

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Baxley offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause, and insert:

Section 1. Subsections (2), (5), (6), (7), (8), (9), (10), (13), (21), and (24) of section 1002.33, Florida Statutes, are amended and present subsections (14) through (26) are renumbered as subsections (13) through (25), respectively, to read:

1002.33 Charter schools.--

(2) GUIDING PRINCIPLES; PURPOSE.--

(a) Charter schools in Florida shall be guided by the following principles:

1. Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system.

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28 2. Promote enhanced academic success and financial
29 efficiency by aligning responsibility with accountability.

30 3. Provide parents with sufficient information on whether
31 their child is reading at grade level and whether the child
32 gains at least a year's worth of learning for every year spent
33 in the charter school.

34 (b)(a) Charter schools shall fulfill the following
35 purposes:

- 36 1. Improve student learning and academic achievement.
37 2. Increase learning opportunities for all students, with
38 special emphasis on low-performing students and reading.
39 3. Create new professional opportunities for teachers,
40 including ownership of the learning program at the school site.
41 4. Encourage the use of innovative learning methods.
42 5. Require the measurement of learning outcomes.

43 (c)(b) Charter schools may fulfill the following purposes:

- 44 1. Create innovative measurement tools.
45 2. Provide rigorous competition within the public school
46 district to stimulate continual improvement in all public
47 schools.
48 3. Expand the capacity of the public school system.

49 (5) SPONSOR; DUTIES.--

50 (a) Sponsoring entities.--

51 1. A district school board may sponsor a charter school in
52 the county over which the district school board has
53 jurisdiction.

54 2.(b) A state university may grant a charter to a lab
55 school created under s. 1002.32 and shall be considered to be

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56 the school's sponsor. Such school shall be considered a charter
57 lab school.

58 (b) Sponsor duties.--

59 1.(e) The sponsor shall monitor and review the charter
60 school in its progress toward the goals established in the
61 charter.

62 2.(d) The sponsor shall monitor the revenues and
63 expenditures of the charter school.

64 3.(e) The sponsor may approve a charter for a charter
65 school before the applicant has secured space, equipment, or
66 personnel, if the applicant indicates approval is necessary for
67 it to raise working capital.

68 4.(f) The sponsor's policies shall not apply to a charter
69 school.

70 5.(g) The A sponsor shall ensure that the charter is
71 innovative and consistent with the state education goals
72 established by s. 1000.03(5).

73 6. The sponsor shall ensure that the charter school
74 participates in the state's education accountability system. If
75 a charter school falls short of performance measures included in
76 the approved charter, the sponsor shall report such shortcomings
77 to the Department of Education.

78
79 A community college may work with the school district or school
80 districts in its designated service area to develop charter
81 schools that offer secondary education. These charter schools
82 must include an option for students to receive an associate
83 degree upon high school graduation. District school boards shall
84 cooperate with and assist the community college on the charter

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85 application. Community college applications for charter schools
86 are not subject to the time deadlines outlined in subsection (6)
87 and may be approved by the district school board at any time
88 during the year. Community colleges shall not report FTE for any
89 students who receive FTE funding through the Florida Education
90 Finance Program.

91 (6) APPLICATION PROCESS AND REVIEW.--Beginning September
92 1, 2003, applications are subject to the following requirements:

93 (a) A person or entity wishing to open a charter school
94 shall prepare an application that:

95 1. Demonstrates how the school will use the guiding
96 principles and meet the statutorily defined purpose of a charter
97 school.

98 2. Provides a detailed curriculum plan that illustrates
99 how students will be provided services to attain the Sunshine
100 State Standards.

101 3. Contains goals and objectives for improving student
102 learning and measuring that improvement. These goals and
103 objectives must indicate how much academic improvement students
104 are expected to show each year, how success will be evaluated,
105 and the specific results to be attained through instruction.

106 4. Describes the reading curriculum and differentiated
107 strategies that will be used for students reading at grade level
108 or higher and a separate curriculum and strategies for students
109 who are reading below grade level. A sponsor shall deny a
110 charter if the school does not propose a reading curriculum that
111 is consistent with effective teaching strategies that are
112 grounded in scientifically based reading research.

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113 5. Contains an annual financial plan for each year
114 requested by the charter for operation of the school for up to 5
115 years. This plan must contain anticipated fund balances based on
116 revenue projections, a spending plan based on projected revenues
117 and expenses, and a description of controls that will safeguard
118 finances and projected enrollment trends.

119 (b)(a) A district school board shall receive and review
120 all applications for a charter school. A district school board
121 shall receive and consider charter school applications received
122 on or before September 1 ~~October 1~~ of each calendar year for
123 charter schools to be opened at the beginning of the school
124 district's next school year, or to be opened at a time agreed to
125 by the applicant and the district school board. A district
126 school board may receive applications later than this date if it
127 chooses. A sponsor may not charge an applicant for a charter any
128 fee for the processing or consideration of an application, and a
129 sponsor may not base its consideration or approval of an
130 application upon the promise of future payment of any kind.

131 1. In order to facilitate an accurate budget projection
132 process, a district school board shall be held harmless for FTE
133 students who are not included in the FTE projection due to
134 approval of charter school applications after the FTE projection
135 deadline. In a further effort to facilitate an accurate budget
136 projection, within 15 calendar days after receipt of a charter
137 school application, a district school board or other sponsor
138 shall report to the Department of Education the name of the
139 applicant entity, the proposed charter school location, and its
140 projected FTE.

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141 2. In order to ensure fiscal responsibility, an
142 application for a charter school shall include a full accounting
143 of expected assets, a projection of expected sources and amounts
144 of income, including income derived from projected student
145 enrollments and from community support, and an expense
146 projection that includes full accounting of the costs of
147 operation, including start-up costs.

