 S Monroe St # 420.
Street

Phone 786-955-7155

Tallahassee FL 32301
City State Zip

Email alexandra@exclined.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

SB 796

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 136 S. Bronough St.
Street

Phone (850) 521-1200

Tallahassee FL 32301
City State Zip

Email bhunt@flchamber.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No *BAH*

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

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4/17/2017

Meeting Date

796

Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Catherine Baer

Job Title

Address 1421 Woodgate Way

Phone 850-393-8150

Street

Tallahassee

FL

32308

City

State

Zip

Email flybaer@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Tea Party Network / Common Ground

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 17, 2017
Meeting Date

796
Bill Number (if applicable)

Topic Charter Schools

Amendment Barcode (if applicable)

Name Shawn Frost - Florida Coalition of School Board Members

Job Title president

Address 113 S. Monroe St. #101
Street

Phone 850 391-0421

Tallahassee FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Coalition of School Board Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Bean

4-00439-17

2017796__

1 A bill to be entitled
 2 An act relating to charter schools; amending s.
 3 1002.33, F.S.; revising charter school contract and
 4 funding requirements; creating s. 1002.333, F.S.;
 5 defining terms; authorizing certain entities to apply
 6 for designation as a High-Impact Charter Management
 7 Organization; requiring the State Board of Education
 8 to adopt rules; providing criteria for an initial and
 9 renewal designation; providing that the charter school
 10 may receive charter school capital outlay; authorizing
 11 certain administrative fees to be waived under certain
 12 conditions; requiring the Department of Education to
 13 give priority to certain charter schools applying for
 14 specified grants; amending s. 1013.62, F.S.; revising
 15 the standards that a charter school must meet to be
 16 eligible for a funding allocation; providing an
 17 effective date.

18 Be It Enacted by the Legislature of the State of Florida:

21 Section 1. Paragraph (n) of subsection (9) and paragraph
 22 (c) of subsection (17) of section 1002.33, Florida Statutes, are
 23 amended to read:

24 1002.33 Charter schools.—

25 (9) CHARTER SCHOOL REQUIREMENTS.—

26 (n)1. The director and a representative of the governing
 27 board of a charter school that has earned a grade of "D" or "F"
 28 pursuant to s. 1008.34 shall appear before the sponsor to
 29 present information concerning each contract component having
 30 noted deficiencies. The director and a representative of the
 31 governing board shall submit to the sponsor for approval a
 32 school improvement plan to raise student performance. Upon

Page 1 of 10

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4-00439-17

2017796__

33 approval by the sponsor, the charter school shall begin
 34 implementation of the school improvement plan. The department
 35 shall offer technical assistance and training to the charter
 36 school and its governing board and establish guidelines for
 37 developing, submitting, and approving such plans.

38 2.a. If a charter school earns three consecutive grades of
 39 "D," two consecutive grades of "D" followed by a grade of "F,"
 40 or two nonconsecutive grades of "F" within a 3-year period, the
 41 charter school governing board shall choose one of the following
 42 corrective actions:

43 (I) Contract for educational services to be provided
 44 directly to students, instructional personnel, and school
 45 administrators, as prescribed in state board rule;

46 (II) Contract with an outside entity that has a
 47 demonstrated record of effectiveness to operate the school;

48 (III) Reorganize the school under a new director or
 49 principal who is authorized to hire new staff; or

50 (IV) Voluntarily close the charter school.

51 b. The charter school must implement the corrective action
 52 in the school year following receipt of a third consecutive
 53 grade of "D," a grade of "F" following two consecutive grades of
 54 "D," or a second nonconsecutive grade of "F" within a 3-year
 55 period.

56 c. The sponsor may annually waive a corrective action if it
 57 determines that the charter school is likely to improve a letter
 58 grade if additional time is provided to implement the
 59 intervention and support strategies prescribed by the school
 60 improvement plan. Notwithstanding this sub-subparagraph, a
 61 charter school that earns a second consecutive grade of "F" is

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62 subject to subparagraph 4.

63 d. A charter school is no longer required to implement a
64 corrective action if it improves by at least one letter grade.
65 However, the charter school must continue to implement
66 strategies identified in the school improvement plan. The
67 sponsor must annually review implementation of the school
68 improvement plan to monitor the school's continued improvement
69 pursuant to subparagraph 5.

70 e. A charter school implementing a corrective action that
71 does not improve by at least one letter grade after 2 full
72 school years of implementing the corrective action must select a
73 different corrective action. Implementation of the new
74 corrective action must begin in the school year following the
75 implementation period of the existing corrective action, unless
76 the sponsor determines that the charter school is likely to
77 improve a letter grade if additional time is provided to
78 implement the existing corrective action. Notwithstanding this
79 sub-subparagraph, a charter school that earns a second
80 consecutive grade of "F" while implementing a corrective action
81 is subject to subparagraph 4.

82 3. A charter school with a grade of "D" or "F" which that
83 improves by at least one letter grade must continue to implement
84 the strategies identified in the school improvement plan. The
85 sponsor must annually review implementation of the school
86 improvement plan to monitor the school's continued improvement
87 pursuant to subparagraph 5.

88 4. A charter school's charter contract is automatically
89 terminated if the school earns two consecutive grades of "F"
90 after all school grade appeals are final unless:

Page 3 of 10

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91 a. The charter school is established to turn around the
92 performance of a district public school pursuant to s.
93 1008.33(4)(b)3. Such charter schools shall be governed by s.
94 1008.33;

95 b. The charter school is designated under s. 1002.333 as a
96 High-Impact Charter Management Organization to serve a critical
97 need area or serves a student population the majority of which
98 resides in a school zone served by a district public school that
99 earned a grade of "F" in the year before the charter school
100 opened and the charter school earns at least a grade of "D" in
101 its third year of operation. The exception provided under this
102 sub-subparagraph does not apply to a charter school in its
103 fourth year of operation and thereafter; or

104 c. The state board grants the charter school a waiver of
105 termination. The charter school must request the waiver within
106 15 days after the department's official release of school
107 grades. The state board may waive termination if the charter
108 school demonstrates that the Learning Gains of its students on
109 statewide assessments are comparable to or better than the
110 Learning Gains of similarly situated students enrolled in nearby
111 district public schools. The waiver is valid for 1 year and may
112 only be granted once. Charter schools that have been in
113 operation for more than 5 years are not eligible for a waiver
114 under this sub-subparagraph.

115
116 The sponsor shall notify the charter school's governing board,
117 the charter school principal, and the department in writing when
118 a charter contract is terminated under this subparagraph. The
119 letter of termination must meet the requirements of paragraph

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120 (8) (c). A charter terminated under this subparagraph must follow
 121 the procedures for dissolution and reversion of public funds
 122 pursuant to paragraphs (8) (e)-(g) and (9) (o).

123 5. The director and a representative of the governing board
 124 of a graded charter school that has implemented a school
 125 improvement plan under this paragraph shall appear before the
 126 sponsor at least once a year to present information regarding
 127 the progress of intervention and support strategies implemented
 128 by the school pursuant to the school improvement plan and
 129 corrective actions, if applicable. The sponsor shall communicate
 130 at the meeting, and in writing to the director, the services
 131 provided to the school to help the school address its
 132 deficiencies.

133 6. Notwithstanding any provision of this paragraph except
 134 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
 135 at any time pursuant to subsection (8).

136 (17) FUNDING.—Students enrolled in a charter school,
 137 regardless of the sponsorship, shall be funded as if they are in
 138 a basic program or a special program, the same as students
 139 enrolled in other public schools in the school district. Funding
 140 for a charter lab school shall be as provided in s. 1002.32.

141 (c) If the district school board is providing programs or
 142 services to students funded by federal funds, any eligible
 143 students enrolled in charter schools in the school district
 144 shall be provided federal funds for the same level of service
 145 provided students in the schools operated by the district school
 146 board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all
 147 charter schools shall receive all federal funding for which the
 148 school is otherwise eligible, including Title I funding, not

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4-00439-17

2017796__

149 later than 5 months after the charter school first opens and
 150 within 5 months after any subsequent expansion of enrollment.
 151 Unless otherwise mutually agreed to by the charter school and
 152 its sponsor, and consistent with state and federal rules and
 153 regulations governing the use and disbursement of federal funds,
 154 the sponsor shall reimburse the charter school on a monthly
 155 basis for all invoices submitted by the charter school for
 156 federal funds available to the sponsor for the benefit of the
 157 charter school, the charter school's students, and the charter
 158 school's students as public school students in the school
 159 district. Such federal funds include, but are not limited to,
 160 Title I, Title II, and Individuals with Disabilities Education
 161 Act (IDEA) funds. The department shall provide school districts
 162 with technical assistance to ensure the federal funds are
 163 allocated to charter schools using an appropriate methodology.
 164 To receive timely reimbursement for an invoice, the charter
 165 school must submit the invoice to the sponsor at least 30 days
 166 before the monthly date of reimbursement set by the sponsor. In
 167 order to be reimbursed, any expenditures made by the charter
 168 school must comply with all applicable state rules and federal
 169 regulations, including, but not limited to, the applicable
 170 federal Office of Management and Budget Circulars; the federal
 171 Education Department General Administrative Regulations; and
 172 program-specific statutes, rules, and regulations. Such funds
 173 may not be made available to the charter school until a plan is
 174 submitted to the sponsor for approval of the use of the funds in
 175 accordance with applicable federal requirements. The sponsor has
 176 30 days to review and approve any plan submitted pursuant to
 177 this paragraph.

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4-00439-17

2017796__

178 Section 2. Section 1002.333, Florida Statutes, is created
179 to read:

180 1002.333 High-Impact Charter Management Organization.—

181 (1) As used in this section, the term:

182 (a) "Critical need area" means an area designated as such
183 by the Legislature or an area that is served by one or more
184 public schools that are subject to the turnaround options
185 specified in s. 1008.33(4) (b).

186 (b) "Entity" means a nonprofit organization with tax exempt
187 status under s. 501(c) (3) of the Internal Revenue Code which is
188 authorized by law to operate a public charter school.

189 (2) An entity that successfully operates a system of
190 charter schools which primarily serves educationally
191 disadvantaged students who are eligible for free or reduced-
192 price lunch under the Richard B. Russell National School Lunch
193 Act, may apply to the State Board of Education for status as a
194 High-Impact Charter Management Organization.

195 (3) The State Board of Education shall adopt rules
196 prescribing the process and criteria for the initial designation
197 and renewal designation of a High-Impact Charter Management
198 Organization. The criteria for initial designation must include
199 a review of the data from all schools currently and previously
200 operated by the entity during the past 3 years and the
201 comparison of student-level data to the data of similar students
202 in other schools. The initial designation period may not exceed
203 5 years. The criteria for initial and renewal designation must
204 include, but need not be limited to, all of the following:

205 (a) Student demographic and achievement data, including
206 performance on statewide assessments and nationally norm-

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207 referenced assessments.

208 (b) Student attendance, promotion, retention, and
209 graduation rates.

210 (c) Other student outcome data, such as college attendance
211 rates and completion rates.

212 (d) Annual finance statements and audits.

213 (4) An entity that is designated as a High-Impact Charter
214 Management Organization may:

215 (a) Submit an application to a local school board pursuant
216 to s. 1002.33 to establish and operate charter schools in
217 critical need areas;

218 (b) Take the actions described in s. 1002.331(2); and

219 (c) Notwithstanding the criteria in s. 1002.33(25), be
220 designated as a local educational agency for the purpose of
221 receiving federal funds.

222 (5) Notwithstanding s. 1013.62(1)(a), a charter school
223 operated by a High-Impact Charter Management Organization is
224 eligible to receive charter school capital outlay.

225 (6) The administrative fee provided for in s.
226 1002.33(20) (a)2. shall be waived for a charter school
227 established by a High-Impact Charter Management Organization in
228 a critical need area if the entity maintains its status as a
229 High-Impact Charter Management Organization.

230 (7) The department shall give priority to charter schools
231 operated by a High-Impact Charter Management Organization in the
232 department's Public Charter School Grant Program competitions.
233 Such priority treatment may be provided only for a new charter
234 school that will operate in a critical need area.

235 (8) If an entity seeks status renewal, the State Board of

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236 Education shall review the academic and financial performance of
 237 the charter schools established in critical need areas
 238 consistent with subsection (3).

239 (9) The State Board of Education shall adopt rules under
 240 ss. 120.536(1) and 120.54 to administer this section.

241 Section 3. Paragraph (a) of subsection (1) of section
 242 1013.62, Florida Statutes, is amended to read:

243 1013.62 Charter schools capital outlay funding.-

244 (1) In each year in which funds are appropriated for
 245 charter school capital outlay purposes, the Commissioner of
 246 Education shall allocate the funds among eligible charter
 247 schools as specified in this section.

248 (a) To be eligible for a funding allocation, a charter
 249 school must:

250 1.a. Have been in operation for 2 or more years;

251 b. Be governed by a governing board established in the
 252 state for 3 or more years which operates both charter schools
 253 and conversion charter schools within the state;

254 c. Be an expanded feeder chain of a charter school within
 255 the same school district that is currently receiving charter
 256 school capital outlay funds;

257 d. Have been accredited by the Commission on Schools of the
 258 Southern Association of Colleges and Schools; or

259 e. Serve students in facilities that are provided by a
 260 business partner for a charter school-in-the-workplace pursuant
 261 to s. 1002.33(15) (b).

262 2. Have an annual audit that does not reveal any of the
 263 financial emergency conditions provided in s. 218.503(1) for the
 264 most recent fiscal year for which such audit results are

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265 available.

266 ~~3. Have satisfactory student achievement based on state~~
 267 ~~accountability standards applicable to the charter school.~~

268 3.4. Have received final approval from its sponsor pursuant
 269 to s. 1002.33 for operation during that fiscal year.

270 ~~4.5.~~ Serve students in facilities that are not provided by
 271 the charter school's sponsor.

272 Section 4. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 902

INTRODUCER: Senator Simmons

SUBJECT: Gardiner Scholarship Program

DATE: April 18, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|---------------|
| 1. | Androff | Graf | ED | Fav/CS |
| 2. | | | AED | |
| 3. | | | AP | |
| 4. | | | RC | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 902 modifies the Gardiner Scholarship Program (GSP) to:

- Expand the definition of disability for purposes of the GSP.
- Revise student eligibility criteria for participation in the GSP.
- Authorize the procurement of additional services using GSP funds.
- Provide that a private school with material exceptions to its agreed-upon procedures reports in consecutive years or that is unable to comply with GSP requirements may be deemed ineligible for GSP participation by the Commissioner of Education.
- Specify circumstances that require a student's scholarship account to be closed and conditions under which a student is deemed ineligible for the scholarship.

The bill takes effect July 1, 2017.

II. Present Situation:

The Gardiner Scholarship Program (GSP) provides parents of eligible students with disabilities more flexibility to customize their child's education.¹ Funds are distributed to qualified²

¹ Section 1002.385(1), F.S.

² *Id.* at (2)(e).

Scholarship Funding Organizations (SFOs) to establish accounts for eligible students.³ Parents can use funds from the student's account to choose from a variety of approved items or services for their students including, but not limited to: specialized services, curriculum, instructional materials, tuition, and contracted services.⁴

Eligibility

The parent of a student, who is a Florida resident, may request and receive an account if the student:⁵

- Is 3 or 4 years old or eligible to enroll in kindergarten through grade 12 in a Florida public school;
- Has one of the following disabilities:
 - Autism spectrum disorder,
 - Cerebral palsy,
 - Down syndrome,
 - An intellectual disability,
 - Phelan-McDermid syndrome,
 - Prader-Willi syndrome,
 - Spina bifida,
 - Muscular dystrophy,
 - Is identified as a high-risk child, or
 - Williams syndrome; and
- Has an Individualized Education Plan (IEP) written in accordance with the State Board of Education or has received a diagnosis of one of the above disabilities from a licensed physician or a licensed psychologist.

A student is not eligible for the GSP:⁶

- While enrolled in a public school.
- While enrolled in a Department of Juvenile Justice schools commitment program.
- While receiving a scholarship from the Florida Tax Credit Scholarship Program or the McKay Scholarship for Students with Disabilities Program.
- Or while receiving any other educational scholarship under Chapter 1002 of the Florida Statutes.

The parent of a student with a disability who does not have an IEP or who seeks a reevaluation of an existing IEP may request an IEP meeting and evaluation from the school district in order to obtain or revise a matrix of services.⁷

³ Section 1002.385, F.S.

⁴ Section 1002.385(5), F.S.

⁵ Section 1002.385(3), F.S.

⁶ *Id.* at (4).

⁷ Section 1002.385(7)(a)1., F.S.

Parents must apply to an eligible SFO to participate in the program by February 1 before the school year in which the student wishes to participate, or an alternative date set by the SFO.⁸ Scholarship awards are provided on a first-come, first-served basis.⁹

Award Amount

An individual student scholarship is calculated, in part, using the appropriate cost for the educational program which would have been provided for the student in the school district.¹⁰ Unless a parent requests and receives an IEP and matrix of services from a district, each student's scholarship amount is based on support Level III of services.¹¹

Allowable Expenditures

GSP funds must be used to meet the individual education needs of the student.¹² Program funds may be spent for the following authorized purposes:¹³

- Instructional materials and curriculum.
- Specialized services by approved providers, including but not limited to, applied behavior analysis, speech language pathologist, occupational therapy, physical therapy, and services provided by spoken and listening language specialists.
- Enrollment in, or tuition and fees for enrollment in, a home education program, an eligible private school or postsecondary institution or a program offered by the institution, a private tutoring program, or virtual education programs or courses.
- Fees for nationally standardized, norm-referenced achievement tests, Advanced Placement examinations, industry certification examinations, assessments related to postsecondary education, or other assessments.
- Contributions to the Stanley G. Tate Florida Prepaid College Program or the Florida College Savings Program.
- Contracted services provided by a public school or school district, including classes.
- Tuition and fees for part-time tutoring services provided by an individual who has a valid Florida educator's certificate, an adjunct teaching certificate, or has demonstrated mastery of subject area knowledge.
- Fees for specialized summer or after-school education programs.
- Fees for transition services provided by job coaches.
- Fees for an annual evaluation used by home education students.
- Tuition and fees associated with programs offered by VPK education and school readiness providers.

⁸ Section 1002.385(3)(b), F.S.

⁹ *Id.* at 12(b).

¹⁰ Section 1002.385(13)(a)1., F.S.

¹¹ *Id.* at (13)(a)3.

¹² *Id.* at (11).

¹³ *Id.* at (5).

Eligible Service Providers

Currently, entities eligible to provide specialized services or educational programs include:¹⁴

- A provider approved by the Agency for Persons with Disabilities, a health care practitioner or a provider approved by the Florida Department of Education (DOE) to offer specialized instructional services for children with disabilities.
- A postsecondary educational institution including a Florida College System institution; a state university; a school district technical center; a school district adult general education center; an independent college or university eligible to participate in the William L. Boyd, IV Florida Resident Access Grant Program; or an accredited, independent postsecondary educational institution which is licensed to operate in this state.
- A private school that is located in this state, offers education to students in any grade from kindergarten to grade 12, meets all the requirements of a private school operating in Florida, and meets all the requirements of a private school participating in the John M. McKay Scholarship Program or the Florida Tax Credit Scholarship Program.

III. Effect of Proposed Changes:

CS/SB 902 modifies the Gardiner Scholarship Program (GSP) to:

- Expand the definition of disability, for purposes of the GSP, to include a child:
 - Diagnosed with a rare disease or condition, which affects patient populations of fewer than 200,000 individuals in the United States;
 - Diagnosed as Anaphylaxis; or
 - Identified as deaf, visually impaired, hospital or homebound, dual sensory impaired, traumatic brain injured, as defined by rules of the State Board of Education and evidenced by reports from local school districts. The bill describes hospital or homebound to mean a student who has a medically diagnosed physical or psychiatric condition or illness, as defined by the State Board in rule, and who is confined to the home or hospital for more than 6 months.
- Specify that a student's individual education plan (IEP) is not required to be reviewed or revised within the last 12 months in order for the student to be eligible for the GSP.
- Allow a student with an IEP from another state or physician licensed in another state to qualify for the GSP, if the student meets the other eligibility requirements.
- Authorize the use of GSP funds to procure services provided by a hospital in Florida which is selected by a parent, a certified music therapist, art therapist, or services provided at a center that is a member of the Professional Association of Therapeutic Horsemanship International.
- Specify that a parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services paid through Gardiner Scholarship funds.
- Provide that if a private school is unable to meet the requirements in law or has consecutive years of material exceptions listed in its agreed-upon procedures reports, the Commissioner of the Department of Education (DOE) may determine that the schools is ineligible to participate in the GSP.

¹⁴ Section 1002.285(2), F.S.

- Require a student's scholarship account to be closed and remaining funds reverted to the state if an account has been inactive for three consecutive fiscal years. The bill defines inactive to mean that eligible expenditures have not been made from a student's scholarship account.
- Specify that if a parent does not procure the necessary educational services for the student and the student's account has been inactive for 2 consecutive fiscal years, the student is ineligible for additional scholarship payments until the scholarship-funding organization verifies that expenditures have occurred from the account.

The bill may result in additional students qualifying for awards under the GSP and allow students and parents to procure additional services from a hospital in Florida which is selected by the student's parent, licensed music therapists, art therapists, or a center that is a member of the Professional Association of Therapeutic Horsemanship International.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

CS/SB 902 may result in additional students qualifying for an award through the Gardiner Scholarship Program (GSP). In the 2016-17 fiscal year, the average GSP award is approximately \$10,000.¹⁵ The bill may also allow specified therapists and centers to receive funds from GSP program participants that choose to procure specialized services from such providers.

¹⁵ Florida Department of Education, *HB 15 Analysis* (2017), at 9. The GSP provisions in HB 15 are substantively similar to SB 1314.

C. **Government Sector Impact:**

SB 2500, the Senate General Appropriations Bill, appropriates \$107,416,063 to the Gardiner Scholarship Program.

VI. **Technical Deficiencies:**

None.

VII. **Related Issues:**

None.

VIII. **Statutes Affected:**

This bill substantially amends section 1002.385 of the Florida Statutes.

IX. **Additional Information:**

A. **Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on April 17, 2017:

The committee substitute:

- Modifies the definition of disability for purposes of the Gardiner Scholarship Program by deleting orthopedically impaired and other health impaired identification from the disability definition and revising the rare diseases definition.
- Restores current law regarding program eligibility criteria by deleting provisions in the bill that expanded eligibility to a student 5 years or older and who has been previously identified as high risk.
- Authorizes the use of program funds for specialized services provided by a hospital in Florida which is selected by a parent.
- Specifies that a parent, student, or provider of any services may not bill an insurance company, Medicaid, or any other agency for the same services paid through Gardiner Scholarship funds.
- Provides that a student's scholarship account must be closed and any remaining funds revert to the state if an account has been inactive for three consecutive fiscal years. The bill defines inactive to mean that eligible expenditures have not been made from a student's scholarship account.
- Specifies that if a parent does not procure the necessary educational services for the student and the student's account has been inactive for 2 consecutive financial years, the student is deemed ineligible for additional scholarship payments until the scholarship-funding organization verifies that expenditures have occurred from the student's scholarship account.
- Deletes from the bill the appropriation of \$200 million in recurring funds from the General Revenue fund for scholarship awards and \$6 million in recurring funds from the General Revenue fund for administrative expenses.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.



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LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: RCS | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraphs (d) and (h) of subsection (2) of
section 1002.385, Florida Statutes, are amended, present
paragraphs (i) and (j) of that subsection are redesignated as
paragraphs (j) and (k), respectively, a new paragraph (i) is
added to that subsection, paragraph (a) of subsection (3) of
that section is amended, paragraph (e) is added to subsection
(4) of that section, and subsection (5), paragraph (b) of



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12 subsection (6), subsection (8), paragraph (f) of subsection
13 (11), and paragraph (j) of subsection (12) of that section are
14 amended, to read:

15 1002.385 The Gardiner Scholarship.—

16 (2) DEFINITIONS.—As used in this section, the term:

17 (d) "Disability" means, for a 3- or 4-year-old child or for
18 a student in kindergarten to grade 12, autism spectrum disorder,
19 as defined in the Diagnostic and Statistical Manual of Mental
20 Disorders, Fifth Edition, published by the American Psychiatric
21 Association; cerebral palsy, as defined in s. 393.063(6); Down
22 syndrome, as defined in s. 393.063(15); an intellectual
23 disability, as defined in s. 393.063(24); Phelan-McDermid
24 syndrome, as defined in s. 393.063(28); Prader-Willi syndrome,
25 as defined in s. 393.063(29); spina bifida, as defined in s.
26 393.063(40); being a high-risk child, as defined in s.
27 393.063(23) (a); muscular dystrophy; ~~and~~ Williams syndrome; rare
28 diseases which affect patient populations of fewer than 200,000
29 individuals in the United States; anaphylaxis; or identification
30 as deaf, visually impaired, hospital or homebound, dual sensory
31 impaired, or traumatic brain injured, as defined by rules of the
32 State Board of Education and evidenced by reports from local
33 school districts. The term "hospital or homebound" includes a
34 student who has a medically diagnosed physical or psychiatric
35 condition or illness, as defined by the state board in rule, and
36 who is confined to the home or hospital for more than 6 months.

37 (h) "IEP" means individual education plan, regardless of
38 whether the plan has been reviewed or revised within the last 12
39 months.

40 (i) "Inactive" means that eligible expenditures have not



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41 been made from an account funded pursuant to paragraph (13)(d).

42 (3) PROGRAM ELIGIBILITY.—A parent of a student with a
43 disability may request and receive from the state a Gardiner
44 Scholarship for the purposes specified in subsection (5) if:

45 (a) The student:

46 1. Is a resident of this state;

47 2. Is 3 or 4 years of age on or before September 1 of the
48 year in which the student applies for program participation, or
49 is eligible to enroll in kindergarten through grade 12 in a
50 public school in this state;

51 3. Has a disability as defined in paragraph (2)(d); and

52 4. Is the subject of an IEP written in accordance with
53 rules of the State Board of Education or with the applicable
54 rules of another state or has received a diagnosis of a
55 disability from a physician who is licensed under chapter 458 or
56 chapter 459, ~~or~~ a psychologist who is licensed under chapter
57 490, or a physician who holds an active license issued by
58 another state or territory of the United States, the District of
59 Columbia, or the Commonwealth of Puerto Rico.

