

Bill No. CS/CS/HB 269, 1st Eng.

Amendment No. Barcode 421602

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Peaden moved the following amendment:

Senate Amendment (with title amendment)

On page 15, between lines 2 and 3,

insert:

Section 10. Section 228.056, Florida Statutes, is amended to read:

228.056 Charter schools.--

(1) AUTHORIZATION.--The creation of charter schools is hereby authorized. Charter schools shall be part of the state's program of public education. All charter schools in Florida are fully recognized as public schools. A charter school may be formed by creating a new school or converting an existing public school to charter status. A public school may not use the term charter in its name unless it has been approved under this section.

(2) PURPOSE.--The purpose of charter schools shall be to:

- (a) Improve student learning.
- (b) Increase learning opportunities for all students,

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1 with special emphasis on expanded learning experiences for
2 students who are identified as academically low achieving.

3 (c) Encourage the use of different and innovative
4 learning methods.

5 (d) Increase choice of learning opportunities for
6 students.

7 (e) Establish a new form of accountability for
8 schools.

9 (f) Require the measurement of learning outcomes and
10 create innovative measurement tools.

11 (g) Make the school the unit for improvement.

12 (h) Create new professional opportunities for
13 teachers, including the opportunity to own the learning
14 program at the school site.

15 (i) Provide rigorous competition within the public
16 school district to stimulate continual improvement in all
17 public schools.

18 (j) Provide additional academic choices for parents
19 and students.

20 (k) Expand the capacity of the public school system.

21 (3) APPLICATION; UNLAWFUL REPRISAL.--

22 (a)1. An application for a new charter school may be
23 made by an individual, teachers, parents, a group of
24 individuals, a municipality, or a legal entity organized under
25 the laws of this state.

26 2. The district school board or the principal,
27 teachers, parents, and/or the school advisory council at an
28 existing public school that has been in operation for at least
29 2 years prior to the application to convert, including a
30 public school-within-a-school that is designated as a school
31 by the district school board, shall submit any application for

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1 converting the school to a charter school. An application
2 submitted proposing to convert an existing public school to a
3 charter school shall demonstrate the support of at least 50
4 percent of the teachers employed at the school and 50 percent
5 of the parents voting whose children are enrolled at the
6 school, provided that a majority of the parents eligible to
7 vote participate in the ballot process, according to
8 procedures established by rules of the state board. A district
9 school board denying an application for a conversion charter
10 school shall provide notice of denial to the applicants in
11 writing within 30 days after the meeting at which the school
12 board denied the application. The notice must specify the
13 exact reasons for denial and must provide documentation
14 supporting those reasons. A private school, parochial school,
15 or home education program shall not be eligible for charter
16 school status.

17 (b) No district school board, or district school board
18 employee who has control over personnel actions, shall take
19 unlawful reprisal against another district school board
20 employee because that employee is either directly or
21 indirectly involved with an application to establish a charter
22 school. As used in this subsection, the term "unlawful
23 reprisal" means an action taken by a district school board or
24 a school system employee against an employee who is directly
25 or indirectly involved in a lawful application to establish a
26 charter school, which occurs as a direct result of that
27 involvement, and which results in one or more of the
28 following: disciplinary or corrective action; adverse transfer
29 or reassignment, whether temporary or permanent; suspension,
30 demotion, or dismissal; an unfavorable performance evaluation;
31 a reduction in pay, benefits, or rewards; elimination of the

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1 employee's position absent of a reduction in force as a result
2 of lack of moneys or work; or other adverse significant
3 changes in duties or responsibilities that are inconsistent
4 with the employee's salary or employment classification. The
5 following procedures shall apply to an alleged unlawful
6 reprisal which occurs as a consequence of an employee's direct
7 or indirect involvement with an application to establish a
8 charter school:

9 1. Within 60 days after a reprisal prohibited by this
10 subsection, an employee may file a complaint with the
11 Department of Education.

12 2. Within 3 working days after receiving a complaint
13 under this section, the department shall acknowledge receipt
14 of the complaint and provide copies of the complaint and any
15 other relevant preliminary information available to each of
16 the other parties named in the complaint, which parties shall
17 each acknowledge receipt of such copies to the complainant.

18 3. If the department determines that the complaint
19 demonstrates reasonable cause to suspect that an unlawful
20 reprisal has occurred, the department shall conduct an
21 investigation to produce a fact-finding report.

22 4. Within 90 days after receiving the complaint, the
23 department shall provide the superintendent of schools of the
24 complainant's district and the complainant with a fact-finding
25 report that may include recommendations to the parties or
26 proposed resolution of the complaint. The fact-finding report
27 shall be presumed admissible in any subsequent or related
28 administrative or judicial review.

29 5. If the department determines that reasonable
30 grounds exist to believe that an unlawful reprisal has
31 occurred, is occurring, or is to be taken, and is unable to

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1 conciliate a complaint within 60 days after receipt of the
2 fact-finding report, the department shall terminate the
3 investigation. Upon termination of any investigation, the
4 department shall notify the complainant and the superintendent
5 of schools of the termination of the investigation, providing
6 a summary of relevant facts found during the investigation and
7 the reasons for terminating the investigation. A written
8 statement under this paragraph is presumed admissible as
9 evidence in any judicial or administrative proceeding.

10 6. The department shall either contract with the
11 Division of Administrative Hearings under s. 120.65, or
12 otherwise provide for a complaint for which the department
13 determines reasonable grounds exist to believe that an
14 unlawful reprisal has occurred, is occurring, or is to be
15 taken, and is unable to conciliate, to be heard by a panel of
16 impartial persons. Upon hearing the complaint, the panel must
17 make findings of fact and conclusions of law for a final
18 decision by the department.

19
20 It shall be an affirmative defense to any action brought
21 pursuant to this section that the adverse action was
22 predicated upon grounds other than, and would have been taken
23 absent, the employee's exercise of rights protected by this
24 section.

25 (c) In any action brought under this section for which
26 it is determined reasonable grounds exist to believe that an
27 unlawful reprisal has occurred, is occurring, or is to be
28 taken, the relief must include the following:

29 1. Reinstatement of the employee to the same position
30 held before the unlawful reprisal was commenced, or to an
31 equivalent position, or payment of reasonable front pay as

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1 alternative relief.

2 2. Reinstatement of the employee's full fringe
3 benefits and seniority rights, as appropriate.

4 3. Compensation, if appropriate, for lost wages,
5 benefits, or other lost remuneration caused by the unlawful
6 reprisal.

