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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Education)

1 A bill to be entitled
2 An act relating to student choice; amending s.
3 1002.20, F.S.; conforming a provision to changes made
4 by the act; authorizing parents of public school
5 students to seek private educational choice options
6 through the Florida Personal Learning Scholarship
7 Accounts Program under certain circumstances;
8 providing that a parent has the right to know certain
9 financial information; requiring the information to be
10 published in a parent guide; amending s. 1002.31,
11 F.S.; requiring each district school board to allow a
12 parent to enroll his or her child in and transport his
13 or her child to any public school that has not reached
14 capacity in the district; authorizing a school
15 district to provide transportation to such students at
16 the district's discretion; requiring the student to
17 remain at such school for a specified timeframe;
18 revising requirements for the controlled open
19 enrollment process; authorizing a parent to enroll his
20 or her child in and transport his or her child to any
21 public school that has not reached capacity in the
22 state; requiring each district school board to
23 establish a transfer process to another classroom
24 teacher; providing that a parent is not given the
25 right to choose a specific classroom teacher;
26 providing requirements for the transfer process;
27 amending s. 1002.33, F.S.; revising required contents



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28 of charter school applications; requiring a charter
29 school to submit quarterly financial statements for
30 the first year of operation with specified information
31 included; requiring a charter school to submit a plan
32 to become financially viable under certain
33 circumstances; conforming provisions regarding the
34 appeal process for denial of a high-performing charter
35 school application; specifying that the reading
36 curriculum and instructional strategies in a charter
37 school's charter satisfy the research-based reading
38 plan requirement and that charter schools are eligible
39 for the research-based reading allocation; requiring a
40 person or officer of an entity who submits a charter
41 school application to undergo background screening;
42 prohibiting a sponsor from approving a charter school
43 application until completion, receipt, and review of
44 the results of such screening; requiring a charter to
45 document that the governing board is independent of a
46 management company or cooperative; revising charter
47 provisions relating to long-term charters; revising
48 the deadline by which a charter school must have a
49 certificate of occupancy or temporary certificate of
50 occupancy; revising conditions for nonrenewal or
51 termination of a charter; requiring the sponsor to
52 review monthly financial statements; requiring the
53 sponsor to notify specified parties of a charter's
54 termination under certain circumstances; requiring a
55 charter school's governing board to appoint a
56 representative to provide information and assistance



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57 to parents; requiring the governing board to hold a
58 certain number of meetings that are noticed, open, and
59 accessible to the public per school year; authorizing
60 a charter school that has not reached capacity to be
61 open to any student in the state; revising
62 requirements for the funding of charter schools;
63 prohibiting the district school board from delaying
64 payment to a charter school under specified
65 circumstances; requiring the Department of Education
66 to include a standard application form when providing
67 information to the public on how to form, operate, and
68 enroll in a charter school; prohibiting an employee of
69 a management company or cooperative from being a
70 member of a charter school governing board;
71 prohibiting specified conflicts of interests on the
72 part of members of the governing board of a charter
73 school or charter school cooperative organization;
74 amending s. 1002.331, F.S.; providing an exception to
75 the prohibition on a high-performing charter school
76 establishing more than one charter school in this
77 state under specified circumstances; conforming
78 provisions and a cross-reference to changes made by
79 the act; amending s. 1002.451, F.S.; conforming a
80 provision to changes made by the act; creating s.
81 1003.3101, F.S.; requiring each district school board
82 to establish a classroom teacher transfer process for
83 parents, approve or deny a request within a certain
84 timeframe, and post an explanation of the transfer
85 process in the student handbook or a similar



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86 publication; creating s. 1003.5711, F.S.; providing
87 that certain students who are deemed eligible for
88 hospitalized program services are considered students
89 with a disability; authorizing an individual education
90 plan to be modified to accommodate such services;
91 requiring the student to continue to receive
92 educational instruction; requiring a school district
93 to provide the student with a certified teacher or to
94 partner with the Florida Virtual School or an approved
95 provider for instructional services under certain
96 circumstances; requiring the department to transfer
97 funds for the student; requiring a children's hospital
98 to provide adequate educational space for each
99 student; requiring the hospital and school district to
100 enter in an agreement; creating s. 1004.6491, F.S.;
101 establishing the Florida Institute for Charter School
102 Innovation; specifying requirements for the institute;
103 requiring an annual report to the Governor and the
104 Legislature; requiring a report on the institute's
105 annual financial audit to the Auditor General, the
106 Board of Governors of the State University System, and
107 the State Board of Education; amending s. 1011.61,
108 F.S.; revising the definition of the term "full-time
109 student" for the purposes of the Florida Education
110 Finance Program; creating s. 1011.6202, F.S.; creating
111 the Principal Autonomy Pilot Program Initiative;
112 providing a procedure for a school district to
113 participate in the program; providing requirements for
114 participating school districts and schools; exempting



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115 participating school districts from certain laws and
116 rules; requiring principals of participating schools
117 to complete a specific professional development
118 program; providing for the term of participation in
119 the program; providing for renewal or revocation of
120 authorization to participate in the program; providing
121 for reporting and rulemaking; amending s. 1011.64,
122 F.S.; providing that certain training may be included
123 in school district minimum classroom expenditure
124 requirements; amending s. 1011.69, F.S.; requiring
125 participating district school boards to allocate a
126 specified percentage of certain funds to participating
127 schools; amending s. 1012.28, F.S.; providing
128 additional authority and responsibilities of the
129 principal of a participating school in a charter
130 school district; amending s. 1012.42, F.S.;
131 authorizing a parent who receives notification that a
132 teacher is teaching outside his or her field to
133 request that his or her child be transferred to
134 another classroom teacher within the school and grade
135 in which the child is currently enrolled; amending s.
136 1012.986, F.S.; specifying the contents of a specific
137 professional development program for certain school
138 principals; amending s. 1013.62, F.S.; revising
139 eligibility requirements for charter school capital
140 outlay funding; specifying applicability of certain
141 reporting requirements to charter schools and public
142 schools; providing an effective date.



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

145

146 Section 1. Paragraphs (a) and (b) of subsection (6) and
147 subsection (16) of section 1002.20, Florida Statutes, are
148 amended to read:

149 1002.20 K-12 student and parent rights.—Parents of public
150 school students must receive accurate and timely information
151 regarding their child’s academic progress and must be informed
152 of ways they can help their child to succeed in school. K-12
153 students and their parents are afforded numerous statutory
154 rights including, but not limited to, the following:

155 (6) EDUCATIONAL CHOICE.—

156 (a) *Public school choices*.—Parents of public school
157 students may seek whatever public school choice options that are
158 applicable and available to students in their school districts.
159 These options may include controlled open enrollment, single-
160 gender programs, lab schools, virtual instruction programs,
161 charter schools, charter technical career centers, magnet
162 schools, alternative schools, special programs, auditory-oral
163 education programs, advanced placement, dual enrollment,
164 International Baccalaureate, International General Certificate
165 of Secondary Education (pre-AICE), Advanced International
166 Certificate of Education, CAPE digital tools, CAPE industry
167 certifications, collegiate high school programs, early
168 admissions, credit by examination or demonstration of
169 competency, the New World School of the Arts, the Florida School
170 for the Deaf and the Blind, and the Florida Virtual School.
171 These options may also include the public educational school
172 choice options of the Opportunity Scholarship Program and the



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173 McKay Scholarships for Students with Disabilities Program.

174 (b) *Private educational ~~school~~ choices.*—Parents of public
175 school students may seek private educational ~~school~~ choice
176 options under certain programs.

177 1. Under the McKay Scholarships for Students with
178 Disabilities Program, the parent of a public school student with
179 a disability may request and receive a McKay Scholarship for the
180 student to attend a private school in accordance with s.
181 1002.39.

182 2. Under the Florida Tax Credit Scholarship Program, the
183 parent of a student who qualifies for free or reduced-price
184 school lunch or who is currently placed, or during the previous
185 state fiscal year was placed, in foster care as defined in s.
186 39.01 may seek a scholarship from an eligible nonprofit
187 scholarship-funding organization in accordance with s. 1002.395.

188 3. Under the Florida Personal Learning Scholarship Accounts
189 Program, the parent of a student with a qualifying disability
190 may apply for a personal learning scholarship to be used for
191 educational purposes pursuant to s. 1002.385.

192 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
193 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
194 have the right ~~are entitled~~ to an easy-to-read report card about
195 the school's grade designation or, if applicable under s.
196 1008.341, the school's improvement rating, and the school's
197 accountability report, including the school financial report as
198 required under s. 1010.215 and the school district's annual
199 financial report, including the expenditures on a per FTE basis
200 for the following fund types: general funds, special revenue
201 funds, debt service funds, and capital project fund. Fiduciary



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202 funds, enterprise funds, and internal service funds may not be
203 included. At minimum, the total expenditures on a per FTE basis,
204 as reported in the school district's annual financial report,
205 must be included in the parent guide.

206 Section 2. Section 1002.31, Florida Statutes, is amended to
207 read:

208 1002.31 Controlled open enrollment; Public school parental
209 choice.—

210 (1) As used in this section, "controlled open enrollment"
211 means a public education delivery system that allows school
212 districts to make student school assignments using parents'
213 indicated preferential school choice as a significant factor.

214 (2) As part of a district's controlled open enrollment, and
215 in addition to the existing choice programs provided in s.
216 1002.20(6)(a), each district school board shall allow a parent
217 to enroll his or her child in and transport his or her child to
218 any public school that has not reached capacity in the district.

219 However, a district may provide transportation to students at
220 the district's discretion. For purposes of continuity of
221 educational choice, the student shall remain at the school
222 chosen by the parent until the student completes the highest
223 grade level at the school ~~may offer controlled open enrollment~~
224 ~~within the public schools which is in addition to the existing~~
225 ~~choice programs such as virtual instruction programs, magnet~~
226 ~~schools, alternative schools, special programs, advanced~~
227 ~~placement, and dual enrollment.~~

228 (3) Each district school board ~~offering controlled open~~
229 ~~enrollment shall adopt by rule and post on its website~~ the
230 process required to participate in controlled open enrollment.