148 ~~3.2.~~ A district school board shall by a majority vote
149 approve or deny an application no later than 60 calendar days
150 after the application is received, unless the district school
151 board and the applicant mutually agree to temporarily postpone
152 the vote to a specific date, at which time the district school
153 board shall by a majority vote approve or deny the application.
154 If the district school board fails to act on the application,
155 an applicant may appeal to the State Board of Education as
156 provided in paragraph (c)~~(b)~~. If an application is denied, the
157 district school board shall, within 10 calendar days, articulate
158 in writing the specific reasons based upon good cause supporting
159 its denial of the charter application.

160 ~~4.3.~~ For budget projection purposes, the district school
161 board or other sponsor shall report to the Department of
162 Education the approval or denial of a charter application within
163 10 calendar days after such approval or denial. In the event of
164 approval, the report to the Department of Education shall
165 include the final projected FTE for the approved charter school.

166 ~~5.4.~~ Upon approval of a charter application, the initial
167 startup shall commence with the beginning of the public school
168 calendar for the district in which the charter is granted unless

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169 the district school board allows a waiver of this provision for
170 good cause.

171 ~~(c)(b)~~ An applicant may appeal any denial of that
172 applicant's application or failure to act on an application to
173 the State Board of Education no later than 30 calendar days
174 after receipt of the district school board's decision or failure
175 to act and shall notify the district school board of its appeal.
176 Any response of the district school board shall be submitted to
177 the State Board of Education within 30 calendar days after
178 notification of the appeal. Upon receipt of notification from
179 the State Board of Education that a charter school applicant is
180 filing an appeal, the Commissioner of Education shall convene a
181 meeting of the Charter School Appeal Commission to study and
182 make recommendations to the State Board of Education regarding
183 its pending decision about the appeal. The commission shall
184 forward its recommendation to the state board no later than 7
185 calendar days prior to the date on which the appeal is to be
186 heard. The State Board of Education shall by majority vote
187 accept or reject the decision of the district school board no
188 later than 90 ~~60~~ calendar days after an appeal is filed in
189 accordance with State Board of Education rule. The Charter
190 School Appeal Commission may reject an appeal submission for
191 failure to comply with procedural rules governing the appeals
192 process. The rejection shall describe the submission errors. The
193 appellant may have up to 15 calendar days from notice of
194 rejection to resubmit an appeal that meets requirements of State
195 Board of Education rule. An application for appeal submitted
196 subsequent to such rejection shall be considered timely if the
197 original appeal was filed within 30 calendar days after receipt

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198 of notice of the specific reasons for the district school
199 board's denial of the charter application. The State Board of
200 Education shall remand the application to the district school
201 board with its written decision that the district school board
202 approve or deny the application. The district school board shall
203 implement the decision of the State Board of Education. The
204 decision of the State Board of Education is not subject to the
205 provisions of the Administrative Procedure Act, chapter 120.

206 ~~(d)~~(e) The district school board shall act upon the
207 decision of the State Board of Education within 30 calendar days
208 after it is received. The State Board of Education's decision is
209 a final action subject to judicial review.

210 ~~(e)~~(d)1. A Charter School Appeal Commission is established
211 to assist the commissioner and the State Board of Education with
212 a fair and impartial review of appeals by applicants whose
213 charters have been denied or whose charter contracts have not
214 been renewed by their sponsors.

215 2. The Charter School Appeal Commission may receive copies
216 of the appeal documents forwarded to the State Board of
217 Education, review the documents, gather other applicable
218 information regarding the appeal, and make a written
219 recommendation to the commissioner. The recommendation must
220 state whether the appeal should be upheld or denied and include
221 the reasons for the recommendation being offered. The
222 commissioner shall forward the recommendation to the State Board
223 of Education no later than 7 calendar days prior to the date on
224 which the appeal is to be heard. The state board must consider
225 the commission's recommendation in making its decision, but is
226 not bound by the recommendation. The decision of the Charter

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227 School Appeal Commission is not subject to the provisions of the
228 Administrative Procedure Act, chapter 120.

229 3. The commissioner shall appoint the members of the
230 Charter School Appeal Commission. Members shall serve without
231 compensation but may be reimbursed for travel and per diem
232 expenses in conjunction with their service. One-half of the
233 members must represent currently operating charter schools, and
234 one-half of the members must represent school districts. The
235 commissioner or a named designee shall chair the Charter School
236 Appeal Commission.

237 4. The chair shall convene meetings of the commission and
238 shall ensure that the written recommendations are completed and
239 forwarded in a timely manner. In cases where the commission
240 cannot reach a decision, the chair shall make the written
241 recommendation with justification, noting that the decision was
242 rendered by the chair.

243 5. Commission members shall thoroughly review the
244 materials presented to them from the appellant and the sponsor.
245 The commission may request information to clarify the
246 documentation presented to it. In the course of its review, the
247 commission may facilitate the postponement of an appeal in those
248 cases where additional time and communication may negate the
249 need for a formal appeal and both parties agree, in writing, to
250 postpone the appeal to the State Board of Education. A new date
251 certain for the appeal shall then be set based upon the rules
252 and procedures of the State Board of Education. Commission
253 members shall provide a written recommendation to the state
254 board as to whether the appeal should be upheld or denied. A
255 fact-based justification for the recommendation must be

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256 included. The chair must ensure that the written recommendation
257 is submitted to the State Board of Education members no later
258 than 7 calendar days prior to the date on which the appeal is to
259 be heard. Both parties in the case shall also be provided a copy
260 of the recommendation.

261 ~~(f)~~(e) The Department of Education may provide technical
262 assistance to an applicant upon written request.

263 ~~(g)~~(f) In considering charter applications for a lab
264 school, a state university shall consult with the district
265 school board of the county in which the lab school is located.
266 The decision of a state university may be appealed pursuant to
267 the procedure established in this subsection.