7 4. Payment of reasonable costs, including attorney's
8 fees, to a substantially prevailing employee, or to the
9 prevailing employer if the employee filed a frivolous action
10 in bad faith.

11 5. Issuance of an injunction, if appropriate, by a
12 court of competent jurisdiction.

13 6. Temporary reinstatement to the employee's former
14 position or to an equivalent position, pending the final
15 outcome on the complaint, if it is determined that the action
16 was not made in bad faith or for a wrongful purpose, and did
17 not occur after a district school board's initiation of a
18 personnel action against the employee which includes
19 documentation of the employee's violation of a disciplinary
20 standard or performance deficiency.

21 (4) SPONSOR.--A district school board may sponsor a
22 charter school in the county over which the board has
23 jurisdiction.

24 (a) A district school board shall receive and review
25 all applications for a charter school. A district school board
26 shall receive and consider charter school applications
27 received on or before October 1 of each calendar year for
28 charter schools to be opened at the beginning of the school
29 district's next school year, or to be opened at a time agreed
30 to by the applicant and the district school board. A district
31 school board may receive applications later than this date if

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1 it chooses. A sponsor may not charge an applicant for a
2 charter any fee for the processing or consideration of an
3 application, and a sponsor may not base its consideration or
4 approval of an application upon the promise of future payment
5 of any kind.

6 1. In order to facilitate an accurate budget
7 projection process, a district school board shall be held
8 harmless for FTE students which are not included in the FTE
9 projection due to approval of charter school applications
10 after the FTE projection deadline. In a further effort to
11 facilitate an accurate budget projection, within 15 calendar
12 days after receipt of a charter school application, a district
13 school board or other sponsor shall report to the Department
14 of Education the name of the applicant entity, the proposed
15 charter school location, and its projected FTE.

16 2. A district school board must by a majority vote
17 approve or deny an application no later than 60 calendar days
18 after the application is received, unless the district school
19 board and the applicant mutually agree to temporarily postpone
20 the vote to a specific date, at which time the district school
21 board must by a majority vote approve or deny the application.
22 If the district school board fails to act on the application,
23 an applicant may appeal to the State Board of Education as
24 provided in paragraph (b). If an application is denied, the
25 district school board must, within 10 calendar days,
26 articulate in writing the specific reasons based upon good
27 cause supporting its denial of the charter application.

28 3. For budget projection purposes, the district school
29 board or other sponsor shall report to the department the
30 approval or denial of a charter application within 10 calendar
31 days after such approval or denial. In the event of approval,

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1 the report to the department must include the final projected
2 FTE for the approved charter school.

3 4. Upon approval of a charter application, the initial
4 startup must commence ~~be consistent~~ with the beginning of the
5 public school calendar for the district in which the charter
6 is granted unless the district school board allows a waiver of
7 this provision for good cause.

8 (b) An applicant may appeal any denial of that
9 applicant's application or failure to act on an application to
10 the State Board of Education no later than 30 calendar days
11 after receipt of the district school board's decision or
12 failure to act and shall notify the district school board of
13 its appeal. Any response of the school board shall be
14 submitted to the state board within 30 calendar days after
15 notification of the appeal. The state board must by majority
16 vote accept or reject the decision of the district school
17 board no later than 60 calendar days after an appeal is filed
18 in accordance with state board rule. The state board may
19 reject an appeal submission for failure to comply with
20 procedural rules governing the appeals process. The rejection
21 shall describe the submission errors. The appellant may have
22 up to 15 calendar days from notice of rejection to resubmit an
23 appeal that meets requirements of rule. An application for
24 appeal submitted subsequent to such rejection shall be
25 considered timely if the original appeal was filed within 30
26 calendar days after receipt of notice of the specific reasons
27 for the school board's denial of the charter application ~~the~~
28 ~~school board denial~~. The state board shall remand the
29 application to the district school board with its written
30 decision ~~recommendation~~ that the district board approve or
31 deny the application consistent with the state board's

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1 decision. The decision of the State Board of Education is not
2 subject to the provisions of the Administrative Procedure Act,
3 chapter 120.

4 (c) The district school board must act in accordance
5 with the decision ~~upon the recommendation~~ of the State Board
6 of Education within 30 calendar days after it is received. ~~The~~
7 ~~district board may fail to act in accordance with the~~
8 ~~recommendation of the state board only for good cause. Good~~
9 ~~cause for failing to act in accordance with the state board's~~
10 ~~recommendation arises only if the district school board~~
11 ~~determines by competent substantial evidence that approving~~
12 ~~the state board's recommendation would be contrary to law or~~
13 ~~contrary to the best interests of the pupils or the community.~~
14 ~~The district school board must articulate in written findings~~
15 ~~the specific reasons based upon good cause supporting its~~
16 ~~failure to act in accordance with the state board's~~
17 ~~recommendation. The district board's action on the state~~
18 ~~board's recommendation is a final action subject to judicial~~
19 ~~review.~~

20 (d) The Department of Education may provide technical
21 assistance to an applicant upon written request.

22 (e) Paragraph (a) notwithstanding, a state university
23 may grant a charter to a developmental research school created
24 under s. 228.053. In considering such charter, the state
25 university must consult with the district school board of the
26 county in which the developmental research school is located.
27 The decision of a state university may be appealed pursuant to
28 the procedure established in this subsection.

29 (f) The terms and conditions for the operation of a
30 charter school shall be set forth by the sponsor and the
31 applicant in a written contractual agreement, called a

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1 charter. The sponsor shall not impose unreasonable rules or
2 regulations that violate the intent of giving charter schools
3 greater flexibility to meet educational goals. The applicant
4 and sponsor shall have 6 months in which to mutually agree to
5 the provisions of the charter. The Department of Education
6 shall provide mediation services for any dispute regarding
7 this section subsequent to the approval of a charter
8 application and for any dispute relating to the approved
9 charter, except disputes regarding charter school application
10 denials. If the Commissioner of Education determines that the
11 dispute cannot be settled through mediation, the dispute may
12 be appealed to an administrative law judge appointed by the
13 Division of Administrative Hearings. The administrative law
14 judge may rule on issues of equitable treatment of the charter
15 school as a public school, whether proposed provisions of the
16 charter violate the intended flexibility granted charter
17 schools by statute, or on any other matter regarding this
18 section except a charter school application denial, and shall
19 award the prevailing party reasonable attorney's fees and
20 costs incurred to be paid by the losing party. The costs of
21 the administrative hearing shall be paid by the party whom the
22 administrative law judge rules against.