60 (4) PROGRAM PROHIBITIONS.—A student is not eligible for the
61 program if he or she is:

62 (e) Enrolled in the Florida School for the Deaf and the
63 Blind.

64 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
65 used to meet the individual educational needs of an eligible
66 student and may be spent for the following purposes:

67 (a) Instructional materials, including digital devices,
68 digital periphery devices, and assistive technology devices that
69 allow a student to access instruction or instructional content



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70 and training on the use of and maintenance agreements for these
71 devices.

72 (b) Curriculum as defined in paragraph (2)(b).

73 (c) Specialized services by approved providers or by a
74 hospital in this state which ~~that~~ are selected by the parent.

75 These specialized services may include, but are not limited to:

76 1. Applied behavior analysis services as provided in ss.
77 627.6686 and 641.31098.

78 2. Services provided by speech-language pathologists as
79 defined in s. 468.1125.

80 3. Occupational therapy services as defined in s. 468.203.

81 4. Services provided by physical therapists as defined in
82 s. 486.021.

83 5. Services provided by listening and spoken language
84 specialists and an appropriate acoustical environment for a
85 child who is deaf or hard of hearing and who has received an
86 implant or assistive hearing device.

87 (d) Enrollment in, or tuition or fees associated with
88 enrollment in, a home education program, an eligible private
89 school, an eligible postsecondary educational institution or a
90 program offered by the institution, a private tutoring program
91 authorized under s. 1002.43, a virtual program offered by a
92 department-approved private online provider that meets the
93 provider qualifications specified in s. 1002.45(2)(a), the
94 Florida Virtual School as a private paying student, or an
95 approved online course offered pursuant to s. 1003.499 or s.
96 1004.0961.

97 (e) Fees for nationally standardized, norm-referenced
98 achievement tests, Advanced Placement Examinations, industry



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99 certification examinations, assessments related to postsecondary
100 education, or other assessments.

101 (f) Contributions to the Stanley G. Tate Florida Prepaid
102 College Program pursuant to s. 1009.98 or the Florida College
103 Savings Program pursuant to s. 1009.981, for the benefit of the
104 eligible student.

105 (g) Contracted services provided by a public school or
106 school district, including classes. A student who receives
107 services under a contract under this paragraph is not considered
108 enrolled in a public school for eligibility purposes as
109 specified in subsection (4).

110 (h) Tuition and fees for part-time tutoring services
111 provided by a person who holds a valid Florida educator's
112 certificate pursuant to s. 1012.56; a person who holds an
113 adjunct teaching certificate pursuant to s. 1012.57; or a person
114 who has demonstrated a mastery of subject area knowledge
115 pursuant to s. 1012.56(5). As used in this paragraph, the term
116 "part-time tutoring services" does not qualify as regular school
117 attendance as defined in s. 1003.01(13)(e).

118 (i) Fees for specialized summer education programs.

119 (j) Fees for specialized after-school education programs.

120 (k) Transition services provided by job coaches.

121 (l) Fees for an annual evaluation of educational progress
122 by a state-certified teacher under s. 1002.41(1)(c), if this
123 option is chosen for a home education student.

124 (m) Tuition and fees associated with programs offered by
125 Voluntary Prekindergarten Education Program providers approved
126 pursuant to s. 1002.55 and school readiness providers approved
127 pursuant to s. 1002.88.



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128 (n) Fees for services provided at a center that is a member
129 of the Professional Association of Therapeutic Horsemanship
130 International.

131 (o) Fees for services provided by a therapist who is
132 certified by the Certification Board for Music Therapists or
133 credentialed by the Art Therapy Credentials Board.

134
135 A provider of any services receiving payments pursuant to this
136 subsection may not share, refund, or rebate any moneys from the
137 Gardiner Scholarship with the parent or participating student in
138 any manner. A parent, student, or provider of any services may
139 not bill an insurance company, Medicaid, or any other agency for
140 the same services that are paid through the Gardiner Scholarship
141 funds.

142 (6) TERM OF THE PROGRAM.—For purposes of continuity of
143 educational choice and program integrity:

144 (b)1. A student's scholarship account must be closed and
145 any remaining funds, including, but not limited to,
146 contributions made to the Stanley G. Tate Florida Prepaid
147 College Program or earnings from or contributions made to the
148 Florida College Savings Program using program funds pursuant to
149 paragraph (5)(f), shall revert to the state after ~~upon~~:

150 a. Denial or revocation of program eligibility by the
151 commissioner for fraud or abuse, including, but not limited to,
152 the student or student's parent accepting any payment, refund,
153 or rebate, in any manner, from a provider of any services
154 received pursuant to subsection (5); ~~or~~

155 b. ~~After~~ Any period of 3 consecutive years after high
156 school completion or graduation during which the student has not



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157 been enrolled in an eligible postsecondary educational
158 institution or a program offered by the institution; or-
159 c. Three consecutive fiscal years in which an account has
160 been inactive.

161 2. The commissioner must notify the parent and the
162 organization when a Gardiner Scholarship account is closed and
163 program funds revert to the state.

164 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
165 private school may be sectarian or nonsectarian and shall:

166 (a) Comply with all requirements for private schools
167 participating in state school choice scholarship programs
168 pursuant to s. 1002.421.

169 (b) Provide to the organization, upon request, all
170 documentation required for the student's participation,
171 including the private school's and student's fee schedules.

172 (c) Be academically accountable to the parent for meeting
173 the educational needs of the student by:

174 1. At a minimum, annually providing to the parent a written
175 explanation of the student's progress.

176 2. Annually administering or making provision for students
177 participating in the program in grades 3 through 10 to take one
178 of the nationally norm-referenced tests identified by the
179 Department of Education or the statewide assessments pursuant to
180 s. 1008.22. Students with disabilities for whom standardized
181 testing is not appropriate are exempt from this requirement. A
182 participating private school shall report a student's scores to
183 the parent.

184 3. Cooperating with the scholarship student whose parent
185 chooses to have the student participate in the statewide



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186 assessments pursuant to s. 1008.22 or, if a private school
187 chooses to offer the statewide assessments, administering the
188 assessments at the school.

189 a. A participating private school may choose to offer and
190 administer the statewide assessments to all students who attend
191 the private school in grades 3 through 10.

192 b. A participating private school shall submit a request in
193 writing to the Department of Education by March 1 of each year
194 in order to administer the statewide assessments in the
195 subsequent school year.

196 (d) Employ or contract with teachers who have regular and
197 direct contact with each student receiving a scholarship under
198 this section at the school's physical location.

199 (e) Annually contract with an independent certified public
200 accountant to perform the agreed-upon procedures developed under
201 s. 1002.395(6)(o) and produce a report of the results if the
202 private school receives more than \$250,000 in funds from
203 scholarships awarded under this section in the 2014-2015 state
204 fiscal year or a state fiscal year thereafter. A private school
205 subject to this paragraph must submit the report by September
206 15, 2015, and annually thereafter by August 15 to the
207 organization that awarded the majority of the school's
208 scholarship funds. The agreed-upon procedures must be conducted
209 in accordance with attestation standards established by the
210 American Institute of Certified Public Accountants.

211
212 If ~~The inability of~~ a private school is unable to meet the
213 requirements of this subsection or has in consecutive years had
214 material exceptions listed in its agreed-upon procedures



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215 reports, there is ~~constitutes~~ a basis for the ineligibility of
216 the private school to participate in the program as determined
217 by the commissioner.

218 (11) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
219 PARTICIPATION.—A parent who applies for program participation
220 under this section is exercising his or her parental option to
221 determine the appropriate placement or the services that best
222 meet the needs of his or her child. The scholarship award for a
223 student is based on a matrix that assigns the student to support
224 Level III services. If a parent receives an IEP and a matrix of
225 services from the school district pursuant to subsection (7),
226 the amount of the payment shall be adjusted as needed, when the
227 school district completes the matrix.

228 (f) The parent is responsible for procuring the services
229 necessary to educate the student. If a parent does not procure
230 the necessary educational services for the student and the
231 student's account has been inactive for 2 consecutive fiscal
232 years, the student is ineligible for additional scholarship
233 payments until the scholarship-funding organization verifies
234 that expenditures from the account have occurred. When the
235 student receives a Gardiner Scholarship, the district school
236 board is not obligated to provide the student with a free
237 appropriate public education. For purposes of s. 1003.57 and the
238 Individuals with Disabilities in Education Act, a participating
239 student has only those rights that apply to all other
240 unilaterally parentally placed students, except that, when
241 requested by the parent, school district personnel must develop
242 an individual education plan or matrix level of services.

243



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244 A parent who fails to comply with this subsection forfeits the
245 Gardiner Scholarship.

246 (12) OBLIGATIONS OF SCHOLARSHIP-FUNDING ORGANIZATIONS.—An
247 organization may establish Gardiner Scholarships for eligible
248 students by:

249 (j) Documenting each scholarship student's eligibility for
250 a fiscal year before granting a scholarship for that fiscal year
251 pursuant to paragraph (3) (b). A student is ineligible for a
252 scholarship if the student's account has been inactive for 2
253 consecutive fiscal years. However, once an eligible expenditure
254 is made pursuant to paragraph (11) (f), the student is eligible
255 for a scholarship, based on available funds.

256 Section 2. This act shall take effect July 1, 2017.

257
258 ===== T I T L E A M E N D M E N T =====

259 And the title is amended as follows:

260 Delete everything before the enacting clause
261 and insert:

262 A bill to be entitled
263 An act relating to the Gardiner Scholarship Program;
264 amending s. 1002.385, F.S.; redefining the terms
265 "disability" and "IEP"; defining the term "inactive";
266 prohibiting a student who is enrolled in the Florida
267 School for the Deaf and the Blind from being eligible
268 for the program; revising the purposes for which
269 program funds may be used; requiring that a student's
270 account be closed and program funds revert to the
271 state after the account is inactive for a specified
272 number of years; revising the date upon which certain



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273 private schools must submit a required report;
274 specifying that certain actions of the private school
275 are a basis for program ineligibility; revising parent
276 and student responsibilities for program
277 participation; revising obligations of scholarship-
278 funding organizations; providing an effective date.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

04/17/2017
Meeting Date

SB 902
Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name CESAR GRAJALES

Job Title COALITIONS DIRECTOR

Address 200 WEST COLLEGE AVE
Street
TALLAHASSEE FL 32301
City State Zip

Phone 786.260.9283

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing THE LIBRE INITIATIVE

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17
Meeting Date

902

Bill Number (if applicable)

Topic Gardiner Scholarship

Amendment Barcode (if applicable)

Name Jeanne Boggs

Job Title Mom

Address 1709 Country Club Drive
Street

Phone 850-567-7325

Tallahassee FL 32317
City State Zip

Email

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing parent

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17
Meeting Date

902
Bill Number (if applicable)

Topic SB 902

Amendment Barcode (if applicable)

Name Sara Clements

Job Title Director, External Affairs

Address 1901 Ulmerton Rd #180
Street

Phone 727-451-9811

Clearwater FL 33762
City State Zip

Email sclements@sufs.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Step Up For Students

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-17-17

Meeting Date

902

Bill Number (if applicable)

Topic

Amendment Barcode (if applicable)

Name Skylar Zander

Job Title Deputy State Director

Address 200 W College Ave. Suite 109

Phone 850-728-4522

Tallahassee FL 32301

Email szander@afp.org

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

SB 902

Bill Number (if applicable)

Topic SB 902 - Gardiner

Amendment Barcode (if applicable)

Name Alexandra Dominguez

Job Title Senior Advocacy Associate

Address 215 S. Monroe St #420

Phone 786-955-7155

Tallahassee FL 32301

Street

City

State

Zip

Email alexandra@excelmed.org

Speaking: For Against Information

Waive Speaking: In Support Against (The Chair will read this information into the record.)

Representing Foundation for Florida's Future

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

SB 902

Bill Number (if applicable)

Topic Gardiner Scholarship

Amendment Barcode (if applicable)

Name Brittney Hunt

Job Title Policy Director

Address 136 S. Bronough St.

Phone (850) 521-1200

Street

Tallahassee

FL

32301

Email bhunt@flchamber.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Chamber of Commerce

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17
Meeting Date

902
Bill Number (if applicable)

Topic Gardiner Scholarship Program

Amendment Barcode (if applicable)

Name James Herzog

Job Title Associate Director for Education

Address 201 W Park Ave
Street

Phone (850) 222-3803

Tallahassee FL 32301
City State Zip

Email jherzog@flaccb.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Conference of Catholic Bishops

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE

APPEARANCE RECORD

April 17, 2017
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

902
Bill Number (if applicable)

Topic Gardner Scholarships

Amendment Barcode (if applicable)

Name Shawn Frost

Job Title President

Address 113 S. Monroe St. #101

Phone 850 391-0421

Tallahassee FL 32301
City State Zip

Email info@FCSBM.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Coalition of School Board Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Simmons

9-00468B-17

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A bill to be entitled

An act relating to the Gardiner Scholarship Program; amending s. 1002.385, F.S.; redefining the terms "disability" and "IEP"; revising program eligibility requirements; prohibiting a student who is enrolled in the Florida School for the Deaf and the Blind from being eligible for the program; authorizing a parent to select certain additional specialized services; revising the date upon which certain private schools must submit a required report; specifying that certain actions of the private school are a basis for program ineligibility; revising funding calculation requirements; providing an appropriation; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (d) and (h) of subsection (2) and paragraph (a) of subsection (3) of section 1002.385, Florida Statutes, are amended, paragraph (e) is added to subsection (4) of that section, and paragraph (c) of subsection (5) and subsections (8) and (13) of that section are amended, to read:

1002.385 The Gardiner Scholarship.—

(2) DEFINITIONS.—As used in this section, the term:

(d) "Disability" means, for a 3- or 4-year-old child or for a student in kindergarten to grade 12, autism spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association; cerebral palsy, as defined in s. 393.063(6); Down

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syndrome, as defined in s. 393.063(15); an intellectual disability, as defined in s. 393.063(24); Phelan-McDermid syndrome, as defined in s. 393.063(28); Prader-Willi syndrome, as defined in s. 393.063(29); spina bifida, as defined in s. 393.063(40); being a high-risk child, as defined in s. 393.063(23) (a); muscular dystrophy; ~~and~~ Williams syndrome; a rare disease or condition, as defined by the Orphan Drug Act of 1983, Pub. L. No. 97-414; anaphylaxis; or identification as orthopedically impaired, deaf, visually impaired, hospital or homebound, dual sensory impaired, traumatic brain injured, or other health impaired, as defined by rules of the State Board of Education and evidenced by reports from local school districts.

(h) "IEP" means individual education plan, regardless of whether the plan has been reviewed or revised within the last 12 months.

(3) PROGRAM ELIGIBILITY.—A parent of a student with a disability may request and receive from the state a Gardiner Scholarship for the purposes specified in subsection (5) if:

(a) The student:

1. Is a resident of this state;
2. Is 3 or 4 years of age on or before September 1 of the year in which the student applies for program participation or is eligible to enroll in kindergarten through grade 12 in a public school in this state;
3. Has a disability as defined in paragraph (2) (d) or is 5 years of age or older and has previously been identified as a high-risk child, as defined in s. 393.063(23) (a); and
4. Is the subject of an IEP written in accordance with rules of the State Board of Education or with the applicable

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59 rules of another state or has received a diagnosis of a
 60 disability from a physician who is licensed under chapter 458 or
 61 chapter 459, ~~or~~ a psychologist who is licensed under chapter
 62 490, or a physician who holds an active license issued by
 63 another state or territory of the United States, the District of
 64 Columbia, or the Commonwealth of Puerto Rico.

65 (4) PROGRAM PROHIBITIONS.—A student is not eligible for the
 66 program if he or she is:

67 (e) Enrolled in the Florida School for the Deaf and the
 68 Blind.

69 (5) AUTHORIZED USES OF PROGRAM FUNDS.—Program funds must be
 70 used to meet the individual educational needs of an eligible
 71 student and may be spent for the following purposes:

72 (c) Specialized services by approved providers that are
 73 selected by the parent. These specialized services may include,
 74 but are not limited to:

75 1. Applied behavior analysis services as provided in ss.
 76 627.6686 and 641.31098.

77 2. Services provided by speech-language pathologists as
 78 defined in s. 468.1125.

79 3. Occupational therapy services as defined in s. 468.203.

80 4. Services provided by physical therapists as defined in
 81 s. 486.021.

82 5. Services provided by listening and spoken language
 83 specialists and an appropriate acoustical environment for a
 84 child who is deaf or hard of hearing and who has received an
 85 implant or assistive hearing device.

86 6. Services provided by a therapist who is certified by the
 87 Certification Board for Music Therapists or who has credentials

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88 from the Art Therapy Credentials Board.

89 7. Services provided at a center that is a member of the
 90 Professional Association of Therapeutic Horsemanship
 91 International.
 92

93 A provider of any services receiving payments pursuant to this
 94 subsection may not share, refund, or rebate any moneys from the
 95 Gardiner Scholarship with the parent or participating student in
 96 any manner.

97 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible
 98 private school may be sectarian or nonsectarian and shall:

99 (a) Comply with all requirements for private schools
 100 participating in state school choice scholarship programs
 101 pursuant to s. 1002.421.

102 (b) Provide to the organization, upon request, all
 103 documentation required for the student's participation,
 104 including the private school's and student's fee schedules.

105 (c) Be academically accountable to the parent for meeting
 106 the educational needs of the student by:

107 1. At a minimum, annually providing to the parent a written
 108 explanation of the student's progress.

109 2. Annually administering or making provision for students
 110 participating in the program in grades 3 through 10 to take one
 111 of the nationally norm-referenced tests identified by the
 112 Department of Education or the statewide assessments pursuant to
 113 s. 1008.22. Students with disabilities for whom standardized
 114 testing is not appropriate are exempt from this requirement. A
 115 participating private school shall report a student's scores to
 116 the parent.

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117 3. Cooperating with the scholarship student whose parent
 118 chooses to have the student participate in the statewide
 119 assessments pursuant to s. 1008.22 or, if a private school
 120 chooses to offer the statewide assessments, administering the
 121 assessments at the school.

122 a. A participating private school may choose to offer and
 123 administer the statewide assessments to all students who attend
 124 the private school in grades 3 through 10.

125 b. A participating private school shall submit a request in
 126 writing to the Department of Education by March 1 of each year
 127 in order to administer the statewide assessments in the
 128 subsequent school year.

129 (d) Employ or contract with teachers who have regular and
 130 direct contact with each student receiving a scholarship under
 131 this section at the school's physical location.

132 (e) Annually contract with an independent certified public
 133 accountant to perform the agreed-upon procedures developed under
 134 s. 1002.395(6)(o) and produce a report of the results if the
 135 private school receives more than \$250,000 in funds from
 136 scholarships awarded under this section in the 2014-2015 state
 137 fiscal year or a state fiscal year thereafter. A private school
 138 subject to this paragraph must submit the report by September
 139 15, 2015, and annually thereafter by August 15 to the
 140 organization that awarded the majority of the school's
 141 scholarship funds. The agreed-upon procedures must be conducted
 142 in accordance with attestation standards established by the
 143 American Institute of Certified Public Accountants.

144 ~~If The inability of a private school is unable~~ to meet the
 145

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146 requirements of this subsection or has in consecutive years had
 147 material exceptions listed in its agreed-upon procedures
 148 reports, there is ~~constitutes~~ a basis for the ineligibility of
 149 the private school to participate in the program as determined
 150 by the commissioner.

151 (13) FUNDING AND PAYMENT.—

152 (a)1. The maximum funding amount granted for an eligible
 153 student with a disability, pursuant to subsection (3), shall be
 154 equivalent to the base student allocation in the Florida
 155 Education Finance Program multiplied by the appropriate cost
 156 factor for the educational program that ~~which~~ would have been
 157 provided for the student in the district school to which he or
 158 she would have been assigned, multiplied by the district cost
 159 differential.

160 2. In addition, an amount equivalent to a share of the
 161 guaranteed allocation for exceptional students in the Florida
 162 Education Finance Program shall be determined and added to the
 163 amount in subparagraph 1. The calculation shall be based on the
 164 methodology and the data used to calculate the guaranteed
 165 allocation for exceptional students for each district in chapter
 166 2000-166, Laws of Florida. Except as provided in subparagraph
 167 3., the calculation shall be based on the student's grade, the
 168 matrix level of services, and the difference between the 2000-
 169 2001 basic program and the appropriate level of services cost
 170 factor, multiplied by the 2000-2001 base student allocation and
 171 the 2000-2001 district cost differential for the sending
 172 district. The calculated amount must also include an amount
 173 equivalent to the per-student share of supplemental academic
 174 instruction funds, instructional materials funds, technology

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175 funds, and other categorical funds as provided in the General
176 Appropriations Act.

177 3. ~~Except as otherwise provided in subsection (7),~~ The
178 calculation for a student ~~all students~~ participating in the
179 program shall be based on the student's matrix level of
180 services. The funding for a student without a matrix of services
181 shall be based on the matrix that assigns the student to support
182 Level III of services. If a parent chooses to request and
183 receive a matrix of services from the school district, when the
184 school district completes the matrix, the amount of the payment
185 shall be adjusted as needed.

186 (b) The amount of the awarded funds shall be 90 percent of
187 the calculated amount. One hundred percent of the funds
188 appropriated for the program shall be released to the department
189 at the beginning of the first quarter of each fiscal year.

190 (c) Upon notification from the organization that a parent
191 has filed a final verification document pursuant to paragraph
192 (3) (b) or upon notification from the organization that a 3- or
193 4-year-old child's application has been approved for the
194 program, the department shall release the student's scholarship
195 funds to the organization to be deposited into the student's
196 account.

197 (d) For initial eligibility for the program, students
198 determined eligible by the organization for a Gardiner
199 Scholarship by:

200 1. September 1 shall receive 100 percent of the total
201 awarded funds.

202 2. November 1 shall receive 75 percent of the total awarded
203 funds.

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204 3. February 1 shall receive 50 percent of the total awarded
205 funds.

206 4. April 1 shall receive 25 percent of the total awarded
207 funds.

208 (e) A student who is 3 years of age or older after
209 September 1 and who the organization has determined is eligible
210 for a Gardiner Scholarship may receive a prorated scholarship
211 consistent with paragraph (c).

212 (f) ~~(e)~~ Accrued interest in the student's account is in
213 addition to, and not part of, the awarded funds. Program funds
214 include both the awarded funds and accrued interest.

215 (g) ~~(f)~~ The organization may develop a system for payment of
216 benefits by funds transfer, including, but not limited to, debit
217 cards, electronic payment cards, or any other means of payment
218 that the department deems to be commercially viable or cost-
219 effective. A student's scholarship award may not be reduced for
220 debit card or electronic payment fees. Commodities or services
221 related to the development of such a system shall be procured by
222 competitive solicitation unless they are purchased from a state
223 term contract pursuant to s. 287.056.

224 (h) ~~(g)~~ In addition to funds appropriated for scholarship
225 awards and subject to a separate, specific legislative
226 appropriation, an organization may receive an amount equivalent
227 to not more than 3 percent of the amount of each scholarship
228 award from state funds for administrative expenses if the
229 organization has operated as a nonprofit entity for at least the
230 preceding 3 fiscal years and did not have any findings of
231 material weakness or material noncompliance in its most recent
232 audit under s. 1002.395(6) (m). Such administrative expenses must

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233 be reasonable and necessary for the organization's management
234 and distribution of scholarships under this section. Funds
235 authorized under this paragraph may not be used for lobbying or
236 political activity or expenses related to lobbying or political
237 activity. An organization may not charge an application fee for
238 a scholarship. Administrative expenses may not be deducted from
239 funds appropriated for scholarship awards.

240 ~~(i)(h)~~ Moneys received pursuant to this section do not
241 constitute taxable income to the qualified student or parent of
242 the qualified student.

243 Section 2. For the 2017-2018 fiscal year, the sum of \$200
244 million in recurring funds from the General Revenue Fund is
245 appropriated to the Department of Education for scholarship
246 awards under the Gardiner Scholarship Program. In addition to
247 the funds appropriated for the scholarship awards, the sum of \$6
248 million in recurring funds from the General Revenue Fund is
249 appropriated to the Department of Education for each
250 scholarship-funding organization's reasonable and necessary
251 administrative expenses to manage and distribute scholarship
252 awards under the program; however, the amount paid to each
253 scholarship-funding organization may not exceed 3 percent of the
254 amount of each scholarship award.

255 Section 3. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: CS/SB 1362

INTRODUCER: Senator Broxson

SUBJECT: K-12 Education

DATE: April 18, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|--------|
| 1. | Androff | Graf | ED | Fav/CS |
| 2. | | | AED | |
| 3. | | | AP | |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Technical Changes

I. Summary:

CS/SB 1362 creates the designation of High-Impact Charter Network (HICN), defines related terms, provides incentives for HICN entities to operate in Florida, and establishes application and review processes for the designation. Additionally, the bill:

- Eliminates the requirement for the Department of Education to compare student performance data of charter schools within a school district with public schools within that district, and with the other charter schools in Florida as well as the posting of such information on each charter school's Internet website.
- Allows a collocated school to receive a school improvement rating if all the schools at the site are eligible for a school improvement rating and do not elect to be graded.
- Replaces statutory reference to the ACT Aspire test with the PreACT.

The bill takes effect July 1, 2017.

II. Present Situation:

The Florida Legislature has enacted legislation to promote school choice and strengthen education accountability.