268 ~~(h)~~(g) The terms and conditions for the operation of a
269 charter school shall be set forth by the sponsor and the
270 applicant in a written contractual agreement, called a charter.
271 The sponsor shall not impose unreasonable rules or regulations
272 that violate the intent of giving charter schools greater
273 flexibility to meet educational goals. The applicant and sponsor
274 shall have 6 months in which to mutually agree to the provisions
275 of the charter. The Department of Education shall provide
276 mediation services for any dispute regarding this section
277 subsequent to the approval of a charter application and for any
278 dispute relating to the approved charter, except disputes
279 regarding charter school application denials. If the
280 Commissioner of Education determines that the dispute cannot be
281 settled through mediation, the dispute may be appealed to an
282 administrative law judge appointed by the Division of
283 Administrative Hearings. The administrative law judge may rule
284 on issues of equitable treatment of the charter school as a

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285 public school, whether proposed provisions of the charter
286 violate the intended flexibility granted charter schools by
287 statute, or on any other matter regarding this section except a
288 charter school application denial, and shall award the
289 prevailing party reasonable attorney's fees and costs incurred
290 to be paid by the losing party. The costs of the administrative
291 hearing shall be paid by the party whom the administrative law
292 judge rules against.

293 (7) CHARTER.--The major issues involving the operation of
294 a charter school shall be considered in advance and written into
295 the charter. The charter shall be signed by the governing body
296 of the charter school and the sponsor, following a public
297 hearing to ensure community input.

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

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

302 2. The focus of the curriculum, the instructional methods
303 to be used, any distinctive instructional techniques to be
304 employed, and identification and acquisition of appropriate
305 technologies needed to improve educational and administrative
306 performance which include a means for promoting safe, ethical,
307 and appropriate uses of technology which comply with legal and
308 professional standards. The charter shall ensure that reading is
309 a primary focus of the curriculum and that resources are
310 provided to identify and provide specialized instruction for
311 students who are reading below grade level. The curriculum and
312 instructional strategies for reading must be consistent with the

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313 Sunshine State Standards and grounded in scientifically based
314 reading research.

315 3. The current incoming baseline standard of student
316 academic achievement, the outcomes to be achieved, and the
317 method of measurement that will be used. The criteria listed in
318 this subparagraph shall include a detailed description for each
319 of the following:

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

322 b. How these baseline rates will be compared to rates of
323 academic progress achieved by these same students while
324 attending the charter school.

325 c. To the extent possible, how these rates of progress
326 will be evaluated and compared with rates of progress of other
327 closely comparable student populations.

328
329 The district school board is required to provide academic
330 student performance data to charter schools for each of their
331 students coming from the district school system, as well as
332 rates of academic progress of comparable student populations in
333 the district school system.

334 4. The methods used to identify the educational strengths
335 and needs of students and how well educational goals and
336 performance standards are met by students attending the charter
337 school. Included in the methods is a means for the charter
338 school to ensure accountability to its constituents by analyzing
339 student performance data and by evaluating the effectiveness and
340 efficiency of its major educational programs. Students in

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341 charter schools shall, at a minimum, participate in the
342 statewide assessment program created under s. 1008.22.

343 5. In secondary charter schools, a method for determining
344 that a student has satisfied the requirements for graduation in
345 s. 1003.43.

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

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

350 8. The ways by which the school will achieve a
351 racial/ethnic balance reflective of the community it serves or
352 within the racial/ethnic range of other public schools in the
353 same school district.

354 9. The financial and administrative management of the
355 school, including a reasonable demonstration of the professional
356 experience or competence of those individuals or organizations
357 applying to operate the charter school or those hired or
358 retained to perform such professional services and the
359 description of clearly delineated responsibilities and the
360 policies and practices needed to effectively manage the charter
361 school. A description of internal audit procedures and
362 establishment of controls to ensure that financial resources are
363 properly managed must be included. Both public sector and
364 private sector professional experience shall be equally valid in
365 such a consideration.

366 10. The asset and liability projections required in the
367 application which are incorporated into the charter and which
368 shall be compared with information provided in the annual report
369 of the charter school. The charter shall ensure that, if a

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370 charter school internal audit reveals a deficit financial
371 position, the auditors are required to notify the charter school
372 governing board, the sponsor, and the Department of Education.
373 The internal auditor shall report such findings in the form of
374 an exit interview to the principal or the principal
375 administrator of the charter school and the chair of the
376 governing board within 7 working days after finding the deficit
377 position. A final report shall be provided to the entire
378 governing board, the sponsor, and the Department of Education
379 within 14 working days after the exit interview.

380 ~~11.10.~~ A description of procedures that identify various
381 risks and provide for a comprehensive approach to reduce the
382 impact of losses; plans to ensure the safety and security of
383 students and staff; plans to identify, minimize, and protect
384 others from violent or disruptive student behavior; and the
385 manner in which the school will be insured, including whether or
386 not the school will be required to have liability insurance,
387 and, if so, the terms and conditions thereof and the amounts of
388 coverage.

389 ~~12.11.~~ The term of the charter which shall provide for
390 cancellation of the charter if insufficient progress has been
391 made in attaining the student achievement objectives of the
392 charter and if it is not likely that such objectives can be
393 achieved before expiration of the charter. The initial term of a
394 charter shall be for 3, 4, or 5 years. In order to facilitate
395 access to long-term financial resources for charter school
396 construction, charter schools that are operated by a
397 municipality or other public entity as provided by law are
398 eligible for up to a 15-year charter, subject to approval by the

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399 district school board. A charter lab school is eligible for a
400 charter for a term of up to 15 years. In addition, to facilitate
401 access to long-term financial resources for charter school
402 construction, charter schools that are operated by a private,
403 not-for-profit, s. 501(c)(3) status corporation are eligible for
404 up to a 10-year charter, subject to approval by the district
405 school board. Such long-term charters remain subject to annual
406 review and may be terminated during the term of the charter, but
407 only for specific good cause according to the provisions set
408 forth in subsection (8).

409 ~~13.12.~~ The facilities to be used and their location.

410 ~~14.13.~~ The qualifications to be required of the teachers
411 and the potential strategies used to recruit, hire, train, and
412 retain qualified staff to achieve best value.

413 ~~15.14.~~ The governance structure of the school, including
414 the status of the charter school as a public or private employer
415 as required in paragraph (12)(i).

416 ~~16.15.~~ A timetable for implementing the charter which
417 addresses the implementation of each element thereof and the
418 date by which the charter shall be awarded in order to meet this
419 timetable.

