

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

CS/CS/CS/SB 1546 — School Choice

by Committee on Education Pre-K - 12 and Senator Thrasher

This legislation creates and facilitates the development and expansion of high-performing charter schools and high-performing charter school systems. To qualify as high-performing, a school must have received:

- At least two “A” school grades and no grades below a “B” for the last three years; and
- Unqualified opinions and no financial audits indicating a state of financial emergency for the last three fiscal years.

Once a school or a system has met the requirements for a high-performing designation, it is authorized to replicate at the rate of one school per year. High-performing schools will also have greater flexibility to expand grade levels, enrollment capacity, and charter terms, and to consolidate with other high-performing charter schools.

To qualify as a high-performing system, the entity must:

- Operate at least three high-performing charter schools in the state;
- Operate a system of charter schools of which at least 50 percent are high-performing; and
- Not operate a charter school that has received a financial audit indicating a state of financial emergency.

High-performing systems are authorized to replicate at the rate of one charter school per year.

Charter virtual schools are ineligible for high-performing status.

This law encourages systems to work with disadvantaged students by authorizing charter schools in these situations more time to turn around a low-performing school.

This legislation limits the ability of a sponsor to deny a charter school application submitted by a high-performing charter school, by increasing the standard of proof to that of a clear and convincing standard. Sponsors who immediately terminate a charter must assume operation of the school pending completion of the appeal process or be liable for attorney’s fees and costs if the charter school prevails.

The charter school governing board is required to appoint a parental contact representative residing in the district, which replaces the residency requirement for the charter school governing board.

The Charter School Review Panel is abolished.

The Department of Education is required to conduct a study which examines various issues relating to charter schools, including the capital improvement millage fee distributed in

comparison to other public schools and the 5-percent administrative fee, and provide findings to the Governor and Legislature.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 33-6; House 87-27