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231 The process ~~a controlled open enrollment plan which~~ must:

232 (a) Adhere to federal desegregation requirements.

233 ~~(b) Include an application process required to participate~~

234 ~~in controlled open enrollment that allows parents to declare~~

235 ~~school preferences, including placement of siblings within the~~

236 ~~same school.~~

237 (b) (e) Provide a lottery procedure to determine student

238 assignment and establish an appeals process for hardship cases.

239 (c) (d) Afford parents of students in multiple session

240 schools preferred access to controlled open enrollment.

241 (d) (e) Maintain socioeconomic, demographic, and racial

242 balance.

243 (e) (f) Address the availability of transportation.

244 (f) Maintain existing academic eligibility criteria for

245 schools of choice, pursuant to s. 1002.20(6)(a).

246 (g) Identify schools that have not reached capacity, as

247 determined by the school district. When determining capacity of

248 each school in the district, the school district shall

249 incorporate the specifications, plans, elements, and commitments

250 contained in the school district educational facilities plan and

251 the long-term work programs required under s. 1013.35 in its

252 determination.

253 (h) For any county with a military base, create a

254 preference process for dependent children of active duty

255 military personnel.

256 (4) In accordance with the reporting requirements of s.

257 1011.62, each district school board shall annually report the

258 number of students exercising public school choice, by type of

259 choice ~~attending the various types of public schools of choice~~



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260 ~~in the district, in accordance with including schools such as~~
261 ~~virtual instruction programs, magnet schools, and public charter~~
262 ~~schools, according to rules adopted by the State Board of~~
263 Education.

264 (5) A parent may enroll his or her child in and transport
265 his or her child to any public school that has not reached
266 capacity in any school district in the state. The school
267 district shall accept the student, pursuant to that district's
268 controlled open enrollment participation process, and report the
269 student for purposes of the school district's funding pursuant
270 to the Florida Education Finance Program. For purposes of
271 continuity of educational choice, the student shall remain at
272 the school chosen by the parent until the student completes the
273 highest grade level at the school ~~For a school or program that~~
274 ~~is a public school of choice under this section, the calculation~~
275 ~~for compliance with maximum class size pursuant to s. 1003.03 is~~
276 ~~the average number of students at the school level.~~

277 (6) Each district school board shall establish a transfer
278 process for a parent to request that his or her child be
279 transferred to another classroom teacher. This subsection does
280 not give a parent the right to choose a specific classroom
281 teacher. A school must grant or deny the transfer within 2 weeks
282 after receiving the request. If a request for transfer is
283 denied, the school shall notify the parent and specify the
284 reasons for the denial. An explanation of the transfer process
285 must be made available in the parent guide or a similar
286 publication.

287 Section 3. Paragraphs (a), (b), and (c) of subsection (6),
288 paragraphs (a), (b), and (d) of subsection (7), paragraphs (e),



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289 (f), and (g) of subsection (8), paragraphs (g), (n), and (p) of
290 subsection (9), paragraph (a) of subsection (10), paragraphs (b)
291 and (e) of subsection (17), subsection (21), and paragraph (c)
292 of subsection (26) of section 1002.33, Florida Statutes, are
293 amended, paragraphs (h) and (i) are added to subsection (8) of
294 that section, a new subsection (27) is added to that section,
295 and present subsections (27) and (28) are redesignated as
296 subsections (28) and (29), respectively, to read:

297 1002.33 Charter schools.—

298 (6) APPLICATION PROCESS AND REVIEW.—Charter school
299 applications are subject to the following requirements:

300 (a) A person or entity wishing to open a charter school
301 shall prepare and submit an application on a model application
302 form prepared by the Department of Education which:

303 1. Demonstrates how the school will use the guiding
304 principles and meet the statutorily defined purpose of a charter
305 school.

306 2. Provides a detailed curriculum plan that illustrates how
307 students will be provided services to attain the Sunshine State
308 Standards.

309 3. Contains goals and objectives for improving student
310 learning and measuring that improvement. These goals and
311 objectives must indicate how much academic improvement students
312 are expected to show each year, how success will be evaluated,
313 and the specific results to be attained through instruction.

314 4. Describes the reading curriculum and differentiated
315 strategies that will be used for students reading at grade level
316 or higher and a separate curriculum and strategies for students
317 who are reading below grade level. A sponsor shall deny an



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318 application ~~a charter~~ if the school does not propose a reading
319 curriculum that is consistent with effective teaching strategies
320 that are grounded in scientifically based reading research, but
321 the sponsor may not require the school to implement any
322 curriculum adopted by the school district.

323 5. Contains an annual financial plan for each year
324 requested by the charter for operation of the school for up to 5
325 years. This plan must contain anticipated fund balances based on
326 revenue projections, a spending plan based on projected revenues
327 and expenses, and a description of controls that will safeguard
328 finances and projected enrollment trends.

329 6. Discloses the name of each applicant, governing board
330 member, and proposed management company or cooperative, if any;
331 the name and sponsor of any charter school currently operated or
332 previously operated by such parties; and the academic and
333 financial history of such charter schools, which the sponsor
334 shall consider in deciding to approve or deny the application.

335 7. Documents that the governing board is independent of any
336 management company or cooperative and may, at its sole
337 discretion, terminate a contract with the management company or
338 cooperative at any time.

339 ~~8.6.~~ Contains additional information a sponsor may require,
340 which shall be attached as an addendum to the charter school
341 application described in this paragraph.

342 ~~9.7.~~ For the establishment of a virtual charter school,
343 documents that the applicant has contracted with a provider of
344 virtual instruction services pursuant to s. 1002.45(1)(d).

345 (b) A sponsor shall receive and review all applications for
346 a charter school using an evaluation instrument developed by the



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347 Department of Education. A sponsor shall receive and consider
348 charter school applications received on or before August 1 of
349 each calendar year for charter schools to be opened at the
350 beginning of the school district's next school year, or to be
351 opened at a time agreed to by the applicant and the sponsor. A
352 sponsor may not refuse to receive a charter school application
353 submitted before August 1 and may receive an application
354 submitted later than August 1 if it chooses. In order to
355 facilitate greater collaboration in the application process, an
356 applicant may submit a draft charter school application on or
357 before May 1 with an application fee of \$500. If a draft
358 application is timely submitted, the sponsor shall review and
359 provide feedback as to material deficiencies in the application
360 by July 1. The applicant shall then have until August 1 to
361 resubmit a revised and final application. The sponsor may
362 approve the draft application. Except as provided for a draft
363 application, a sponsor may not charge an applicant for a charter
364 any fee for the processing or consideration of an application,
365 and a sponsor may not base its consideration or approval of a
366 final application upon the promise of future payment of any
367 kind. Before approving or denying any final application, the
368 sponsor shall allow the applicant, upon receipt of written
369 notification, at least 7 calendar days to make technical or
370 nonsubstantive corrections and clarifications, including, but
371 not limited to, corrections of grammatical, typographical, and
372 like errors or missing signatures, if such errors are identified
373 by the sponsor as cause to deny the final application.

374 1. In order to facilitate an accurate budget projection
375 process, a sponsor shall be held harmless for FTE students who



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376 are not included in the FTE projection due to approval of
377 charter school applications after the FTE projection deadline.
378 In a further effort to facilitate an accurate budget projection,
379 within 15 calendar days after receipt of a charter school
380 application, a sponsor shall report to the Department of
381 Education the name of the applicant entity, the proposed charter
382 school location, and its projected FTE.

383 2. In order to ensure fiscal responsibility, an application
384 for a charter school shall include a full accounting of expected
385 assets, a projection of expected sources and amounts of income,
386 including income derived from projected student enrollments and
387 from community support, and an expense projection that includes
388 full accounting of the costs of operation, including start-up
389 costs. To ensure continued financial responsibility, a charter
390 school shall submit quarterly financial statements for the first
391 year of operation which include a full accounting of the costs
392 of operation and sources of income. If a school's financial
393 statement indicates that the school is not financially viable,
394 the school must also prepare and submit a plan that describes
395 specific actions the school will take to become viable.

396 3.a. A sponsor shall by a majority vote approve or deny an
397 application no later than 60 calendar days after the application
398 is received, unless the sponsor and the applicant mutually agree
399 in writing to temporarily postpone the vote to a specific date,
400 at which time the sponsor shall by a majority vote approve or
401 deny the application. If the sponsor fails to act on the
402 application, an applicant may appeal to the State Board of
403 Education as provided in paragraph (c). If an application is
404 denied, the sponsor shall, within 10 calendar days after such



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405 denial, articulate in writing the specific reasons, based upon
406 good cause, supporting its denial of the charter application and
407 shall provide the letter of denial and supporting documentation
408 to the applicant and to the Department of Education.

409 b. An application submitted by a high-performing charter
410 school identified pursuant to s. 1002.331 may be denied by the
411 sponsor only if the sponsor demonstrates by clear and convincing
412 evidence that:

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

415 (II) The charter school proposed in the application does
416 not materially comply with the requirements in paragraphs
417 (9) (a) - (f);

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

421 (IV) The applicant has made a material misrepresentation or
422 false statement or concealed an essential or material fact
423 during the application process; or

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

427
428 Material noncompliance is a failure to follow requirements or a
429 violation of prohibitions applicable to charter school
430 applications, which failure is quantitatively or qualitatively
431 significant either individually or when aggregated with other
432 noncompliance. An applicant is considered to be replicating a
433 high-performing charter school if the proposed school is



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434 substantially similar to at least one of the applicant's high-
435 performing charter schools and the organization or individuals
436 involved in the establishment and operation of the proposed
437 school are significantly involved in the operation of replicated
438 schools.