420 ~~17.16.~~ In the case of an existing public school being
421 converted to charter status, alternative arrangements for
422 current students who choose not to attend the charter school and
423 for current teachers who choose not to teach in the charter
424 school after conversion in accordance with the existing
425 collective bargaining agreement or district school board rule in
426 the absence of a collective bargaining agreement. However,
427 alternative arrangements shall not be required for current

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428 teachers who choose not to teach in a charter lab school, except
429 as authorized by the employment policies of the state university
430 which grants the charter to the lab school.

431 (b) A charter may be renewed every 5 school years,
432 provided that a program review demonstrates that the criteria in
433 paragraph (a) have been successfully accomplished and that none
434 of the grounds for nonrenewal established by paragraph (8)(a)
435 has been documented. In order to facilitate long-term financing
436 for charter school construction, charter schools operating for a
437 minimum of 2 years and demonstrating exemplary academic
438 programming and fiscal management are eligible for a 15-year
439 charter renewal. Such long-term charter is subject to annual
440 review and may be terminated during the term of the charter.

441 (c) A charter may be modified during its initial term or
442 any renewal term upon the recommendation of the sponsor or the
443 charter school governing board and the approval of both parties
444 to the agreement.

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

446 (a) At the end of the term of a charter, the sponsor may
447 choose not to renew the charter for any of the following
448 grounds:

449 1. Failure to participate in the state's education
450 accountability system created in s. 1008.31, as required in this
451 section, or failure to meet the requirements for student
452 performance stated in the charter.

453 2. Failure to meet generally accepted standards of fiscal
454 management.

455 3. Violation of law.

456 4. Other good cause shown.

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457 (b) During the term of a charter, the sponsor may
458 terminate the charter for any of the grounds listed in paragraph
459 (a).

460 (c) At least 90 days prior to renewing or terminating a
461 charter, the sponsor shall notify the governing body of the
462 school of the proposed action in writing. The notice shall state
463 in reasonable detail the grounds for the proposed action and
464 stipulate that the school's governing body may, within 14
465 calendar days after receiving the notice, request an informal
466 hearing before the sponsor. The sponsor shall conduct the
467 informal hearing within 30 calendar days after receiving a
468 written request. The charter school's governing body may, within
469 14 calendar days after receiving the sponsor's decision to
470 terminate or refuse to renew the charter, appeal the decision
471 pursuant to the procedure established in subsection (6).

472 (d) A charter may be terminated immediately if the sponsor
473 determines that good cause has been shown or if the health,
474 safety, or welfare of the students is threatened. The school
475 district in which the charter school is located shall assume
476 operation of the school under these circumstances. The charter
477 school's governing board may, within 14 days after receiving the
478 sponsor's decision to terminate the charter, appeal the decision
479 pursuant to the procedure established in subsection (6).

480 (e) When a charter is not renewed or is terminated, the
481 school shall be dissolved under the provisions of law under
482 which the school was organized, and any unencumbered public
483 funds from the charter school shall revert to the district
484 school board. In the event a charter school is dissolved or is
485 otherwise terminated, all district school board property and

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486 improvements, furnishings, and equipment purchased with public
487 funds shall automatically revert to full ownership by the
488 district school board, subject to complete satisfaction of any
489 lawful liens or encumbrances. Any unencumbered public funds from
490 the charter school, district school board property and
491 improvements, furnishings, and equipment purchased with public
492 funds, or financial or other records pertaining to the charter
493 school, in the possession of any person, entity, or holding
494 company, other than the charter school, shall be held in trust
495 upon the district school board's request, until any appeal
496 status is resolved.

497 (f) If a charter is not renewed or is terminated, the
498 charter school is responsible for all debts of the charter
499 school. The district may not assume the debt from any contract
500 for services made between the governing body of the school and a
501 third party, except for a debt that is previously detailed and
502 agreed upon in writing by both the district and the governing
503 body of the school and that may not reasonably be assumed to
504 have been satisfied by the district.

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

509 (9) CHARTER SCHOOL REQUIREMENTS.--

510 (a) A charter school shall be nonsectarian in its
511 programs, admission policies, employment practices, and
512 operations.

513 (b) A charter school shall admit students as provided in
514 subsection (10).

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515 (c) A charter school shall be accountable to its sponsor
516 for performance as provided in subsection (7).

517 (d) A charter school shall not charge tuition or
518 registration fees, except those fees normally charged by other
519 public schools. However, a charter lab school may charge a
520 student activity and service fee as authorized by s. 1002.32(5).

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

523 (f) A charter school shall not violate the
524 antidiscrimination provisions of s. 1000.05.

525 (g) A charter school shall provide for an annual financial
526 audit in accordance with s. 218.39.

527 (h) No organization shall hold more than 15 charters
528 statewide.

529 (i) In order to provide financial information that is
530 comparable to that reported for other public schools, charter
531 schools are to maintain all financial records which constitute
532 their accounting system:

533 1. In accordance with the accounts and codes prescribed in
534 the most recent issuance of the publication titled "Financial
535 and Program Cost Accounting and Reporting for Florida Schools";
536 or

537 2. At the discretion of the charter school governing
538 board, a charter school may elect to follow generally accepted
539 accounting standards for not-for-profit organizations, but must
540 reformat this information for reporting according to this
541 paragraph.

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543 Charter schools are to provide annual financial report and
544 program cost report information in the state-required formats
545 for inclusion in district reporting in compliance with s.
546 1011.60(1). Charter schools that are operated by a municipality
547 or are a component unit of a parent nonprofit organization may
548 use the accounting system of the municipality or the parent but
549 must reformat this information for reporting according to this
550 paragraph.

551 (j) The governing board of the charter school shall
552 annually adopt and maintain an operating budget.