Charter Schools

Charter schools are nonsectarian, public schools that operate under a performance contract with a sponsor, called a charter.¹ A guiding principle of charter schools is to meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.²

Charter School Application Process

Florida law establishes an application process for establishing a new charter school.³ An applicant must submit a charter school application to the sponsor.⁴ The sponsor must review or deny the application.⁵ The law requires sponsors and applicants to use a standard charter school application and application evaluation instrument.⁶ The standard application is designed to enable the sponsor to evaluate the applicant's educational plan, organizational plan, financial viability, and business plan.⁷

In order to facilitate greater collaboration in the application process, an applicant may submit a draft charter school application by May 1 with an application fee of \$500.⁸ Otherwise, a sponsor is prohibited from charging an applicant any fee for the processing or consideration of an application.⁹

Charter school sponsors evaluate a variety of factors when considering an application to open a charter school.¹⁰ The standard application requires the applicant to:¹¹

- List each proposed member of the charter school's governing board and his or her background and qualifications.
- Indicate to what extent the governing board will contract with a management company, summarize the management company's history of operating charter schools, and list other charter schools managed by the company along with student achievement and financial performance data of such schools.

Charter School Accountability

Florida law establishes several requirements designed to hold charter schools accountable both financially and academically, including:¹²

- A detailed application and rigorous review and approval process.

¹ Section 1002.33(5)(a), (6)(h), (7) and (9)(a), F.S.

² *Id.* at (2)(a)1., F.S.

³ Section 1002.33(6)(a), F.S.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ Section 1002.33(6)(b), F.S. The deadline for applications is August 1, although sponsors may receive applications later if it so chooses. *Id.*

⁹ *Id.*

¹⁰ *Id.* at (6)(a), (7), (8), (9).

¹¹ *Id.* at (6).

¹² Sections 1002.33(6), (7), (9), (16), (21), (23), (24), (26), and 1002.345, F.S.

- The execution and maintenance of charter agreements between the charter school and its sponsor.
- Annual reporting, annual financial audits, and sponsor monitoring of monthly financial statements.
- Participation in statewide assessments and Florida's school grading system.
- Interventions for unsatisfactory academic performance and financial instability.
- Reporting of student performance information to parents and the public.
- Compliance with ethical standards for employees and governing board members.

Charter School Data Reporting Requirements

The Florida Department of Education (DOE) is required to report student assessment data to each school, including charter schools, that receives a school grade or school improvement rating.¹³ In 2009, the charter school statute was amended to require the DOE to report student assessment data for any charter school that was too small to receive a school grade, but had at least 10 students with assessment scores.¹⁴ The DOE is also required to compare the performance data for each of these charter schools with student performance data in traditional public schools in the district in which the charter school was located and other charter schools in the state.¹⁵ The information must be provided on each charter school's Internet website.¹⁶ When the law was changed to require the DOE to issue a school grade to any school that had at least 10 students with assessment scores, the provision requiring a comparative report for charter schools that did not receive a school grade was not eliminated.¹⁷ The DOE is required to develop an analysis and comparison of the overall performance of charter school students, to include all students whose scores are counted as part of the statewide assessment program versus comparable public schools in the district.¹⁸

Education Accountability

Florida's K-12 accountability system was created to provide for a uniform, efficient, safe, secure and high quality system of free public schools that allows students to obtain a high-quality education.¹⁹

School Grades

Florida assigns each public school, including charter schools, a school grade in order to help parents and the public measure the performance of a school.²⁰

¹³ Section 1008.34, F.S.

¹⁴ Section 7, ch. 2009-214, L.O.F.; Florida Department of Education, *SB 1362 Analysis* (2017), at 2.

¹⁵ *Id.*

¹⁶ Section 1002.33(21)(b)3., F.S.

¹⁷ Florida Department of Education, *SB 1362 Analysis* (2017), at 2; s. 1, ch. 2014-23, L.O.F.

¹⁸ Section 1002.33(21)(b)3., F.S.; Florida Department of Education, *SB 1362 Analysis* (2017), at 2.

¹⁹ See s. 1008.345(1), F.S. The Commissioner of Education is responsible for implementing and maintaining a system of intensive school improvement and stringent education accountability. *Id.*

²⁰ Florida Department of Education, *2016 Preliminary School Grades Overview*, available at <http://schoolgrades.fldoe.org/pdf/1516/SchoolGradesOverview16.pdf>.

Schools are graded using one of the following grades:²¹

- “A,” for schools making excellent progress – 62% or higher of total points.
- “B,” for schools making above average progress – 54% to 61% of total points.
- “C,” for schools making satisfactory progress – 41% to 53% of total points.
- “D,” for schools making less than satisfactory progress – 32% to 40% of total points.
- “F,” for schools failing to make adequate progress – 31% or less of total points.

In Florida, the lowest performing schools receive more comprehensive, state-provided intervention and support than schools that are closer to meeting state determined student achievement goals.²² A school district must select a turnaround option when a traditional public school earns a grade of “F”, two consecutive grades of “D”, or a single grade of “F”, immediately followed by a grade of “D” in the most recent grade release.²³ The first full school year after such grade is a planning year during which the school district must implement intervention and support strategies, select a school turnaround option, and submit a plan for implementing the turnaround option to the DOE for approval.²⁴ If the school does not improve by at least one letter grade at the end of the planning year, the turnaround option must be implemented the following school year.²⁵ Florida law specifies the turnaround options that a school district may select.²⁶

School Improvement Ratings

An alternative school or exceptional student education center may opt for a school improvement rating instead of a school grade.²⁷ The school improvement rating is calculated using student learning gains on statewide, standardized English Language Arts and Mathematics assessments for all eligible students who are enrolled in the school and who have assessment scores or comparable scores for the preceding school year.²⁸ Schools that improve their ratings by at least one level or maintain a commendable rating are eligible for school recognition awards.²⁹

III. Effect of Proposed Changes:

CS/SB 1362 creates the designation of High-Impact Charter Network (HICN), defines related terms, provides incentives for HICN entities to operate in Florida, and establishes application and review processes for the designation. Additionally, the bill:

- Eliminates the requirement for the Department of Education to compare student performance data of charter schools within a school district with public schools within that district, and with the other charter schools in Florida as well as the posting of such information on each charter school’s Internet website.

²¹ Section 1008.34(2), F.S.; rule 6A-1.09981, F.A.C.

²² Section 1008.33(2)(b) and (4), F.S.; *see* rule 6A-2.09981(2)(h), F.A.C. School improvement requirements were originally established under the federal 2002 reauthorization of Every Student Succeeds Act, otherwise known as the No Child Left Behind Act of 2001. Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

²³ Section 1008.33(4); rule 6A-1.09981(4)(b), F.A.C.

²⁴ *Id.*

²⁵ Section 1008.33(4)(c)-(e); rule 6A-109981(4)(c) and (5)(b), F.A.C.

²⁶ Section 1008.33(4)(b).

²⁷ Section 1008.341(2), F.S.

²⁸ *Id.* at (3).

²⁹ *Id.* at (2).

- Allows a collocated school to receive a school improvement rating if all the schools at the site are eligible for a school improvement rating and do not elect to be graded.
- Replaces statutory reference to the ACT Aspire test with the PreACT.

Charter Schools

The bill makes the following modifications that affect charter schools.

High-Impact Charter Network

The bill establishes a High-Impact Charter Network (HICN) designation and specifies that the designation is valid for up to 4 years. The bill defines critical need area as an area that is served by one or more nonalternative, traditional public schools that received a school grade of “D” or “F” in 4 of the last 5 years or whose school district is required to implement a turnaround option. Entity, for purposes of HICN, is defined as a nonprofit organization with tax exempt status under the federal Internal Revenue Code, which is authorized to operate a public charter school by Florida law.

The bill states that in order to apply for HICN status, an entity must successfully operate a system of charter schools that serves primarily economically disadvantaged students who are eligible for free or reduced-price lunches under the National School Lunch Act.

Application and Review Process

The bill authorizes the SBE to adopt rules prescribing an application and review process for the HICN and specifies that the review:

- Must include student demographic information and a review of all schools currently and previously operated by the entity, including school-level financial performances and school wide and subgroup performance on all statewide assessments for the most recent 3 years as compared to all students in other schools at the same grade level and as compared to other schools serving similar student demographics.
- May include student performance on nationally norm-referenced tests, attendance and retention rates, graduation rates, college attendance rates, college persistence rates, and other outcome measures as determined by the state board.

The bill provides that the initial HICN designation is valid for up to 4 years. If an entity seeks to renew its status, the SBE must review the academic and financial performance of the charter schools established in critical need areas.

Incentives

The bill grants the following incentives to HICN entities:

- Authorizes an HICN to apply to a district school board to establish and operate charter schools in critical need areas or as turnaround options for schools that have earned a grade of “F” in the school district.
- Provides that a charter school operated by an HICN in a critical need area is eligible to receive charter school capital outlay immediately, rather than after 2 years of operation.

- Requires the Florida Department of Education (DOE) to give priority to new charter schools operated by HICNs in a critical need area in the Florida Public Charter School Grant Program competitions.
- Specifies that the governing board of a HICN must be designated as a local educational agency for the purposes of receiving federal funds if the governing board has adopted and filed a resolution with its sponsoring district school board and the DOE. This resolution must contain provisions indicating that the governing board accepts the full responsibility for all local educational agency requirements and that the charter schools for which the governing board will perform local educational responsibilities are all located in the same county.

The establishment of the HICN designation may result in the creation of additional charter schools to serve students in critical need areas within the state. The number of charter schools that will open in critical need areas is not known.³⁰

Reporting Requirements

The bill deletes the requirement for the DOE to compare the student performance data of each charter school to traditional district-managed public schools within the district and other charter schools across the state. The bill also eliminates the posting of such information on the Internet website of each charter school. This may limit public access to such comparative student performance data.

Education Accountability

Additionally, the bill provides that a collocated school that does not earn a school grade or school improvement rating for the performance of its own students may use an aggregated school improvement rating under certain circumstances. A collocated school may use the aggregated school improvement rating if all schools at the site are eligible for a school improvement rating and do not elect to be graded.³¹ Under this option, the student performance data of all schools operating at the same facility must be aggregated to develop a school improvement rating.³² This may result in more collocated schools qualifying for and using a combined school improvement rating.³³

Finally, the bill makes a conforming name change to replace statutory references to the ACT Aspire with the PreAct, which is the current name of the test.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

³⁰ Florida Department of Education, *SB 1362 Analysis* (2017), at 6.

³¹ *Id.* at 4.

³² *Id.* at 4-5.

³³ *Id.* at 5.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/SB 1362 provides that new charter schools opened by High-Impact Charter Networks in critical need areas will be eligible for charter school capital outlay immediately, without the requirement of having been in operation for 2 years. It is not known how many such schools will be opened under the bill. The charter school capital outlay funding allocation for the 2016-2017 fiscal year was \$75 million and was allocated to 557 charter schools.³⁴ The estimated state average funding is \$298 per full-time equivalent (FTE).³⁵ The number of eligible charter schools and the average amount per FTE for the 2017-2018 fiscal year will not be final until June 2017, and an increase in the number of charter schools may result in a decrease in the individual school allocations.³⁶ The overall impact on capital outlay funding allocations is indeterminable.³⁷

According to the Florida Department of Education, administration of the Preliminary ACT may result in a per student savings in projected administrative costs.³⁸ However, as school districts will chose between the administration of the PSAT or Preliminary ACT, the number of students who would take the Preliminary ACT is unknown and the overall impact is indeterminable.³⁹

VI. Technical Deficiencies:

None.

³⁴ Florida Department of Education, *SB 1362 Bill Analysis* (2017), at 6.

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.* CS/SB 1362 changed the statutory reference to the ACT Aspire test to the PreACT. SB 1362 and the Florida Department of Education's analysis of SB 1362 referenced the test as the Preliminary ACT.

³⁹ Florida Department of Education, *SB 1362 Bill Analysis* (2017), at 6.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.33, 1007.35, and 1008.34.

This bill creates the following section of the Florida Statutes: 1002.334.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on April 17, 2017:

The committee substitute assigns a new section of law to the High-Impact Charter Network provisions in the bill and replaces the statutory references to the ACT Aspire test with the PreACT, which was referenced as the Preliminary ACT in SB 1362.

B. Amendments:

None.



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LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/17/2017 | . | |
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| | . | |
| | . | |

The Committee on Education (Broxson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1), paragraphs (a), (b), (c), and
(h) of subsection (6), subsection (7), paragraph (b) of
subsection (8), paragraph (h) of subsection (12), subsection
(13), paragraphs (b) and (c) of subsection (17), paragraph (c)
of subsection (18), subsection (20), paragraphs (a) and (b) of
subsection (21), and subsections (25) and (28) of section
1002.33, Florida Statutes, are amended to read:



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12 1002.33 Charter schools.-

13 (1) AUTHORIZATION. ~~Charter schools shall be part of the~~
14 ~~state's program of public education.~~ All charter schools in
15 Florida are public schools and shall be part of the state's
16 program of public education. A charter school may be formed by
17 creating a new school or converting an existing public school to
18 charter status. A charter school may operate a virtual charter
19 school pursuant to s. 1002.45(1)(d) to provide full-time online
20 instruction to eligible students, pursuant to s. 1002.455, in
21 kindergarten through grade 12. An existing charter school that
22 is seeking to become a virtual charter school must amend its
23 charter or submit a new application pursuant to subsection (6)
24 to become a virtual charter school. A virtual charter school is
25 subject to the requirements of this section; however, a virtual
26 charter school is exempt from subsections (18) and (19),
27 ~~subparagraphs (20)(a)2., 4., 5., and 7.,~~ paragraph (20)(c), and
28 s. 1003.03. A public school may not use the term charter in its
29 name unless it has been approved under this section.

30 (6) APPLICATION PROCESS AND REVIEW.-Charter school
31 applications are subject to the following requirements:

32 (a) A person or entity seeking to open a charter school
33 shall prepare and submit an application on the standard ~~a model~~
34 application form prepared by the Department of Education which:

35 1. Demonstrates how the school will use the guiding
36 principles and meet the statutorily defined purpose of a charter
37 school.

38 2. Provides a detailed curriculum plan that illustrates how
39 students will be provided services to attain the Sunshine State
40 Standards.



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41 3. Contains goals and objectives for improving student
42 learning and measuring that improvement. These goals and
43 objectives must indicate how much academic improvement students
44 are expected to show each year, how success will be evaluated,
45 and the specific results to be attained through instruction.

46 4. Describes the reading curriculum and differentiated
47 strategies that will be used for students reading at grade level
48 or higher and a separate curriculum and strategies for students
49 who are reading below grade level. A sponsor shall deny an
50 application if the school does not propose a reading curriculum
51 that is consistent with effective teaching strategies that are
52 grounded in scientifically based reading research.

53 5. Contains an annual financial plan for each year
54 requested by the charter for operation of the school for up to 5
55 years. This plan must contain anticipated fund balances based on
56 revenue projections, a spending plan based on projected revenues
57 and expenses, and a description of controls that will safeguard
58 finances and projected enrollment trends.

59 6. Discloses the name of each applicant, governing board
60 member, and all proposed education services providers; the name
61 and sponsor of any charter school operated by each applicant,
62 each governing board member, and each proposed education
63 services provider that has closed and the reasons for the
64 closure; and the academic and financial history of such charter
65 schools, which the sponsor shall consider in deciding whether to
66 approve or deny the application.

67 7. Contains additional information a sponsor may require,
68 which shall be attached as an addendum to the charter school
69 application described in this paragraph.



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70 8. For the establishment of a virtual charter school,
71 documents that the applicant has contracted with a provider of
72 virtual instruction services pursuant to s. 1002.45(1)(d).

73 (b) A sponsor shall receive and review all applications for
74 a charter school using the evaluation instrument developed by
75 the Department of Education. A sponsor shall receive and
76 consider charter school applications received on or before
77 February August 1 of each calendar year for charter schools to
78 be opened 18 months later at the beginning of the school
79 district's ~~next~~ school year, or to be opened at a time agreed to
80 by the applicant and the sponsor. A sponsor may not refuse to
81 receive a charter school application submitted before February
82 ~~August~~ 1 and may receive an application submitted later than
83 February August 1 if it chooses. ~~In order to facilitate greater~~
84 ~~collaboration in the application process, an applicant may~~
85 ~~submit a draft charter school application on or before May 1~~
86 ~~with an application fee of \$500. If a draft application is~~
87 ~~timely submitted, the sponsor shall review and provide feedback~~
88 ~~as to material deficiencies in the application by July 1. The~~
89 ~~applicant shall then have until August 1 to resubmit a revised~~
90 ~~and final application. The sponsor may approve the draft~~
91 ~~application. Except as provided for a draft application, A~~
92 sponsor may not charge an applicant for a charter any fee for
93 the processing or consideration of an application, and a sponsor
94 may not base its consideration or approval of a final
95 application upon the promise of future payment of any kind.
96 Before approving or denying any ~~final~~ application, the sponsor
97 shall allow the applicant, upon receipt of written notification,
98 at least 7 calendar days to make technical or nonsubstantive



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99 corrections and clarifications, including, but not limited to,
100 corrections of grammatical, typographical, and like errors or
101 missing signatures, if such errors are identified by the sponsor
102 as cause to deny the final application.

103 1. In order to facilitate an accurate budget projection
104 process, a sponsor shall be held harmless for FTE students who
105 are not included in the FTE projection due to approval of
106 charter school applications after the FTE projection deadline.
107 In a further effort to facilitate an accurate budget projection,
108 within 15 calendar days after receipt of a charter school
109 application, a sponsor shall report to the Department of
110 Education the name of the applicant entity, the proposed charter
111 school location, and its projected FTE.

112 2. In order to ensure fiscal responsibility, an application
113 for a charter school shall include a full accounting of expected
114 assets, a projection of expected sources and amounts of income,
115 including income derived from projected student enrollments and
116 from community support, and an expense projection that includes
117 full accounting of the costs of operation, including start-up
118 costs.

119 3.a. A sponsor shall by a majority vote approve or deny an
120 application no later than 90 ~~60~~ calendar days after the
121 application is received, unless the sponsor and the applicant
122 mutually agree in writing to temporarily postpone the vote to a
123 specific date, at which time the sponsor shall by a majority
124 vote approve or deny the application. If the sponsor fails to
125 act on the application, an applicant may appeal to the State
126 Board of Education as provided in paragraph (c). If an
127 application is denied, the sponsor shall, within 10 calendar



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128 days after such denial, articulate in writing the specific
129 reasons, based upon good cause, supporting its denial of the
130 application and shall provide the letter of denial and
131 supporting documentation to the applicant and to the Department
132 of Education.

133 b. An application submitted by a high-performing charter
134 school identified pursuant to s. 1002.331 or a high-performing
135 charter school system identified pursuant to s. 1002.332 may be
136 denied by the sponsor only if the sponsor demonstrates by clear
137 and convincing evidence that:

138 (I) The application does not materially comply with the
139 requirements in paragraph (a);

140 (II) The charter school proposed in the application does
141 not materially comply with the requirements in paragraphs
142 (9) (a) - (f);

143 (III) The proposed charter school's educational program
144 does not substantially replicate that of the applicant or one of
145 the applicant's high-performing charter schools;

146 (IV) The applicant has made a material misrepresentation or
147 false statement or concealed an essential or material fact
148 during the application process; or

149 (V) The proposed charter school's educational program and
150 financial management practices do not materially comply with the
151 requirements of this section.

152
153 Material noncompliance is a failure to follow requirements or a
154 violation of prohibitions applicable to charter school
155 applications, which failure is quantitatively or qualitatively
156 significant either individually or when aggregated with other



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157 noncompliance. An applicant is considered to be replicating a
158 high-performing charter school if the proposed school is
159 substantially similar to at least one of the applicant's high-
160 performing charter schools and the organization or individuals
161 involved in the establishment and operation of the proposed
162 school are significantly involved in the operation of replicated
163 schools.

164 c. If the sponsor denies an application submitted by a
165 high-performing charter school or a high-performing charter
166 school system, the sponsor must, within 10 calendar days after
167 such denial, state in writing the specific reasons, based upon
168 the criteria in sub-subparagraph b., supporting its denial of
169 the application and must provide the letter of denial and
170 supporting documentation to the applicant and to the Department
171 of Education. The applicant may appeal the sponsor's denial of
172 the application in accordance with ~~directly to the State Board~~
173 ~~of Education and, if an appeal is filed, must provide a copy of~~
174 ~~the appeal to the sponsor pursuant to~~ paragraph (c).

175 4. For budget projection purposes, the sponsor shall report
176 to the Department of Education the approval or denial of an
177 application within 10 calendar days after such approval or
178 denial. In the event of approval, the report to the Department
179 of Education shall include the final projected FTE for the
180 approved charter school.

181 5. Upon approval of an application, the initial startup
182 shall commence with the beginning of the public school calendar
183 for the district in which the charter is granted. A charter
184 school may defer the opening of the school's operations for up
185 to 2 years to provide time for adequate facility planning. The



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186 charter school must provide written notice of such intent to the
187 sponsor and the parents of enrolled students at least 30
188 calendar days before the first day of school.

189 (c)1. An applicant may appeal any denial of that
190 applicant's application or failure to act on an application to
191 the State Board of Education no later than 30 calendar days
192 after receipt of the sponsor's decision or failure to act and
193 shall notify the sponsor of its appeal. Any response of the
194 sponsor shall be submitted to the State Board of Education
195 within 30 calendar days after notification of the appeal. Upon
196 receipt of notification from the State Board of Education that a
197 charter school applicant is filing an appeal, the Commissioner
198 of Education shall convene a meeting of the Charter School
199 Appeal Commission to study and make recommendations to the State
200 Board of Education regarding its pending decision about the
201 appeal. The commission shall forward its recommendation to the
202 state board at least 7 calendar days before the date on which
203 the appeal is to be heard. ~~An appeal regarding the denial of an~~
204 ~~application submitted by a high-performing charter school~~
205 ~~pursuant to s. 1002.331 shall be conducted by the State Board of~~
206 ~~Education in accordance with this paragraph, except that the~~
207 ~~commission shall not convene to make recommendations regarding~~
208 ~~the appeal. However, the Commissioner of Education shall review~~
209 ~~the appeal and make a recommendation to the state board.~~

210 2. The Charter School Appeal Commission ~~or, in the case of~~
211 ~~an appeal regarding an application submitted by a high-~~
212 ~~performing charter school, the State Board of Education may~~
213 reject an appeal submission for failure to comply with
214 procedural rules governing the appeals process. The rejection



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215 shall describe the submission errors. The appellant shall have
216 15 calendar days after notice of rejection in which to resubmit
217 an appeal that meets the requirements set forth in State Board
218 of Education rule. An appeal submitted subsequent to such
219 rejection is considered timely if the original appeal was filed
220 within 30 calendar days after receipt of notice of the specific
221 reasons for the sponsor's denial of the charter application.

222 3.a. The State Board of Education shall by majority vote
223 accept or reject the decision of the sponsor no later than 90
224 calendar days after an appeal is filed in accordance with State
225 Board of Education rule. The State Board of Education shall
226 remand the application to the sponsor with its written decision
227 that the sponsor approve or deny the application. The sponsor
228 shall implement the decision of the State Board of Education.
229 The decision of the State Board of Education is not subject to
230 the provisions of the Administrative Procedure Act, chapter 120.

231 b. If an appeal concerns an application submitted by a
232 high-performing charter school identified pursuant to s.
233 1002.331 or a high-performing charter school system identified
234 pursuant to s. 1002.332, the State Board of Education shall
235 determine whether the sponsor's denial was in accordance with
236 sub-subparagraph (6) (b) 3.b. ~~sponsor has shown, by clear and~~
237 ~~convincing evidence, that:~~

238 ~~(I) The application does not materially comply with the~~
239 ~~requirements in paragraph (a);~~

240 ~~(II) The charter school proposed in the application does~~
241 ~~not materially comply with the requirements in paragraphs~~
242 ~~(9) (a) - (f);~~

243 ~~(III) The proposed charter school's educational program~~



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244 ~~does not substantially replicate that of the applicant or one of~~
245 ~~the applicant's high-performing charter schools;~~

246 ~~(IV) The applicant has made a material misrepresentation or~~
247 ~~false statement or concealed an essential or material fact~~
248 ~~during the application process; or~~

249 ~~(V) The proposed charter school's educational program and~~
250 ~~financial management practices do not materially comply with the~~
251 ~~requirements of this section.~~

252
253 ~~The State Board of Education shall approve or reject the~~
254 ~~sponsor's denial of an application no later than 90 calendar~~
255 ~~days after an appeal is filed in accordance with State Board of~~
256 ~~Education rule. The State Board of Education shall remand the~~
257 ~~application to the sponsor with its written decision that the~~
258 ~~sponsor approve or deny the application. The sponsor shall~~
259 ~~implement the decision of the State Board of Education. The~~
260 ~~decision of the State Board of Education is not subject to the~~
261 ~~Administrative Procedure Act, chapter 120.~~

262 ~~(h) The terms and conditions for the operation of a charter~~
263 ~~school shall be set forth by the sponsor and the applicant in a~~
264 ~~written contractual agreement, called a charter. The sponsor may~~
265 ~~not impose unreasonable rules or regulations that violate the~~
266 ~~intent of giving charter schools greater flexibility to meet~~
267 ~~educational goals. The sponsor has 30 days after approval of the~~
268 ~~application to provide an initial proposed charter contract to~~
269 ~~the charter school. The applicant and the sponsor have 40 days~~
270 ~~thereafter to negotiate and notice the charter contract for~~
271 ~~final approval by the sponsor unless both parties agree to an~~
272 ~~extension. The proposed charter contract shall be provided to~~



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273 ~~the charter school at least 7 calendar days prior to the date of~~
274 ~~the meeting at which the charter is scheduled to be voted upon~~
275 ~~by the sponsor. The Department of Education shall provide~~
276 ~~mediation services for any dispute regarding this section~~
277 ~~subsequent to the approval of a charter application and for any~~
278 ~~dispute relating to the approved charter, except disputes~~
279 ~~regarding charter school application denials. If the~~
280 ~~Commissioner of Education determines that the dispute cannot be~~
281 ~~settled through mediation, the dispute may be appealed to an~~
282 ~~administrative law judge appointed by the Division of~~
283 ~~Administrative Hearings. The administrative law judge has final~~
284 ~~order authority to rule on issues of equitable treatment of the~~
285 ~~charter school as a public school, whether proposed provisions~~
286 ~~of the charter violate the intended flexibility granted charter~~
287 ~~schools by statute, or on any other matter regarding this~~
288 ~~section except a charter school application denial, a charter~~
289 ~~termination, or a charter nonrenewal and shall award the~~
290 ~~prevailing party reasonable attorney's fees and costs incurred~~
291 ~~to be paid by the losing party. The costs of the administrative~~
292 ~~hearing shall be paid by the party whom the administrative law~~
293 ~~judge rules against.~~

294 (7) CHARTER.—The terms and conditions for the operation of
295 a charter school shall be set forth by the sponsor and the
296 applicant in a written contractual agreement, called a charter.
297 The sponsor and the governing board of the charter school shall
298 use the standard charter contract pursuant to subsection (21),
299 which shall incorporate the approved application and any addenda
300 approved with the application. The standard charter contract may
301 not be altered in any way. Any term or condition of a proposed



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302 charter contract that differs from the standard charter contract
303 adopted by rule of the State Board of Education shall be
304 presumed a limitation on charter school flexibility. The sponsor
305 may not impose unreasonable rules or regulations that violate
306 the intent of giving charter schools greater flexibility to meet
307 educational goals ~~The major issues involving the operation of a~~
308 ~~charter school shall be considered in advance and written into~~
309 ~~the charter.~~ The charter shall be signed by the governing board
310 of the charter school and the sponsor, following a public
311 hearing to ensure community input.