439 c. If the sponsor denies an application submitted by a
440 high-performing charter school, the sponsor must, within 10
441 calendar days after such denial, state in writing the specific
442 reasons, based upon the criteria in sub-subparagraph b.,
443 supporting its denial of the application and must provide the
444 letter of denial and supporting documentation to the applicant
445 and to the Department of Education. The applicant may appeal the
446 sponsor's denial of the application ~~directly~~ to the State Board
447 of Education pursuant to paragraph (c) and must provide the
448 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

449 4. For budget projection purposes, the sponsor shall report
450 to the Department of Education the approval or denial of a
451 charter application within 10 calendar days after such approval
452 or denial. In the event of approval, the report to the
453 Department of Education shall include the final projected FTE
454 for the approved charter school.

455 5. Upon approval of a charter application, the initial
456 startup shall commence with the beginning of the public school
457 calendar for the district in which the charter is granted unless
458 the sponsor allows a waiver of this subparagraph for good cause.

459 6. A person, or an officer of an entity, who submits an
460 application pursuant to this subsection must undergo background
461 screening in the same manner as instructional and
462 noninstructional personnel hired or contracted to fill positions



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463 in a charter school or as members of the governing board of a
464 charter school undergo background screening under s. 1012.32.
465 Notwithstanding any other provision of this subsection, a person
466 may not receive approval of a charter application until the
467 person's screening is completed and the results have been
468 submitted to, and reviewed by, the sponsor.

469 (c)1. An applicant may appeal any denial of that
470 applicant's application or failure to act on an application to
471 the State Board of Education within ~~no later than~~ 30 calendar
472 days after receipt of the sponsor's decision or failure to act
473 and shall notify the sponsor of its appeal. Any response of the
474 sponsor shall be submitted to the State Board of Education
475 within 30 calendar days after notification of the appeal. Upon
476 receipt of notification from the State Board of Education that a
477 charter school applicant is filing an appeal, the Commissioner
478 of Education shall convene a meeting of the Charter School
479 Appeal Commission to study and make recommendations to the State
480 Board of Education regarding its pending decision about the
481 appeal. The commission shall forward its recommendation to the
482 state board at least 7 calendar days before the date on which
483 the appeal is to be heard. An appeal regarding the denial of an
484 application submitted by a high-performing charter school
485 pursuant to s. 1002.331 shall be conducted by the State Board of
486 Education in accordance with this paragraph, except that the
487 commission shall not convene to make recommendations regarding
488 the appeal. However, the Commissioner of Education shall review
489 the appeal and make a recommendation to the state board.

490 2. The Charter School Appeal Commission or, in the case of
491 an appeal regarding an application submitted by a high-



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492 performing charter school, the State Board of Education may
493 reject an appeal submission for failure to comply with
494 procedural rules governing the appeals process. The rejection
495 shall describe the submission errors. The appellant shall have
496 15 calendar days after notice of rejection in which to resubmit
497 an appeal that meets the requirements set forth in State Board
498 of Education rule. An appeal submitted subsequent to such
499 rejection is considered timely if the original appeal was filed
500 within 30 calendar days after receipt of notice of the specific
501 reasons for the sponsor's denial of the ~~charter~~ application.

502 3.a. The State Board of Education shall by majority vote
503 accept or reject the decision of the sponsor no later than 90
504 calendar days after an appeal is filed in accordance with State
505 Board of Education rule. The State Board of Education shall
506 remand the application to the sponsor with its written decision
507 that the sponsor approve or deny the application. The sponsor
508 shall implement the decision of the State Board of Education.
509 The decision of the State Board of Education is not subject to
510 the provisions of the Administrative Procedure Act, chapter 120.

511 b. If an appeal concerns an application submitted by a
512 high-performing charter school identified pursuant to s.
513 1002.331, the State Board of Education shall determine whether
514 the sponsor's denial of the application complies with the
515 requirements in sub-subparagraph (b)3.b. sponsor has shown, by
516 clear and convincing evidence, that:

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

519 ~~(II) The charter school proposed in the application does~~
520 ~~not materially comply with the requirements in paragraphs~~



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- 521 ~~(9) (a) - (f);~~
522 ~~(III) The proposed charter school's educational program~~
523 ~~does not substantially replicate that of the applicant or one of~~
524 ~~the applicant's high performing charter schools;~~
525 ~~(IV) The applicant has made a material misrepresentation or~~
526 ~~false statement or concealed an essential or material fact~~
527 ~~during the application process; or~~
528 ~~(V) The proposed charter school's educational program and~~
529 ~~financial management practices do not materially comply with the~~
530 ~~requirements of this section.~~

531
532 The State Board of Education shall approve or reject the
533 sponsor's denial of an application no later than 90 calendar
534 days after an appeal is filed in accordance with State Board of
535 Education rule. The State Board of Education shall remand the
536 application to the sponsor with its written decision that the
537 sponsor approve or deny the application. The sponsor shall
538 implement the decision of the State Board of Education. The
539 decision of the State Board of Education is not subject to the
540 Administrative Procedure Act, chapter 120.

541 (7) CHARTER.—The major issues involving the operation of a
542 charter school shall be considered in advance and written into
543 the charter. The charter shall be signed by the governing board
544 of the charter school and the sponsor, following a public
545 hearing to ensure community input.

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

- 548 1. The school's mission, the students to be served, and the
549 ages and grades to be included.



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550 2. The focus of the curriculum, the instructional methods
551 to be used, any distinctive instructional techniques to be
552 employed, and identification and acquisition of appropriate
553 technologies needed to improve educational and administrative
554 performance which include a means for promoting safe, ethical,
555 and appropriate uses of technology which comply with legal and
556 professional standards.

557 a. The charter shall ensure that reading is a primary focus
558 of the curriculum and that resources are provided to identify
559 and provide specialized instruction for students who are reading
560 below grade level. The curriculum and instructional strategies
561 for reading must be consistent with the Next Generation Sunshine
562 State Standards and grounded in scientifically based reading
563 research. For purposes of determining eligibility for the
564 research-based reading instruction allocation, the reading
565 curriculum and instructional strategies specified in the charter
566 satisfy the research-based reading plan requirement under s.
567 1011.62(9).

568 b. In order to provide students with access to diverse
569 instructional delivery models, to facilitate the integration of
570 technology within traditional classroom instruction, and to
571 provide students with the skills they need to compete in the
572 21st century economy, the Legislature encourages instructional
573 methods for blended learning courses consisting of both
574 traditional classroom and online instructional techniques.
575 Charter schools may implement blended learning courses which
576 combine traditional classroom instruction and virtual
577 instruction. Students in a blended learning course must be full-
578 time students of the charter school and receive the online



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579 instruction in a classroom setting at the charter school.
580 Instructional personnel certified pursuant to s. 1012.55 who
581 provide virtual instruction for blended learning courses may be
582 employees of the charter school or may be under contract to
583 provide instructional services to charter school students. At a
584 minimum, such instructional personnel must hold an active state
585 or school district adjunct certification under s. 1012.57 for
586 the subject area of the blended learning course. The funding and
587 performance accountability requirements for blended learning
588 courses are the same as those for traditional courses.

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

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

595 b. How these baseline rates will be compared to rates of
596 academic progress achieved by these same students while
597 attending the charter school.

598 c. To the extent possible, how these rates of progress will
599 be evaluated and compared with rates of progress of other
600 closely comparable student populations.

601
602 The district school board is required to provide academic
603 student performance data to charter schools for each of their
604 students coming from the district school system, as well as
605 rates of academic progress of comparable student populations in
606 the district school system.

607 4. The methods used to identify the educational strengths



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608 and needs of students and how well educational goals and
609 performance standards are met by students attending the charter
610 school. The methods shall provide a means for the charter school
611 to ensure accountability to its constituents by analyzing
612 student performance data and by evaluating the effectiveness and
613 efficiency of its major educational programs. Students in
614 charter schools shall, at a minimum, participate in the
615 statewide assessment program created under s. 1008.22.

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

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

621 7. The admissions procedures and dismissal procedures,
622 including the school's code of student conduct.

623 8. The ways by which the school will achieve a
624 racial/ethnic balance reflective of the community it serves or
625 within the racial/ethnic range of other public schools in the
626 same school district.

627 9. The financial and administrative management of the
628 school, including a reasonable demonstration of the professional
629 experience or competence of those individuals or organizations
630 applying to operate the charter school or those hired or
631 retained to perform such professional services and the
632 description of clearly delineated responsibilities and the
633 policies and practices needed to effectively manage the charter
634 school. A description of internal audit procedures and
635 establishment of controls to ensure that financial resources are
636 properly managed must be included. Both public sector and



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637 private sector professional experience shall be equally valid in
638 such a consideration. The charter must document that the
639 governing board is independent of any management company or
640 cooperative and may, at its sole discretion, terminate the
641 contract with the management company or cooperative at any time.

642 10. The asset and liability projections required in the
643 application which are incorporated into the charter and shall be
644 compared with information provided in the annual report of the
645 charter school.

646 11. A description of procedures that identify various risks
647 and provide for a comprehensive approach to reduce the impact of
648 losses; plans to ensure the safety and security of students and
649 staff; plans to identify, minimize, and protect others from
650 violent or disruptive student behavior; and the manner in which
651 the school will be insured, including whether or not the school
652 will be required to have liability insurance, and, if so, the
653 terms and conditions thereof and the amounts of coverage.

654 12. The term of the charter which shall provide for
655 cancellation of the charter if insufficient progress has been
656 made in attaining the student achievement objectives of the
657 charter and if it is not likely that such objectives can be
658 achieved before expiration of the charter. The initial term of
659 the a charter is either shall be for 4 years or 5 years. In
660 order to facilitate access to long-term financial resources for
661 charter school construction, Charter schools that are operated
662 by a municipality or other public entity, as provided by law, or
663 a private, not-for-profit corporation granted 501(c)(3) status
664 by the Internal Revenue Service are eligible for up to a 15-year
665 charter, subject to approval by the district school board. A



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666 charter lab school is also eligible for a charter for a term of
667 up to 15 years. ~~In addition, to facilitate access to long-term~~
668 ~~financial resources for charter school construction, charter~~
669 ~~schools that are operated by a private, not-for-profit, s.~~
670 ~~501(c)(3) status corporation are eligible for up to a 15-year~~
671 ~~charter, subject to approval by the district school board.~~ Such
672 long-term charters remain subject to annual review and may be
673 terminated during the term of the charter, but only according to
674 ~~the provisions set forth in~~ subsection (8) or paragraph (9)(n).