553 (k) The governing body of the charter school shall
554 exercise continuing oversight over charter school operations ~~and~~
555 ~~make annual progress reports to its sponsor, which upon~~
556 ~~verification shall be forwarded to the Commissioner of Education~~
557 ~~at the same time as other annual school accountability reports.~~
558 ~~The report shall contain at least the following information:~~

559 (l) The governing body of the charter school shall report
560 its progress annually to its sponsor, which shall forward the
561 report to the Commissioner of Education at the same time as
562 other annual school accountability reports. The Department of
563 Education shall include in its compilation a notation if a
564 school failed to file its report by the deadline established by
565 the department. The report shall include at least the following
566 components:

567 1. Student achievement performance data, including the
568 information required for the annual school report and the
569 education accountability system governed by ss. 1008.31 and
570 1008.345. Charter schools are subject to the same accountability
571 requirements as other public schools, including reports of

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572 student achievement information that links baseline student data
573 to the school's performance projections identified in the
574 charter. The charter school shall identify reasons for any
575 difference between projected and actual student performance ~~The~~
576 ~~charter school's progress toward achieving the goals outlined in~~
577 ~~its charter.~~

578 2. Financial status of the charter school which must
579 include revenues and expenditures at a level of detail that
580 allows for analysis of the ability to meet financial obligations
581 and timely repayment of debt ~~The information required in the~~
582 ~~annual school report pursuant to s. 1008.345.~~

583 3. Documentation of the facilities in current use and any
584 planned facilities for use by the charter school for instruction
585 of students, administrative functions, or investment purposes
586 ~~Financial records of the charter school, including revenues and~~
587 ~~expenditures.~~

588 4. Descriptive information about the charter school's
589 personnel, including salary and benefit levels of charter school
590 employees, the proportion of instructional personnel who hold
591 professional or temporary certificates, and the proportion of
592 instructional personnel teaching in-field or out-of-field.

593 ~~(m)(1)~~ A charter school shall not levy taxes or issue
594 bonds secured by tax revenues.

595 ~~(n)(m)~~ A charter school shall provide instruction for at
596 least the number of days required by law for other public
597 schools, and may provide instruction for additional days.

598 (10) ELIGIBLE STUDENTS.--

599 (a) A charter school shall be open to any student covered
600 in an interdistrict agreement or residing in the school district

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601 in which the charter school is located; however, in the case of
602 a charter lab school, the charter lab school shall be open to
603 any student eligible to attend the lab school as provided in s.
604 1002.32 or who resides in the school district in which the
605 charter lab school is located. Any eligible student shall be
606 allowed interdistrict transfer to attend a charter school when
607 based on good cause.

608 (b) The charter school shall enroll an eligible student
609 who submits a timely application, unless the number of
610 applications exceeds the capacity of a program, class, grade
611 level, or building. In such case, all applicants shall have an
612 equal chance of being admitted through a random selection
613 process.

614 (c) When a public school converts to charter status,
615 enrollment preference shall be given to students who would have
616 otherwise attended that public school.

617 (d) A charter school may give enrollment preference to the
618 following student populations:

619 1. Students who are siblings of a student enrolled in the
620 charter school.

621 2. Students who are the children of a member of the
622 governing board of the charter school.

623 3. Students who are the children of an employee of the
624 charter school.

625 (e) A charter school may limit the enrollment process only
626 to target the following student populations:

627 1. Students within specific age groups or grade levels.

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628 2. Students considered at risk of dropping out of school
629 or academic failure. Such students shall include exceptional
630 education students.

631 3. Students enrolling in a charter school-in-the-workplace
632 or charter school-in-a-municipality established pursuant to
633 subsection (15)~~(16)~~.

634 4. Students residing within a reasonable distance of the
635 charter school, as described in paragraph (20)~~(21)~~(c). Such
636 students shall be subject to a random lottery and to the
637 racial/ethnic balance provisions described in subparagraph
638 (7)(a)8. or any federal provisions that require a school to
639 achieve a racial/ethnic balance reflective of the community it
640 serves or within the racial/ethnic range of other public schools
641 in the same school district.

642 5. Students who meet reasonable academic, artistic, or
643 other eligibility standards established by the charter school
644 and included in the charter school application and charter or,
645 in the case of existing charter schools, standards that are
646 consistent with the school's mission and purpose. Such standards
647 shall be in accordance with current state law and practice in
648 public schools and may not discriminate against otherwise
649 qualified individuals.

650 6. Students articulating from one charter school to
651 another pursuant to an articulation agreement between the
652 charter schools that has been approved by the sponsor.

653 (f) Students with handicapping conditions and students
654 served in English for Speakers of Other Languages programs shall
655 have an equal opportunity of being selected for enrollment in a
656 charter school.

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657 (g) A student may withdraw from a charter school at any
658 time and enroll in another public school as determined by
659 district school board rule.

660 (h) The capacity of the charter school shall be determined
661 annually by the governing board, in conjunction with the
662 sponsor, of the charter school in consideration of the factors
663 identified in this subsection.

664 ~~(13) NUMBER OF SCHOOLS.--~~

665 ~~(a) The number of newly created charter schools is limited~~
666 ~~to no more than 28 in each school district that has 100,000 or~~
667 ~~more students, no more than 20 in each school district that has~~
668 ~~50,000 to 99,999 students, and no more than 12 in each school~~
669 ~~district with fewer than 50,000 students.~~

670 ~~(b) An existing public school which converts to a charter~~
671 ~~school shall not be counted toward the limit established by~~
672 ~~paragraph (a).~~

673 ~~(c) Notwithstanding any limit established by this~~
674 ~~subsection, a district school board or a charter school~~
675 ~~applicant shall have the right to request an increase of the~~
676 ~~limit on the number of charter schools authorized to be~~
677 ~~established within the district from the State Board of~~
678 ~~Education.~~

679 ~~(d) Whenever a municipality has submitted charter~~
680 ~~applications for the establishment of a charter school feeder~~
681 ~~pattern (elementary, middle, and senior high schools), and upon~~
682 ~~approval of each individual charter application by the district~~
683 ~~school board, such applications shall then be designated as one~~
684 ~~charter school for all purposes listed pursuant to this section.~~