312 (a) The charter shall address and criteria for approval of
313 the charter shall be based on:

314 1. The school's mission, the students to be served, and the
315 ages and grades to be included.

316 2. The focus of the curriculum, the instructional methods
317 to be used, any distinctive instructional techniques to be
318 employed, and identification and acquisition of appropriate
319 technologies needed to improve educational and administrative
320 performance which include a means for promoting safe, ethical,
321 and appropriate uses of technology which comply with legal and
322 professional standards.

323 a. The charter shall ensure that reading is a primary focus
324 of the curriculum and that resources are provided to identify
325 and provide specialized instruction for students who are reading
326 below grade level. The curriculum and instructional strategies
327 for reading must be consistent with the Next Generation Sunshine
328 State Standards and grounded in scientifically based reading
329 research.

330 b. In order to provide students with access to diverse



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331 instructional delivery models, to facilitate the integration of
332 technology within traditional classroom instruction, and to
333 provide students with the skills they need to compete in the
334 21st century economy, the Legislature encourages instructional
335 methods for blended learning courses consisting of both
336 traditional classroom and online instructional techniques.
337 Charter schools may implement blended learning courses which
338 combine traditional classroom instruction and virtual
339 instruction. Students in a blended learning course must be full-
340 time students of the charter school pursuant to s.
341 1011.61(1)(a)1. ~~and receive the online instruction in a~~
342 ~~classroom setting at the charter school.~~ Instructional personnel
343 certified pursuant to s. 1012.55 who provide virtual instruction
344 for blended learning courses may be employees of the charter
345 school or may be under contract to provide instructional
346 services to charter school students. At a minimum, such
347 instructional personnel must hold an active state or school
348 district adjunct certification under s. 1012.57 for the subject
349 area of the blended learning course. The funding and performance
350 accountability requirements for blended learning courses are the
351 same as those for traditional courses.

352 3. The current incoming baseline standard of student
353 academic achievement, the outcomes to be achieved, and the
354 method of measurement that will be used. The criteria listed in
355 this subparagraph shall include a detailed description of:

356 a. How the baseline student academic achievement levels and
357 prior rates of academic progress will be established.

358 b. How these baseline rates will be compared to rates of
359 academic progress achieved by these same students while



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360 attending the charter school.

361 c. To the extent possible, how these rates of progress will
362 be evaluated and compared with rates of progress of other
363 closely comparable student populations.

364

365 The district school board is required to provide academic
366 student performance data to charter schools for each of their
367 students coming from the district school system, as well as
368 rates of academic progress of comparable student populations in
369 the district school system.

370 4. The methods used to identify the educational strengths
371 and needs of students and how well educational goals and
372 performance standards are met by students attending the charter
373 school. The methods shall provide a means for the charter school
374 to ensure accountability to its constituents by analyzing
375 student performance data and by evaluating the effectiveness and
376 efficiency of its major educational programs. Students in
377 charter schools shall, at a minimum, participate in the
378 statewide assessment program created under s. 1008.22.

379 5. In secondary charter schools, a method for determining
380 that a student has satisfied the requirements for graduation in
381 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

382 6. A method for resolving conflicts between the governing
383 board of the charter school and the sponsor.

384 7. The admissions procedures and dismissal procedures,
385 including the school's code of student conduct. Admission or
386 dismissal must not be based on a student's academic performance.

387 8. The ways by which the school will achieve a
388 racial/ethnic balance reflective of the community it serves or



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389 within the racial/ethnic range of other public schools in the
390 same school district.

391 9. The financial and administrative management of the
392 school, including a reasonable demonstration of the professional
393 experience or competence of those individuals or organizations
394 applying to operate the charter school or those hired or
395 retained to perform such professional services and the
396 description of clearly delineated responsibilities and the
397 policies and practices needed to effectively manage the charter
398 school. A description of internal audit procedures and
399 establishment of controls to ensure that financial resources are
400 properly managed must be included. Both public sector and
401 private sector professional experience shall be equally valid in
402 such a consideration.

403 10. The asset and liability projections required in the
404 application which are incorporated into the charter and shall be
405 compared with information provided in the annual report of the
406 charter school.

407 11. A description of procedures that identify various risks
408 and provide for a comprehensive approach to reduce the impact of
409 losses; plans to ensure the safety and security of students and
410 staff; plans to identify, minimize, and protect others from
411 violent or disruptive student behavior; and the manner in which
412 the school will be insured, including whether or not the school
413 will be required to have liability insurance, and, if so, the
414 terms and conditions thereof and the amounts of coverage.

415 12. The term of the charter which shall provide for
416 cancellation of the charter if insufficient progress has been
417 made in attaining the student achievement objectives of the



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418 charter and if it is not likely that such objectives can be
419 achieved before expiration of the charter. The initial term of a
420 charter shall be for 4 or 5 years. In order to facilitate access
421 to long-term financial resources for charter school
422 construction, charter schools that are operated by a
423 municipality or other public entity as provided by law are
424 eligible for up to a 15-year charter, subject to approval by the
425 district school board. A charter lab school is eligible for a
426 charter for a term of up to 15 years. In addition, to facilitate
427 access to long-term financial resources for charter school
428 construction, charter schools that are operated by a private,
429 not-for-profit, s. 501(c)(3) status corporation are eligible for
430 up to a 15-year charter, subject to approval by the district
431 school board. Such long-term charters remain subject to annual
432 review and may be terminated during the term of the charter, but
433 only according to the provisions set forth in subsection (8).

434 13. The facilities to be used and their location. The
435 sponsor may not require a charter school to have a certificate
436 of occupancy or a temporary certificate of occupancy for such a
437 facility earlier than 15 calendar days before the first day of
438 school.

439 14. The qualifications to be required of the teachers and
440 the potential strategies used to recruit, hire, train, and
441 retain qualified staff to achieve best value.

442 15. The governance structure of the school, including the
443 status of the charter school as a public or private employer as
444 required in paragraph (12)(i).

445 16. A timetable for implementing the charter which
446 addresses the implementation of each element thereof and the



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447 date by which the charter shall be awarded in order to meet this
448 timetable.

449 17. In the case of an existing public school that is being
450 converted to charter status, alternative arrangements for
451 current students who choose not to attend the charter school and
452 for current teachers who choose not to teach in the charter
453 school after conversion in accordance with the existing
454 collective bargaining agreement or district school board rule in
455 the absence of a collective bargaining agreement. However,
456 alternative arrangements shall not be required for current
457 teachers who choose not to teach in a charter lab school, except
458 as authorized by the employment policies of the state university
459 which grants the charter to the lab school.

460 18. Full disclosure of the identity of all relatives
461 employed by the charter school who are related to the charter
462 school owner, president, chairperson of the governing board of
463 directors, superintendent, governing board member, principal,
464 assistant principal, or any other person employed by the charter
465 school who has equivalent decisionmaking authority. For the
466 purpose of this subparagraph, the term "relative" means father,
467 mother, son, daughter, brother, sister, uncle, aunt, first
468 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
469 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
470 stepfather, stepmother, stepson, stepdaughter, stepbrother,
471 stepsister, half brother, or half sister.

472 19. Implementation of the activities authorized under s.
473 1002.331 by the charter school when it satisfies the eligibility
474 requirements for a high-performing charter school. A high-
475 performing charter school shall notify its sponsor in writing by



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476 March 1 if it intends to increase enrollment or expand grade
477 levels the following school year. The written notice shall
478 specify the amount of the enrollment increase and the grade
479 levels that will be added, as applicable.

480 (b) The sponsor has 30 days after approval of the
481 application to provide an initial proposed charter contract to
482 the charter school. The applicant and the sponsor have 40 days
483 thereafter to negotiate and notice the charter contract for
484 final approval by the sponsor unless both parties agree to an
485 extension. The proposed charter contract shall be provided to
486 the charter school at least 7 calendar days before the date of
487 the meeting at which the charter is scheduled to be voted upon
488 by the sponsor. The Department of Education shall provide
489 mediation services for any dispute regarding this section
490 subsequent to the approval of a charter application and for any
491 dispute relating to the approved charter, except a dispute
492 regarding a charter school application denial. If the
493 Commissioner of Education determines that the dispute cannot be
494 settled through mediation, the dispute may be appealed to an
495 administrative law judge appointed by the Division of
496 Administrative Hearings. The administrative law judge has final
497 order authority to rule on issues of equitable treatment of the
498 charter school as a public school, whether proposed provisions
499 of the charter violate the intended flexibility granted charter
500 schools by statute, or any other matter regarding this section,
501 except a dispute regarding charter school application denial, a
502 charter termination, or a charter nonrenewal. The administrative
503 law judge shall award the prevailing party reasonable attorney
504 fees and costs incurred during the mediation process,



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505 administrative proceeding, and any appeals, to be paid by the
506 party whom the administrative law judge rules against.

507 (c)~~(b)~~1. A charter may be renewed provided that a program
508 review demonstrates that the criteria in paragraph (a) have been
509 successfully accomplished and that none of the grounds for
510 nonrenewal established by paragraph (8) (a) has been documented.
511 In order to facilitate long-term financing for charter school
512 construction, charter schools operating for a minimum of 3 years
513 and demonstrating exemplary academic programming and fiscal
514 management are eligible for a 15-year charter renewal. Such
515 long-term charter is subject to annual review and may be
516 terminated during the term of the charter.

517 2. The 15-year charter renewal that may be granted pursuant
518 to subparagraph 1. shall be granted to a charter school that has
519 received a school grade of "A" or "B" pursuant to s. 1008.34 in
520 3 of the past 4 years and is not in a state of financial
521 emergency or deficit position as defined by this section. Such
522 long-term charter is subject to annual review and may be
523 terminated during the term of the charter pursuant to subsection
524 (8).

525 (d)~~(e)~~ A charter may be modified during its initial term or
526 any renewal term upon the recommendation of the sponsor or the
527 charter school's governing board and the approval of both
528 parties to the agreement. Modification may include, but is not
529 limited to, consolidation of multiple charters into a single
530 charter if the charters are operated under the same governing
531 board and physically located on the same campus, regardless of
532 the renewal cycle.

533 (e)~~(d)~~ A charter may be terminated by a charter school's



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534 governing board through voluntary closure. The decision to cease
535 operations must be determined at a public meeting. The governing
536 board shall notify the parents and sponsor of the public meeting
537 in writing before the public meeting. The governing board must
538 notify the sponsor, parents of enrolled students, and the
539 department in writing within 24 hours after the public meeting
540 of its determination. The notice shall state the charter
541 school's intent to continue operations or the reason for the
542 closure and acknowledge that the governing board agrees to
543 follow the procedures for dissolution and reversion of public
544 funds pursuant to paragraphs (8)(e)-(g) and (9)(o).

545 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

546 (b) At least 90 days before ~~prior to~~ renewing, nonrenewing,
547 or terminating a charter, the sponsor shall notify the governing
548 board of the school of the proposed action in writing. The
549 notice shall state in reasonable detail the grounds for the
550 proposed action and stipulate that the school's governing board
551 may, within 14 calendar days after receiving the notice, request
552 a hearing. The hearing shall be conducted at the sponsor's
553 election in accordance with one of the following procedures:

554 1. A direct hearing conducted by the sponsor within 60 days
555 after receipt of the request for a hearing. The hearing shall be
556 conducted in accordance with ss. 120.569 and 120.57. The sponsor
557 shall decide upon nonrenewal or termination by a majority vote.
558 The sponsor's decision shall be a final order; or

559 2. A hearing conducted by an administrative law judge
560 assigned by the Division of Administrative Hearings. The hearing
561 shall be conducted within 60 days after receipt of the request
562 for a hearing and in accordance with chapter 120. The



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563 administrative law judge's recommended order shall be submitted
564 to the sponsor. A majority vote by the sponsor shall be required
565 to adopt or modify the administrative law judge's recommended
566 order. The sponsor shall issue a final order.

567 (12) EMPLOYEES OF CHARTER SCHOOLS.—

568 (h) For the purposes of tort liability, the charter school,
569 including its governing body and employees, ~~of a charter school~~
570 shall be governed by s. 768.28.

571 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may enter
572 into cooperative agreements to form charter school cooperative
573 organizations that may provide ~~the following services~~ to further
574 educational, operational, and administrative initiatives in
575 which the participating charter schools share common interests;
576 ~~charter school planning and development, direct instructional~~
577 ~~services, and contracts with charter school governing boards to~~
578 ~~provide personnel administrative services, payroll services,~~
579 ~~human resource management, evaluation and assessment services,~~
580 ~~teacher preparation, and professional development.~~

581 (17) FUNDING.—Students enrolled in a charter school,
582 regardless of the sponsorship, shall be funded as if they are in
583 a basic program or a special program, the same as students
584 enrolled in other public schools in the school district. Funding
585 for a charter lab school shall be as provided in s. 1002.32.

586 (b) The basis for the agreement for funding students
587 enrolled in a charter school shall be the sum of the school
588 district's operating funds from the Florida Education Finance
589 Program as provided in s. 1011.62 and the General Appropriations
590 Act, including gross state and local funds, discretionary
591 lottery funds, and funds from the school district's current



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592 operating discretionary millage levy; divided by total funded
593 weighted full-time equivalent students in the school district;
594 multiplied by the weighted full-time equivalent students for the
595 charter school. Charter schools whose students or programs meet
596 the eligibility criteria in law are entitled to their
597 proportionate share of categorical program funds included in the
598 total funds available in the Florida Education Finance Program
599 by the Legislature, including transportation, the research-based
600 reading allocation, and the Florida digital classrooms
601 allocation. Total funding for each charter school shall be
602 recalculated during the year to reflect the revised calculations
603 under the Florida Education Finance Program by the state and the
604 actual weighted full-time equivalent students reported by the
605 charter school during the full-time equivalent student survey
606 periods designated by the Commissioner of Education. For charter
607 schools operated by a not-for-profit or municipal entity, any
608 unrestricted surplus or unrestricted net assets identified in
609 the charter school's annual audit may be used for K-12
610 educational purposes for other charter schools in the state
611 operated by the not-for-profit or municipal entity. Surplus
612 operating funds shall be used in accordance with s. 1011.62, and
613 surplus capital outlay funds shall be used in accordance with s.
614 1013.62(2).

615 ~~(c) If the district school board is providing programs or~~
616 ~~services to students funded by federal funds, any eligible~~
617 ~~students enrolled in charter schools in the school district~~
618 ~~shall be provided federal funds for the same level of service~~
619 ~~provided students in the schools operated by the district school~~
620 ~~board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all~~



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621 charter schools shall receive all federal funding for which the
622 school is otherwise eligible, including Title I funding, not
623 later than 5 months after the charter school first opens and
624 within 5 months after any subsequent expansion of enrollment.
625 Unless otherwise mutually agreed to by the charter school and
626 its sponsor, and consistent with state and federal rules and
627 regulations governing the use and disbursement of federal funds,
628 the sponsor shall reimburse the charter school on a monthly
629 basis for all invoices submitted by the charter school for
630 federal funds available to the sponsor for the benefit of the
631 charter school, the charter school's students, and the charter
632 school's students as public school students in the school
633 district. Such federal funds include, but are not limited to,
634 Title I, Title II, and Individuals with Disabilities Education
635 Act (IDEA) funds. To receive timely reimbursement for an
636 invoice, the charter school must submit the invoice to the
637 sponsor at least 30 days before the monthly date of
638 reimbursement set by the sponsor. In order to be reimbursed, any
639 expenditures made by the charter school must comply with all
640 applicable state rules and federal regulations, including, but
641 not limited to, the applicable federal Office of Management and
642 Budget Circulars; the federal Education Department General
643 Administrative Regulations; and program-specific statutes,
644 rules, and regulations. Such funds may not be made available to
645 the charter school until a plan is submitted to the sponsor for
646 approval of the use of the funds in accordance with applicable
647 federal requirements. The sponsor has 30 days to review and
648 approve any plan submitted pursuant to this paragraph.

649 (18) FACILITIES.—



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650 (c) Any facility, or portion thereof, used to house a
651 charter school whose charter has been approved by the sponsor
652 and the governing board, pursuant to subsection (7), shall be
653 exempt from ad valorem taxes pursuant to s. 196.1983. Library,
654 community service, museum, performing arts, theatre, cinema,
655 church, Florida College System institution, college, and
656 university facilities may provide space to charter schools
657 within their facilities under their preexisting zoning and land
658 use designations without obtaining a special exception,
659 rezoning, a land use charter, or any other form of approval.

660 (20) SERVICES.—

661 (a)1. A sponsor shall provide certain administrative and
662 educational services to charter schools. These services shall
663 include contract management services; full-time equivalent and
664 data reporting services; exceptional student education
665 administration services; services related to eligibility and
666 reporting duties required to ensure that school lunch services
667 under the federal lunch program, consistent with the needs of
668 the charter school, are provided by the school district at the
669 request of the charter school, that any funds due to the charter
670 school under the federal lunch program be paid to the charter
671 school as soon as the charter school begins serving food under
672 the federal lunch program, and that the charter school is paid
673 at the same time and in the same manner under the federal lunch
674 program as other public schools serviced by the sponsor or the
675 school district; test administration services, including payment
676 of the costs of state-required or district-required student
677 assessments; processing of teacher certificate data services;
678 and information services, including equal access to student



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679 information systems that are used by public schools in the
680 district in which the charter school is located. Student
681 performance data for each student in a charter school,
682 including, but not limited to, FCAT scores, standardized test
683 scores, previous public school student report cards, and student
684 performance measures, shall be provided by the sponsor to a
685 charter school in the same manner provided to other public
686 schools in the district.

687 2. A sponsor may withhold an administrative fee for the
688 provision of such services which shall be a percentage of the
689 available funds defined in paragraph (17) (b) calculated based on
690 weighted full-time equivalent students. If the charter school
691 serves 75 percent or more exceptional education students as
692 defined in s. 1003.01(3), the percentage shall be calculated
693 based on unweighted full-time equivalent students. The
694 administrative fee shall be calculated as follows:

695 a. Up to 5 percent for:

696 (I) Enrollment of up to and including 250 students in a
697 charter school as defined in this section.

698 (II) Enrollment of up to and including 500 students within
699 a charter school system which meets all of the following:

700 (A) Includes conversion charter schools and nonconversion
701 charter schools.

702 (B) Has all of its schools located in the same county.

703 (C) Has a total enrollment exceeding the total enrollment
704 of at least one school district in the state.

705 (D) Has the same governing board for all of its schools.

706 (E) Does not contract with a for-profit service provider
707 for management of school operations.



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708 (III) Enrollment of up to and including 250 students in a
709 virtual charter school.

710 b. Up to 2 percent for enrollment of up to and including
711 250 students in a high-performing charter school as defined in
712 s. 1002.331.

713 3. A sponsor may not charge charter schools any additional
714 fees or surcharges for administrative and educational services
715 in addition to the maximum percentage of administrative fees
716 withheld pursuant to this paragraph ~~A total administrative fee~~
717 ~~for the provision of such services shall be calculated based~~
718 ~~upon up to 5 percent of the available funds defined in paragraph~~
719 ~~(17) (b) for all students, except that when 75 percent or more of~~
720 ~~the students enrolled in the charter school are exceptional~~
721 ~~students as defined in s. 1003.01(3), the 5 percent of those~~
722 ~~available funds shall be calculated based on unweighted full-~~
723 ~~time equivalent students. However, a sponsor may only withhold~~
724 ~~up to a 5-percent administrative fee for enrollment for up to~~
725 ~~and including 250 students. For charter schools with a~~
726 ~~population of 251 or more students, the difference between the~~
727 ~~total administrative fee calculation and the amount of the~~
728 ~~administrative fee withheld may only be used for capital outlay~~
729 ~~purposes specified in s. 1013.62(3).~~

730 ~~3. For high-performing charter schools, as defined in s.~~
731 ~~1002.331, a sponsor may withhold a total administrative fee of~~
732 ~~up to 2 percent for enrollment up to and including 250 students~~
733 ~~per school.~~

734 ~~4. In addition, a sponsor may withhold only up to a 5-~~
735 ~~percent administrative fee for enrollment for up to and~~
736 ~~including 500 students within a system of charter schools which~~



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737 ~~meets all of the following:~~
738 ~~a. Includes both conversion charter schools and~~
739 ~~nonconversion charter schools;~~
740 ~~b. Has all schools located in the same county;~~
741 ~~c. Has a total enrollment exceeding the total enrollment of~~
742 ~~at least one school district in the state;~~
743 ~~d. Has the same governing board; and~~
744 ~~e. Does not contract with a for-profit service provider for~~
745 ~~management of school operations.~~
746 ~~5. The difference between the total administrative fee~~
747 ~~calculation and the amount of the administrative fee withheld~~
748 ~~pursuant to subparagraph 4. may be used for instructional and~~
749 ~~administrative purposes as well as for capital outlay purposes~~
750 ~~specified in s. 1013.62(3).~~
751 ~~6. For a high-performing charter school system that also~~
752 ~~meets the requirements in subparagraph 4., a sponsor may~~
753 ~~withhold a 2-percent administrative fee for enrollments up to~~
754 ~~and including 500 students per system.~~
755 ~~7. Sponsors shall not charge charter schools any additional~~
756 ~~fees or surcharges for administrative and educational services~~
757 ~~in addition to the maximum 5-percent administrative fee withheld~~
758 ~~pursuant to this paragraph.~~
759 ~~8. The sponsor of a virtual charter school may withhold a~~
760 ~~fee of up to 5 percent. The funds shall be used to cover the~~
761 ~~cost of services provided under subparagraph 1. and~~
762 ~~implementation of the school district's digital classrooms plan~~
763 ~~pursuant to s. 1011.62.~~
764 (b) If goods and services are made available to the charter
765 school through the contract with the school district, they shall



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766 be provided to the charter school at a rate no greater than the
767 district's actual cost unless mutually agreed upon by the
768 charter school and the sponsor in a contract negotiated
769 separately from the charter. When mediation has failed to
770 resolve disputes over contracted services or contractual matters
771 not included in the charter, an appeal may be made for a dispute
772 resolution hearing before the Charter School Appeal Commission.
773 To maximize the use of state funds, school districts shall allow
774 charter schools to participate in the sponsor's bulk purchasing
775 program if applicable.

776 (c) Transportation of charter school students shall be
777 provided by the charter school consistent with the requirements
778 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
779 body of the charter school may provide transportation through an
780 agreement or contract with the district school board, a private
781 provider, or parents. The charter school and the sponsor shall
782 cooperate in making arrangements that ensure that transportation
783 is not a barrier to equal access for all students residing
784 within a reasonable distance of the charter school as determined
785 in its charter.

786 (d) Each charter school shall annually complete and submit
787 a survey, provided in a format specified by the Department of
788 Education, to rate the timeliness and quality of services
789 provided by the district in accordance with this section. The
790 department shall compile the results, by district, and include
791 the results in the report required under sub-sub-subparagraph
792 (5) (b) 1.k. (III).

793 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

794 (a) The Department of Education shall provide information



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795 to the public, directly and through sponsors, on how to form and
796 operate a charter school and how to enroll in a charter school
797 once it is created. This information shall include the standard
798 ~~a model~~ application form, standard charter contract, standard
799 evaluation instrument, and standard charter renewal contract,
800 which shall include the information specified in subsection (7)
801 and shall be developed by consulting and negotiating with both
802 school districts and charter schools before implementation. The
803 charter and charter renewal contracts shall be used by charter
804 school sponsors.

805 (b)1. The Department of Education shall report to each
806 charter school receiving a school grade pursuant to s. 1008.34
807 or a school improvement rating pursuant to s. 1008.341 the
808 school's student assessment data.

809 2. The charter school shall report the information in
810 subparagraph 1. to each parent of a student at the charter
811 school, the parent of a child on a waiting list for the charter
812 school, the district in which the charter school is located, and
813 the governing board of the charter school. This paragraph does
814 not abrogate the provisions of s. 1002.22, relating to student
815 records, or the requirements of 20 U.S.C. s. 1232g, the Family
816 Educational Rights and Privacy Act.