23 (g) The sponsor shall monitor and review the charter
24 school in its progress towards the goals established in the
25 charter.

26 (h) The sponsor shall monitor the revenues and
27 expenditures of the charter school.

28 (i) A charter school shall be exempt from the
29 sponsor's policies.

30 (5) CHARTER SCHOOL COOPERATIVES.--Charter schools may
31 enter into cooperative agreements to form charter school

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1 cooperative organizations that may provide the following
2 services: charter school planning and development, direct
3 instructional services, contracts with charter school
4 governing boards to provide personnel administrative services,
5 payroll services, human resource management, evaluation and
6 assessment services, teacher preparation, and professional
7 development.

8 (6)(5) NUMBER OF SCHOOLS.--

9 (a) The number of newly created charter schools is
10 limited to no more than 28 in each school district that has
11 100,000 or more students, no more than 20 in each school
12 district that has 50,000 to 99,999 students, and no more than
13 12 in each school district with fewer than 50,000 students.

14 (b) An existing public school which converts to a
15 charter school shall not be counted towards the limit
16 established by paragraph (a).

17
18 Notwithstanding any limit established by this subsection, a
19 district school board or a charter school applicant shall have
20 the right to request an increase of the limit on the number of
21 charter schools authorized to be established within the
22 district from the State Board of Education.

23 (7)(6) ELIGIBLE STUDENTS.--

24 (a) A charter school shall be open to any student
25 covered in an interdistrict agreement or residing in the
26 school district in which the charter school is located;
27 however, in the case of a developmental research school
28 created under s. 228.053 to which a charter has been issued
29 under paragraph (4)(e), the charter school shall be open to
30 any student eligible to attend the developmental research
31 school as provided in s. 228.053 or who resides in the school

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1 district in which the charter school is located. Any eligible
 2 student shall be allowed interdistrict transfer to attend a
 3 charter school when based on good cause. When a public school
 4 converts to charter status, enrollment preference shall be
 5 given to students who would have otherwise attended that
 6 public school. A charter school may give enrollment preference
 7 to a sibling of a student enrolled in the charter school, to
 8 the child of a member of the governing board of the charter
 9 school, or to the child of an employee of the charter school.

10 (b) The charter school shall enroll an eligible
 11 student who submits a timely application, unless the number of
 12 applications exceeds the capacity of a program, class, grade
 13 level, or building. In such case, all applicants shall have an
 14 equal chance of being admitted through a random selection
 15 process.

16 (c) A charter school may limit the enrollment process
 17 only to target the following student populations:

18 1. Students within specific age groups or grade
 19 levels.

20 2. Students considered at risk of dropping out of
 21 school or academic failure. Such students shall include
 22 exceptional education students.

23 3. Students enrolling in a charter
 24 school-in-the-workplace, charter school-in-a-development, or
 25 charter school-in-a-municipality established pursuant to
 26 subsection (22).

27 4. Students residing within a reasonable distance of
 28 the charter school, as described in paragraph (13)(c). Such
 29 students shall be subject to a random lottery and to the
 30 racial/ethnic balance provisions described in subparagraph
 31 (9)(a)8. or any federal provisions which require a school to

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1 achieve a racial/ethnic balance reflective of the community it
2 serves or within the racial/ethnic range of other public
3 schools in the same school district.

4 5. Students who meet reasonable academic, artistic, or
5 other eligibility standards established by the charter school
6 and included in the charter school application and charter or,
7 in the case of existing charter schools, standards that are
8 consistent with the school's mission and purpose. Such
9 standards must be in accordance with current state law and
10 practice in public schools and may not discriminate against
11 otherwise qualified individuals.

12 6. Students articulating from one charter school to
13 another pursuant to an articulation agreement between the
14 charter schools which has been approved by the Governor.

15 (d) A student may withdraw from a charter school at
16 any time and enroll in another public school as determined by
17 school board policy.

18 (e) Students with handicapping conditions and students
19 served in English for Speakers of Other Languages programs
20 shall have an equal opportunity of being selected for
21 enrollment in a charter school.

22 (f) The capacity of the charter school shall be
23 determined annually by the governing board of the charter
24 school in consideration of the factors identified in this
25 subsection.

26 (8)(7) LEGAL ENTITY.--A charter school shall organize
27 as, or be operated by, a nonprofit organization. A charter
28 school may be operated by a municipality or other public
29 entity as provided for by law. As such, the charter school may
30 be either a private or a public employer. As a public
31 employer, a charter school may participate in the Florida

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1 Retirement System upon application and approval as a "covered
 2 group" under s. 121.021(34). If a charter school participates
 3 in the Florida Retirement System, the charter school employees
 4 shall be compulsory members of the Florida Retirement System.
 5 As either a private or a public employer, a charter school may
 6 contract for services with an individual or group of
 7 individuals who are organized as a partnership or a
 8 cooperative. Individuals or groups of individuals who contract
 9 their services to the charter school are not public employees.

10 (9)(8) REQUIREMENTS.--

11 (a) A charter school shall be nonsectarian in its
 12 programs, admission policies, employment practices, and
 13 operations.

14 (b) A charter school shall admit students as provided
 15 in subsection (6).

16 (c) A charter school shall be accountable to its
 17 sponsor for performance as provided in subsection (9).

18 (d) A charter school shall not charge tuition or fees,
 19 except those fees normally charged by other public schools.
 20 However, a developmental research school to which a charter
 21 has been issued pursuant to paragraph (4)(e) may charge a
 22 student activity and service fee as authorized by s.
 23 228.053(5).

24 (e) A charter school shall meet all applicable state
 25 and local health, safety, and civil rights requirements.

26 (f) A charter school shall not violate the
 27 antidiscrimination provisions of s. 228.2001.

28 (g) A charter school shall be subject to an annual
 29 financial audit in a manner similar to that of a school
 30 district.

31 (h) No organization shall hold more than 15 charters

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1 statewide.

2 (i) In order to provide financial information that is
3 comparable to that reported for other public schools, charter
4 schools are to maintain all financial records which constitute
5 their accounting system:

6 1. In accordance with the accounts and codes
7 prescribed in the most recent issuance of the publication
8 titled "Financial and Program Cost Accounting and Reporting
9 for Florida Schools"; or-

10 2. At the discretion of the charter school governing
11 board, a charter school may elect to follow generally accepted
12 accounting standards for not-for-profit organizations, but
13 must reformat this information for reporting according to this
14 paragraph.