685 ~~(20)(21) SERVICES.--~~

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686 (a) A sponsor shall provide certain administrative and
687 educational services to charter schools. These services shall
688 include contract management services, full-time equivalent and
689 data reporting services, exceptional student education
690 administration services, test administration services,
691 processing of teacher certificate data services, and information
692 services. A total administrative fee for the provision of such
693 services shall be calculated based upon 5 percent of the
694 available funds defined in paragraph (17)(b) for all students.
695 However, a sponsor may only withhold a 5-percent administrative
696 fee for enrollment for up to and including 500 students. For
697 charter schools with a population of 501 or more students, the
698 difference between the total administrative fee calculation and
699 the amount of the administrative fee withheld may only be used
700 for capital outlay purposes specified in s. 1013.62(2) ~~Any~~
701 ~~administrative fee charged by the sponsor for the provision of~~
702 ~~services shall be limited to 5 percent of the available funds~~
703 ~~defined in paragraph (18)(b).~~

704 (b) If goods and services are made available to the
705 charter school through the contract with the school district,
706 they shall be provided to the charter school at a rate no
707 greater than the district's actual cost. To maximize the use of
708 state funds, school districts shall allow charter schools to
709 participate in the sponsor's bulk purchasing program if
710 applicable.

711 (c) Transportation of charter school students shall be
712 provided by the charter school consistent with the requirements
713 of subpart I.e. of chapter 1006. The governing body of the
714 charter school may provide transportation through an agreement

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715 or contract with the district school board, a private provider,
716 or parents. The charter school and the sponsor shall cooperate
717 in making arrangements that ensure that transportation is not a
718 barrier to equal access for all students residing within a
719 reasonable distance of the charter school as determined in its
720 charter.

721 ~~(23)~~~~(24)~~ ANALYSIS OF CHARTER SCHOOL PERFORMANCE.--Upon
722 receipt of the annual report required by paragraph ~~(9)(1)~~~~(9)(k)~~,
723 the Department of Education shall provide to the State Board of
724 Education, the Commissioner of Education, the Governor, the
725 President of the Senate, and the Speaker of the House of
726 Representatives an analysis and comparison of the overall
727 performance of charter school students, to include all students
728 whose scores are counted as part of the statewide assessment
729 program, versus comparable public school students in the
730 district as determined by the statewide assessment program
731 currently administered in the school district, and other
732 assessments administered pursuant to s. 1008.22(3).

733 Section 2. Subsection (2) and paragraphs (a), (c), and (h)
734 of subsection (9) of section 1002.32, Florida Statutes, are
735 amended to read:

736 1002.32 Developmental research (laboratory) schools.--

737 (2) ESTABLISHMENT.--There is established a category of
738 public schools to be known as developmental research
739 (laboratory) schools (lab schools). Each lab school shall
740 provide sequential instruction and shall be affiliated with the
741 college of education within the state university of closest
742 geographic proximity. A lab school to which a charter has been
743 issued under s. 1002.33~~(5)(a)2.~~~~(5)(b)~~ must be affiliated with

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744 the college of education within the state university that issued
745 the charter, but is not subject to the requirement that the
746 state university be of closest geographic proximity. For the
747 purpose of state funding, Florida Agricultural and Mechanical
748 University, Florida Atlantic University, Florida State
749 University, the University of Florida, and other universities
750 approved by the State Board of Education and the Legislature are
751 authorized to sponsor a lab school ~~one or more lab schools~~. The
752 limitation of one lab school per university shall not apply to
753 the following charter lab schools authorized prior to June 1,
754 2003: Florida State University Charter Lab Elementary School in
755 Broward County, Florida Atlantic University Charter Lab 9-12
756 High School in Palm Beach County, and Florida Atlantic
757 University Charter Lab K-12 School in St. Lucie County.

758 (9) FUNDING.--Funding for a lab school, including a
759 charter lab school, shall be provided as follows:

760 (a) Each lab school shall be allocated its proportional
761 share of operating funds from the Florida Education Finance
762 Program as provided in s. 1011.62 and the General Appropriations
763 Act. The nonvoted ad valorem millage that would otherwise be
764 required for lab schools in operation as of September 1, 2002,
765 shall be allocated from state funds. The required local effort
766 funds calculated pursuant to s. 1011.62 shall be allocated from
767 state funds for lab ~~to the~~ schools in operation as of September
768 1, 2002, as a part of the allocation of operating funds pursuant
769 to s. 1011.62. Each eligible lab school in operation as of
770 September 1, 2002, shall also receive a proportional share of
771 the sparsity supplement as calculated pursuant to s. 1011.62. In
772 addition, each lab school shall receive its proportional share

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773 of all categorical funds, with the exception of s. 1011.68, and
774 new categorical funds enacted after July 1, 1994, for the
775 purpose of elementary or secondary academic program enhancement.
776 The sum of funds available as provided in this paragraph shall
777 be included annually in the Florida Education Finance Program
778 and appropriate categorical programs funded in the General
779 Appropriations Act.

780 (c) All operating funds provided under this section shall
781 be deposited in a Lab School Trust Fund and shall be expended
782 for the purposes of this section. The university assigned a lab
783 school shall be the fiscal agent for these funds, and all rules
784 of the university governing the budgeting and expenditure of
785 state funds shall apply to these funds unless otherwise provided
786 by law or rule of the State Board of Education. The university
787 board of trustees shall be the public employer of lab school
788 personnel for collective bargaining purposes for lab schools in
789 operation prior to the 2002-2003 fiscal year. Employees of
790 charter lab schools authorized prior to June 1, 2003, but not in
791 operation prior to the 2002-2003 fiscal year shall be employees
792 of the entity holding the charter and must comply with the
793 provisions of s. 1002.33(12).

794 (h) A lab school to which a charter has been issued under
795 s. 1002.33(5)(a)2.~~(5)(b)~~ is eligible to receive funding for
796 charter school capital outlay if it meets the eligibility
797 requirements of s. 1013.62. If the lab school receives funds
798 from charter school capital outlay, the school shall receive
799 capital outlay funds otherwise provided in this subsection only
800 to the extent that funds allocated pursuant to s. 1013.62 are

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801 insufficient to provide capital outlay funds to the lab school
802 at one-fifteenth of the cost per student station.