817 ~~3.a. Pursuant to this paragraph, the Department of~~
818 ~~Education shall compare the charter school student performance~~
819 ~~data for each charter school in subparagraph 1. with the student~~
820 ~~performance data in traditional public schools in the district~~
821 ~~in which the charter school is located and other charter schools~~
822 ~~in the state. For alternative charter schools, the department~~
823 ~~shall compare the student performance data described in this~~



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824 ~~paragraph with all alternative schools in the state. The~~
825 ~~comparative data shall be provided by the following grade~~
826 ~~groupings:~~

827 ~~(I) Grades 3 through 5;~~
828 ~~(II) Grades 6 through 8; and~~
829 ~~(III) Grades 9 through 11.~~

830 ~~b. Each charter school shall provide the information~~
831 ~~specified in this paragraph on its Internet website and also~~
832 ~~provide notice to the public at large in a manner provided by~~
833 ~~the rules of the State Board of Education. The State Board of~~
834 ~~Education shall adopt rules to administer the notice~~
835 ~~requirements of this subparagraph pursuant to ss. 120.536(1) and~~
836 ~~120.54. The website shall include, through links or actual~~
837 ~~content, other information related to school performance.~~

838 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
839 SCHOOL SYSTEMS.—A charter school system's governing board shall
840 be designated a local educational agency for the purpose of
841 receiving federal funds, the same as though the charter school
842 system were a school district, if the governing board of the
843 charter school system has adopted and filed a resolution with
844 its sponsoring district school board and the Department of
845 Education in which the governing board of the charter school
846 system accepts the full responsibility for all local education
847 agency requirements and the charter school system meets all of
848 the following:

849 ~~(a) Includes both conversion charter schools and~~
850 ~~nonconversion charter schools;~~

851 (a)~~(b)~~ Has all schools located in the same county;
852 (b)~~(c)~~ Has a total enrollment exceeding the total



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853 enrollment of at least one school district in the state; and
854 (c) ~~(d)~~ Has the same governing board; ~~and~~
855 ~~(e) Does not contract with a for-profit service provider~~
856 ~~for management of school operations.~~

857

858 Such designation does not apply to other provisions unless
859 specifically provided in law.

860 (28) RULEMAKING.—The Department of Education, after
861 consultation with school districts and charter school directors,
862 shall recommend that the State Board of Education adopt rules to
863 implement specific subsections of this section. Such rules shall
864 require minimum paperwork and shall not limit charter school
865 flexibility authorized by statute. The State Board of Education
866 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
867 implement a standard charter model application form, standard
868 application form for the replication of charter schools in a
869 high-performing charter school system, standard evaluation
870 instrument, and standard charter and charter renewal contracts
871 in accordance with this section.

872 Section 2. Paragraph (b) of subsection (2) of section
873 1002.3305, Florida Statutes, is amended to read:

874 1002.3305 College-preparatory Boarding Academy Pilot
875 Program for at-risk students.—

876 (2) DEFINITIONS.—As used in this section, the term:

877 (b) "Eligible student" means a student who is a resident of
878 the state and entitled to attend school in a participating
879 school district, is at risk of academic failure, is currently
880 enrolled in grades 5-12, if it is determined by the operator
881 that a seat is available grade 5 or 6, is from a family whose



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882 gross income is at or below 200 percent of the federal poverty
883 guidelines, is eligible for benefits or services funded by
884 Temporary Assistance for Needy Families (TANF) or Title IV-E of
885 the Social Security Act, and meets at least one of the following
886 additional risk factors:

887 1. The child is in foster care or has been declared an
888 adjudicated dependent by a court.

889 2. The student's head of household is not the student's
890 custodial parent.

891 3. The student resides in a household that receives a
892 housing voucher or has been determined eligible for public
893 housing assistance.

894 4. A member of the student's immediate family has been
895 incarcerated.

896 5. The child is covered under the terms of the state's
897 Child Welfare Waiver Demonstration project with the United
898 States Department of Health and Human Services.

899 Section 3. Subsection (3) of section 1002.331, Florida
900 Statutes, is amended to read:

901 1002.331 High-performing charter schools.—

902 (3) (a) 1. A high-performing charter school may submit an
903 application pursuant to s. 1002.33(6) in any school district in
904 the state to establish and operate a new charter school that
905 will substantially replicate its educational program. An
906 application submitted by a high-performing charter school must
907 state that the application is being submitted pursuant to this
908 paragraph and must include the verification letter provided by
909 the Commissioner of Education pursuant to subsection (4).

910 2. If the sponsor fails to act on the application within 90



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911 ~~60~~ days after receipt, the application is deemed approved and
912 the procedure in s. 1002.33(7) ~~1002.33(6)(h)~~ applies. ~~If the~~
913 ~~sponsor denies the application, the high-performing charter~~
914 ~~school may appeal pursuant to s. 1002.33(6).~~

915 (b) A high-performing charter school may not establish more
916 than one charter school within the state under paragraph (a) in
917 any year. A subsequent application to establish a charter school
918 under paragraph (a) may not be submitted unless each charter
919 school established in this manner achieves high-performing
920 charter school status. However, a high-performing charter school
921 may establish more than one charter school within the state
922 under paragraph (a) in any year if it operates in the area of a
923 persistently low-performing school and serves students from that
924 school.

925 Section 4. Paragraph (b) of subsection (2) of section
926 1002.332, Florida Statutes is amended, and paragraph (c) is
927 added to that subsection, to read:

928 1002.332 High-performing charter school system.-

929 (2) (b) A high-performing charter school system may
930 replicate its high-performing charter schools in any school
931 district in the state. The applicant must submit an application
932 using the standard application form prepared by the Department
933 of Education which:

934 1. Contains goals and objectives for improving student
935 learning and a process for measuring student improvement. These
936 goals and objectives must indicate how much academic improvement
937 students are expected to demonstrate each year, how success will
938 be evaluated, and the specific results to be attained through
939 instruction.



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940 2. Contains an annual financial plan for each year
941 requested by the charter for operation of the school for up to 5
942 years. This plan must contain anticipated fund balances based on
943 revenue projections, a spending plan based on projected revenue
944 and expenses, and a description of controls that will safeguard
945 finances and projected enrollment trends.

946 3. Discloses the name of each applicant, governing board
947 member, and all proposed education services providers; the name
948 and sponsor of any charter school operated by each applicant,
949 each governing board member, and each proposed education
950 services provider that has closed and the reasons for the
951 closure; and the academic and financial history of such charter
952 schools, which the sponsor shall consider when deciding whether
953 to approve or deny the application.

954 (c) An application submitted by a high-performing charter
955 school system must state that the application is being submitted
956 pursuant to this section and must include the verification
957 letter provided by the Commissioner of Education pursuant to
958 this subsection. If the sponsor fails to act on the application
959 within 90 days after receipt, the application is deemed approved
960 and the procedure in s. 1002.33(7) applies pursuant to s.
961 1002.331(3).

962 Section 5. Paragraph (d) of subsection (3) of section
963 1008.34, Florida Statutes, is amended to read:

964 1008.34 School grading system; school report cards;
965 district grade.—

966 (3) DESIGNATION OF SCHOOL GRADES.—

967 (d) The performance of students attending alternative
968 schools and students designated as hospital or homebound shall



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969 be factored into a school grade as follows:

970 1. The student performance data for eligible students
971 attending alternative schools, including charter alternative
972 schools, that provide dropout prevention and academic
973 intervention services pursuant to s. 1003.53 shall be included
974 in the calculation of the home school's grade. The term
975 "eligible students" in this subparagraph does not include
976 students attending an alternative school who are subject to
977 district school board policies for expulsion for repeated or
978 serious offenses, who are in dropout retrieval programs serving
979 students who have officially been designated as dropouts, or who
980 are in programs operated or contracted by the Department of
981 Juvenile Justice. As used in this subparagraph, the term "home
982 school" means the school to which the student would be assigned
983 if the student were not assigned to an alternative school. If an
984 alternative school chooses to be graded under this section,
985 student performance data for eligible students identified in
986 this subparagraph shall not be included in the home school's
987 grade but shall be included only in the calculation of the
988 alternative school's grade. A school district that fails to
989 assign statewide, standardized end-of-course assessment scores
990 of each of its students to his or her home school or to the
991 alternative school that receives a grade shall forfeit Florida
992 School Recognition Program funds for one fiscal year. School
993 districts must require collaboration between the home school and
994 the alternative school in order to promote student success. This
995 collaboration must include an annual discussion between the
996 principal of the alternative school and the principal of each
997 student's home school concerning the most appropriate school



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998 assignment of the student.

999 2. Student performance data for students designated as
1000 hospital or homebound shall be assigned to their home school for
1001 the purposes of school grades. As used in this subparagraph, the
1002 term "home school" means the school to which a student would be
1003 assigned if the student were not assigned to a hospital or
1004 homebound program.

1005 3. Student performance data for a high school student who
1006 transfers to a private school that has a contractual
1007 relationship with the school district shall be assigned to the
1008 school in which the student was last enrolled.

1009 Section 6. Subsection (3) of section 1008.341, Florida
1010 Statutes, is amended to read:

1011 1008.341 School improvement rating for alternative
1012 schools.—

1013 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student
1014 Learning Gains based on statewide, standardized assessments,
1015 including retakes, administered under s. 1008.22 for all
1016 eligible students who were assigned to and enrolled in the
1017 school during the October or February FTE count and who have
1018 assessment scores, concordant scores, or comparable scores for
1019 the preceding school year shall be used in determining an
1020 alternative school's school improvement rating. An alternative
1021 school's rating shall be based on the following components:

1022 (a) The percentage of eligible students who make Learning
1023 Gains in English Language Arts as measured by statewide,
1024 standardized assessments under s. 1008.22(3).

1025 (b) The percentage of eligible students who make Learning
1026 Gains in mathematics as measured by statewide, standardized



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1027 assessments under s. 1008.22(3).

1028

1029 Student performance results of students who are subject to
1030 district school board policies for expulsion for repeated or
1031 serious offenses, who are in dropout retrieval programs serving
1032 students who have officially been designated as dropouts, or who
1033 are in programs operated or contracted by the Department of
1034 Juvenile Justice may not be included in an alternative school's
1035 school improvement rating.

1036 Section 7. Paragraph (i) of subsection (1) of section
1037 1011.62, Florida Statutes, is amended to read:

1038 1011.62 Funds for operation of schools.—If the annual
1039 allocation from the Florida Education Finance Program to each
1040 district for operation of schools is not determined in the
1041 annual appropriations act or the substantive bill implementing
1042 the annual appropriations act, it shall be determined as
1043 follows:

1044 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
1045 OPERATION.—The following procedure shall be followed in
1046 determining the annual allocation to each district for
1047 operation:

1048 (i) *Calculation of full-time equivalent membership with*
1049 *respect to dual enrollment instruction.*—Students enrolled in
1050 dual enrollment instruction pursuant to s. 1007.271 may be
1051 included in calculations of full-time equivalent student
1052 memberships for basic programs for grades 9 through 12 by a
1053 district school board. Instructional time for dual enrollment
1054 may vary from 900 hours; however, the full-time equivalent
1055 student membership value shall be subject to the provisions in



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1056 s. 1011.61(4). Dual enrollment full-time equivalent student
1057 membership shall be calculated in an amount equal to the hours
1058 of instruction that would be necessary to earn the full-time
1059 equivalent student membership for an equivalent course if it
1060 were taught in the school district. Students in dual enrollment
1061 courses may also be calculated as the proportional shares of
1062 full-time equivalent enrollments they generate for a Florida
1063 College System institution or university conducting the dual
1064 enrollment instruction. Early admission students shall be
1065 considered dual enrollments for funding purposes. Students may
1066 be enrolled in dual enrollment instruction provided by an
1067 eligible independent college or university and may be included
1068 in calculations of full-time equivalent student memberships for
1069 basic programs for grades 9 through 12 by a district school
1070 board. However, those provisions of law which exempt dual
1071 enrolled and early admission students from payment of
1072 instructional materials and tuition and fees, including
1073 laboratory fees, shall not apply to students who select the
1074 option of enrolling in an eligible independent institution. An
1075 independent college or university, ~~which is located and~~
1076 ~~chartered in Florida,~~ is not for profit, is accredited by a
1077 regional or national accrediting agency recognized by the United
1078 States Department of Education ~~the Commission on Colleges of the~~
1079 ~~Southern Association of Colleges and Schools or the Accrediting~~
1080 ~~Council for Independent Colleges and Schools,~~ and confers
1081 degrees as defined in s. 1005.02 shall be eligible for inclusion
1082 in the dual enrollment or early admission program. Students
1083 enrolled in dual enrollment instruction shall be exempt from the
1084 payment of tuition and fees, including laboratory fees. No



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1085 student enrolled in college credit mathematics or English dual
1086 enrollment instruction shall be funded as a dual enrollment
1087 unless the student has successfully completed the relevant
1088 section of the entry-level examination required pursuant to s.
1089 1008.30.

1090 Section 8. Subsection (2) of section 1011.71, Florida
1091 Statutes, is amended, and subsection (10) is added to that
1092 section, to read:

1093 1011.71 District school tax.—

1094 (2) In addition to the maximum millage levy as provided in
1095 subsection (1), each school board may levy not more than 1.5
1096 mills against the taxable value for school purposes for district
1097 schools and charter schools-in-a-municipality, including charter
1098 schools at the discretion of the school board, to fund:

1099 (a) New construction and remodeling projects, as set forth
1100 in s. 1013.64(3)(b) and (6)(b) and included in the district's
1101 educational plant survey pursuant to s. 1013.31, without regard
1102 to prioritization, sites and site improvement or expansion to
1103 new sites, existing sites, auxiliary facilities, athletic
1104 facilities, or ancillary facilities.

1105 (b) Maintenance, renovation, and repair of existing school
1106 plants or of leased facilities to correct deficiencies pursuant
1107 to s. 1013.15(2).

1108 (c) The purchase, lease-purchase, or lease of school buses.

1109 (d) The purchase, lease-purchase, or lease of new and
1110 replacement equipment; computer hardware, including electronic
1111 hardware and other hardware devices necessary for gaining access
1112 to or enhancing the use of electronic content and resources or
1113 to facilitate the access to and the use of a school district's



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1114 digital classrooms plan pursuant to s. 1011.62, excluding
1115 software other than the operating system necessary to operate
1116 the hardware or device; and enterprise resource software
1117 applications that are classified as capital assets in accordance
1118 with definitions of the Governmental Accounting Standards Board,
1119 have a useful life of at least 5 years, and are used to support
1120 districtwide administration or state-mandated reporting
1121 requirements.

1122 (e) Payments for educational facilities and sites due under
1123 a lease-purchase agreement entered into by a district school
1124 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
1125 exceeding, in the aggregate, an amount equal to three-fourths of
1126 the proceeds from the millage levied by a district school board
1127 pursuant to this subsection. The three-fourths limit is waived
1128 for lease-purchase agreements entered into before June 30, 2009,
1129 by a district school board pursuant to this paragraph.

1130 (f) Payment of loans approved pursuant to ss. 1011.14 and
1131 1011.15.

1132 (g) Payment of costs directly related to complying with
1133 state and federal environmental statutes, rules, and regulations
1134 governing school facilities.

1135 (h) Payment of costs of leasing relocatable educational
1136 facilities, of renting or leasing educational facilities and
1137 sites pursuant to s. 1013.15(2), or of renting or leasing
1138 buildings or space within existing buildings pursuant to s.
1139 1013.15(4).

1140 (i) Payment of the cost of school buses when a school
1141 district contracts with a private entity to provide student
1142 transportation services if the district meets the requirements



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1143 of this paragraph.

1144 1. The district's contract must require that the private
1145 entity purchase, lease-purchase, or lease, and operate and
1146 maintain, one or more school buses of a specific type and size
1147 that meet the requirements of s. 1006.25.

1148 2. Each such school bus must be used for the daily
1149 transportation of public school students in the manner required
1150 by the school district.

1151 3. Annual payment for each such school bus may not exceed
1152 10 percent of the purchase price of the state pool bid.

1153 4. The proposed expenditure of the funds for this purpose
1154 must have been included in the district school board's notice of
1155 proposed tax for school capital outlay as provided in s.
1156 200.065(10).

1157 (j) Payment of the cost of the opening day collection for
1158 the library media center of a new school.

1159 (10) A school board that levies the discretionary millage
1160 authorized in subsection (2) shall use the following methodology
1161 to determine the amount of revenue that must be shared with a
1162 charter school-in-a-municipality:

1163 (a) Reduce the total discretionary millage revenue by the
1164 school district's annual debt service obligation incurred as of
1165 March 1, 2017.

1166 (b) Divide the sum of the school district's adjusted
1167 discretionary millage revenue by the school district's total
1168 capital outlay full-time equivalent membership and the total
1169 number of unweighted full-time equivalent students of each
1170 eligible charter school-in-a-municipality to determine a capital
1171 outlay allocation per full-time equivalent student.



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1172 (c) Multiply the capital outlay allocation per full-time
1173 equivalent student by the total number of full-time equivalent
1174 students of each eligible charter school-in-a-municipality to
1175 determine the capital outlay allocation for each charter school-
1176 in-a-municipality.

1177 (d) If applicable, adjust the capital outlay allocation
1178 identified in paragraph (c) by the total amount of state funds
1179 allocated to each eligible charter school-in-a-municipality in
1180 s. 1013.62(2) to determine the maximum calculated capital outlay
1181 allocation.

1182
1183 The school district shall distribute capital outlay funds to
1184 charter schools-in-a-municipality no later than February 1 of
1185 each year, beginning on February 1, 2018, for the 2017-2018
1186 fiscal year.

1187 Section 9. Paragraph (a) of subsection (1) of section
1188 1013.62, Florida Statutes, is amended to read:

1189 1013.62 Charter schools capital outlay funding.-

1190 (1) In each year in which funds are appropriated for
1191 charter school capital outlay purposes, the Commissioner of
1192 Education shall allocate the funds among eligible charter
1193 schools as specified in this section.

1194 (a) To be eligible for a funding allocation, a charter
1195 school must:

1196 1.a. Have been in operation for 2 or more years;

1197 b. Be governed by a governing board established in the
1198 state for 3 or more years which operates both charter schools
1199 and conversion charter schools within the state;

1200 c. Be an expanded feeder chain of a charter school within



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1201 the same school district that is currently receiving charter
1202 school capital outlay funds;
1203 d. Have been accredited by the Commission on Schools of the
1204 Southern Association of Colleges and Schools; or
1205 e. Serve students in facilities that are provided by a
1206 business partner for a charter school-in-the-workplace pursuant
1207 to s. 1002.33(15) (b) .
1208 2. Have an annual audit that does not reveal any of the
1209 financial emergency conditions provided in s. 218.503(1) for the
1210 most recent fiscal year for which such audit results are
1211 available.
1212 ~~3. Have satisfactory student achievement based on state~~
1213 ~~accountability standards applicable to the charter school.~~
1214 3.4. Have received final approval from its sponsor pursuant
1215 to s. 1002.33 for operation during that fiscal year.
1216 ~~4.5.~~ Serve students in facilities that are not provided by
1217 the charter school's sponsor.

1218 Section 10. This act shall take effect July 1, 2017.

1219
1220 ===== T I T L E A M E N D M E N T =====

1221 And the title is amended as follows:

1222 Delete everything before the enacting clause
1223 and insert:

1224 A bill to be entitled
1225 An act relating to K-12 education; amending s.
1226 1002.33, F.S.; revising the charter school application
1227 process; revising the appeals process for a denied
1228 charter school application; requiring the use of the
1229 standard contract by specified entities; revising



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1230 eligibility requirements for charter school students
1231 enrolled in blended learning courses; clarifying
1232 provisions relating to charter schools and tort
1233 liability; revising the purpose of charter school
1234 cooperatives; authorizing the use of unrestricted net
1235 assets and unrestricted surplus for specified charter
1236 schools; requiring such funds to be used in accordance
1237 with specified provisions; revising the public
1238 information disclosures of charter schools;
1239 authorizing certain entities to share facilities with
1240 charter schools without additional approval; revising
1241 the administrative fees that a district may withhold
1242 from charter schools; requiring charter schools to
1243 complete and submit an annual survey; deleting a
1244 requirement that the Department of Education compare
1245 certain data; revising eligibility criteria for
1246 designated local educational agency status; amending
1247 1002.3305, F.S.; revising the definition for the term
1248 "eligible student" for purposes of the College-
1249 preparatory Boarding Academy Pilot Program; amending
1250 s. 1002.331, F.S.; conforming provisions to changes
1251 made by the act; authorizing a high-performing charter
1252 school to establish more than one charter school in
1253 any year under certain circumstances; amending s.
1254 1002.332, F.S.; authorizing a high-performing charter
1255 school system to replicate its schools in any school
1256 district and providing application requirements
1257 therefor; amending s. 1008.34, F.S.; revising the
1258 student performance data to be included in school



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1259 grades; amending s. 1008.341, F.S.; including
1260 concordant scores in the calculation of an alternative
1261 school's school improvement rating; amending s.
1262 1011.62, F.S.; revising eligibility criteria for
1263 postsecondary institutions to participate in the dual
1264 enrollment and early admission programs; amending s.
1265 1011.71, F.S.; requiring district schools to share
1266 discretionary millage with charter schools-in-a-
1267 municipality and providing a distribution methodology
1268 therefor; amending s. 1013.62, F.S.; revising
1269 eligibility criteria for charter schools to receive
1270 charter school capital outlay funding; providing an
1271 effective date.



547528

LEGISLATIVE ACTION

| | | |
|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Hukill) recommended the following:

Senate Amendment (with directory and title amendments)

Delete line 78

and insert:

1002.334 High-Impact Charter Network.

=====
D I R E C T O R Y C L A U S E A M E N D M E N T
=====

And the directory clause is amended as follows:

Delete line 76

and insert:

Section 1002.334, Florida Statutes, is created



547528

12
13
14
15
16
17

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 10

and insert:

s. 1002.334, F.S.; defining terms; authorizing certain



477746

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

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and insert:

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477746

12
13
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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 10

and insert:

s. 1002.334, F.S.; defining terms; authorizing certain



233884

LEGISLATIVE ACTION

| Senate | . | House |
|------------|---|-------|
| Comm: RCS | . | |
| 04/17/2017 | . | |
| | . | |
| | . | |
| | . | |

The Committee on Education (Broxson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 150 - 191
and insert:
(PSAT/NMSQT), or the PreACT ~~Act Aspire~~ to all enrolled 10th
grade students. However, a written notice shall be provided to
each parent which must ~~that shall~~ include the opportunity to
exempt his or her child from taking the PSAT/NMSQT or the PreACT
~~ACT Aspire~~.

(a) Test results will provide each high school with a
database of student assessment data which certified school



233884

12 counselors will use to identify students who are prepared or who
13 need additional work to be prepared to enroll and be successful
14 in AP courses or other advanced high school courses.

15 (b) Funding for the PSAT/NMSQT or the PreACT ~~ACT Aspire~~ for
16 all 10th grade students shall be contingent upon annual funding
17 in the General Appropriations Act.

18 (c) Public school districts must choose either the
19 PSAT/NMSQT or the PreACT ~~ACT Aspire~~ for districtwide
20 administration.

21 (6) The partnership shall:

22 (j) Provide information to students, parents, teachers,
23 counselors, administrators, districts, Florida College System
24 institutions, and state universities regarding PSAT/NMSQT or the
25 PreACT ~~ACT Aspire~~ administration, including but not limited to:

26 1. Test administration dates and times.

27 2. That participation in the PSAT/NMSQT or the PreACT ~~ACT~~
28 ~~Aspire~~ is open to all 10th grade students.

29 3. The value of such tests in providing diagnostic feedback
30 on student skills.

31 4. The value of student scores in predicting the
32 probability of success on AP or other advanced course
33 examinations.

34 (8) (a) By September 30 of each year, the partnership shall
35 submit to the department a report that contains an evolution of
36 the effectiveness of the delivered services and activities.
37 Activities and services must be evaluated on their effectiveness
38 at raising student achievement and increasing the number of AP
39 or other advanced course examinations in low-performing middle
40 and high schools. Other indicators that must be addressed in the



233884

41 evaluation report include the number of middle and high school
42 teachers trained; the effectiveness of the training; measures of
43 postsecondary readiness of the students affected by the program;
44 levels of participation in the 10th grade PSAT/NMSQT or the
45 PreACT ~~ACT-Aspire~~ testing; and measures of student, parent,
46

47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete line 32

50 and insert:

51 include the PreACT, rather than the ACT

THE FLORIDA SENATE

APPEARANCE RECORD

April 17, 2017
Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1367
Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Shawn Frost

Job Title president

Address 113 S. Monroe St #101
Street
Tallahassee FL 32301
City State Zip

Phone 850 391-0421

Email info@FCSBM.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida Coalition of School Board Members

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/2017
Meeting Date

1362
Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Catherine Baer

Job Title _____

Address 1421 Woodgate Way
Street
Tallahassee FL 32308
City State Zip

Phone 850-382-8150

Email Alybaer@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing The Tea Party Network / Common Ground

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 17, 2017
Meeting Date

SB 1362
Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Nancy Lawther

Job Title _____

Address 9140 SW 59 Ave.
Street
Miami, FL 33156
City State Zip

Phone 305 665-6324

Email nllawther@gmail.com

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

April 17 2017
Meeting Date

1362
Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Marie-Claire Leman

Job Title _____

Address 1911 Wahalaw Ct
Street

Phone 850 728-7514

Tallahassee FL 32301
City State Zip

Email _____

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Common Ground

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17
Meeting Date

1362
Bill Number (if applicable)

Topic K-12 Education

Amendment Barcode (if applicable)

Name Beth Overholt

Job Title _____

Address 4130 Faulkner Lane

Phone 228-0587

Street

Tally 32311

Email _____

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Opt Out

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4/17/17

Meeting Date

1362

Bill Number (if applicable)

233884

Amendment Barcode (if applicable)

Topic K-12 Education, PreACT

Name Greg Black

Job Title Attorney

Address 119 S. Monroe Street, Suite 200

Phone 8502059000

Street

Tallahassee

FL

32301

Email greg.black@mhdfirm.com

City

State

Zip

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing ACT, Inc.