15

16 Charter schools are to provide annual financial report and
17 program cost report information in the state-required formats
18 for inclusion in district reporting in compliance with s.
19 236.02(1). Charter schools which are operated by a
20 municipality or are a component unit of a parent nonprofit
21 organization may use the accounting system of the municipality
22 or the parent, but must reformat this information for
23 reporting according to this paragraph.

24 (10)(9) CHARTER.--The major issues involving the
25 operation of a charter school shall be considered in advance
26 and written into the charter. The charter shall be signed by
27 the governing body of the charter school and the sponsor,
28 following a public hearing to ensure community input.

29 (a) The charter shall address, and criteria for
30 approval of the charter shall be based on:

31 1. The school's mission, the students to be served,

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1 and the ages and grades to be included.

2 2. The focus of the curriculum, the instructional
3 methods to be used, and any distinctive instructional
4 techniques to be employed, and identification and acquisition
5 of appropriate technologies needed to improve educational and
6 administrative performance. This must include a means for
7 promoting safe, ethical, and appropriate uses of technology
8 which comply with legal and professional standards.

9 3. The current incoming baseline standard of student
10 academic achievement, the outcomes to be achieved, and the
11 method of measurement that will be used. This section shall
12 include a detailed description for each of the following:

13 a. How the baseline student academic achievement
14 levels and prior rates of academic progress will be
15 established.

16 b. How these baseline rates will be compared to rates
17 of academic progress achieved by these same students while
18 attending the charter school.

19 c. To the extent possible, how these rates of progress
20 will be evaluated and compared with rates of progress of other
21 closely comparable student populations.

22 d. The district school board is required to provide
23 academic student performance data to charter schools for each
24 of their students coming from the district school system, as
25 well as rates of academic progress of comparable student
26 populations in the district school system.

27 4. The methods used to identify the educational
28 strengths and needs of students and how well educational goals
29 and performance standards are met by students attending the
30 charter school. Included in the methods is a means for
31 ensuring accountability to its constituents by analyzing

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1 student performance data and by evaluating the effectiveness
2 and efficiency of its major educational programs. Students in
3 charter schools shall, at a minimum, participate in the
4 statewide assessment program.

5 5. In secondary charter schools, a method for
6 determining that a student has satisfied the requirements for
7 graduation in s. 232.246.

8 6. A method for resolving conflicts between the
9 governing body of the charter school and the sponsor.

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

12 8. The ways by which the school will achieve a
13 racial/ethnic balance reflective of the community it serves or
14 within the racial/ethnic range of other public schools in the
15 same school district.

16 9. The financial and administrative management of the
17 school, including a reasonable demonstration of the
18 professional experience or competence of those individuals or
19 organizations applying to operate the charter school or those
20 hired or retained to perform such professional services and
21 the description of clearly delineated responsibilities and the
22 policies and practices needed to effectively manage the
23 charter school. A description of internal audit procedures and
24 establishment of controls to ensure that financial resources
25 are properly managed must be included. Both public sector and
26 private sector professional experience shall be equally valid
27 in such a consideration.

28 10. A description of procedures that identify various
29 risks and provide for a comprehensive approach to reduce the
30 impact of losses; plans to ensure the safety and security of
31 students and staff; plans to identify, minimize, and protect

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1 others from violent or disruptive student behavior; and the
2 manner in which the school will be insured, including whether
3 or not the school will be required to have liability
4 insurance, and, if so, the terms and conditions thereof and
5 the amounts of coverage.

6 11. The term of the charter which shall provide for
7 cancellation of the charter if insufficient progress has been
8 made in attaining the student achievement objectives of the
9 charter and if it is not likely that such objectives can be
10 achieved before expiration of the charter. The initial term of
11 a charter shall be for 3, 4, or 5 years. In order to
12 facilitate access to long-term financial resources for charter
13 school construction, charter schools that are operated by a
14 municipality or other public entity as provided by law are
15 eligible for up to a 15-year charter, subject to approval by
16 the local school board. A developmental research school is
17 eligible for a charter for a term of up to 15 years issued by
18 a state university pursuant to paragraph (4)(e). In addition,
19 to facilitate access to long-term financial resources for
20 charter school construction, charter schools that are operated
21 by a private, not-for-profit, s. 501(c)(3) status corporation
22 are eligible for up to a 10-year charter, subject to approval
23 by the local school board. Such long-term charters remain
24 subject to annual review and may be terminated during the term
25 of the charter, but only for specific good cause according to
26 the provisions set forth in subsection (10).

27 12. The facilities to be used and their location.

28 13. The qualifications to be required of the teachers
29 and the potential strategies used to recruit, hire, train, and
30 retain qualified staff to achieve best value.

31 14. The governance structure of the school, including

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1 the status of the charter school as a public or private
2 employer as required in subsection (7).

3 15. A timetable for implementing the charter which
4 addresses the implementation of each element thereof and the
5 date by which the charter shall be awarded in order to meet
6 this timetable.

7 16. In the case of an existing public school being
8 converted to charter status, alternative arrangements for
9 current students who choose not to attend the charter school
10 and for current teachers who choose not to teach in the
11 charter school after conversion in accordance with the
12 existing collective bargaining agreement or school board
13 policy in the absence of a collective bargaining agreement.
14 However, alternative arrangements shall not be required for
15 current teachers who choose not to teach in a developmental
16 research school to which a charter has been issued pursuant to
17 paragraph (4)(e), except as authorized by the employment
18 policies of the state university which grants the charter to
19 the developmental research school.

20 (b) A charter may be renewed every 5 school years,
21 provided that a program review demonstrates that the criteria
22 in paragraph (a) have been successfully accomplished and that
23 none of the grounds for nonrenewal established by paragraph
24 (10)(a) have been documented. In order to facilitate long-term
25 financing for charter school construction, charter schools
26 operating for a minimum of 2 years and demonstrating exemplary
27 academic programming and fiscal management are eligible for a
28 15-year charter renewal. Such long-term charter is subject to
29 annual review and may be terminated during the term of the
30 charter.

31 (c) A charter may be modified during its initial term

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1 or any renewal term upon the recommendation of the sponsor or
2 the charter school governing board and the approval of both
3 parties to the agreement.

4 (d) The governing body of the charter school shall
5 exercise continuing oversight over charter school operations
6 and make annual progress reports to its sponsor, which upon
7 verification shall be forwarded to the Commissioner of
8 Education at the same time as other annual school
9 accountability reports. The report shall contain at least the
10 following information:

11 1. The charter school's progress towards achieving the
12 goals outlined in its charter.

13 2. The information required in the annual school
14 report pursuant to s. 229.592.