803 Section 3. Section 1011.68, Florida Statutes, is amended
804 to read:

805 1011.68 Funds for student transportation.--The annual
806 allocation to each district for transportation to public school
807 programs, including charter schools as provided in s.
808 1002.33 (17)~~(18)~~(b), of students in membership in kindergarten
809 through grade 12 and in migrant and exceptional student programs
810 below kindergarten shall be determined as follows:

811 (1) Subject to the rules of the State Board of Education,
812 each district shall determine the membership of students who are
813 transported:

814 (a) By reason of living 2 miles or more from school.

815 (b) By reason of being students with disabilities or
816 enrolled in a teenage parent program, regardless of distance to
817 school.

818 (c) By reason of being in a state prekindergarten program,
819 regardless of distance from school.

820 (d) By reason of being career and technical, dual
821 enrollment, or students with disabilities transported from one
822 school center to another to participate in an instructional
823 program or service; or students with disabilities, transported
824 from one designation to another in the state, provided one
825 designation is a school center and provided the student's
826 individual educational plan (IEP) identifies the need for the
827 instructional program or service and transportation to be
828 provided by the school district. A "school center" is defined as
829 a public school center, community college, state university, or

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830 other facility rented, leased, or owned and operated by the
831 school district or another public agency. A "dual enrollment
832 student" is defined as a public school student in membership in
833 both a public secondary school program and a community college
834 or a state university program under a written agreement to
835 partially fulfill ss. 1003.435 and 1007.23 and earning full-time
836 equivalent membership under s. 1011.62(1)(i).

837 (e) With respect to elementary school students whose grade
838 level does not exceed grade 6, by reason of being subjected to
839 hazardous walking conditions en route to or from school as
840 provided in s. 1006.23. Such rules shall, when appropriate,
841 provide for the determination of membership under this paragraph
842 for less than 1 year to accommodate the needs of students who
843 require transportation only until such hazardous conditions are
844 corrected.

845 (f) By reason of being a pregnant student or student
846 parent, and the child of a student parent as provided in s.
847 1003.54, regardless of distance from school.

848 (2) The allocation for each district shall be calculated
849 annually in accordance with the following formula:

850

851 $T = B + EX$. The elements of this formula are defined as follows:
852 T is the total dollar allocation for transportation. B is the
853 base transportation dollar allocation prorated by an adjusted
854 student membership count. The adjusted membership count shall be
855 derived from a multiplicative index function in which the base
856 student membership is adjusted by multiplying it by index
857 numbers that individually account for the impact of the price
858 level index, average bus occupancy, and the extent of rural

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859 population in the district. EX is the base transportation dollar
860 allocation for disabled students prorated by an adjusted
861 disabled student membership count. The base transportation
862 dollar allocation for disabled students is the total state base
863 disabled student membership count weighted for increased costs
864 associated with transporting disabled students and multiplying
865 it by the prior year's average per student cost for
866 transportation. The adjusted disabled student membership count
867 shall be derived from a multiplicative index function in which
868 the weighted base disabled student membership is adjusted by
869 multiplying it by index numbers that individually account for
870 the impact of the price level index, average bus occupancy, and
871 the extent of rural population in the district. Each adjustment
872 factor shall be designed to affect the base allocation by no
873 more or less than 10 percent.

874 (3) The total allocation to each district for
875 transportation of students shall be the sum of the amounts
876 determined in subsection (2). If the funds appropriated for the
877 purpose of implementing this section are not sufficient to pay
878 the base transportation allocation and the base transportation
879 allocation for disabled students, the Department of Education
880 shall prorate the available funds on a percentage basis. If the
881 funds appropriated for the purpose of implementing this section
882 exceed the sum of the base transportation allocation and the
883 base transportation allocation for disabled students, the base
884 transportation allocation for disabled students shall be limited
885 to the amount calculated in subsection (2), and the remaining
886 balance shall be added to the base transportation allocation.

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887 (4) No district shall use funds to purchase transportation
888 equipment and supplies at prices which exceed those determined
889 by the department to be the lowest which can be obtained, as
890 prescribed in s. 1006.27(1).

891 (5) Funds allocated or apportioned for the payment of
892 student transportation services may be used to pay for
893 transportation of students to and from school on local general
894 purpose transportation systems. Student transportation funds may
895 also be used to pay for transportation of students to and from
896 school in private passenger cars and boats when the
897 transportation is for isolated students, or students with
898 disabilities as defined by rule. Subject to the rules of the
899 State Board of Education, each school district shall determine
900 and report the number of assigned students using general purpose
901 transportation private passenger cars and boats. The allocation
902 per student must be equal to the allocation per student riding a
903 school bus.

904 (6) Notwithstanding other provisions of this section, in
905 no case shall any student or students be counted for
906 transportation funding more than once per day. This provision
907 includes counting students for funding pursuant to trips in
908 school buses, passenger cars, or boats or general purpose
909 transportation.

910 (7) Any funds received by a school district under this
911 section that are not required to transport students may, at the
912 discretion of the district school board, be transferred to the
913 district's Florida Education Finance Program.

914 Section 4. Section 1013.62, Florida Statutes, is amended
915 to read:

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916 1013.62 Charter schools capital outlay funding.--

917 (1) In each year in which funds are appropriated for
918 charter school capital outlay purposes, the Commissioner of
919 Education shall allocate the funds among eligible charter
920 schools. To be eligible for a funding allocation, a charter
921 school must:

922 (a)1. Have been in operation for 3 or more years;

923 2. Be an expanded feeder chain of a charter school within
924 the same school district that is currently receiving charter
925 school capital outlay funds; or

926 3. Have been accredited by the Commission on Schools of
927 the Southern Association of Colleges and Schools.

928 (b) Have financial stability for future operation as a
929 charter school.

930 (c) Have satisfactory student achievement based on state
931 accountability standards applicable to the charter school.

932 (d) Have received final approval from its sponsor pursuant
933 to s. 1002.33 for operation during that fiscal year.