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

By Senator Broxson

1-00608-17

20171362__

1 A bill to be entitled
 2 An act relating to K-12 education; amending s.
 3 1002.33, F.S.; removing a requirement that the
 4 Department of Education compare certain charter school
 5 student performance data to certain traditional public
 6 schools; removing notice requirements relating to such
 7 charter school performance data; removing a
 8 requirement that the State Board of Education adopt
 9 rules to administer such notice requirements; creating
 10 s. 1002.333, F.S.; defining terms; authorizing certain
 11 entities to apply to the State Board of Education for
 12 designation as a High-Impact Charter Network;
 13 requiring the state board to adopt rules; providing
 14 criteria for an initial and renewal designation;
 15 providing the period during which an initial
 16 designation is valid; authorizing entities designated
 17 as High-Impact Charter Networks to establish and
 18 operate charter schools under certain circumstances;
 19 authorizing entities with the designation to submit an
 20 application to establish and operate charter schools;
 21 providing that charter schools operated by designated
 22 entities are eligible to receive charter school
 23 capital outlay; requiring the department to give
 24 priority to certain charter schools applying for
 25 specified grants; requiring the governing board of an
 26 entity designated as a High-Impact Charter Network to
 27 be considered a local educational agency for receiving
 28 federal funds, under certain conditions; providing for
 29 rulemaking; amending s. 1007.35, F.S.; revising the

Page 1 of 9

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1-00608-17

20171362__

30 exams each public high school is required to
 31 administer to all enrolled 10th grade students to
 32 include the preliminary ACT, rather than the ACT
 33 Aspire; amending s. 1008.34, F.S.; clarifying
 34 accountability requirements for collocated schools;
 35 providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Paragraph (b) of subsection (21) of section
 40 1002.33, Florida Statutes, is amended to read:

41 1002.33 Charter schools.—

42 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

43 (b)1. The Department of Education shall report to each
 44 charter school receiving a school grade pursuant to s. 1008.34
 45 or a school improvement rating pursuant to s. 1008.341 the
 46 school's student assessment data.

47 2. The charter school shall report the information in
 48 subparagraph 1. to each parent of a student at the charter
 49 school, the parent of a child on a waiting list for the charter
 50 school, the district in which the charter school is located, and
 51 the governing board of the charter school. This paragraph does
 52 not abrogate the provisions of s. 1002.22, relating to student
 53 records, or the requirements of 20 U.S.C. s. 1232g, the Family
 54 Educational Rights and Privacy Act.

55 ~~3.a. Pursuant to this paragraph, the Department of~~
 56 ~~Education shall compare the charter school student performance~~
 57 ~~data for each charter school in subparagraph 1. with the student~~
 58 ~~performance data in traditional public schools in the district~~

Page 2 of 9

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 ~~in which the charter school is located and other charter schools~~
60 ~~in the state. For alternative charter schools, the department~~
61 ~~shall compare the student performance data described in this~~
62 ~~paragraph with all alternative schools in the state. The~~
63 ~~comparative data shall be provided by the following grade~~
64 ~~groupings:~~

65 ~~(I) Grades 3 through 5;~~

66 ~~(II) Grades 6 through 8; and~~

67 ~~(III) Grades 9 through 11.~~

68 b. Each charter school shall provide the information
69 specified in this paragraph on its Internet website and also
70 provide notice to the public at large in a manner provided by
71 the rules of the State Board of Education. The State Board of
72 Education shall adopt rules to administer the notice
73 requirements of this subparagraph pursuant to ss. 120.536(1) and
74 120.54. The website shall include, through links or actual
75 content, other information related to school performance.

76 Section 2. Section 1002.333, Florida Statutes, is created
77 to read:

78 1002.333 High-Impact Charter Network.-

79 (1) As used in this section, the term:

80 (a) "Critical need area" means an area that is served by
81 one or more nonalternative, traditional public schools that
82 received a school grade of "D" or "F" pursuant to s. 1008.34 in
83 4 of the last 5 years or whose school district is required to
84 implement a turnaround option pursuant to s. 1008.33(4) (b).

85 (b) "Entity" means a nonprofit organization with tax-exempt
86 status under s. 501(c) (3) of the Internal Revenue Code which is
87 authorized by law to operate a public charter school.

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88 (2) An entity that successfully operates a system of
89 charter schools which primarily serves educationally
90 disadvantaged students who are eligible for free or reduced-
91 price school lunches under the National School Lunch Act may
92 apply to the State Board of Education for designation as a High-
93 Impact Charter Network. The state board shall adopt rules
94 prescribing a review process for determining whether the entity
95 meets the requirements for the designation as a High-Impact
96 Charter Network under this section. The review process:

97 (a) Must include student demographic information and a
98 review of all schools currently and previously operated by the
99 entity, including school-level financial performances and
100 schoolwide and subgroup performance on all statewide assessments
101 for the most recent 3 years as compared to all students in other
102 schools at the same grade level and as compared with other
103 schools serving similar demographics of students.

104 (b) May include student performance on nationally norm-
105 referenced tests, attendance and retention rates, graduation
106 rates, college attendance rates, college persistence rates, and
107 other outcome measures as determined by the state board.

108 (3) The initial High-Impact Charter Network status
109 designation is valid for up to 4 years. If an entity seeks
110 status renewal, the state board shall review the academic and
111 financial performance of the charter schools established in
112 critical need areas consistent with the process described in
113 subsection (2).

114 (4) An entity that is designated as a High-Impact Charter
115 Network pursuant to this section may submit an application to a
116 district school board pursuant to s. 1002.33 to establish and

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117 operate charter schools in critical need areas or, under s.
 118 1008.33(4)(b)3., charter schools as turnaround options for
 119 schools that earn a grade of "F" in the school district.
 120 Notwithstanding s. 1013.62(1)(a), a charter school operated by a
 121 High-Impact Charter Network in a critical need area is eligible
 122 to receive charter school capital outlay.

123 (5) The department shall give priority to charter schools
 124 operated by a High-Impact Charter Network in the department's
 125 Florida Public Charter Schools Grant Program competitions. Such
 126 priority treatment may be provided only for a new charter school
 127 that will operate in a critical need area.

128 (6) Notwithstanding the criteria in s. 1002.33(25), the
 129 governing board of an entity designated as a High-Impact Charter
 130 Network shall be designated as a local educational agency for
 131 the purposes of receiving federal funds if the governing board
 132 has adopted and filed a resolution with its sponsoring district
 133 school board and the department. The resolution must contain
 134 provisions indicating that the governing board accepts the full
 135 responsibility for all local educational agency requirements and
 136 that the charter schools for which the governing board will
 137 perform local education agency responsibilities are all located
 138 in the same county.

139 (7) The State Board of Education shall adopt rules to
 140 administer this section.

141 Section 3. Subsection (5), paragraph (j) of subsection (6),
 142 and paragraph (a) of subsection (8) of section 1007.35, Florida
 143 Statutes, are amended to read:

144 1007.35 Florida Partnership for Minority and
 145 Underrepresented Student Achievement.-

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146 (5) Each public high school, including, but not limited to,
 147 schools and alternative sites and centers of the Department of
 148 Juvenile Justice, shall provide for the administration of the
 149 Preliminary SAT/National Merit Scholarship Qualifying Test
 150 (PSAT/NMSQT), or the preliminary ACT ~~Aspire~~ to all enrolled 10th
 151 grade students. However, a written notice shall be provided to
 152 each parent which must ~~that shall~~ include the opportunity to
 153 exempt his or her child from taking the PSAT/NMSQT or the
 154 preliminary ACT ~~Aspire~~.

155 (a) Test results will provide each high school with a
 156 database of student assessment data which certified school
 157 counselors will use to identify students who are prepared or who
 158 need additional work to be prepared to enroll and be successful
 159 in AP courses or other advanced high school courses.

160 (b) Funding for the PSAT/NMSQT or the preliminary ACT
 161 Aspire for all 10th grade students shall be contingent upon
 162 annual funding in the General Appropriations Act.

163 (c) Public school districts must choose either the
 164 PSAT/NMSQT or the preliminary ACT ~~Aspire~~ for districtwide
 165 administration.

166 (6) The partnership shall:

167 (j) Provide information to students, parents, teachers,
 168 counselors, administrators, districts, Florida College System
 169 institutions, and state universities regarding PSAT/NMSQT or the
 170 preliminary ACT ~~Aspire~~ administration, including, but not
 171 limited to:

172 1. Test administration dates and times.
 173 2. That participation in the PSAT/NMSQT or the preliminary
 174 ACT ~~Aspire~~ is open to all 10th grade students.

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175 3. The value of such tests in providing diagnostic feedback
176 on student skills.

177 4. The value of student scores in predicting the
178 probability of success on AP or other advanced course
179 examinations.

180 (8) (a) By September 30 of each year, the partnership shall
181 submit to the department a report that contains an evaluation of
182 the effectiveness of the delivered services and activities.
183 Activities and services must be evaluated on their effectiveness
184 at raising student achievement and increasing the number of AP
185 or other advanced course examinations in low-performing middle
186 and high schools. Other indicators that must be addressed in the
187 evaluation report include the number of middle and high school
188 teachers trained; the effectiveness of the training; measures of
189 postsecondary readiness of the students affected by the program;
190 levels of participation in 10th grade PSAT/NMSQT or the
191 preliminary ACT Aspire testing; and measures of student, parent,
192 and teacher awareness of and satisfaction with the services of
193 the partnership.

194 Section 4. Paragraph (a) of subsection (3) of section
195 1008.34, Florida Statutes, is amended to read:
196 1008.34 School grading system; school report cards;
197 district grade.—
198 (3) DESIGNATION OF SCHOOL GRADES.—
199 (a) Each school must assess at least 95 percent of its
200 eligible students, except as provided under s. 1008.341 for
201 alternative schools. Each school shall receive a school grade
202 based on the school's performance on the components listed in
203 subparagraphs (b)1. and 2. If a school does not have at least 10

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204 students with complete data for one or more of the components
205 listed in subparagraphs (b)1. and 2., those components may not
206 be used in calculating the school's grade.

207 1. An alternative school may choose to receive a school
208 grade under this section or a school improvement rating under s.
209 1008.341. For charter schools that meet the definition of an
210 alternative school pursuant to State Board of Education rule,
211 the decision to receive a school grade is the decision of the
212 charter school governing board.

213 2. A school that serves any combination of students in
214 kindergarten through grade 3 that does not receive a school
215 grade because its students are not tested and included in the
216 school grading system shall receive the school grade designation
217 of a K-3 feeder pattern school identified by the Department of
218 Education and verified by the school district. A school feeder
219 pattern exists if at least 60 percent of the students in the
220 school serving a combination of students in kindergarten through
221 grade 3 are scheduled to be assigned to the graded school.

222 3. If a collocated school does not earn a school grade or
223 school improvement rating for the performance of its students,
224 the student performance data of all schools operating at the
225 same facility must be aggregated to develop a school grade, or a
226 school improvement rating if all schools at the site are
227 eligible for a school improvement rating and do not elect to be
228 graded, which ~~that~~ will be assigned to all schools at that
229 location. A collocated school is a school that has its own
230 unique master school identification number, provides for the
231 education of each of its enrolled students, and operates at the
232 same facility as another school that has its own unique master

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233 school identification number and provides for the education of
234 each of its enrolled students.

235 Section 5. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1474
 INTRODUCER: Senators Perry and Mayfield
 SUBJECT: Teacher Certification
 DATE: March 31, 2017 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|------------|----------------|-----------|------------------|
| 1. | Benvenisty | Graf | ED | Favorable |
| 2. | _____ | _____ | AED | _____ |
| 3. | _____ | _____ | AP | _____ |

I. Summary:

SB 1474 modifies the process for earning temporary educator certificates and renewing professional certificates. Specifically, the bill requires the Florida Department of Education to issue:

- A professional certificate to any applicant who fulfills the statutorily requirements for a professional certificate and completes a professional preparation and education competency program approved by the DOE.
- A temporary certificate to a qualifying applicant within 14 calendar days after the receipt of the request form and electronically notify the applicant’s employee school district or employing private school that the temporary certificate has been issued.
 - Requires the DOE to issue an official statement of status of eligibility within 90 calendar days after the stamped receipted date of the completed application. This statement must be provided electronically and specify every method by which an applicant can complete the qualifications for a professional certificate.

Additionally, the bill revises the professional development certification and education competency program to specify a teacher mentorship and induction component; and authorizes charter schools and charter management organizations to provide the program that includes the teacher mentorship and induction component.

The bill takes effect July 1, 2017.

II. Present Situation:

Educator Certification

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Florida Department of Education (DOE).¹

Certification requirements are established to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics, and adequate pedagogical knowledge, including the use of technology to enhance student learning, and relevant subject matter competence to demonstrate an acceptable level of professional performance.²

Types of Educator Certificates

The DOE identifies appropriate educator certification for the instruction of specified courses in an annual publication of a directory of course code numbers for all programs and courses funded through the Florida Education Finance Program.³

The DOE issues three types of educator certificates:⁴

- A professional certificate is the highest type of full-time certificate issued. The professional certificate is a 5-year renewable certificate.⁵
- A temporary certificate is a 3-year nonrenewable certificate issued to an applicant who does not qualify for a professional certificate.⁶
- An Athletic Coaching certificate covers a full-time or part-time individual who is employed as an athletic coach in any public school in any district of the state.⁷

Eligibility Criteria for Educator Certification

To be eligible to seek a Florida educator's certificate, an individual must:⁸

- Be at least 18 years of age.
- File an affidavit to uphold the principles incorporated in the Constitution of the United States and the Constitution of the State of Florida and that the information provided in the application is true, accurate, and complete.
- Document receipt of a bachelor's or higher degree from an accredited institution of higher learning, or a nonaccredited institution of higher learning that the Department of Education has identified as having a quality program resulting in a bachelor's degree, or higher. Each applicant seeking initial certification must have attained at least a 2.5 overall grade point average on a 4.0 scale in the applicant's major field of study.
- Submit to a background screening in accordance with Florida law.
- Be of good moral character.

¹ Sections 1012.55(1) and 1002.33(12)(f), F.S.

² Section 1012.54, F.S.

³ Section 1012.55(1)(c), F.S.

⁴ Section 1012.55, F.S.

⁵ Section 1012.56(1)-(3) and (5), (6)-(7), F.S.

⁶ Section 1012.56(7)(b), F.S.; Rule 6A-4.004(1), F.A.C.

⁷ Section 1012.55(2)(a), F.S.

⁸ Section 1012.56(2)(a)-(i), F.S.

- Be competent and capable of performing the duties, functions, and responsibilities of an educator.
- Demonstrate mastery of general knowledge, subject area knowledge, and professional preparation and education competence.

Professional Development Certification and Education Competency Program

Florida law authorizes a school district to provide a cohesive competency-based professional development certification and education competency program by which members of a school district's instructional staff may satisfy the mastery of professional preparation and education competence requirements specified in statute and rules of the State Board of Education.⁹ Participants in this program must hold a state-issued temporary certificate.¹⁰ A school district that implements the program must provide a competency-based certification developed by the DOE or developed by the district and approved by the DOE.¹¹

Renewal of Professional Certificates

All professional certificates, except a nonrenewable professional certificate, must be renewed every five years.¹² In order to qualify for renewal, the applicant must earn at least 6 college credits or 120 inservice (professional development) points during the 5-year cycle.¹³ At least 3 college credits or 60 inservice points must be earned in each subject area for which renewal is sought.¹⁴ In addition to credits or inservice points required in the subject area, credits or inservice points may be earned in courses in clinical educator training, literacy and computational skills acquisition, exceptional student education, child development, drug abuse, child abuse, limited English proficiency, dropout prevention, and other topics.¹⁵ Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.¹⁶

School Community Professional Development Act

Florida law requires the DOE, public postsecondary education institutions public school districts, state education foundations, consortia, and professional organizations to work collaboratively to establish a coordinated system of professional development.¹⁷ The purpose of this system is to increase student achievement, enhance classroom instructional strategies that promote rigor and

⁹ Section 1012.56(2)(a)-(i), F.S.

¹⁰ *Id.*

¹¹ *Id.*

¹² Section 1012.585(2)(a), F.S.

¹³ Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. One semester hour of college credit is equivalent to 20 inservice points. Rule 6A-4.0051(1)(a)2., F.A.C. College credits must be earned at an accredited or state board-approved institution. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.; *see* rule 6A-4.003(1) and (2), F.A.C. (list of approved accrediting agencies and guidelines for nonaccredited approved institutions).

¹⁴ Section 1012.585(3)(a), F.S.

¹⁵ *Id.*

¹⁶ Section 1012.585(4), F.S. This required training may not add to the total hours required by the DOE for continuing education or inservice training. *Id.*

¹⁷ Section 1012.98(1), F.S.

relevance throughout the curriculum, and prepare students for continuing education and the workforce.¹⁸

III. Effect of Proposed Changes:

SB 1474 modifies the process for earning temporary educator certificates and renewing professional certificates. Specifically, the bill requires the Florida Department of Education to issue:

- A professional certificate to any applicant who fulfills the statutory requirements for a professional certificate and completes a professional preparation and education competency program approved by the DOE.
- A temporary certificate to a qualifying applicant within 14 calendar days after the receipt of the request form and electronically notify the applicant's employee school district or employing private school that the temporary certificate has been issued.
 - Requires the DOE to issue an official statement of status of eligibility within 90 calendar days after the stamped receipted date of the completed application. This statement must be provided electronically and specify every method by which an applicant can complete the qualifications for a professional certificate.

Additionally, the bill revises the professional development certification and education competency program to specify a teacher mentorship and induction component; and authorizes charter schools and charter management organizations to provide the program that includes the teacher mentorship and induction component.

Educator Certification

The bill requires the DOE to electronically issue a temporary certificate to a qualifying applicant within 14 calendar days after it receives a request from the applicant's employing school district or private school. The DOE must also electronically provide an official statement of status of eligibility at the time the certificate is issued. The statement must include each method by which an applicant can complete the qualifications for a professional certificate. This may streamline the temporary certificate application process for prospective educators and may provide greater transparency for educators wishing to pursue a professional certificate.

Additionally, the bill requires the DOE to issue a professional certificate to a temporary certificate holder who meets the requirements for a professional certificate enumerated above, who completes a professional preparation and education competence program, and is rated highly effective. As such, the bill provides that an individual with a temporary certificate is not required to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate.

Professional Development Certification and Education Competency Program

The bill requires a professional development certification and education competency program to include a mentorship and induction component, which must include, at minimum, weekly opportunities for mentoring and induction activities. Mentoring and induction activities include,

¹⁸ Section 1012.98(1), F.S.

common planning time, ongoing professional development targeted to a mentee teacher's needs, opportunities to observe other teachers, co-teaching experiences, and reflection and followup discussions. A teacher selected to serve as a peer mentor is required under the bill to complete specialized training in clinical supervision and participate in ongoing mentor training provided through the coordinated system of professional development. The bill authorizes that participation in mentorship and induction activities, including as a mentor, may apply towards professional development requirements.

The bill requires that the mentorship and induction activities must be provided for the teacher's first year in the program and may be provided until the teacher attains his or her professional certificate. Further, the bill requires that a principal who is rated highly effective must be provided flexibility in selecting professional development activities for the mentorship and induction component so long as the DOE approves the program.

The DOE is directed to adopt standards for the approval of professional development certification programs, including standards for the teacher mentorship and induction component, by December 31, 2017. The standards for the teacher mentorship and induction component must include:

- Program administration and evaluation;
- Mentor roles, selection, and training;
- Beginning teacher assessment and professional development; and
- Teacher content knowledge and practices aligned to the Florida Educator Accomplished Practices.

Additionally, the bill authorizes charter schools and charter management organizations to offer a professional development certification program approved by the DOE. Accordingly, this program may ease the pathway to teacher certification for temporary certificate holders and may help school districts recruit and retain teachers.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

According to the Florida Department of Education (DOE), SB 1474 may result in cost savings for professional certificate applicants who may not be required to enroll in additional college coursework or take the professional education competency examination to be awarded a professional certificate.¹⁹

C. Government Sector Impact:

According to the DOE, implementation of the bill will require one additional DOE staff member to review, approve, and monitor compliance with the statutory requirements for the Professional Development Certification and Education Competency programs, as well as revision of school district professional development systems.²⁰ The estimated cost for the additional staff member is \$82,160.²¹

VI. Technical Deficiencies

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.42, 1012.56, 1012.585, and 1012.98.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹⁹ Florida Department of Education, *2017 Agency Legislative Bill Analysis for HB 1111* (March 22, 2017), at 7. HB 1111 is similar to SB 1474.

²⁰ *Id.* at 6.

²¹ *Id.*

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

4-17-17

Meeting Date

1474

Bill Number (if applicable)

Topic _____

Amendment Barcode (if applicable)

Name Skylar Zander

Job Title Deputy State Director

Address 200 W College Ave Suite 109

Phone 850-728-4522

Jalmy FL 32301
City State Zip

Email Szander@afpa.org

Speaking: For Against Information

Waive Speaking: In Support Against
(The Chair will read this information into the record.)

Representing Americans for Prosperity

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

By Senator Perry

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1 A bill to be entitled
 2 An act relating to teacher certification; amending s.
 3 1012.56, F.S.; requiring the Department of Education
 4 to issue a temporary educator certificate within a
 5 specified period; requiring the department to provide
 6 electronic notice of the issuance of a temporary
 7 certificate to specified entities; requiring the
 8 department to provide the applicant an official
 9 statement of status of eligibility upon issuance of a
 10 temporary certificate; providing content requirements
 11 for the statement of status of eligibility; revising
 12 the criteria instructional personnel must meet to be
 13 issued a professional certificate; providing that an
 14 applicant for professional certification is not
 15 required to take or pass a specified examination under
 16 certain circumstances; authorizing charter schools and
 17 charter management organizations to develop a
 18 professional development certification and education
 19 competency program; revising program requirements;
 20 requiring the department to adopt standards for the
 21 approval of such programs by a specified date;
 22 providing requirements for such standards; requiring
 23 each school district and charter school to submit its
 24 program for approval by a specified date; providing
 25 that certification requirements may not be met in a
 26 program that is not approved by the department after a
 27 specified date; amending s. 1012.585, F.S.; revising
 28 college credit and inservice hour requirements for
 29 renewal of a professional certificate to include

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30 participation in specified activities; amending s.
 31 1012.98, F.S.; revising the activities designed to
 32 implement the school community professional
 33 development act to include specified training relating
 34 to a professional development certification and
 35 education competency program; revising requirements
 36 for school district professional development systems;
 37 requiring the department to disseminate professional
 38 development programs that meet specified criteria;
 39 amending s. 1001.42, F.S.; conforming a cross-
 40 reference; providing an effective date.

42 Be It Enacted by the Legislature of the State of Florida:
 43

44 Section 1. Paragraph (c) of subsection (8) of section
 45 1012.56, Florida Statutes, is redesignated as paragraph (d),
 46 subsection (1), paragraph (a) of subsection (7), and paragraph
 47 (a) of subsection (8) are amended, and a new paragraph (c) is
 48 added to subsection (8) of that section, to read:

49 1012.56 Educator certification requirements.—

50 (1) APPLICATION.—Each person seeking certification pursuant
 51 to this chapter shall submit a completed application containing
 52 the applicant's social security number to the Department of
 53 Education and remit the fee required pursuant to s. 1012.59 and
 54 rules of the State Board of Education. Pursuant to the federal
 55 Personal Responsibility and Work Opportunity Reconciliation Act
 56 of 1996, each party is required to provide his or her social
 57 security number in accordance with this section. Disclosure of
 58 social security numbers obtained through this requirement is

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59 limited to the purpose of administration of the Title IV-D
60 program of the Social Security Act for child support
61 enforcement.

62 (a) Pursuant to s. 120.60, the department shall issue
63 within 90 calendar days after the stamped receipted date of the
64 completed application.

65 ~~(a) If the applicant meets the requirements,~~ a professional
66 certificate to a qualifying applicant covering the
67 classification, level, and area for which the applicant is
68 deemed qualified and a document explaining the requirements for
69 renewal of the professional certificate.

70 (b) The department shall issue a temporary certificate to a
71 qualifying applicant within 14 calendar days after receipt of a
72 request from if the applicant meets the requirements and if
73 ~~requested by~~ an employing school district or an employing
74 private school with a professional education competence
75 demonstration program pursuant to paragraphs (6) (f) and (8) (b).
76 ~~The,~~ a temporary certificate must cover ~~covering~~ the
77 classification, level, and area for which the applicant is
78 deemed qualified. The department shall electronically notify the
79 applicant's employing school district or employing private
80 school that the temporary certificate has been issued and
81 provide the applicant an official statement of status of
82 eligibility at the time the certificate is issued. ~~and an~~
83 ~~official statement of status of eligibility, or~~

84 (c) Pursuant to s. 120.60, the department shall issue
85 within 90 calendar days after the stamped receipted date of the
86 completed application, if an applicant does not meet the
87 requirements for either certificate, an official statement of

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88 status of eligibility.

89
90 The statement of status of eligibility must be provided
91 electronically and must advise the applicant of any
92 qualifications that must be completed to qualify for
93 certification. Each method by which an applicant can complete
94 the qualifications for a professional certificate must be
95 included in the statement of status of eligibility. Each
96 statement of status of eligibility is valid for 3 years after
97 its date of issuance, except as provided in paragraph (2) (d).

98 (7) TYPES AND TERMS OF CERTIFICATION.—

99 (a) The Department of Education shall issue a professional
100 certificate for a period not to exceed 5 years to any applicant
101 who fulfills one of the following:

- 102 1. Meets all the requirements outlined in subsection (2).
103 2. ~~or,~~ For a professional certificate covering grades 6
104 through 12, ~~any applicant who:~~
105 a.1- Meets the requirements of paragraphs (2) (a)-(h).
106 b.2- Holds a master's or higher degree in the area of
107 science, technology, engineering, or mathematics.
108 c.3- Teaches a high school course in the subject of the
109 advanced degree.
110 d.4- Is rated highly effective as determined by the
111 teacher's performance evaluation under s. 1012.34, based in part
112 on student performance as measured by a statewide, standardized
113 assessment or an Advanced Placement, Advanced International
114 Certificate of Education, or International Baccalaureate
115 examination.
116 e.5- Achieves a passing score on the Florida professional

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117 education competency examination required by state board rule.