15 3. Financial records of the charter school, including
16 revenues and expenditures.

17 4. Salary and benefit levels of charter school
18 employees.

19 (e) A sponsor shall ensure that the charter is
20 innovative and consistent with the state education goals
21 established by s. 229.591.

22 (f) Upon receipt of the annual report required by
23 paragraph (d), the Department of Education shall provide to
24 the State Board of Education, the Commissioner of Education,
25 the President of the Senate, and the Speaker of the House of
26 Representatives an analysis and comparison of the overall
27 performance of charter school students, to include all
28 students whose scores are counted as part of the state
29 assessment program, versus comparable public school students
30 in the district as determined by the state assessment program
31 currently administered in the school district, and, as

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1 appropriate, the Florida Writes Assessment Test, the High
2 School Competency Test, and other assessments administered
3 pursuant to s. 229.57(3).

4 (g) Whenever a municipality has submitted charter
5 applications for the establishment of a charter school feeder
6 pattern (elementary, middle, and senior high schools), and
7 upon approval of each individual charter application by the
8 district school board, such applications will then be
9 designated as one charter for all purposes listed pursuant to
10 this section.

11 (11)~~(10)~~ CAUSES FOR NONRENEWAL OR TERMINATION.--

12 (a) At the end of the term of a charter, the sponsor
13 may choose not to renew the charter for any of the following
14 grounds:

15 1. Failure to meet the requirements for student
16 performance stated in the charter.

17 2. Failure to meet generally accepted standards of
18 fiscal management.

19 3. Violation of law.

20 4. Other good cause shown.

21 (b) During the term of a charter, the sponsor may
22 terminate the charter for any of the grounds listed in
23 paragraph (a).

24 (c) At least 90 days prior to renewing or terminating
25 a charter, the sponsor shall notify the governing body of the
26 school of the proposed action in writing. The notice shall
27 state in reasonable detail the grounds for the proposed action
28 and stipulate that the school's governing body may, within 14
29 calendar days after receiving the notice, request an informal
30 hearing before the sponsor. The sponsor shall conduct the
31 informal hearing within 30 calendar days after receiving a

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1 written request. The charter school's governing body may,
2 within 14 calendar days after receiving the sponsor's decision
3 to terminate or refuse to renew the charter, appeal the
4 decision pursuant to the procedure established in subsection
5 (4).

6 (d) A charter may be terminated immediately if the
7 sponsor determines that good cause has been shown or if the
8 health, safety, or welfare of the students is threatened. The
9 school district in which the charter school is located shall
10 assume operation of the school under these circumstances. The
11 charter school's governing board may, within 14 days after
12 receiving the sponsor's decision to terminate the charter,
13 appeal the decision pursuant to the procedure established in
14 subsection (4).

15 (e) When a charter is not renewed or is terminated,
16 the school shall be dissolved under the provisions of law
17 under which the school was organized, and any unencumbered
18 public funds from the charter school shall revert to the
19 district school board. In the event a charter school is
20 dissolved or is otherwise terminated, all district school
21 board property and improvements, furnishings, and equipment
22 purchased with public funds shall automatically revert to full
23 ownership by the district school board, subject to complete
24 satisfaction of any lawful liens or encumbrances.

25 (f) If a charter is not renewed or is terminated, the
26 charter school governing body of the school is responsible for
27 all debts of the charter school. The district may not assume
28 the debt from any contract for services made between the
29 governing body of the school and a third party, except for a
30 debt that is previously detailed and agreed upon in writing by
31 both the district and the governing body of the school and

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1 that may not reasonably be assumed to have been satisfied by
2 the district.

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

7 (12)~~(11)~~ EXEMPTION FROM STATUTES.--A charter school
8 shall operate in accordance with its charter and shall be
9 exempt from all statutes of the Florida School Code, except
10 those specifically applying to charter schools; those
11 pertaining to the provision of services to students with
12 disabilities; those pertaining to civil rights, including s.
13 228.2001, relating to discrimination; and those pertaining to
14 student health, safety, and welfare; or as otherwise required
15 by this section. A charter school shall not be exempt from the
16 following statutes: chapter 119, relating to public records,
17 and s. 286.011, relating to public meetings and records,
18 public inspection, and penalties. The charter school's
19 governing board sponsor, upon request of a charter school, may
20 apply to the Commissioner of Education for a waiver of
21 provisions of chapters 230-239 which are applicable to charter
22 schools under this section, except that the provisions of
23 chapter 236 or chapter 237 shall not be eligible for waiver if
24 the waiver would affect funding allocations or create inequity
25 in public school funding. The Commissioner of Education must
26 confirm receipt of a waiver request from a charter school by
27 providing a copy of the request to the sponsor.The
28 commissioner may grant the waiver if necessary to implement
29 the school program and shall provide notice of the final
30 dispensation of the waiver request to the charter school
31 governing board and the charter school's sponsor.

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1 charter school shall be certified as required by chapter 231.
2 A charter school governing board may employ or contract with
3 skilled selected noncertified personnel to provide
4 instructional services or to assist instructional staff
5 members as education paraprofessionals in the same manner as
6 defined in chapter 231, and as provided by State Board of
7 Education rule for charter school governing boards. A charter
8 school may not knowingly employ an individual to provide
9 instructional services or to serve as an education
10 paraprofessional if the individual's certification or
11 licensure as an educator is suspended or revoked by this or
12 any other state. A charter school may not knowingly employ an
13 individual who has resigned from a school district in lieu of
14 disciplinary action with respect to child welfare or safety,
15 or who has been dismissed for just cause by any school
16 district with respect to child welfare or safety. The
17 qualifications of teachers shall be disclosed to parents.

18 (g) A charter school shall employ or contract with
19 employees who have been fingerprinted as provided in s.
20 231.02. Members of the governing board of the charter school
21 shall also be fingerprinted in a manner similar to that
22 provided in s. 231.02.

23 (14)~~(13)~~ REVENUE.--Students enrolled in a charter
24 school, regardless of the sponsorship, shall be funded as if
25 they are in a basic program or a special program, the same as
26 students enrolled in other public schools in the school
27 district. Funding for a chartered developmental research
28 school shall be as provided in s. 228.053(9).

29 (a) Each charter school shall report its student
30 enrollment to the district school board as required in s.
31 236.081, and in accordance with the definitions in s. 236.013.

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1 The district school board shall include each charter school's
 2 enrollment in the district's report of student enrollment. All
 3 charter schools submitting student record information required
 4 by the Department of Education shall comply with the
 5 department's guidelines for electronic data formats for such
 6 data, and all districts shall accept electronic data that
 7 complies with the department's electronic format.