675 13. Termination or nonrenewal of the charter pursuant to
676 subsection (8) or paragraph (9)(n).

677 14.13. The facilities to be used and their location. The
678 sponsor shall ~~may not~~ require a charter school to have a
679 certificate of occupancy or a temporary certificate of occupancy
680 for such a facility no later than 30 ~~earlier than 15~~ calendar
681 days before the first day of school.

682 15.14. The qualifications to be required of the teachers
683 and the potential strategies used to recruit, hire, train, and
684 retain qualified staff to achieve best value.

685 16.15. The governance structure of the school, including
686 the status of the charter school as a public or private employer
687 as required in paragraph (12)(i).

688 17.16. A timetable for implementing the charter which
689 addresses the implementation of each element thereof and the
690 date by which the charter shall be awarded in order to meet this
691 timetable.

692 18.17. In the case of an existing public school that is
693 being converted to charter status, alternative arrangements for
694 current students who choose not to attend the charter school and



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695 for current teachers who choose not to teach in the charter
696 school after conversion in accordance with the existing
697 collective bargaining agreement or district school board rule in
698 the absence of a collective bargaining agreement. However,
699 alternative arrangements shall not be required for current
700 teachers who choose not to teach in a charter lab school, except
701 as authorized by the employment policies of the state university
702 which grants the charter to the lab school.

703 ~~19.18.~~ Full disclosure of the identity of all relatives
704 employed by the charter school who are related to the charter
705 school owner, president, chairperson of the governing board of
706 directors, superintendent, governing board member, principal,
707 assistant principal, or any other person employed by the charter
708 school who has equivalent decisionmaking authority. For the
709 purpose of this subparagraph, the term "relative" means father,
710 mother, son, daughter, brother, sister, uncle, aunt, first
711 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
712 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
713 stepfather, stepmother, stepson, stepdaughter, stepbrother,
714 stepsister, half brother, or half sister.

715 ~~20.19.~~ Implementation of the activities authorized under s.
716 1002.331 by the charter school when it satisfies the eligibility
717 requirements for a high-performing charter school. A high-
718 performing charter school shall notify its sponsor in writing by
719 March 1 if it intends to increase enrollment or expand grade
720 levels the following school year. The written notice shall
721 specify the amount of the enrollment increase and the grade
722 levels that will be added, as applicable.

723 (b)1. A charter may be renewed provided that a program



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724 review demonstrates that the criteria in paragraph (a) have been
725 successfully accomplished and that none of the grounds for
726 nonrenewal established by paragraph (8)(a) has been documented.
727 ~~In order to facilitate long-term financing for charter school~~
728 ~~construction,~~ Charter schools operating for a minimum of 3 years
729 and demonstrating exemplary academic programming and fiscal
730 management are eligible for a 15-year charter renewal. Such
731 long-term charter is subject to annual review and may be
732 terminated during the term of the charter.

733 2. The 15-year charter renewal that may be granted pursuant
734 to subparagraph 1. shall be granted to a charter school that has
735 received a school grade of "A" or "B" pursuant to s. 1008.34 in
736 3 of the past 4 years and is not in a state of financial
737 emergency or deficit position as defined by this section. Such
738 long-term charter is subject to annual review and may be
739 terminated during the term of the charter pursuant to subsection
740 (8).

741 ~~(d)1. Each charter school's governing board must appoint a~~
742 ~~representative to facilitate parental involvement, provide~~
743 ~~access to information, assist parents and others with questions~~
744 ~~and concerns, and resolve disputes. The representative must~~
745 ~~reside in the school district in which the charter school is~~
746 ~~located and may be a governing board member, charter school~~
747 ~~employee, or individual contracted to represent the governing~~
748 ~~board. If the governing board oversees multiple charter schools~~
749 ~~in the same school district, the governing board must appoint a~~
750 ~~separate individual representative for each charter school in~~
751 ~~the district. The representative's contact information must be~~
752 ~~provided annually in writing to parents and posted prominently~~



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753 ~~on the charter school's website if a website is maintained by~~
754 ~~the school. The sponsor may not require that governing board~~
755 ~~members reside in the school district in which the charter~~
756 ~~school is located if the charter school complies with this~~
757 ~~paragraph.~~

758 ~~2. Each charter school's governing board must hold at least~~
759 ~~two public meetings per school year in the school district. The~~
760 ~~meetings must be noticed, open, and accessible to the public,~~
761 ~~and attendees must be provided an opportunity to receive~~
762 ~~information and provide input regarding the charter school's~~
763 ~~operations. The appointed representative and charter school~~
764 ~~principal or director, or his or her equivalent, must be~~
765 ~~physically present at each meeting.~~

766 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.-

767 (e) When a charter is not renewed or is terminated or when
768 a charter school is closed voluntarily by the operator, the
769 school shall be dissolved under the provisions of law under
770 which the school was organized, and any unencumbered public
771 funds, except for capital outlay funds and federal charter
772 school program grant funds, from the charter school shall revert
773 to the sponsor. Capital outlay funds provided pursuant to s.
774 1013.62 and federal charter school program grant funds that are
775 unencumbered shall revert to the department to be redistributed
776 among eligible charter schools. In the event a charter school is
777 dissolved or is otherwise terminated, all district school board
778 property and improvements, furnishings, and equipment purchased
779 with public funds shall automatically revert to full ownership
780 by the district school board, subject to complete satisfaction
781 of any lawful liens or encumbrances. Any unencumbered public



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782 funds from the charter school, district school board property
783 and improvements, furnishings, and equipment purchased with
784 public funds, or financial or other records pertaining to the
785 charter school, in the possession of any person, entity, or
786 holding company, other than the charter school, shall be held in
787 trust upon the district school board's request, until any appeal
788 status is resolved.

789 (f) If a charter is not renewed or is terminated or a
790 charter school is closed voluntarily by the operator, the
791 charter school is responsible for all debts of the charter
792 school. The district may not assume the debt from any contract
793 made between the governing body of the school and a third party,
794 except for a debt that is previously detailed and agreed upon in
795 writing by both the district and the governing body of the
796 school and that may not reasonably be assumed to have been
797 satisfied by the district.

798 (g) If a charter is not renewed or is terminated, a student
799 who attended the school may apply to, and shall be enrolled in,
800 another public school. Normal application deadlines shall be
801 disregarded under such circumstances.

802 (h) The governing board of a charter school that closes
803 voluntarily shall notify the sponsor and the department in
804 writing within 7 calendar days of its decision to cease
805 operations. The notice must state the reasons for the closure
806 and acknowledge that the governing board agrees to follow the
807 procedures for dissolution and reversion of public funds
808 specified in this subsection and paragraph (9) (o).

809 (i) For a high-performing charter school that is having the
810 charter agreement renewed, the charter contract, as that



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811 contract exists on the day the term of the contract is to
812 terminate, must be automatically renewed for the length of the
813 current term if the charter school governing board and sponsor
814 have not executed the renewal before the term of the charter
815 agreement is scheduled to expire.

816 (9) CHARTER SCHOOL REQUIREMENTS.—

817 (g)1. In order to provide financial information that is
818 comparable to that reported for other public schools, charter
819 schools are to maintain all financial records that constitute
820 their accounting system:

821 a. In accordance with the accounts and codes prescribed in
822 the most recent issuance of the publication titled "Financial
823 and Program Cost Accounting and Reporting for Florida Schools";
824 or

825 b. At the discretion of the charter school's governing
826 board, a charter school may elect to follow generally accepted
827 accounting standards for not-for-profit organizations, but must
828 reformat this information for reporting according to this
829 paragraph.

830 2. Charter schools shall provide annual financial report
831 and program cost report information in the state-required
832 formats for inclusion in district reporting in compliance with
833 s. 1011.60(1). Charter schools that are operated by a
834 municipality or are a component unit of a parent nonprofit
835 organization may use the accounting system of the municipality
836 or the parent but must reformat this information for reporting
837 according to this paragraph.

838 3. A charter school shall, upon execution of the contract,
839 provide the sponsor with a concise, uniform, monthly financial



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840 statement summary sheet that contains a balance sheet and a
841 statement of revenue, expenditures, and changes in fund balance.
842 The balance sheet and the statement of revenue, expenditures,
843 and changes in fund balance shall be in the governmental funds
844 format prescribed by the Governmental Accounting Standards
845 Board. A high-performing charter school pursuant to s. 1002.331
846 may provide a quarterly financial statement in the same format
847 and requirements as the uniform monthly financial statement
848 summary sheet. The sponsor shall review each monthly financial
849 statement, to identify the existence of any conditions
850 identified in s. 1002.345(1)(a).

851 4. A charter school shall maintain and provide financial
852 information as required in this paragraph. The financial
853 statement required in subparagraph 3. must be in a form
854 prescribed by the Department of Education.

855 (n)1. The director and a representative of the governing
856 board of a charter school that has earned a grade of "D" or "F"
857 pursuant to s. 1008.34 shall appear before the sponsor to
858 present information concerning each contract component having
859 noted deficiencies. The director and a representative of the
860 governing board shall submit to the sponsor for approval a
861 school improvement plan to raise student performance. Upon
862 approval by the sponsor, the charter school shall begin
863 implementation of the school improvement plan. The department
864 shall offer technical assistance and training to the charter
865 school and its governing board and establish guidelines for
866 developing, submitting, and approving such plans.

867 2.a. If a charter school earns three consecutive grades of
868 "D," two consecutive grades of "D" followed by a grade of "F,"



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869 or two nonconsecutive grades of "F" within a 3-year period, the
870 charter school governing board shall choose one of the following
871 corrective actions:

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

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

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

879 (IV) Voluntarily close the charter school.