118 3. Meets the requirements of paragraphs (2) (a)-(h) and
 119 completes a professional preparation and education competence
 120 program approved by the department pursuant to paragraph (8) (c).
 121 An applicant who completes the program and is rated highly
 122 effective as determined by his or her performance evaluation
 123 under s. 1012.34 is not required to take or achieve a passing
 124 score on the professional education competency examination in
 125 order to be awarded a professional certificate.

126
 127 Each temporary certificate is valid for 3 school fiscal years
 128 and is nonrenewable. However, the requirement in paragraph
 129 (2) (g) must be met within 1 calendar year of the date of
 130 employment under the temporary certificate. Individuals who are
 131 employed under contract at the end of the 1 calendar year time
 132 period may continue to be employed through the end of the school
 133 year in which they have been contracted. A school district shall
 134 not employ, or continue the employment of, an individual in a
 135 position for which a temporary certificate is required beyond
 136 this time period if the individual has not met the requirement
 137 of paragraph (2) (g). The State Board of Education shall adopt
 138 rules to allow the department to extend the validity period of a
 139 temporary certificate for 2 years when the requirements for the
 140 professional certificate, not including the requirement in
 141 paragraph (2) (g), were not completed due to the serious illness
 142 or injury of the applicant or other extraordinary extenuating
 143 circumstances. The department shall reissue the temporary
 144 certificate for 2 additional years upon approval by the
 145 Commissioner of Education. A written request for reissuance of

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146 the certificate shall be submitted by the district school
 147 superintendent, the governing authority of a university lab
 148 school, the governing authority of a state-supported school, or
 149 the governing authority of a private school.

150 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 151 COMPETENCY PROGRAM.—

152 (a) The Department of Education shall develop and each
 153 school district, charter school, and charter management
 154 organization may provide a cohesive competency-based
 155 professional development certification and education competency
 156 program by which ~~members of a school district's~~ instructional
 157 staff may satisfy the mastery of professional preparation and
 158 education competence requirements specified in subsection (6)
 159 and rules of the State Board of Education. Participants must
 160 hold a state-issued temporary certificate. A school district,
 161 charter school, or charter management organization that
 162 implements the program shall provide a competency-based
 163 certification program developed by the Department of Education
 164 or developed by the district, charter school, or charter
 165 management organization and approved by the Department of
 166 Education. The program shall include the following:

167 1. A minimum period of initial preparation before assuming
 168 duties as the teacher of record.

169 2. An option for collaboration with between-school
 170 ~~districts and~~ other supporting agencies or educational entities
 171 for implementation.

172 3. A teacher mentorship and induction ~~An experienced peer-~~
 173 ~~mentor~~ component.

174 a. Each individual selected by the district as a ~~peer~~

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175 mentor;

176 (I) Must hold a valid professional certificate issued
177 pursuant to this section;

178 (II) Must have earned at least 3 years of teaching
179 experience in prekindergarten through grade 12;

180 (III) Must have completed specialized training in clinical
181 supervision and participate in ongoing mentor training provided
182 through the coordinated system of professional development under
183 s. 1012.98(3)(e);

184 (IV) Must have earned an effective or highly effective
185 rating on the prior year's performance evaluation under s.
186 1012.34; and

187 (V) May ~~or~~ be a peer evaluator under the district's
188 evaluation system approved under s. 1012.34.

189 b. The teacher mentorship and induction component must, at
190 a minimum, provide weekly opportunities for mentoring and
191 induction activities, including common planning time, ongoing
192 professional development targeted to a teacher's needs,
193 opportunities for a teacher to observe other teachers, co-
194 teaching experiences, and reflection and followup discussions.
195 Mentorship and induction activities must be provided for an
196 applicant's first year in the program and may be provided until
197 the applicant attains his or her professional certificate in
198 accordance with this section. A principal who is rated highly
199 effective as determined by his or her performance evaluation
200 under s. 1012.34 must be provided flexibility in selecting
201 professional development activities under this paragraph;
202 however, the activities must be approved by the department as
203 part of the district's, charter school's, or charter management

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204 organization's program.

205 4. An assessment of teaching performance aligned to the
206 district's system for personnel evaluation under s. 1012.34
207 which provides for:

208 a. An initial evaluation of each educator's competencies to
209 determine an appropriate individualized professional development
210 plan.

211 b. A summative evaluation to assure successful completion
212 of the program.

213 5. Professional education preparation content knowledge,
214 which must be included in the mentoring and induction activities
215 under subparagraph 3., that includes, but is not limited to, the
216 following:

217 a. The state standards provided under s. 1003.41, including
218 scientifically based reading instruction, content literacy, and
219 mathematical practices, for each subject identified on the
220 temporary certificate.

221 b. The educator-accomplished practices approved by the
222 state board.

223 c. A variety of data indicators for monitoring student
224 progress.

225 d. Methodologies for teaching students with disabilities.

226 e. Methodologies for teaching students of limited English
227 proficiency appropriate for each subject area identified on the
228 temporary certificate.

229 f. Techniques and strategies for operationalizing the role
230 of the teacher in assuring a safe learning environment for
231 students.

232 6. Required achievement of passing scores on the subject

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233 area and professional education competency examination required
234 by State Board of Education rule. Mastery of general knowledge
235 must be demonstrated as described in subsection (3).

236 (c) No later than December 31, 2017, the department shall
237 adopt standards for the approval of professional development
238 certification and education competency programs, including
239 standards for the teacher mentorship and induction component,
240 under paragraph (a). Standards for the teacher mentorship and
241 induction component must include program administration and
242 evaluation; mentor roles, selection, and training; beginning
243 teacher assessment and professional development; and teacher
244 content knowledge and practices aligned to the Florida Educator
245 Accomplished Practices. Each school district or charter school
246 with a program under this subsection must submit its program,
247 including the teacher mentorship and induction component, to the
248 department for approval no later than June 30, 2018. After
249 December 31, 2018, a teacher may not satisfy requirements for a
250 professional certificate through a professional development
251 certification and education competency program under paragraph
252 (a) unless the program has been approved by the department
253 pursuant to this paragraph.

254 Section 2. Paragraph (a) of subsection (3) of section
255 1012.585, Florida Statutes, is amended to read:

256 1012.585 Process for renewal of professional certificates.-

257 (3) For the renewal of a professional certificate, the
258 following requirements must be met:

259 (a) The applicant must earn a minimum of 6 college credits
260 or 120 inservice points or a combination thereof. For each area
261 of specialization to be retained on a certificate, the applicant

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262 must earn at least 3 of the required credit hours or equivalent
263 inservice points in the specialization area. Education in
264 "clinical educator" training pursuant to s. 1004.04(5)(b);
265 participation in mentorship and induction activities, including
266 as a mentor, pursuant to s. 1012.56(8)(a); and credits or points
267 that provide training in the area of scientifically researched,
268 knowledge-based reading literacy and computational skills
269 acquisition, exceptional student education, normal child
270 development, and the disorders of development may be applied
271 toward any specialization area. Credits or points that provide
272 training in the areas of drug abuse, child abuse and neglect,
273 strategies in teaching students having limited proficiency in
274 English, or dropout prevention, or training in areas identified
275 in the educational goals and performance standards adopted
276 pursuant to ss. 1000.03(5) and 1008.345 may be applied toward
277 any specialization area. Credits or points earned through
278 approved summer institutes may be applied toward the fulfillment
279 of these requirements. Inservice points may also be earned by
280 participation in professional growth components approved by the
281 State Board of Education and specified pursuant to s. 1012.98 in
282 the district's approved master plan for inservice educational
283 training, including, but not limited to, serving as a trainer in
284 an approved teacher training activity, serving on an
285 instructional materials committee or a state board or commission
286 that deals with educational issues, or serving on an advisory
287 council created pursuant to s. 1001.452.

288 Section 3. Paragraph (e) is added to subsection (3) of
289 section 1012.98, Florida Statutes, and paragraph (b) of
290 subsection (4) and subsections (10) and (11) of that section are

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291 amended, to read:

292 1012.98 School Community Professional Development Act.—

293 (3) The activities designed to implement this section must:

294 (e) Provide training to teacher mentors as part of the
 295 professional development certification and education competency
 296 program under s. 1012.56(8)(a). The training must include
 297 components on teacher development, peer coaching, time
 298 management, and other related topics as determined by the
 299 Department of Education.

300 (4) The Department of Education, school districts, schools,
 301 Florida College System institutions, and state universities
 302 share the responsibilities described in this section. These
 303 responsibilities include the following:

304 (b) Each school district shall develop a professional
 305 development system as specified in subsection (3). The system
 306 shall be developed in consultation with teachers, teacher-
 307 educators of Florida College System institutions and state
 308 universities, business and community representatives, and local
 309 education foundations, consortia, and professional
 310 organizations. The professional development system must:

311 1. Be approved by the department. All substantial revisions
 312 to the system shall be submitted to the department for review
 313 for continued approval.

314 2. Be based on analyses of student achievement data and
 315 instructional strategies and methods that support rigorous,
 316 relevant, and challenging curricula for all students. Schools
 317 and districts, in developing and refining the professional
 318 development system, shall also review and monitor school
 319 discipline data; school environment surveys; assessments of

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320 parental satisfaction; performance appraisal data of teachers,
 321 managers, and administrative personnel; and other performance
 322 indicators to identify school and student needs that can be met
 323 by improved professional performance.

324 3. Provide inservice activities coupled with followup
 325 support appropriate to accomplish district-level and school-
 326 level improvement goals and standards. The inservice activities
 327 for instructional personnel shall focus on analysis of student
 328 achievement data, ongoing formal and informal assessments of
 329 student achievement, identification and use of enhanced and
 330 differentiated instructional strategies that emphasize rigor,
 331 relevance, and reading in the content areas, enhancement of
 332 subject content expertise, integrated use of classroom
 333 technology that enhances teaching and learning, classroom
 334 management, parent involvement, and school safety.

335 4. Provide inservice activities and support targeted to the
 336 individual needs of new teachers participating in the
 337 professional development certification and education competency
 338 program under s. 1012.56(8)(a).

339 ~~5.4~~ Include a master plan for inservice activities,
 340 pursuant to rules of the State Board of Education, for all
 341 district employees from all fund sources. The master plan shall
 342 be updated annually by September 1, must be based on input from
 343 teachers and district and school instructional leaders, and must
 344 use the latest available student achievement data and research
 345 to enhance rigor and relevance in the classroom. Each district
 346 inservice plan must be aligned to and support the school-based
 347 inservice plans and school improvement plans pursuant to s.
 348 1001.42(18). Each district inservice plan must provide a

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349 description of the training that middle grades instructional
 350 personnel and school administrators receive on the district's
 351 code of student conduct adopted pursuant to s. 1006.07;
 352 integrated digital instruction and competency-based instruction
 353 and CAPE Digital Tool certificates and CAPE industry
 354 certifications; classroom management; student behavior and
 355 interaction; extended learning opportunities for students; and
 356 instructional leadership. District plans must be approved by the
 357 district school board annually in order to ensure compliance
 358 with subsection (1) and to allow for dissemination of research-
 359 based best practices to other districts. District school boards
 360 must submit verification of their approval to the Commissioner
 361 of Education no later than October 1, annually. Each school
 362 principal may establish and maintain an individual professional
 363 development plan for each instructional employee assigned to the
 364 school as a seamless component to the school improvement plans
 365 developed pursuant to s. 1001.42(18). An individual professional
 366 development plan must be related to specific performance data
 367 for the students to whom the teacher is assigned, define the
 368 inservice objectives and specific measurable improvements
 369 expected in student performance as a result of the inservice
 370 activity, and include an evaluation component that determines
 371 the effectiveness of the professional development plan.

372 ~~6.5-~~ Include inservice activities for school administrative
 373 personnel that address updated skills necessary for
 374 instructional leadership and effective school management
 375 pursuant to s. 1012.986.

376 7.6- Provide for systematic consultation with regional and
 377 state personnel designated to provide technical assistance and

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378 evaluation of local professional development programs.

379 ~~8.7-~~ Provide for delivery of professional development by
 380 distance learning and other technology-based delivery systems to
 381 reach more educators at lower costs.

382 ~~9.8-~~ Provide for the continuous evaluation of the quality
 383 and effectiveness of professional development programs in order
 384 to eliminate ineffective programs and strategies and to expand
 385 effective ones. Evaluations must consider the impact of such
 386 activities on the performance of participating educators and
 387 their students' achievement and behavior.

388 ~~10.9-~~ For middle grades, emphasize:

389 a. Interdisciplinary planning, collaboration, and
 390 instruction.

391 b. Alignment of curriculum and instructional materials to
 392 the state academic standards adopted pursuant to s. 1003.41.

393 c. Use of small learning communities; problem-solving,
 394 inquiry-driven research and analytical approaches for students;
 395 strategies and tools based on student needs; competency-based
 396 instruction; integrated digital instruction; and project-based
 397 instruction.

398

399 Each school that includes any of grades 6, 7, or 8 must include
 400 in its school improvement plan, required under s. 1001.42(18), a
 401 description of the specific strategies used by the school to
 402 implement each item listed in this subparagraph.

403 (10) For instructional personnel and administrative
 404 personnel who have been evaluated as less than effective, a
 405 district school board shall require participation in specific
 406 professional development programs as provided in subparagraph

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407 (4) (b) 5. ~~(4) (b) 4.~~ as part of the improvement prescription.
 408 (11) The department shall disseminate to the school
 409 community proven model professional development programs that
 410 have demonstrated success in increasing rigorous and relevant
 411 content, increasing student achievement and engagement, ~~and~~
 412 meeting identified student needs, and providing effective
 413 mentorship activities to new teachers and training to teacher
 414 mentors. The methods of dissemination must include a web-based
 415 statewide performance-support system including a database of
 416 exemplary professional development activities, a listing of
 417 available professional development resources, training programs,
 418 and available technical assistance.

419 Section 4. Paragraph (a) of subsection (18) of section
 420 1001.42, Florida Statutes, is amended to read:

421 1001.42 Powers and duties of district school board.—The
 422 district school board, acting as a board, shall exercise all
 423 powers and perform all duties listed below:

424 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 425 Maintain a system of school improvement and education
 426 accountability as provided by statute and State Board of
 427 Education rule. This system of school improvement and education
 428 accountability shall be consistent with, and implemented
 429 through, the district's continuing system of planning and
 430 budgeting required by this section and ss. 1008.385, 1010.01,
 431 and 1011.01. This system of school improvement and education
 432 accountability shall comply with the provisions of ss. 1008.33,
 433 1008.34, 1008.345, and 1008.385 and include the following:

434 (a) *School improvement plans.*—

435 1. The district school board shall annually approve and

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436 require implementation of a new, amended, or continuation school
 437 improvement plan for each school in the district. If a school
 438 has a significant gap in achievement on statewide, standardized
 439 assessments administered pursuant to s. 1008.22 by one or more
 440 student subgroups, as defined in the federal Elementary and
 441 Secondary Education Act (ESEA), 20 U.S.C. s.
 442 6311(b) (2) (C) (v) (II); has not significantly increased the
 443 percentage of students passing statewide, standardized
 444 assessments; has not significantly increased the percentage of
 445 students demonstrating Learning Gains, as defined in s. 1008.34
 446 and as calculated under s. 1008.34(3) (b), who passed statewide,
 447 standardized assessments; or has significantly lower graduation
 448 rates for a subgroup when compared to the state's graduation
 449 rate, that school's improvement plan shall include strategies
 450 for improving these results. The state board shall adopt rules
 451 establishing thresholds and for determining compliance with this
 452 subparagraph.

453 2. A school that includes any of grades 6, 7, or 8 shall
 454 include annually in its school improvement plan information and
 455 data on the school's early warning system required under
 456 paragraph (b), including a list of the early warning indicators
 457 used in the system, the number of students identified by the
 458 system as exhibiting two or more early warning indicators, the
 459 number of students by grade level that exhibit each early
 460 warning indicator, and a description of all intervention
 461 strategies employed by the school to improve the academic
 462 performance of students identified by the early warning system.
 463 In addition, a school that includes any of grades 6, 7, or 8
 464 shall describe in its school improvement plan the strategies

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465 used by the school to implement the instructional practices for
466 middle grades emphasized by the district's professional
467 development system pursuant to s. 1012.98(4)(b)10. ~~s.~~
468 ~~1012.98(4)(b)9.~~
469 Section 5. This act shall take effect July 1, 2017.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education

BILL: SB 1586

INTRODUCER: Senators Garcia and Farmer

SUBJECT: Student Eligibility for Interscholastic Athletic Competition

DATE: March 31, 2017

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|-------------------|----------------|-----------|------------------|
| 1. | <u>Benvenisty</u> | <u>Graf</u> | <u>ED</u> | Favorable |
| 2. | _____ | _____ | <u>HP</u> | _____ |
| 3. | _____ | _____ | <u>RC</u> | _____ |

I. Summary:

SB 1586 requires the preparticipation physical evaluation form to contain information that advises a student to complete cardiovascular assessment including an electrocardiogram. Additionally, the bill clarifies that licensed practitioners must administer the medical evaluation that a student must satisfactorily pass before participating in interscholastic competition or engaging in any practice, tryout, or other physical activity associated with the student's candidacy for an interscholastic athletic team.

The bill takes effect July 1, 2017.

II. Present Situation:

The Florida High School Athletic Association (FHSAA) is the governing nonprofit organization of athletics in Florida public schools.¹ The FHSAA is required to adopt bylaws regulating student eligibility, residency, transfer, and recruiting in accordance with applicable law.²

FHSAA bylaws must require all students participating in interscholastic or intrascholastic athletic competition or who are candidates for an interscholastic to satisfactorily pass a medical evaluation each year prior to participating in interscholastic athletic competition or engaging in any practice, tryout, workout, or other physical activity associated with the student's candidacy for an interscholastic athletic team.³ Florida law authorizes certain licensed medical practitioners⁴ to administer such medical evaluations.⁵

¹ Section 1006.20(1), F.S.

² *Id.* at (2).

³ Section 1006.20 (2)(c), F.S.

⁴ Licensed practitioners include medical practitioners licensed pursuant to Chapter 458, F.S., osteopathic practitioners licensed pursuant to Chapter 459, F.S., chiropractic practitioners licensed pursuant to Chapter 460, F.S., and advanced registered nurse practitioners licensed pursuant to s. 464.012, F.S. Section 1006.20(2)(c), F.S.

⁵ *Id.*

The FHSAA bylaws must also establish requirements for eliciting a student's medical history and performing the medical evaluation pursuant to Florida law, which must include a physical assessment of the student's physical capabilities to participate in interscholastic athletic competition as contained in a uniform preparticipation physical evaluation and history form.⁶ The preparticipation evaluation form must:⁷

- Incorporate the recommendations of the American Heart Association for participating in a cardiovascular screening and provide a place for the signature of the practitioner performing the evaluation with an attestation that each examination procedure listed on the form was performed by the practitioner or by someone under the direct supervision of the practitioner.
- Contain a place for the practitioner to indicate if a referral to another practitioner was made in lieu of completion of a certain examination procedure.
- Provide a place for the practitioner to whom the student was referred to complete the remaining sections and attest to that portion of the examination.
- Advise students to complete a cardiovascular assessment and include information concerning alternative cardiovascular evaluation and diagnostic tests.

A student is not eligible to participate in any interscholastic athletic competition or engage in any practice, tryout, workout, or other physical activity until the results of the medical evaluation have been received and approved by the school.⁸

III. Effect of Proposed Changes:

SB 1586 requires the preparticipation physical evaluation form to contain information that advises a student to complete cardiovascular assessment including an electrocardiogram. Additionally, the bill clarifies that licensed practitioners must administer the medical evaluation that a student must satisfactorily pass before participating in interscholastic competition or engaging in any practice, tryout, or other physical activity associated with the student's candidacy for an interscholastic athletic team. Accordingly, a medical practitioner completing the preparticipation physical evaluation form are provided with more guidance as to what to include in a cardiovascular assessment.

The bill takes effect July 1, 2017.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1006.20 Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

By Senator Garcia

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1 A bill to be entitled
 2 An act relating to student eligibility for
 3 interscholastic athletic competition; amending s.
 4 1006.20, F.S.; revising requirements for the bylaws of
 5 the Florida High School Athletic Association governing
 6 student eligibility to participate in interscholastic
 7 athletic competition; revising the information that
 8 must be included on the preparticipation physical
 9 evaluation form; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (c) of subsection (2) of section
 14 1006.20, Florida Statutes, is amended to read:
 15 1006.20 Athletics in public K-12 schools.—
 16 (2) ADOPTION OF BYLAWS, POLICIES, OR GUIDELINES.—
 17 (c) The FHSAA shall adopt bylaws that require all students
 18 participating in interscholastic athletic competition or who are
 19 candidates for an interscholastic athletic team to
 20 satisfactorily pass a medical evaluation each year before ~~prior~~
 21 ~~to~~ participating in interscholastic athletic competition or
 22 engaging in any practice, tryout, workout, or other physical
 23 activity associated with the student's candidacy for an
 24 interscholastic athletic team. A practitioner licensed under
 25 chapter 458, chapter 459, or chapter 460 or certified under s.
 26 464.012 who is in good standing with his or her professional
 27 regulatory board shall administer this ~~Such~~ medical evaluation
 28 ~~may be administered only by a practitioner licensed under~~
 29 ~~chapter 458, chapter 459, chapter 460, or s. 464.012, and in~~

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30 ~~good standing with the practitioner's regulatory board.~~ The
 31 bylaws must ~~shall~~ establish requirements for eliciting a
 32 student's medical history and performing the medical evaluation
 33 required under this paragraph, which must ~~shall~~ include a
 34 physical assessment of the student's physical capabilities to
 35 participate in interscholastic athletic competition as contained
 36 in a uniform preparticipation physical evaluation and history
 37 form. The evaluation form must ~~shall~~ incorporate the
 38 recommendations of the American Heart Association for
 39 participation cardiovascular screening and must ~~shall~~ provide a
 40 place for the signature of the practitioner performing the
 41 evaluation with an attestation that each examination procedure
 42 listed on the form was performed by the practitioner or by
 43 someone under the direct supervision of the practitioner. The
 44 form must ~~shall~~ also contain a place for the practitioner to
 45 indicate if a referral to another practitioner was made in lieu
 46 of completion of a certain examination procedure. The form must
 47 ~~shall~~ provide a place for the practitioner to whom the student
 48 was referred to complete the remaining sections and attest to
 49 that portion of the examination. The preparticipation physical
 50 evaluation form must contain information that advises a student
 51 ~~shall advise students~~ to complete a cardiovascular assessment,
 52 including an electrocardiogram. The preparticipation physical
 53 evaluation form must also ~~and shall~~ include information
 54 concerning alternative cardiovascular evaluation and diagnostic
 55 tests. Results of such medical evaluation must be provided to
 56 the school. A student is not eligible to participate, as
 57 provided in s. 1006.15(3), in any interscholastic athletic
 58 competition or engage in any practice, tryout, workout, or other

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59 physical activity associated with the student's candidacy for an
60 interscholastic athletic team until the results of the medical
61 evaluation have been received and approved by the school.

62 Section 2. This act shall take effect July 1, 2017.

3015

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Maximo Alvarez

is duly appointed a member of the

**Board of Trustees,
Florida State University**

for a term beginning on the Fifteenth day of April, A.D., 2016,
until the Sixth day of January, A.D., 2021 and is subject to be
confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Second day of March, A.D., 2017.*



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2" x 11" document.



RICK SCOTT
GOVERNOR

17 JAN 31 AM 11:26
DIVISION OF ELECTIONS
SECRETARY OF STATE

April 15, 2016

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Maximo Alvarez
1650 North West 87th Avenue
Doral, Florida 33172

as a member of the Board of Trustees, Florida State University, subject to confirmation by the Senate. This appointment is effective April 15, 2016 for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/aa

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of DADE

RECORDED
17 FEB -7 AM 11:00
DIVISION OF ELECTIONS
SECRETARY OF STATE

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

BOARD OF TRUSTEES - FLORIDA STATE UNIVERSITY
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Maximo Alvarez
Signature

Sworn to and subscribed before me this 6th day of February, 2017.

Vanessa Palacios
Signature of Officer Administering Oath
Print, Type, or Stamp Commissioned Name of Notary Public

VANESSA PALACIOS
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF214213
Expires 3/26/2019

Personally Known OR Produced Identification
Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

1650 N.W. 87 AVE
Street or Post Office Box

MAXIMO ALVAREZ
Print Name

DORAL, FLORIDA 33172
City, State, Zip Code

Maximo Alvarez
Signature

5(Cont'd)

A black and white copy of this document is not official

3015

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

Edward E. Burr

is duly appointed a member of the

**Board of Trustees,
Florida State University**

for a term beginning on the Twenty-First day of January, A.D.,
2016, until the Sixth day of January, A.D., 2021 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Third day of March, A.D., 2016.*



Ken Detzner

Secretary of State

DSD 99 (3/03)

The original document has a reflective line mark in paper. Hold at an angle to view when checking.

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

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DEPARTMENT OF STATE

2016 JAN 29 AM 11:55

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 29, 2016

MEMORANDUM

To: Ms. Inez Williams

From: Vikki Shirley *VKS*
General Counsel and Corporate Secretary

Subject: Appointments to the University Boards of Trustees by the
Board of Governors, January 21, 2016

This is to advise you that the Board of Governors made the following appointments to the University Boards of Trustees, on Thursday, January 21, 2016.

To the Florida A & M University Board of Trustees: Mr. Thomas Dortch Jr. was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Spurgeon McWilliams, and Mr. Craig Reed was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Karl White.