8 (b) The basis for the agreement for funding students
 9 enrolled in a charter school shall be the sum of the school
 10 district's operating funds from the Florida Education Finance
 11 Program as provided in s. 236.081 and the General
 12 Appropriations Act, including gross state and local funds,
 13 discretionary lottery funds, and funds from the school
 14 district's current operating discretionary millage levy;
 15 divided by total funded weighted full-time equivalent students
 16 in the school district; multiplied by the weighted full-time
 17 equivalent students for the charter school. Charter schools
 18 whose students or programs meet the eligibility criteria in
 19 law shall be entitled to their proportionate share of
 20 categorical program funds included in the total funds
 21 available in the Florida Education Finance Program by the
 22 Legislature, including transportation. Total funding for each
 23 charter school will be recalculated during the year to reflect
 24 the revised calculations under the Florida Education Finance
 25 Program by the state and the actual weighted full-time
 26 equivalent students reported by the charter school during the
 27 full-time equivalent student survey periods designated by the
 28 Commissioner of Education.

29 (c) Transportation of charter school students shall be
 30 provided by the charter school consistent with the
 31 requirements of chapter 234. The governing body of the charter

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1 school may provide transportation through an agreement or
2 contract with the district school board, a private provider,
3 or parents. The charter school and the sponsor shall cooperate
4 in making arrangements that ensure that transportation is not
5 a barrier to equal access for all students residing within a
6 reasonable distance of the charter school as determined in its
7 charter.

8 (d) If the district school board is providing programs
9 or services to students funded by federal funds, any eligible
10 students enrolled in charter schools in the school district
11 shall be provided federal funds for the same level of service
12 provided students in the schools operated by the district
13 school board. Pursuant to provisions of 20 U.S.C. 8061 s.
14 10306, all charter schools shall receive all federal funding
15 for which the school is otherwise eligible, including Title I
16 funding, not later than 5 months after the charter school
17 first opens and within 5 months after any subsequent expansion
18 of enrollment.

19 (e) Any administrative fee charged by the school
20 district relating to a charter school shall be limited to 5
21 percent of the available funds as defined in paragraph (b) not
22 including capital outlay funds, federal and state grants, or
23 any other funds unless explicitly provided by law. The sponsor
24 shall provide certain administrative and educational services
25 to charter schools at no additional fee. These services shall
26 include contract management services, FTE and data reporting,
27 exceptional student education administration, test
28 administration, processing of teacher certificate data, and
29 information services.

30 (f) School boards shall make every effort to ensure
31 that charter schools receive timely and efficient

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1 reimbursement, including processing paperwork required to
2 access special state and federal funding for which they may be
3 eligible. The district school board may distribute funds to a
4 charter school for up to 3 months based on the projected
5 full-time equivalent student membership of the charter school.
6 Thereafter, the results of full-time equivalent student
7 membership surveys must be used in adjusting the amount of
8 funds distributed monthly to the charter school for the
9 remainder of the fiscal year. The payment shall be issued no
10 later than 10 working days after the district school board
11 receives a distribution of state or federal funds. If a
12 warrant for payment is not issued within 30 working days after
13 receipt of funding by the district school board, the school
14 district shall pay to the charter school, in addition to the
15 amount of the scheduled disbursement, interest at a rate of 1
16 percent per month calculated on a daily basis on the unpaid
17 balance from the expiration of the 30-day period until such
18 time as the warrant is issued.

19 (g) If a district school board facility or property is
20 available because it is surplus, marked for disposal, or
21 otherwise unused, it shall be provided for a charter school's
22 use on the same basis as it is made available to other public
23 schools in the district. A charter school receiving property
24 from the school district may not sell or dispose of such
25 property without written permission of the school district.
26 Similarly, for an existing public school converting to charter
27 status, no rental or leasing fee for the existing facility or
28 for the property normally inventoried to the conversion school
29 may be charged by the district school board to the parents and
30 teachers organizing the charter school. The charter
31 organizers shall agree to reasonable maintenance provisions in

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1 order to maintain the facility in a manner similar to district
2 school board standards. The Public Education Capital Outlay
3 maintenance funds or any other maintenance funds generated by
4 the facility operated as a conversion school shall remain with
5 the conversion school.

6 (h) If other goods and services are made available to
7 the charter school through the contract with the school
8 district, they shall be provided to the charter school at a
9 rate no greater than the district's actual cost. To maximize
10 the use of state funds, school districts shall allow charter
11 schools to participate in the sponsor's bulk purchasing
12 program if applicable.

13 (15)~~(14)~~ IMMUNITY.--For the purposes of tort
14 liability, the governing body and employees of a charter
15 school shall be governed by s. 768.28.

16 (16)~~(15)~~ LENGTH OF SCHOOL YEAR.--A charter school
17 shall provide instruction for at least the number of days
18 required by law for other public schools, and may provide
19 instruction for additional days.

20 (17)~~(16)~~ FACILITIES.--

21 (a) A charter school shall utilize facilities which
22 comply with the State Uniform Building Code for Public
23 Educational Facilities Construction adopted pursuant to s.
24 235.26 or with applicable state minimum building codes
25 pursuant to chapter 553 and state minimum fire protection
26 codes pursuant to s. 633.025, as adopted by the authority in
27 whose jurisdiction the facility is located.

28 (b) Any facility, or portion thereof, used to house a
29 charter school whose charter has been approved by the sponsor
30 and the governing board, pursuant to subsection (9), shall be
31 exempt from ad valorem taxes pursuant to s. 196.1983.

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1 (c) After January 1, 2001, charter school facilities
2 shall utilize facilities which comply with the Florida
3 Building Code, pursuant to chapter 553, and the Florida Fire
4 Prevention Code, pursuant to chapter 633.

5 ~~(18)(17)~~ INITIAL COSTS.--A sponsor may approve a
6 charter for a charter school before the applicant has secured
7 space, equipment, or personnel, if the applicant indicates
8 approval is necessary for it to raise working capital.

9 ~~(19)(18)~~ INFORMATION.--The Department of Education
10 shall provide information to the public, directly and through
11 sponsors, both on how to form and operate a charter school and
12 on how to enroll in charter schools once they are created.
13 This information shall include a standard application format
14 which shall include the information specified in subsection
15 (9). This application format may be used by chartering
16 entities.

17 ~~(20)(19)~~ GENERAL AUTHORITY.--A charter school shall
18 not levy taxes or issue bonds secured by tax revenues.