880 b. The charter school must implement the corrective action
881 in the school year following receipt of a third consecutive
882 grade of "D," a grade of "F" following two consecutive grades of
883 "D," or a second nonconsecutive grade of "F" within a 3-year
884 period.

885 c. The sponsor may annually waive a corrective action if it
886 determines that the charter school is likely to improve a letter
887 grade if additional time is provided to implement the
888 intervention and support strategies prescribed by the school
889 improvement plan. Notwithstanding this sub-subparagraph, a
890 charter school that earns a second consecutive grade of "F" is
891 subject to subparagraph 4.

892 d. A charter school is no longer required to implement a
893 corrective action if it improves by at least one letter grade.
894 However, the charter school must continue to implement
895 strategies identified in the school improvement plan. The
896 sponsor must annually review implementation of the school
897 improvement plan to monitor the school's continued improvement



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898 pursuant to subparagraph 5.

899 e. A charter school implementing a corrective action that
900 does not improve by at least one letter grade after 2 full
901 school years of implementing the corrective action must select a
902 different corrective action. Implementation of the new
903 corrective action must begin in the school year following the
904 implementation period of the existing corrective action, unless
905 the sponsor determines that the charter school is likely to
906 improve a letter grade if additional time is provided to
907 implement the existing corrective action. Notwithstanding this
908 sub-subparagraph, a charter school that earns a second
909 consecutive grade of "F" while implementing a corrective action
910 is subject to subparagraph 4.

911 3. A charter school with a grade of "D" or "F" that
912 improves by at least one letter grade must continue to implement
913 the strategies identified in the school improvement plan. The
914 sponsor must annually review implementation of the school
915 improvement plan to monitor the school's continued improvement
916 pursuant to subparagraph 5.

917 4. A charter school's charter is automatically terminated
918 if the school earns two consecutive grades of "F" after all
919 school grade appeals are final ~~The sponsor shall terminate a~~
920 ~~charter if the charter school earns two consecutive grades of~~
921 ~~"F" unless:~~

922 a. The charter school is established to turn around the
923 performance of a district public school pursuant to s.
924 1008.33(4)(b)3. Such charter schools shall be governed by s.
925 1008.33;

926 b. The charter school serves a student population the



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927 majority of which resides in a school zone served by a district
928 public school that earned a grade of "F" in the year before the
929 charter school opened and the charter school earns at least a
930 grade of "D" in its third year of operation. The exception
931 provided under this sub-subparagraph does not apply to a charter
932 school in its fourth year of operation and thereafter; or

933 c. The state board grants the charter school a waiver of
934 termination. The charter school must request the waiver within
935 15 days after the department's official release of school
936 grades. The state board may waive termination if the charter
937 school demonstrates that the Learning Gains of its students on
938 statewide assessments are comparable to or better than the
939 Learning Gains of similarly situated students enrolled in nearby
940 district public schools. The waiver is valid for 1 year and may
941 only be granted once. Charter schools that have been in
942 operation for more than 5 years are not eligible for a waiver
943 under this sub-subparagraph.

944
945 The sponsor shall notify in writing the charter school's
946 governing board, the charter school principal, and the
947 department when a charter is terminated under this subparagraph.
948 A charter terminated under this subparagraph is governed by the
949 requirements of paragraphs (8) (e)-(g) and paragraph (o) of this
950 subsection.

951 5. The director and a representative of the governing board
952 of a graded charter school that has implemented a school
953 improvement plan under this paragraph shall appear before the
954 sponsor at least once a year to present information regarding
955 the progress of intervention and support strategies implemented



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956 by the school pursuant to the school improvement plan and
957 corrective actions, if applicable. The sponsor shall communicate
958 at the meeting, and in writing to the director, the services
959 provided to the school to help the school address its
960 deficiencies.

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

964 (p)1. Each charter school shall maintain a website that
965 enables the public to obtain information regarding the school;
966 the school's academic performance; the names of the governing
967 board members; the programs at the school; any management
968 companies, cooperatives, service providers, or education
969 management corporations associated with the school; the school's
970 annual budget and its annual independent fiscal audit; the
971 school's grade pursuant to s. 1008.34; and, on a quarterly
972 basis, the minutes of governing board meetings.

973 2. Each charter school's governing board shall appoint a
974 representative to facilitate parental involvement, provide
975 access to information, assist parents and others with questions
976 and concerns, and resolve disputes. The representative must
977 reside in the school district in which the charter school is
978 located and may be a governing board member, charter school
979 employee, or individual contracted to represent the governing
980 board. If the governing board oversees multiple charter schools
981 in the same school district, the governing board must appoint a
982 separate individual representative for each charter school in
983 the district. The representative's contact information must be
984 provided annually, in writing, to parents and posted prominently



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985 on the charter school's website. The sponsor may not require
986 that governing board members reside in the school district in
987 which the charter school is located if the charter school
988 complies with this paragraph.

989 3. Each charter school's governing board must hold at least
990 two public meetings per school year in the school district where
991 the charter school is located. The meetings must be noticed,
992 open, and accessible to the public, and attendees must be
993 provided an opportunity to receive information and provide input
994 regarding the charter school's operations. The appointed
995 representative and charter school principal or director, or his
996 or her equivalent, must be physically present at each meeting.

997 (10) ELIGIBLE STUDENTS.—

998 (a) A charter school shall be open to any student covered
999 in an interdistrict agreement or residing in the school district
1000 in which the charter school is located; however, in the case of
1001 a charter lab school, the charter lab school shall be open to
1002 any student eligible to attend the lab school as provided in s.
1003 1002.32 or who resides in the school district in which the
1004 charter lab school is located. Any eligible student shall be
1005 allowed interdistrict transfer to attend a charter school when
1006 based on good cause. Good cause shall include, but is not
1007 limited to, geographic proximity to a charter school in a
1008 neighboring school district. A charter school that has not
1009 reached capacity, as provided in s. 1002.31(3)(g), may be open
1010 to any student in the state.

1011 (17) FUNDING.—Students enrolled in a charter school,
1012 regardless of the sponsorship, shall be funded as if they are in
1013 a basic program or a special program, the same as students



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1014 enrolled in other public schools in the school district. Funding
1015 for a charter lab school shall be as provided in s. 1002.32.

1016 (b) The basis for the agreement for funding students
1017 enrolled in a charter school shall be the sum of the school
1018 district's operating funds from the Florida Education Finance
1019 Program as provided in s. 1011.62 and the General Appropriations
1020 Act, including gross state and local funds, discretionary
1021 lottery funds, and funds from the school district's current
1022 operating discretionary millage levy; divided by total funded
1023 weighted full-time equivalent students in the school district;
1024 multiplied by the weighted full-time equivalent students for the
1025 charter school. Charter schools whose students or programs meet
1026 the eligibility criteria in law are entitled to their
1027 proportionate share of categorical program funds included in the
1028 total funds available in the Florida Education Finance Program
1029 by the Legislature, including transportation, the research-based
1030 reading allocation, and the Florida digital classrooms
1031 allocation. Total funding for each charter school shall be
1032 recalculated during the year to reflect the revised calculations
1033 under the Florida Education Finance Program by the state and the
1034 actual weighted full-time equivalent students reported by the
1035 charter school during the full-time equivalent student survey
1036 periods designated by the Commissioner of Education.

1037 (e) District school boards shall make timely and efficient
1038 payment and reimbursement to charter schools, including
1039 processing paperwork required to access special state and
1040 federal funding for which they may be eligible. The district
1041 school board may distribute funds to a charter school for up to
1042 3 months based on the projected full-time equivalent student



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1043 membership of the charter school. Thereafter, the results of
1044 full-time equivalent student membership surveys shall be used in
1045 adjusting the amount of funds distributed monthly to the charter
1046 school for the remainder of the fiscal year. The payment shall
1047 be issued no later than 10 working days after the district
1048 school board receives a distribution of state or federal funds.
1049 If a warrant for payment is not issued within 10 working days
1050 after receipt of funding by the district school board, the
1051 school district shall pay to the charter school, in addition to
1052 the amount of the scheduled disbursement, interest at a rate of
1053 1 percent per month calculated on a daily basis on the unpaid
1054 balance from the expiration of the 10 working days until such
1055 time as the warrant is issued. The district school board may not
1056 delay payment to a charter school of any portion of the funds
1057 provided in paragraph (b) based on the timing of receipt of
1058 local funds by the district school board.

1059 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1060 (a) The Department of Education shall provide information
1061 to the public, directly and through sponsors, on how to form and
1062 operate a charter school and how to enroll in a charter school
1063 once it is created. This information shall include a standard
1064 ~~model~~ application form, standard charter contract, standard
1065 application evaluation instrument, and standard charter renewal
1066 contract, which shall include the information specified in
1067 subsection (7) and shall be developed by consulting and
1068 negotiating with both school districts and charter schools
1069 before implementation. The charter and charter renewal contracts
1070 shall be used by charter school sponsors.

1071 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—



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1072 (c) An employee of the charter school, or his or her
1073 spouse, or an employee of a management company, cooperative, or
1074 charter management organization, or his or her spouse, may not
1075 be a member of the governing board of the charter school.

1076 (27) CONFLICTS OF INTEREST AND ETHICS.—An individual may
1077 not serve as a member of a governing board of a charter school,
1078 an education management corporation, or charter school
1079 cooperative organization if he or she or an immediate family
1080 member receives a pension or any compensation from the charter
1081 school, or if the individual's partner is an owner or principal
1082 with an entity or independent contractor with whom the charter
1083 school does business or contracts, directly or indirectly, for
1084 professional services, goods, or facilities. An individual may
1085 not serve as a governing board member if an immediate family
1086 member is an employee of the school. Members of the governing
1087 board of a charter school may not be appointed, removed, or
1088 replaced by an entity or component unit of an entity, which the
1089 charter school has entered into any contract with.