To the Florida Atlantic University Board of Trustees: Mr. Robert Stilley was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Shaun Davis was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Paul Tanner.

To the Florida International University Board of Trustees: Mr. Gerald Grant was reappointed for a second term ending January 6, 2021, to the seat which he previously held.

To the Florida Polytechnic University Board of Trustees: Dr. Sandra Featherman was reappointed for a second term ending July 15, 2020, to the seat which she previously held, and Mr. Frank Martin was reappointed for a second term ending July 15, 2020, to the seat which he previously held.

Ms. Inez Williams
January 29, 2016
Page 2 of 3

To the Florida State University Board of Trustees: Mr. Edward Burr was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Craig Mateer was appointed for a term ending January 6, 2021, to the seat previously held by Dr. Joseph Camps.

To the New College of Florida Board of Trustees: Ms. Audrey Coleman was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Mr. John Lilly was appointed for a term ending January 6, 2021, to the seat previously held by Ms. Mary Ruiz.

To the University of Central Florida Board of Trustees: Mr. Marcos Marchena was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Alexander Martins was reappointed for a second term ending January 6, 2021, to the seat which he previously held.

To the University of Florida Board of Trustees: Ms. Marsha Powers was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Charles Edwards.

To the University of North Florida Board of Trustees: Ms. Sharon Wamble-King was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Mr. Paul McElroy was appointed for a term ending January 6, 2021, to the seat previously held by Joan Newton.

To the University of South Florida Board of Trustees: Ms. Stephanie Goforth was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Ms. Nancy Watkins was reappointed for a second term ending January 6, 2021, to the seat which she previously held.

To the University of West Florida Board of Trustees: Mr. David Cleveland was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Richard Baker was appointed for a term ending January 6, 2021, to the seat previously held by Pamela Dana.

Ms. Inez Williams
January 29, 2016
Page 3 of 3

Attached are copies of the letters from Chancellor Marshall M. Criser III.

Thank you for your assistance in processing these appointments for their Senate confirmation. Please call me if you need additional information.

VS/pb
Enclosures



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED
DEPARTMENT OF STATE

2016 JAN 29 AM 11:56

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 27, 2016

Mr. Edward Burr
7807 Baymeadows Road East, Suite 205
Jacksonville, Florida 32256

Dear Mr. Burr: *Ed*

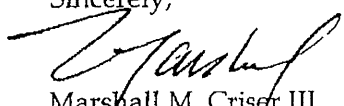
On Thursday, January 21, 2016, the Florida Board of Governors approved the recommendation made by its Nomination and Governance Committee to reappoint you as a member of the Florida State University Board of Trustees. Please accept our congratulations.

The reappointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and Florida State University as you continue to serve in the capacity of a trustee. The reappointment, subject to confirmation by the Florida Senate, and your attendance of a System orientation session conducted by the Board of Governors, is for a term that began January 21, 2016 and ends on January 6, 2021.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to exercise due diligence in connection with their oversight responsibilities for our universities.

Thank you for your willingness to serve. We look forward to continuing to work with you as a member of the Florida State University Board of Trustees.

Sincerely,


Marshall M. Criser III
Chancellor

c: Tom Knutz, Chair, Board of Governors
Mori Hosseini, Chair, Nomination and Governance Committee
John Thrasher, President, Florida State University
Liz Hirst, Board of Trustees Liaison
Vikki Shirley, Corporate Secretary
Paige Beles, University Trustee Coordinator

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
2016 MAR -7 AM 11:00

STATE OF FLORIDA

County of Duval

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Chairman Board of Trustees, Florida State University

(Title of Office)

on which I am now about to enter, so help me God.

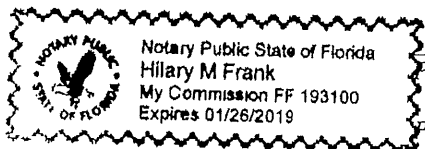
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 17th day of February, 2016.

[Signature]
Signature of Officer Administering Oath or of Notary Public

HILARY M. FRANK
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

7807 Baymeadows Rd. E #205

Street or Post Office Box

Jacksonville FL 32256

City, State, Zip Code

Edward E. Burr
Print name as you desire commission issued

[Signature]
Signature

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Education
NAME: Burr, Edward E.
BOARD: Board of Trustees, Florida State University
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, April 17, 2017
TIME: 1:30—3:30 p.m.
PLACE: 412 Knott Building

| FINAL VOTE | | SENATORS | | | | | | |
|------------|------------|----------------------|------------|------------|------------|------------|------------|------------|
| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay |
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| X | | Stewart | | | | | | |
| X | | Thurston | | | | | | |
| X | | Mayfield, VICE CHAIR | | | | | | |
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CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
-R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

3020

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Ken Detzner, Secretary of State,
do hereby certify that

Russell A. Priddy

is duly appointed a member of the

**Board of Trustees,
Florida Gulf Coast University**

for a term beginning on the Twenty-Fourth day of March, A.D.,
2016, until the Sixth day of January, A.D., 2021 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twenty-Second day of March, A.D., 2017.*



Ken Detzner

Secretary of State

DSDE 99 (3/03)

If photocopied or chemically altered, the word "VOID" will appear.

"State of Florida" appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
17 FEB 10 AM 9:28
DIVISION OF ELECTIONS
SECRETARY OF STATE

March 24, 2016

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following reappointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Russell Allen Priddy
7007 State Road 29 South
Post Office Box 930
Immokalee, Florida, 34143

as a member of the Board of Trustees, Florida Gulf Coast University, subject to confirmation by the Senate. This appointment is effective March 24, 2016, for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/bj

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

RECEIVED
DEPARTMENT OF STATE
2017 MAR 14 AM 9:44
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

STATE OF FLORIDA

County of Collier

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

TRUSTEE FLORIDA GULF COAST UNIVERSITY
(Title of Office)

on which I am now about to enter, so help me God.

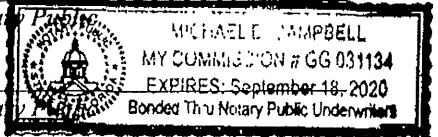
[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

Russell A. Priddy
Signature

Sworn to and subscribed before me this 5 day of MARCH, 2017

Michael D Campbell
Signature of Officer Administering Oath or of Notary Public

Michael D Campbell
Print, Type, or Stamp Commissioned Name of Notary Public



Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

P.O. Box 930
Street or Post Office Box

Immokalee, FL 34143
City, State, Zip Code

Russell A. Priddy
Print Name

Russell A. Priddy
Signature

COMMITTEE VOTE RECORD – EXECUTIVE APPOINTMENT

COMMITTEE: Education
NAME: Priddy, Russell A.
BOARD: Board of Trustees, Florida Gulf Coast University
FINAL ACTION: Recommend Confirm
MEETING DATE: Monday, April 17, 2017
TIME: 1:30—3:30 p.m.
PLACE: 412 Knott Building

| FINAL VOTE | | SENATORS | | | | | | | |
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| Yea | Nay | | Yea | Nay | Yea | Nay | Yea | Nay | |
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| X | | Thurston | | | | | | | |
| X | | Mayfield, VICE CHAIR | | | | | | | |
| | | Hukill, CHAIR | | | | | | | |
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| Yea | Nay | TOTALS | Yea | Nay | Yea | Nay | Yea | Nay | |

CODES: FAV=Favorable TP=Temporarily Postponed WD=Withdrawn
 UNF=Unfavorable VA=Vote After Roll Call OO=Out of Order
 -R=Reconsidered VC=Vote Change After Roll Call AV=Abstain from Voting

3030

**STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections**

I, Ken Detzner, Secretary of State,
do hereby certify that

John Lilly

is duly appointed a member of the

**Board of Trustees,
New College of Florida**

for a term beginning on the Twenty-First day of January, A.D.,
2016, until the Sixth day of January, A.D., 2021 and is subject to
be confirmed by the Senate during the next regular session of the
Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Twentieth day of May, A.D., 2016.*



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED
DEPARTMENT OF STATE

2016 JAN 29 AM 11:56

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 27, 2016

Mr. John Lilly
80 South 8th Street, Suite 4900 IDS Center
Minneapolis, MN 55402

Dear Mr. Lilly:

On Thursday, January 21, 2016, the Florida Board of Governors approved the recommendation made by its Nomination and Governance Committee to appoint you as a member of the New College of Florida Board of Trustees. Please accept our congratulations.

The appointment acknowledges your record of public service and numerous career milestones. Your achievements are sure to provide expertise to the State University System of Florida and New College of Florida as you serve in the capacity of a trustee. The appointment, subject to confirmation by the Florida Senate, and your attendance of a System orientation session conducted by the Board of Governors, is for a term that began January 21, 2016 and ends on January 6, 2021.

Your role as a trustee is vital to the governance and success of our System. Members of the Board of Governors rely on all the university trustees to exercise due diligence in connection with their oversight responsibilities for our universities.

Thank you for your willingness to serve. We look forward to working with you as a member of the New College of Florida Board of Trustees.

Sincerely,

Marshall M. Criser III
Chancellor

c: Tom Knutz, Chair, Board of Governors
Mori Hosseini, Chair, Nomination and Governance Committee
Keith Monda, Chair, Board of Trustees
Donal O'Shea, President, New College of Florida
Suzanne Janney, Board of Trustees Liaison
Vikki Shirley, Corporate Secretary
Paige Beles, University Trustee Coordinator



STATE
UNIVERSITY
SYSTEM
of FLORIDA
Board of Governors

RECEIVED
DEPARTMENT OF STATE

2016 JAN 29 AM 11:55

DIVISION OF ELECTIONS
TALLAHASSEE, FL

Office of the Chancellor
325 West Gaines Street, Suite 1614
Tallahassee, FL 32399
Phone 850.245.0466
Fax 850.245.9685
www.flbog.edu

January 29, 2016

MEMORANDUM

To: Ms. Inez Williams

From: Vikki Shirley *VKS*
General Counsel and Corporate Secretary

Subject: Appointments to the University Boards of Trustees by the
Board of Governors, January 21, 2016

This is to advise you that the Board of Governors made the following appointments to the University Boards of Trustees, on Thursday, January 21, 2016.

To the Florida A & M University Board of Trustees: Mr. Thomas Dortch Jr. was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Spurgeon McWilliams, and Mr. Craig Reed was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Karl White.

To the Florida Atlantic University Board of Trustees: Mr. Robert Stilley was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Shaun Davis was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Paul Tanner.

To the Florida International University Board of Trustees: Mr. Gerald Grant was reappointed for a second term ending January 6, 2021, to the seat which he previously held.

To the Florida Polytechnic University Board of Trustees: Dr. Sandra Featherman was reappointed for a second term ending July 15, 2020, to the seat which she previously held, and Mr. Frank Martin was reappointed for a second term ending July 15, 2020, to the seat which he previously held.

Ms. Inez Williams
January 29, 2016
Page 2 of 3

To the Florida State University Board of Trustees: Mr. Edward Burr was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Craig Mateer was appointed for a term ending January 6, 2021, to the seat previously held by Dr. Joseph Camps.

To the New College of Florida Board of Trustees: Ms. Audrey Coleman was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Mr. John Lilly was appointed for a term ending January 6, 2021, to the seat previously held by Ms. Mary Ruiz.

To the University of Central Florida Board of Trustees: Mr. Marcos Marchena was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Alexander Martins was reappointed for a second term ending January 6, 2021, to the seat which he previously held.

To the University of Florida Board of Trustees: Ms. Marsha Powers was appointed for a term ending January 6, 2021, to the seat previously held by Mr. Charles Edwards.

To the University of North Florida Board of Trustees: Ms. Sharon Wamble-King was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Mr. Paul McElroy was appointed for a term ending January 6, 2021, to the seat previously held by Joan Newton.

To the University of South Florida Board of Trustees: Ms. Stephanie Goforth was reappointed for a second term ending January 6, 2021, to the seat which she previously held, and Ms. Nancy Watkins was reappointed for a second term ending January 6, 2021, to the seat which she previously held.

To the University of West Florida Board of Trustees: Mr. David Cleveland was reappointed for a second term ending January 6, 2021, to the seat which he previously held, and Mr. Richard Baker was appointed for a term ending January 6, 2021, to the seat previously held by Pamela Dana.

Ms. Inez Williams
January 29, 2016
Page 3 of 3

Attached are copies of the letters from Chancellor Marshall M. Criser III.

Thank you for your assistance in processing these appointments for their Senate confirmation. Please call me if you need additional information.

VS/pb
Enclosures

OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF ~~FLORIDA~~

Minnesota

County of Dakota

RECEIVED
DEPARTMENT OF STATE
2016 MAY 18 AM 10:11

OFFICE OF NOTARIES

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

Member of Board of Trustees, New College of Florida
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]



[Signature]
Signature

Sworn to and subscribed before me this 6th day of May, 2016

[Signature]
Signature of Officer Administering Oath or of Notary Public

Sherisa Dee Littlefield
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

80 S. 8th Street
4900 IDS Center
Street or Post Office Box

Minneapolis, MN 55402
City, State, Zip Code

John N. Lilly
Print name as you desire commission issued

[Signature]
Signature

3040

STATE OF FLORIDA
DEPARTMENT OF STATE
Division of Elections

I, Ken Detzner, Secretary of State,
do hereby certify that

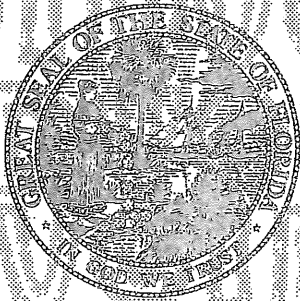
Michael Adam Hollingsworth

is duly appointed a member of the

**Board of Trustees,
University of North Florida**

for a term beginning on the Twenty-Third day of December,
A.D., 2016, until the Sixth day of January, A.D., 2021 and is
subject to be confirmed by the Senate during the next regular
session of the Legislature.

*Given under my hand and the Great Seal of the
State of Florida, at Tallahassee, the Capital, this
the Thirteenth day of March, A.D., 2017.*



Ken Detzner

Secretary of State

If photocopied or chemically altered, the word "VOID" will appear.

State of Florida appears in small letters across the face of this 8 1/2 x 11" document.



RICK SCOTT
GOVERNOR

RECEIVED
DEPARTMENT OF STATE
2017 MAR -9 AM 9:42
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

December 23, 2016

Secretary Kenneth W. Detzner
Secretary of State
State of Florida
R. A. Gray Building, Room 316
500 South Bronough Street
Tallahassee, Florida 32399-0250

Dear Secretary Detzner:

Please be advised I have made the following appointment under the provisions of Section 1001.71, Florida Statutes:

Mr. Michael Adam Hollingsworth
4134 Faulkner Lane
Tallahassee, Florida 32311

as a member of the Board of Trustees, University of North Florida, succeeding E. Lanny Russell, subject to confirmation by the Senate. This appointment is effective December 23, 2016, for a term ending January 6, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Scott".

Rick Scott
Governor

RS/aa

OATH OF OFFICE
(Art. II, § 5(b), Fla. Const.)

RECEIVED
2017 FEB 15 AM 9:39
CLERK OF COURTS

STATE OF FLORIDA

County of LEON

I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of

UNIVERSITY OF NORTH FLORIDA - BOARD OF TRUSTEES
(Title of Office)

on which I am now about to enter, so help me God.

[NOTE: If you affirm, you may omit the words "so help me God." See § 92.52, Fla. Stat.]

[Signature]
Signature

Sworn to and subscribed before me this 23rd day of January, 2017.

Diane D. Schmidt
Signature of Officer Administering Oath or of Notary Public



Diane D. Schmidt
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known OR Produced Identification

Type of Identification Produced _____

ACCEPTANCE

I accept the office listed in the above Oath of Office.

Mailing Address: Home Office

4134 FAULKNER LN

Street or Post Office Box

TALLAHASSEE, FL 32311

City, State, Zip Code

MICHAEL ADAM HOLLINGSWORTH

Print Name

[Signature]

Signature



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Appropriations Subcommittee on Higher Education, *Chair*
Appropriations
Education
Governmental Oversight and Accountability
Rules
Transportation

JOINT COMMITTEE:

Joint Legislative Budget Commission

SENATOR BILL GALVANO

21st District

April 17, 2017

Senator Dorothy Hukill
415 Knott Building
404 South Monroe Street
Tallahassee, FL 32399

Dear Madam Chair Hukill:

I am writing to request approval from the meeting of the Committee on Education scheduled today, April 17, 2017.

I appreciate your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "Bill".

Bill Galvano

cc: Senator Wilton Simpson
Shruti Graf
Michelle Perez

REPLY TO:

- 1023 Manatee Avenue West, Suite 201, Bradenton, Florida 34205 (941) 741-3401
- 420 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Education, *Chair*
Regulated Industries, *Vice Chair*
Appropriations Subcommittee on the Environment
and Natural Resources
Health Policy
Transportation

JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

SENATOR DOROTHY L. HUKILL
14th District

April 14, 2017

The Honorable Joe Negron
President
The Florida Senate
Suite 409 Capitol
404 South Monroe Street
Tallahassee, FL 32399-1100

Dear President Negron:

This letter will serve as my formal request to be excused from the Senate Committee on Education meeting scheduled for Monday, April 17, 2017. I am making this request due to a medical condition that restricts my ability to travel.

As chair of the committee and pursuant to Rule 2.25, I am designating Senator Wilton Simpson as acting chair for this meeting. I will continue to work with committee staff on all other matters related to my role as chair of this committee.

Sincerely,

Dorothy L. Hukill
Chair, Senate Committee on Education

cc: The Honorable Wilton Simpson, State Senator, District 10
The Honorable Debbie Mayfield, Vice Chair, Senate Committee on Education
The Honorable Lizbeth Benacquisto, Chair, Senate Committee on Rules
Shruti Graf, Staff Director, Senate Committee on Education
John Phelps, Staff Director, Senate Committee on Rules

REPLY TO:

- 209 Dunlawton Avenue, Unit 17, Port Orange, Florida 32127 (386) 304-7630 FAX: (888) 263-3818
- 406 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5014

Senate's Website: www.flsenate.gov

JOE NEGRON
President of the Senate

ANITERE FLORES
President Pro Tempore

CourtSmart Tag Report

Room: KN 412

Case No.:

Type:

Caption: Senate Committee on Education

Judge:

Started: 4/17/2017 1:37:35 PM

Ends: 4/17/2017 3:19:02 PM

Length: 01:41:28

1:37:33 PM Meeting called to order - Sen. Simpson in Chair
1:37:39 PM Roll Call - quorum is present
1:37:56 PM Senators Hukill and Galvano are excused
1:38:31 PM Pledge
1:38:34 PM Tab 2 - SB 902 by Sen. Simpson
1:39:07 PM Late filed Amendment Strike-all # 608826 by Sen. Simmons
1:41:16 PM Sen. Farmer
1:42:20 PM Sen. Simmons
1:42:52 PM Sen. Thurston
1:42:57 PM Sen. Simmons
1:43:42 PM Sen. Thurston
1:43:46 PM Sen. Simmons
1:44:56 PM Sen. Thurston
1:45:03 PM Sen. Simmons
1:45:20 PM Chair
1:45:52 PM Sen. Simmons waives to close on strike-all amendment
1:45:59 PM Late filed Amendment adopted
1:46:13 PM Shawn Frost, President, Fla. Coalition of School Board Members, waives in support
1:46:17 PM James Herzog, Assoc. Director for Education, Fla. Conference of Catholic Bishops, waives in support
1:46:29 PM Brittany Hurt, Policy Director, Fla. Chamber of Commerce, waives in support
1:46:33 PM Alexandra Dominguez, Senior Advocacy Associate, Foundation for Florida Future, waives in support
1:46:35 PM Shylar Zander, Deputy State Director, Americans for Prosperity, waives in support
1:46:50 PM Sara Clements, Director, External Affairs, Step Up For Students, waives in support
1:46:56 PM Jeanne Boggs, parent, Tallahassee, speaking in support
1:49:04 PM
1:49:07 PM Cesar Grazales, Coalitions Dir. The LIJBRE Initiative, speaking for the bill
1:50:02 PM Sen. Farmer in debate
1:51:31 PM Sen. Stewart in debate
1:53:03 PM Sen. Thurston in debate
1:55:03 PM Chair
1:55:07 PM Sen. Simmons to close
1:55:50 PM Roll Call CS/SB 902 - Favorable
1:57:05 PM Tab 6-9 Confirmation Hearing for Appointments
1:57:27 PM Sen. Mayfield moves to recommend the Confirmation of all appointees on Tab 6-9
1:57:40 PM Roll call on confirmations Tab 6-9- favorable
1:58:27 PM Tab 4- SB 1474 by Sen. Perry
1:58:52 PM Chair
1:58:59 PM Schuler Zander, Deputy State Director, Americans for Prosperity, waives in support
1:59:06 PM Sen. Stewart in debate
1:59:24 PM Chair
1:59:26 PM Sen. Mayfield
1:59:49 PM Chair
1:59:53 PM Sen. Perry to close on SB 1474
2:00:02 PM Roll Call on SB 1474 - favorable
2:00:49 PM Tab 3 - SB 1362 by Sen Broxson
2:01:46 PM Chair
2:01:52 PM Late filed Amendment #477746, by Sen. Hukill, presented by Sen. Broxson
2:02:17 PM Chair
2:02:21 PM Sen. Broxson waives to close on amendment
2:02:29 PM Late filed amendment is adopted
2:02:50 PM Late Filed Amendment #233884 by Sen. Broxson
2:03:01 PM Greg Black, attorney, ACT, Inc., waives in support of amendment

2:03:06 PM Sen. Broxson waives to close
2:03:15 PM Back on bill as amended
2:03:19 PM Sen. Thurston
2:03:51 PM Sen. Broxson
2:04:15 PM Sen. Thurston
2:04:19 PM Sen. Broxson
2:05:43 PM Sen. Thurston
2:06:15 PM Sen. Broxson
2:07:06 PM Sen. Thurston
2:07:38 PM Sen. Broxson
2:08:21 PM Sen. Thurston
2:08:50 PM Sen. Broxson
2:10:13 PM Chair
2:10:14 PM Sen. Farmer
2:10:57 PM Sen. Broxson
2:11:52 PM Sen. Farmer
2:12:38 PM Sen. Broxson
2:13:56 PM Chair
2:14:07 PM Sen. Farmer
2:14:38 PM Sen. Broxson
2:14:51 PM Sen. Farmer
2:15:11 PM Sen. Broxson
2:16:51 PM Sen. Mayfield in Chair
2:16:59 PM Nancy Lawther, Fla. PTA, speaking for information
2:23:18 PM Chair
2:23:23 PM Shawn Frost, Florida Coalition of School Board Members, waives in support
2:23:46 PM Catherine Baer, The Tea Party Network/Common Core, waives in opposition
2:23:48 PM Marie Claire Leman, Common Ground, speaking in opposition to the bill
2:26:07 PM Sen. Simpson back in Chair
2:26:39 PM Beth Overholt, Opt Out, waives in opposition
2:26:49 PM Sen. Farmer in debate
2:30:05 PM Sen. Simmons in debate
2:32:22 PM Sen. Lee in debate
2:35:34 PM Sen. Stewart in debate
2:37:28 PM Sen. Thurston in debate
2:40:31 PM Chair
2:40:38 PM Sen. Broxson to close on bill as amended
2:41:32 PM Roll call for CS/SB 1362 - Favorable
2:42:52 PM Tab 1 - SB 796 by Sen. Bean
2:46:34 PM Late filed amendment #926052 by Sen. Hukill, presented by Bean
2:46:55 PM Chair
2:46:58 PM Sen. Bean waives to close
2:47:05 PM Late filed Amendment is adopted
2:47:09 PM Back on bill as amended
2:47:36 PM Sen. Stewart
2:47:40 PM Sen. Bean
2:47:59 PM Sen. Stewart
2:48:04 PM Sen. Bean
2:48:23 PM Sen. Stewart
2:48:32 PM Sen. Bean
2:49:05 PM Sen. Farmer
2:49:12 PM Sen. Bean
2:50:38 PM Sen. Farmer
2:51:31 PM Sen. Bean
2:52:07 PM Sen. Farmer
2:52:11 PM Sen. Bean
2:53:23 PM Sen. Farmer
2:53:34 PM Shawn Frost, President, Fla. Coalition of School Board Members, speaking for the bill
2:56:04 PM Sen. Lee
2:57:00 PM Shawn Frost
2:58:19 PM Sen. Lee
2:59:20 PM Shawn Frost

2:59:51 PM Catherine Baer, The Tea Party Network/Common Ground, speaking against the bill
3:01:11 PM Brittany Hurt, Policy Director, Fla. Chamber, waives in support
3:02:24 PM Debbie Mortham, Foundation for Florida's Future, waives in support
3:03:11 PM Marie Claire Leman, Common Ground, speaking for information
3:04:11 PM Sen. Lee
3:04:17 PM Marie Claire Leman
3:06:00 PM Shylar Zander, Dep. State Director, Americans for Prosperity, waives in support
3:06:02 PM Kelly Quinten, Legislative Advocate, League of Women Voters, speaking against the bill
3:07:11 PM Beth Overholt, Opt Out Leon, waives in opposition
3:07:24 PM Cesar Grazales, Director, the Libre Initiative, waives in support
3:07:30 PM Sen. Simmons in debate
3:09:59 PM Chair
3:10:59 PM Sen. Farmer
3:12:42 PM Sen. Stewart
3:14:21 PM Sen. Bean to close on bill as amended
3:15:44 PM Roll call for CS/SB 796 - favorable
3:16:57 PM Tab 5 - SB 1586 by Sen. Garcia, presented by Sen. Farmer
3:18:07 PM Chair
3:18:11 PM Nancy Lawther, Florida PTA, waives in support
3:18:20 PM Sen. Farmer waives to close
3:18:28 PM Roll call on SB 1586- Favorable
3:18:47 PM Chair
3:18:49 PM Sen. Mayfield moves to adjourn