19 ~~(21)(20)~~ REVIEW.--

20 (a) The Department of Education shall regularly
21 convene a Charter School Review Panel in order to review
22 issues, practices, and policies regarding charter schools. The
23 composition of the review panel shall include individuals with
24 experience in finance, administration, law, education, and
25 school governance, and individuals familiar with charter
26 school construction and operation. The panel shall include two
27 appointees each from the Commissioner of Education, the
28 President of the Senate, and the Speaker of the House of
29 Representatives. The Governor shall appoint three members of
30 the panel and shall designate the chair. Each member of the
31 panel shall serve a 1-year term, unless renewed by the office

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1 making the appointment. The panel shall make recommendations
2 to the Legislature, to the Department of Education, to charter
3 schools, and to school districts for improving charter school
4 operations and oversight and for ensuring best business
5 practices at and fair business relationships with charter
6 schools.

7 (b) The Legislature shall review the operation of
8 charter schools during the 2005 Regular Session of the
9 Legislature.

10 ~~(22)~~~~(21)~~ RULEMAKING.--The Department of Education,
11 after consultation with school districts and charter school
12 directors, shall recommend that the State Board of Education
13 adopt rules to implement specific subsections of this section.
14 Such rules shall require minimum paperwork and shall not limit
15 charter school flexibility authorized by statute.

16 ~~(23)~~~~(22)~~ CHARTER SCHOOLS-IN-THE-WORKPLACE, CHARTER
17 SCHOOLS-IN-A-DEVELOPMENT, AND CHARTER SCHOOLS
18 IN-A-MUNICIPALITY.--

19 (a) In order to increase business partnerships in
20 education, to reduce school and classroom overcrowding
21 throughout the state, to encourage developers of residential
22 and other projects to provide school infrastructure concurrent
23 with school impacts, to promote and encourage local
24 communities to participate in and advance the cause of
25 neighborhood schools, and to offset the high costs for
26 educational facilities construction, the Legislature intends
27 to encourage the formation of business partnership schools or
28 satellite learning centers through charter school status.

29 (b) A charter school-in-the-workplace may be
30 established when a business partner provides the school
31 facility to be used; enrolls students based upon a random

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1 lottery which involves all of the children of employees of
2 that business or corporation who are seeking enrollment, as
3 provided for in subsection (6); and enrolls students according
4 to the racial/ethnic balance provisions described in
5 subparagraph (9)(a)8. Any portion of a facility used for a
6 public charter school shall be exempt from ad valorem taxes,
7 as provided for in s. 235.198, for the duration of its use as
8 a public school.

9 (c) A charter school-in-a-development designation may
10 be granted when the developer of a residential or other
11 project provides the land or school facility to be used, or
12 both; enrolls students based upon a random lottery that
13 involves all of the children of the residents of that
14 development who are seeking enrollment, as provided for in
15 subsection (6); and enrolls students according to the
16 racial/ethnic balance provisions described in subparagraph
17 (9)(a)8. Any portion of the land and facility used for a
18 public charter school shall be exempt from ad valorem taxes,
19 as provided for in s. 235.198, for the duration of its use as
20 a public school.

21 (d) A charter school-in-a-municipality designation may
22 be granted to a municipality that possesses a charter; enrolls
23 students based upon a random lottery that involves all of the
24 children of the residents of that municipality who are seeking
25 enrollment, as provided for in subsection (6); and enrolls
26 students according to the racial/ethnic balance provisions
27 described in subparagraph (9)(a)8. Any portion of the land and
28 facility used for a public charter school shall be exempt from
29 ad valorem taxes, as provided for in s. 235.198, for the
30 duration of its use as a public school.

31 (e) As used in this subsection, the terms "business

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1 partner," "employer," "developer," or "municipality" may
2 include more than one business, employer, developer, or
3 municipality to form a charter school-in-the-workplace,
4 charter school-in-a-development, or charter
5 school-in-a-municipality.

6 Section 11. Subsection (1) of section 228.0561,
7 Florida Statutes, is amended to read:

8 228.0561 Charter schools capital outlay funding.--

9 (1) In each year in which funds are appropriated for
10 charter school capital outlay purposes, the Commissioner of
11 Education shall allocate the funds among eligible charter
12 schools. To be eligible for a funding allocation, a charter
13 school must meet the provisions of subsection (6), must have
14 received final approval from its sponsor pursuant to s.
15 228.056 for operation during that fiscal year, and must serve
16 students in facilities that are not provided by the charter
17 school's sponsor. Prior to the release of capital outlay
18 funds to a school district on behalf of the charter school,
19 the Department of Education shall ensure that the district
20 school board and the charter school governing board enter into
21 a written agreement that includes provisions for the reversion
22 of any unencumbered funds and all equipment and property
23 purchased with public education funds to the ownership of the
24 district school board, as provided for in subsection (3), in
25 the event that the school terminates operations. Any funds
26 recovered by the state shall be deposited in the General
27 Revenue Fund. A charter school is not eligible for a funding
28 allocation if it was created by the conversion of a public
29 school and operates in facilities provided by the charter
30 school's sponsor for a nominal fee or at no charge or if it is
31 directly or indirectly operated by the school district. Unless

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1 otherwise provided in the General Appropriations Act, the
2 funding allocation for each eligible charter school shall be
3 determined by multiplying the school's projected student
4 enrollment by one-fifteenth of the cost-per-student station
5 specified in s. 235.435(6)(b) for an elementary, middle, or
6 high school, as appropriate. If the funds appropriated are
7 not sufficient, the commissioner shall prorate the available
8 funds among eligible charter schools. Funds shall be
9 distributed on the basis of the capital outlay full-time
10 equivalent membership by grade level, which shall be
11 calculated by averaging the results of the second and third
12 enrollment surveys. The Department of Education shall
13 distribute capital outlay funds monthly, beginning in the
14 first quarter of the fiscal year, based on one-twelfth of the
15 amount the department reasonably expects the charter school to
16 receive during that fiscal year. The commissioner shall adjust
17 subsequent distributions as necessary to reflect each charter
18 school's actual student enrollment as reflected in the second
19 and third enrollment surveys.~~Sixty percent of the funds shall~~
20 ~~be distributed after the second enrollment survey, and the~~
21 ~~balance shall be distributed after the third enrollment~~
22 ~~survey. The commissioner shall adjust subsequent distributions~~
23 ~~as necessary to reflect each charter school's actual student~~
24 ~~enrollment.~~The commissioner shall establish the intervals and
25 procedures for determining the projected and actual student
26 enrollment of eligible charter schools.