1090 Section 4. Paragraph (e) of subsection (2), paragraph (b)
1091 of subsection (3), and subsection (5) of section 1002.331,
1092 Florida Statutes, are amended to read:

1093 1002.331 High-performing charter schools.—

1094 (2) A high-performing charter school is authorized to:

1095 (e) Receive a modification of its charter to a term of 15
1096 years or a 15-year charter renewal. The charter may be modified
1097 or renewed for a shorter term at the option of the high-
1098 performing charter school. The charter must be consistent with
1099 s. 1002.33(7)(a)20. s. 1002.33(7)(a)19. and (10)(h) and (i), is
1100 subject to annual review by the sponsor, and may be terminated



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1101 during its term pursuant to s. 1002.33(8).

1102

1103 A high-performing charter school shall notify its sponsor in
1104 writing by March 1 if it intends to increase enrollment or
1105 expand grade levels the following school year. The written
1106 notice shall specify the amount of the enrollment increase and
1107 the grade levels that will be added, as applicable. If a charter
1108 school notifies the sponsor of its intent to expand, the sponsor
1109 shall modify the charter within 90 days to include the new
1110 enrollment maximum and may not make any other changes. The
1111 sponsor may deny a request to increase the enrollment of a high-
1112 performing charter school if the commissioner has declassified
1113 the charter school as high-performing. If a high-performing
1114 charter school requests to consolidate multiple charters, the
1115 sponsor shall have 40 days after receipt of that request to
1116 provide an initial draft charter to the charter school. The
1117 sponsor and charter school shall have 50 days thereafter to
1118 negotiate and notice the charter contract for final approval by
1119 the sponsor.

1120 (3)

1121 (b) A high-performing charter school may not establish more
1122 than one charter school within the state under paragraph (a) in
1123 any year. A subsequent application to establish a charter school
1124 under paragraph (a) may not be submitted unless each charter
1125 school established in this manner achieves high-performing
1126 charter school status. The limits set forth in this paragraph do
1127 not apply to charter schools established by a high-performing
1128 charter school in the attendance zone of a school identified as
1129 in need of intervention and support pursuant to s. 1008.33(3)(b)



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1130 or to meet needs for innovative choice options identified by the
1131 district school board.

1132 (5) The Commissioner of Education, upon request by a
1133 charter school, shall verify that the charter school meets the
1134 criteria in subsection (1) and provide a letter to the charter
1135 school and the sponsor stating that the charter school is a
1136 high-performing charter school pursuant to this section. The
1137 commissioner shall annually determine whether a high-performing
1138 charter school under subsection (1) continues to meet the
1139 criteria in that subsection. Such high-performing charter school
1140 shall maintain its high-performing status unless the
1141 commissioner determines that the charter school no longer meets
1142 the criteria in subsection (1), at which time the commissioner
1143 shall send a letter to the charter school and its sponsor
1144 providing notification that the charter school has been
1145 declassified ~~of its declassification~~ as a high-performing
1146 charter school.

1147 Section 5. Paragraph (c) of subsection (1) of section
1148 1002.451, Florida Statutes, is amended to read:

1149 1002.451 District innovation school of technology program.—

1150 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

1151 (c) An innovation school of technology must be open to any
1152 student covered in an interdistrict agreement or residing in the
1153 school district in which the innovation school of technology is
1154 located. An innovation school of technology shall enroll an
1155 eligible student who submits a timely application if the number
1156 of applications does not exceed the capacity of a program,
1157 class, grade level, or building. If the number of applications
1158 exceeds capacity, all applicants shall have an equal chance of



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1159 being admitted through a public random selection process.
1160 However, a district may give enrollment preference to students
1161 who identify the innovation school of technology as the
1162 student's preferred choice pursuant to the district's public
1163 school parental choice ~~controlled open enrollment~~ plan.

1164 Section 6. Section 1003.3101, Florida Statutes, is created
1165 to read:

1166 1003.3101 Additional school choice options.—Each district
1167 school board shall establish a transfer process for a parent to
1168 request his or her child be transferred to another classroom
1169 teacher. A school must grant or deny the transfer within 2 weeks
1170 after receiving a request. If a request for transfer is denied,
1171 the school shall notify the parent and specify the reasons for a
1172 denial. An explanation of the transfer process must be made
1173 available in the student handbook or a similar publication.

1174 Section 7. Section 1003.5711, Florida Statutes, is created
1175 to read:

1176 1003.5711 Instruction for students receiving hospitalized
1177 program services.—

1178 (1) A public school student in prekindergarten through
1179 grade 12 who is deemed eligible for hospitalized program
1180 services in this state is considered a student with a
1181 disability.

1182 (a) If the student has an individual education plan (IEP),
1183 the IEP must be followed, but upon request of the student's
1184 parent, the IEP may be modified to accommodate the student's use
1185 of hospitalized program services in a children's hospital
1186 pursuant to this section.

1187 (b) The student's IEP may be modified to reduce the



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1188 student's course load to core courses identified in s.
1189 1002.20(19)(a). The student may be excused or exempted from
1190 physical education classes or instruction based on the IEP or
1191 orders from the student's medical doctor. The student's IEP may
1192 allow the student to receive instruction beyond the normal
1193 school hours, school day, or school year of the school district.

1194 (2) A student who is admitted to a children's hospital for
1195 hospitalized program services must continue to receive
1196 educational instruction.

1197 (a) If a student is expected to be absent from school and
1198 admitted to the children's hospital for hospitalized program
1199 services for at least 10 consecutive days, no later than the
1200 fifth day of the student's hospital stay, the school district in
1201 which the student is or was most recently enrolled may choose to
1202 provide a certified teacher to the children's hospital to
1203 provide instruction to the student. If that school district
1204 declines to provide a certified teacher, the school district in
1205 which the children's hospital is located must provide a
1206 certified teacher to provide the student with instruction or
1207 must partner with the Florida Virtual School or an approved
1208 provider as defined in s. 1002.45 for instructional services as
1209 authorized in this section. Such school district shall also
1210 provide the student's instructional materials and other
1211 necessary educational support and services identified in the
1212 IEP.

1213 (b) A student in prekindergarten through grade 6 shall be
1214 taught in person by the certified teacher. A student in grades 7
1215 through 12 shall be taught in person by the certified teacher,
1216 or the student may choose to utilize instruction from the



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1217 Florida Virtual School. If the Florida Virtual School is used by
1218 any student, at least one certified teacher from the Florida
1219 Virtual School must be present at the hospital to assist with
1220 online learning.

1221 (3) If a school district other than the one in which the
1222 student was previously enrolled provides the hospitalized
1223 program services, the Department of Education must transfer the
1224 funds from the school district in which the student was
1225 previously enrolled to the school district in which the
1226 children's hospital providing hospitalized program services is
1227 located. This transfer shall occur no later than each subsequent
1228 quarterly FEFP payment.

1229 (4) The children's hospital providing the hospitalized
1230 program services is responsible for providing adequate
1231 educational space for each student, but is not required to
1232 comply with chapter 1013. The hospital and applicable school
1233 district must enter into an agreement to implement this section.
1234 The agreement may be student-specific or address all students as
1235 necessary.

1236 (5) The intent of this section is to supplement existing
1237 laws, rules, and regulations concerning hospitalized students
1238 that use hospitalized program services at a children's hospital.

1239 Section 8. Section 1004.6491, Florida Statutes, is created
1240 to read:

1241 1004.6491 Florida Institute for Charter School Innovation.-

1242 (1) There is established the Florida Institute for Charter
1243 School Innovation within the Florida State University. The
1244 purpose of the institute is to advance charter school
1245 accountability, quality, and innovation; provide support and



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1246 technical assistance to charter school applicants; connect
1247 aspiring teachers to opportunities to experience teaching in
1248 schools of choice; and conduct research and develop and promote
1249 best practices for charter school authorization, financing,
1250 management, operations, and instructional practices.

1251 (2) The institute shall:

1252 (a) Conduct research to inform both policy and practice
1253 related to charter school accountability, financing, management,
1254 operations, and instructional practices.

1255 (b) Partner with state-approved teacher preparation
1256 programs in this state to provide opportunities for aspiring
1257 teachers to experience teaching in schools of choice.

1258 (c) Provide technical assistance and support to charter
1259 school applicants with innovative charter school concepts.

1260 (3) The President of the Florida State University shall
1261 appoint a director of the institute. The director is responsible
1262 for overall management of the institute and for developing and
1263 executing the work of the institute consistent with this
1264 section. The director may engage individuals in other state
1265 universities with accredited colleges of education to
1266 participate in the institute.

1267 (4) By each October 1, the institute shall provide a
1268 written report to the Governor, the President of the Senate, and
1269 the Speaker of the House of Representatives which outlines its
1270 activities in the preceding year, reports significant research
1271 findings, details expenditures of state funds, and provides
1272 specific recommendations for improving the institute's ability
1273 to fulfil its mission and for changes to statewide charter
1274 school policy.



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1275 (5) Within 180 days after completion of the institute's
1276 fiscal year, the institute shall provide to the Auditor General,
1277 the Board of Governors of the State University System, and the
1278 State Board of Education a report on the results of an annual
1279 financial audit conducted by an independent certified public
1280 accountant in accordance with s. 11.45.

1281 Section 9. Subsection (1) of section 1011.61, Florida
1282 Statutes, is amended to read:

1283 1011.61 Definitions.—Notwithstanding the provisions of s.
1284 1000.21, the following terms are defined as follows for the
1285 purposes of the Florida Education Finance Program:

1286 (1) A "full-time equivalent student" in each program of the
1287 district is defined in terms of full-time students and part-time
1288 students as follows:

1289 (a) A "full-time student" is one student on the membership
1290 roll of one school program or a combination of school programs
1291 listed in s. 1011.62(1)(c) for the school year or the equivalent
1292 for:

1293 1. Instruction in a standard school, comprising not less
1294 than 900 net hours for a student in or at the grade level of 4
1295 through 12, or not less than 720 net hours for a student in or
1296 at the grade level of kindergarten through grade 3 or in an
1297 authorized prekindergarten exceptional program;

1298 2. Instruction in a ~~double-session school or a school~~
1299 utilizing an experimental school calendar approved by the
1300 Department of Education, comprising not less than the equivalent
1301 of 810 net hours in grades 4 through 12 or not less than 630 net
1302 hours in kindergarten through grade 3; or

1303 3. Instruction comprising the appropriate number of net



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1304 hours set forth in subparagraph 1. or subparagraph 2. for
1305 students who, within the past year, have moved with their
1306 parents for the purpose of engaging in the farm labor or fish
1307 industries, if a plan furnishing such an extended school day or
1308 week, or a combination thereof, has been approved by the
1309 commissioner. Such plan may be approved to accommodate the needs
1310 of migrant students only or may serve all students in schools
1311 having a high percentage of migrant students. The plan described
1312 in this subparagraph is optional for any school district and is
1313 not mandated by the state.