27 Section 12. Section 228.058, Florida Statutes, is
28 amended to read:

29 228.058 Charter School Districts Pilot Program.--The
30 State Board of Education is authorized to enter into a
31 performance contract with up to six school districts for the

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1 purpose of establishing them as charter school districts. The
2 State Board of Education shall give priority to Hillsborough
3 and Volusia Counties upon the submission of a completed
4 precharter agreement or charter proposal for a charter school
5 district. The purpose of this pilot program is to examine a
6 new relationship between the State Board of Education and
7 school districts that may produce significant improvements in
8 student achievement and school management, while complying
9 with constitutional requirements assigned to each entity.
10 Beginning July 1, 2001, the State Board of Education shall
11 require each school that has been in operation for at least 2
12 years within a school district that is approved for charter
13 school district status to vote within the first year of the
14 approved charter school district status, or, if the charter
15 school district was approved before July 1, 2001, no later
16 than June 30, 2002, to convert to charter school status, and
17 upon the required vote, as described in s. 228.056(3)(a), to
18 apply for charter school status.

19 (1) CHARTER DISTRICT.--A charter school district is a
20 school district in Florida in which the school board has
21 submitted and the state board has approved a charter proposal
22 that exchanges statutory and rule exemption for agreement to
23 meet performance goals in the proposal. The charter school
24 district shall be chartered for 3 years, at the end of which
25 the performance shall be evaluated.

26 (2) EXEMPTION FROM STATUTES AND RULES.--Charter school
27 districts shall be exempt from state statutes and state board
28 rules as provided in s. 228.056. The school board of a
29 charter school district shall not be exempt from any statute
30 governing election of board members, public meetings and
31 public records requirements, financial disclosure, conflicts

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1 of interest, operation in the sunshine, or other provisions
2 outside the Florida School Code.

3 (3) GOVERNING BOARD.--The governing board of the
4 charter school district shall be the duly elected school
5 board. The school board shall be responsible for supervising
6 the schools in the charter district and is authorized to
7 charter each of its existing public schools pursuant to s.
8 228.056, apply for deregulation of its public schools pursuant
9 to s. 228.0565, or otherwise establish performance-based
10 contractual relationships with its public schools for the
11 purpose of giving them greater autonomy with accountability
12 for performance.

13 (4) PRECHARTER AGREEMENT.--The state board is
14 authorized to approve a precharter agreement with a potential
15 charter district. The agreement may grant limited flexibility
16 and direction for developing the full charter proposal.

17 (5) TIME PERIOD FOR PILOT.--The pilot program shall be
18 authorized for a period of 3 full school years commencing with
19 award of a charter. The charter may be renewed upon action of
20 the state board.

21 (6) REPORTS.--The state board shall annually report on
22 the implementation of the charter school district pilot
23 program. Upon the completion of the first 3-year term, the
24 state board, through the Commissioner of Education, shall
25 submit to the Legislature a full evaluation of the
26 effectiveness of the program.

27 (7) RULEMAKING.--The State Board of Education shall
28 have the authority to enact rules to implement this section in
29 accordance with ss. 120.536 and 120.54.

30 Section 13. Paragraph (d) is added to subsection (3)
31 of section 232.425, Florida Statutes, to read:

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1 232.425 Student standards for participation in
2 interscholastic extracurricular student activities;
3 regulation.--
4 (3)
5 (d) An individual charter school student pursuant to
6 s. 228.056 is eligible to participate at the public school to
7 which the student would be assigned according to district
8 school attendance area policies or which the student could
9 choose to attend, pursuant to district or interdistrict
10 controlled open-enrollment provisions, in any interscholastic
11 extracurricular activity of that school, unless such activity
12 is provided by the student's charter school, if the following
13 conditions are met:
14 1. The charter school student must meet the
15 requirements of the charter school education program as
16 determined by the charter school governing board.
17 2. During the period of participation at a school, the
18 charter school student must demonstrate educational progress
19 as required in paragraph (b).
20 3. The charter school student must meet the same
21 residency requirements as other students in the school at
22 which he or she participates.
23 4. The charter school student must meet the same
24 standards of acceptance, behavior, and performance that are
25 required of other students in extracurricular activities.
26 5. The charter school student must register with the
27 school his or her intent to participate in interscholastic
28 extracurricular activities as a representative of the school
29 before the beginning date of the season for the activity in
30 which he or she wishes to participate. A charter school
31 student must be able to participate in curricular activities

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1 if that is a requirement for an extracurricular activity.

2 6. A student who transfers from a charter school
3 program to a traditional public school before or during the
4 first grading period of the school year is academically
5 eligible to participate in interscholastic extracurricular
6 activities during the first grading period if the student has
7 a successful evaluation from the previous school year,
8 pursuant to subparagraph 2.

9 7. Any public school or nonpublic school student who
10 has been unable to maintain academic eligibility for
11 participation in interscholastic extracurricular activities is
12 ineligible to participate in such activities as a charter
13 school student until the student has successfully completed
14 one grading period in a charter school pursuant to
15 subparagraph 2. to become eligible to participate as a charter
16 school student.

17
18 (Redesignate subsequent sections.)

19
20

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

22 And the title is amended as follows:

23 On page 3, line 1, after the semicolon,

24

25 and insert:

26 amending s. 228.056, F.S.; providing
27 requirements for conversion to charter schools;
28 establishing new purposes for charter schools;
29 prohibiting a sponsor from charging an
30 application fee; removing a school board's
31 ability to refuse to follow the recommendation

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1 of the State Board of Education for good cause
2 in cases of charter-school appeals; permitting
3 a charter school to admit students on the basis
4 of artistic, academic, or other standards;
5 revising requirements regarding the capacity of
6 the charter school; granting a charter school's
7 governing board the right to appeal a school
8 board's decision to terminate a charter school;
9 changing the procedure for granting a charter
10 school an exemption from statutory provisions;
11 revising the requirements for the staff of a
12 charter school; revising procedures relating to
13 the administrative fee charged by a school
14 district; revising requirements for a charter
15 school in the workplace; amending s. 228.0561,
16 F.S.; revising procedures relating to funding
17 for charter-school facilities; amending s.
18 228.058, F.S.; requiring public schools in a
19 charter district to vote by a time certain to
20 convert to a charter school; amending s.
21 232.425, F.S.; authorizing charter school
22 students to participate at the public school to
23 which the student would be assigned in any
24 interscholastic extracurricular activity of
25 that school;

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