1314 (b) A "part-time student" is a student on the active
1315 membership roll of a school program or combination of school
1316 programs listed in s. 1011.62(1)(c) who is less than a full-time
1317 student.

1318 (c)1. A "full-time equivalent student" is:

1319 a. A full-time student in any one of the programs listed in
1320 s. 1011.62(1)(c); or

1321 b. A combination of full-time or part-time students in any
1322 one of the programs listed in s. 1011.62(1)(c) which is the
1323 equivalent of one full-time student based on the following
1324 calculations:

1325 (I) A full-time student in a combination of programs listed
1326 in s. 1011.62(1)(c) shall be a fraction of a full-time
1327 equivalent membership in each special program equal to the
1328 number of net hours per school year for which he or she is a
1329 member, divided by the appropriate number of hours set forth in
1330 subparagraph (a)1. or subparagraph (a)2. The difference between
1331 that fraction or sum of fractions and the maximum value as set
1332 forth in subsection (4) for each full-time student is presumed



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1333 to be the balance of the student's time not spent in a special
1334 program and shall be recorded as time in the appropriate basic
1335 program.

1336 (II) A prekindergarten student with a disability shall meet
1337 the requirements specified for kindergarten students.

1338 (III) A full-time equivalent student for students in
1339 kindergarten through grade 12 in a full-time virtual instruction
1340 program under s. 1002.45 or a virtual charter school under s.
1341 1002.33 shall consist of six full-credit completions or the
1342 prescribed level of content that counts toward promotion to the
1343 next grade in programs listed in s. 1011.62(1)(c). Credit
1344 completions may be a combination of full-credit courses or half-
1345 credit courses. Beginning in the 2016-2017 fiscal year, the
1346 reported full-time equivalent students and associated funding of
1347 students enrolled in courses requiring passage of an end-of-
1348 course assessment under s. 1003.4282 to earn a standard high
1349 school diploma shall be adjusted if the student does not pass
1350 the end-of-course assessment. However, no adjustment shall be
1351 made for a student who enrolls in a segmented remedial course
1352 delivered online.

1353 (IV) A full-time equivalent student for students in
1354 kindergarten through grade 12 in a part-time virtual instruction
1355 program under s. 1002.45 shall consist of six full-credit
1356 completions in programs listed in s. 1011.62(1)(c)1. and 3.
1357 Credit completions may be a combination of full-credit courses
1358 or half-credit courses. Beginning in the 2016-2017 fiscal year,
1359 the reported full-time equivalent students and associated
1360 funding of students enrolled in courses requiring passage of an
1361 end-of-course assessment under s. 1003.4282 to earn a standard



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1362 high school diploma shall be adjusted if the student does not
1363 pass the end-of-course assessment. However, no adjustment shall
1364 be made for a student who enrolls in a segmented remedial course
1365 delivered online.

1366 (V) A Florida Virtual School full-time equivalent student
1367 shall consist of six full-credit completions or the prescribed
1368 level of content that counts toward promotion to the next grade
1369 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
1370 participating in kindergarten through grade 12 part-time virtual
1371 instruction and the programs listed in s. 1011.62(1)(c) for
1372 students participating in kindergarten through grade 12 full-
1373 time virtual instruction. Credit completions may be a
1374 combination of full-credit courses or half-credit courses.
1375 Beginning in the 2016-2017 fiscal year, the reported full-time
1376 equivalent students and associated funding of students enrolled
1377 in courses requiring passage of an end-of-course assessment
1378 under s. 1003.4282 to earn a standard high school diploma shall
1379 be adjusted if the student does not pass the end-of-course
1380 assessment. However, no adjustment shall be made for a student
1381 who enrolls in a segmented remedial course delivered online.

1382 (VI) Each successfully completed full-credit course earned
1383 through an online course delivered by a district other than the
1384 one in which the student resides shall be calculated as 1/6 FTE.

1385 (VII) A full-time equivalent student for courses requiring
1386 passage of a statewide, standardized end-of-course assessment
1387 under s. 1003.4282 to earn a standard high school diploma shall
1388 be defined and reported based on the number of instructional
1389 hours as provided in this subsection until the 2016-2017 fiscal
1390 year. Beginning in the 2016-2017 fiscal year, the FTE for the



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1391 course shall be assessment-based and shall be equal to 1/6 FTE.
1392 The reported FTE shall be adjusted if the student does not pass
1393 the end-of-course assessment. However, no adjustment shall be
1394 made for a student who enrolls in a segmented remedial course
1395 delivered online.

1396 (VIII) For students enrolled in a school district as a
1397 full-time student, the district may report 1/6 FTE for each
1398 student who passes a statewide, standardized end-of-course
1399 assessment without being enrolled in the corresponding course.

1400 2. A student in membership in a program scheduled for more
1401 or less than 180 school days or the equivalent on an hourly
1402 basis as specified by rules of the State Board of Education is a
1403 fraction of a full-time equivalent membership equal to the
1404 number of instructional hours in membership divided by the
1405 appropriate number of hours set forth in subparagraph (a)1.;
1406 however, for the purposes of this subparagraph, membership in
1407 programs scheduled for more than 180 days is limited to students
1408 enrolled in:

1409 a. Juvenile justice education programs.

1410 b. The Florida Virtual School.

1411 c. Virtual instruction programs and virtual charter schools
1412 for the purpose of course completion and credit recovery
1413 pursuant to ss. 1002.45 and 1003.498. Course completion applies
1414 only to a student who is reported during the second or third
1415 membership surveys and who does not complete a virtual education
1416 course by the end of the regular school year. The course must be
1417 completed no later than the deadline for amending the final
1418 student enrollment survey for that year. Credit recovery applies
1419 only to a student who has unsuccessfully completed a traditional



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1420 or virtual education course during the regular school year and
1421 must re-take the course in order to be eligible to graduate with
1422 the student's class.

1423
1424 The full-time equivalent student enrollment calculated under
1425 this subsection is subject to the requirements in subsection
1426 (4).

1427
1428 The department shall determine and implement an equitable method
1429 of equivalent funding for experimental schools and for schools
1430 operating under emergency conditions, which schools have been
1431 approved by the department to operate for less than the minimum
1432 school day.

1433 Section 10. Section 1011.6202, Florida Statutes, is created
1434 to read:

1435 1011.6202 Principal Autonomy Pilot Program Initiative.—The
1436 Principal Autonomy Pilot Program Initiative is created within
1437 the Department of Education. The purpose of the pilot program is
1438 to provide the principal of a participating school with
1439 increased autonomy and authority to operate his or her school in
1440 a way that produces significant improvements in student
1441 achievement and school management while complying with
1442 constitutional requirements. The State Board of Education may,
1443 upon approval of a principal autonomy proposal, enter into a
1444 performance contract with up to six district school boards for
1445 participation in the program.

1446 (1) PARTICIPATING SCHOOL DISTRICTS.—A Florida school
1447 district may submit to the state board for approval a principal
1448 autonomy proposal that exchanges statutory and rule exemptions



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1449 for an agreement to meet performance goals established in the
1450 proposal. If approved by the state board, the school district
1451 shall be eligible to participate in the program for 3 years. At
1452 the end of the 3 years, the performance of all participating
1453 schools in the school district shall be evaluated.

1454 (2) PRINCIPAL AUTONOMY PROPOSAL.-

1455 (a) To participate in the program, a school district must:

1456 1. Identify three middle or high schools whose principals
1457 will have fiscal and administrative autonomy.

1458 2. Describe the current financial and administrative
1459 management of each participating school; identify the areas in
1460 which each school principal will have increased fiscal and
1461 administrative autonomy, including the authority and
1462 responsibilities provided in s. 1012.28(8); and identify the
1463 areas in which each participating school will continue to follow
1464 district school board fiscal and administrative policies.

1465 3. Explain the methods used to identify the educational
1466 strengths and needs of the participating school's students and
1467 identify how student achievement can be improved.

1468 4. Establish performance goals for student achievement, as
1469 defined in s. 1008.34(1), and explain how the increased autonomy
1470 of principals will help participating schools improve student
1471 achievement and school management.

1472 5. Provide each participating school's mission and a
1473 description of its student population.

1474 (b) The state board shall establish criteria, which must
1475 include the criteria listed in paragraph (a), for the approval
1476 of a principal autonomy proposal.

1477 (c) A school district must submit its principal autonomy



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1478 proposal to the state board for approval by December 1 in order
1479 to begin participation in the subsequent school year. By
1480 February 28 of the school year in which the proposal is
1481 submitted, the state board shall notify the district school
1482 board in writing whether the proposal is approved.

1483 (3) EXEMPTION FROM LAWS.—

1484 (a) With the exception of those laws listed in paragraph
1485 (b), a participating school district is exempt from the
1486 provisions of chapters 1000-1013 and rules of the state board
1487 which implement those exempt provisions.

1488 (b) A participating school district shall comply with the
1489 provisions of chapters 1000-1013, and rules of the state board
1490 which implement those provisions, pertaining to the following:

1491 1. Those laws relating to the election and compensation of
1492 district school board members, the election or appointment and
1493 compensation of district school superintendents, public meetings
1494 and public records requirements, financial disclosure, and
1495 conflicts of interest.

1496 2. Those laws relating to the student assessment program
1497 and school grading system, including chapter 1008.

1498 3. Those laws relating to the provision of services to
1499 students with disabilities.

1500 4. Those laws relating to civil rights, including s.
1501 1000.05, relating to discrimination.

1502 5. Those laws relating to student health, safety, and
1503 welfare.

1504 6. Section 1001.42(4)(f), relating to the uniform opening
1505 and closing date for public schools.

1506 7. Section 1003.03, governing maximum class size, except



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1507 that the calculation for compliance pursuant to s. 1003.03 is
1508 the average at the school level for a participating school.

1509 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1510 compensation and salary schedules.

1511 9. Section 1012.33(5), relating to workforce reductions for
1512 annual contracts for instructional personnel. This subparagraph
1513 does not apply to at-will employees.

1514 10. Section 1012.335, relating to annual contracts for
1515 instructional personnel hired on or after July 1, 2011. This
1516 subparagraph does not apply to at-will employees.

1517 11. Section 1012.34, relating to personnel evaluation
1518 procedures and criteria.

1519 12. Those laws pertaining to educational facilities,
1520 including chapter 1013, except that s. 1013.20, relating to
1521 covered walkways for relocatables, and s. 1013.21, relating to
1522 the use of relocatable facilities exceeding 20 years of age, are
1523 eligible for exemption.

1524 13. Those laws pertaining to participating school
1525 districts, including this section and ss. 1011.64(2)(b),
1526 1011.69(2), 1012.28(8), and 1012.986(1)(e).

1527 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
1528 district shall require that the principal of each participating
1529 school complete professional development provided through the
1530 William Cecil Golden Professional Development Program for School
1531 Leaders under s. 1012.986. The professional development must be
1532 completed before a school may participate in the Principal
1533 Autonomy Pilot Program Initiative.

1534 (5) TERM OF PARTICIPATION.—The state board shall authorize
1535 a school district to participate in the program for a period of



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1536 3 years commencing with approval of the principal autonomy
1537 proposal. Authorization to participate in the program may be
1538 renewed upon action of the state board. The state board may
1539 revoke authorization to participate in the program if the school
1540 district fails to meet the requirements of this section during
1541 the 3-year period.

1542 (6) REPORTING.—Each participating school district shall
1543 submit an annual report to the state board. The state board
1544 shall annually report on the implementation of the Principal
1545 Autonomy Pilot Program Initiative. Upon completion of the
1546 program's first 3-year term, the Commissioner of Education shall
1547 submit to the President of the Senate and the Speaker of the
1548 House of Representatives by December 1 a full evaluation of the
1549 effectiveness of the program.

1550 (7) RULEMAKING.—The State Board of Education shall adopt
1551 rules to administer this section.

1552 Section 11. Paragraph (b) of subsection (2) of section
1553 1011.64, Florida Statutes, is amended to read:

1554 1011.64 School district minimum classroom expenditure
1555 requirements.—

1556 (2) For the purpose of implementing the provisions of this
1557 section, the Legislature shall prescribe minimum academic
1558 performance standards and minimum classroom expenditure
1559 requirements for districts not meeting such minimum academic
1560 performance standards in the General Appropriations Act.

1561 (b) School district minimum classroom expenditure
1562 requirements shall be calculated pursuant to subsection (3) and
1563 may include training pursuant to s. 1012.986(1)(e).

1564 Section 12. Subsection (2) of section 1011.69, Florida



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1565 Statutes, is amended to read:

1566 1011.69 Equity in School-Level Funding Act.—

1567 (2) Beginning in the 2003-2004 fiscal year, district school
1568 boards shall allocate to schools within the district an average
1569 of 90 percent of the funds generated by all schools and
1570 guarantee that each school receives at least 80 percent, except
1571 that a school participating in the Principal Autonomy Pilot
1572 Program Initiative under s. 1011.6202 is guaranteed to receive
1573 at least 90 percent, of the funds generated by that school based
1574 upon the Florida Education Finance Program as provided in s.
1575 1011.62 and the General Appropriations Act, including gross
1576 state and local funds, discretionary lottery funds, and funds
1577 from the school district's current operating discretionary
1578 millage levy. Total funding for each school shall be
1579 recalculated during the year to reflect the revised calculations
1580 under the Florida Education Finance Program by the state and the
1581 actual weighted full-time equivalent students reported by the
1582 school during the full-time equivalent student survey periods
1583 designated by the Commissioner of Education. If the district
1584 school board is providing programs or services to students
1585 funded by federal funds, any eligible students enrolled in the
1586 schools in the district shall be provided federal funds.

1587 Section 13. Subsection (8) is added to section 1012.28,
1588 Florida Statutes, to read:

1589 1012.28 Public school personnel; duties of school
1590 principals.—

1591 (8) The principal of a participating school in a
1592 participating school district approved under s. 1011.6202 has
1593 the following additional authority and responsibilities:



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1594 (a) In addition to the authority provided in subsection
1595 (6), the authority to select qualified instructional personnel
1596 for placement or to refuse to accept the placement or transfer
1597 of instructional personnel by the district school
1598 superintendent. Placement of instructional personnel at a
1599 participating school in a participating school district does not
1600 affect the employee's status as a school district employee.

1601 (b) The authority to deploy financial resources to school
1602 programs at the principal's discretion to help improve student
1603 achievement, as defined in s. 1008.34(1), and meet performance
1604 goals identified in the principal autonomy proposal submitted
1605 pursuant to s. 1011.6202.

1606 (c) The responsibility to annually provide to the district
1607 school superintendent and the district school board a budget for
1608 the operation of the participating school which identifies how
1609 funds provided pursuant to s. 1011.69(2) are allocated. The
1610 school district shall include the budget in the annual report
1611 provided to the State Board of Education pursuant to s.
1612 1011.6202(6).

1613 Section 14. Subsection (2) of section 1012.42, Florida
1614 Statutes, is amended to read:

1615 1012.42 Teacher teaching out-of-field.—

1616 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district
1617 school system is assigned teaching duties in a class dealing
1618 with subject matter that is outside the field in which the
1619 teacher is certified, outside the field that was the applicant's
1620 minor field of study, or outside the field in which the
1621 applicant has demonstrated sufficient subject area expertise, as
1622 determined by district school board policy in the subject area



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1623 to be taught, the parents of all students in the class shall be
1624 notified in writing of such assignment. A parent that receives
1625 this notification may, after the October student membership
1626 survey, request that his or her child be transferred to another
1627 classroom teacher within the school and grade in which the child
1628 is currently enrolled. If space is available in a classroom
1629 taught by an in-field teacher, the school district shall grant
1630 the parent's request and transfer the student to the in-field
1631 classroom teacher within a reasonable period of time, not to
1632 exceed 2 weeks. An explanation of the transfer process must be
1633 made available in the student handbook or a similar publication.
1634 This does not provide a parent the right to choose a specific
1635 teacher.

1636 Section 15. Paragraph (e) is added to subsection (1) of
1637 section 1012.986, Florida Statutes, to read:

1638 1012.986 William Cecil Golden Professional Development
1639 Program for School Leaders.-

1640 (1) There is established the William Cecil Golden
1641 Professional Development Program for School Leaders to provide
1642 high standards and sustained support for principals as
1643 instructional leaders. The program shall consist of a
1644 collaborative network of state and national professional
1645 leadership organizations to respond to instructional leadership
1646 needs throughout the state. The network shall support the human-
1647 resource development needs of principals, principal leadership
1648 teams, and candidates for principal leadership positions using
1649 the framework of leadership standards adopted by the State Board
1650 of Education, the Southern Regional Education Board, and the
1651 National Staff Development Council. The goal of the network



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1652 leadership program is to:

1653 (e) For principals of schools participating in the
1654 Principal Autonomy Pilot Program Initiative under s. 1011.6202,
1655 provide training on the following:

1656 1. Managing instructional personnel, including developing a
1657 high-performing instructional leadership team.

1658 2. Public school budgeting, financial management, and human
1659 resources policies and procedures.

1660 3. Best practices for the effective exercise of increased
1661 budgetary and staffing flexibility to improve student
1662 achievement and operational efficiency.

1663 Section 16. Paragraph (a) of subsection (1) of section
1664 1013.62, Florida Statutes, is amended to read:

1665 1013.62 Charter schools capital outlay funding.—

1666 (1) In each year in which funds are appropriated for
1667 charter school capital outlay purposes, the Commissioner of
1668 Education shall allocate the funds among eligible charter
1669 schools.

1670 (a) To be eligible for a funding allocation, a charter
1671 school must:

1672 1.a. Have been in operation for 3 or more years;

1673 b. Be governed by a governing board established in the
1674 state for 3 or more years which operates both charter schools
1675 and conversion charter schools within the state;

1676 c. Be an expanded feeder chain of a charter school within
1677 the same school district that is currently receiving charter
1678 school capital outlay funds;

1679 d. Have been accredited by the Commission on Schools of the
1680 Southern Association of Colleges and Schools; or



576-03377-15

1681 e. Serve students in facilities that are provided by a
1682 business partner for a charter school-in-the-workplace pursuant
1683 to s. 1002.33(15) (b).

1684 2. Have an annual audit that does not reveal any of the
1685 financial emergency conditions provided in s. 218.503(1) for the
1686 most recent fiscal year for which such audit results are
1687 available ~~stability for future operation as a charter school.~~

1688 3. Have satisfactory student achievement based on state
1689 accountability standards applicable to the charter school.

1690 4. Have received final approval from its sponsor pursuant
1691 to s. 1002.33 for operation during that fiscal year.

1692 5. Serve students in facilities that are not provided by
1693 the charter school's sponsor.

1694 Section 17. Notwithstanding any other provision of law,
1695 student reporting requirements related to withdrawals,
1696 suspensions, expulsions, and other related instances where
1697 students are no longer enrolled in a school, must be the same
1698 for public schools, including charter schools. Thus, charter
1699 school reporting requirements for these instances apply to all
1700 public schools, and public school reporting requirements apply
1701 to all charter schools.

1702 Section 18. This act shall take effect July 1, 2015.