934 (e) Serve students in facilities that are not provided by
935 the charter school's sponsor ~~meet the provisions of subsection~~
936 ~~(6), must have received final approval from its sponsor pursuant~~
937 ~~to s. 1002.33 for operation during that fiscal year, and must~~
938 ~~serve students in facilities that are not provided by the~~
939 ~~charter school's sponsor.~~

940

941 Prior to the release of capital outlay funds to a school
942 district on behalf of the charter school, the Department of
943 Education shall ensure that the district school board and the
944 charter school governing board enter into a written agreement

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945 that includes provisions for the reversion of any unencumbered
946 funds and all equipment and property purchased with public
947 education funds to the ownership of the district school board,
948 as provided for in subsection (3), in the event that the school
949 terminates operations. Any funds recovered by the state shall be
950 deposited in the General Revenue Fund. A charter school is not
951 eligible for a funding allocation if it was created by the
952 conversion of a public school and operates in facilities
953 provided by the charter school's sponsor for a nominal fee or at
954 no charge or if it is directly or indirectly operated by the
955 school district. Unless otherwise provided in the General
956 Appropriations Act, the funding allocation for each eligible
957 charter school shall be determined by multiplying the school's
958 projected student enrollment by one-fifteenth of the cost-per-
959 student station specified in s. 1013.64(6)(b) for an elementary,
960 middle, or high school, as appropriate. If the funds
961 appropriated are not sufficient, the commissioner shall prorate
962 the available funds among eligible charter schools. However, no
963 charter school or charter lab school shall receive state charter
964 school capital outlay funds in excess of the one-fifteenth cost
965 per student station formula if the charter school's combination
966 of state charter school capital outlay funds, capital outlay
967 funds calculated through the reduction in the administrative fee
968 provided in s. 1002.33(20), and capital outlay funds allowed in
969 s. 1002.32(9)(e) and (h) exceeds the one-fifteenth cost per
970 student station formula. Funds shall be distributed on the basis
971 of the capital outlay full-time equivalent membership by grade
972 level, which shall be calculated by averaging the results of the
973 second and third enrollment surveys. The Department of Education

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974 shall distribute capital outlay funds monthly, beginning in the
975 first quarter of the fiscal year, based on one-twelfth of the
976 amount the department reasonably expects the charter school to
977 receive during that fiscal year. The commissioner shall adjust
978 subsequent distributions as necessary to reflect each charter
979 school's actual student enrollment as reflected in the second
980 and third enrollment surveys. The commissioner shall establish
981 the intervals and procedures for determining the projected and
982 actual student enrollment of eligible charter schools.

983 (2) A charter school's governing body may use charter
984 school capital outlay funds for the following purposes ~~any~~
985 ~~capital outlay purpose that is directly related to the~~
986 ~~functioning of the charter school, including the:~~

987 (a) Purchase of real property.

988 (b) ~~Construction, renovation, repair, and maintenance of~~
989 ~~school facilities.~~

990 (c) Purchase, lease-purchase, or lease of permanent or
991 relocatable school facilities.

992 (d) Purchase of vehicles to transport students to and from
993 the charter school.

994 (e) Renovation, repair, and maintenance of school
995 facilities that the charter school owns or is purchasing through
996 a lease-purchase or long-term lease of 5 years or longer.

997
998 Conversion charter schools may use capital outlay funds received
999 through the reduction in the administrative fee provided in s.
1000 1002.33(20) for renovation, repair, and maintenance of school
1001 facilities that are owned by the sponsor.

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1002 (3) When a charter school is nonrenewed or terminated, any
1003 unencumbered funds and all equipment and property purchased with
1004 district public funds shall revert to the ownership of the
1005 district school board, as provided for in s. 1002.33(8)(e) and
1006 (f). In the case of a charter lab school, any unencumbered funds
1007 and all equipment and property purchased with university public
1008 funds shall revert to the ownership of the state university that
1009 issued the charter. The reversion of such equipment, property,
1010 and furnishings shall focus on recoverable assets, but not on
1011 intangible or irrecoverable costs such as rental or leasing
1012 fees, normal maintenance, and limited renovations. The reversion
1013 of all property secured with public funds is subject to the
1014 complete satisfaction of all lawful liens or encumbrances. If
1015 there are additional local issues such as the shared use of
1016 facilities or partial ownership of facilities or property, these
1017 issues shall be agreed to in the charter contract prior to the
1018 expenditure of funds.

1019 (4) The Commissioner of Education shall specify procedures
1020 for submitting and approving requests for funding under this
1021 section and procedures for documenting expenditures.

1022 (5) The annual legislative budget request of the
1023 Department of Education shall include a request for capital
1024 outlay funding for charter schools. The request shall be based
1025 on the projected number of students to be served in charter
1026 schools who meet the eligibility requirements of this section. A
1027 dedicated funding source, if identified in writing by the
1028 Commissioner of Education and submitted along with the annual
1029 charter school legislative budget request, may be considered an
1030 additional source of funding.

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1031 (6) Unless authorized otherwise by the Legislature,
1032 allocation and proration of charter school capital outlay funds
1033 shall be made to eligible charter schools by the Commissioner of
1034 Education in an amount and in a manner authorized by subsection
1035 (1).

1036 (7) Notwithstanding the provisions of this section,
1037 beginning in the 2003-2004 fiscal year:

1038 (a) If the appropriation for charter school capital outlay
1039 funds is no greater than the 2002-2003 appropriation, the funds
1040 shall be allocated according to the formula outlined in
1041 subsection (1) to:

1042 1. The same schools that received funding in 2002-2003.

1043 2. Schools that are an expanded feeder pattern of schools
1044 that received funding in 2002-2003.

1045 3. Schools that have an approved charter and are serving
1046 students at the start of the 2003-2004 school year and either
1047 incurred long-term financial obligations prior to January 31,
1048 2003, or began construction on educational facilities prior to
1049 December 31, 2002.

1050 (b) If the appropriation for charter school capital outlay
1051 funds is less than the 2002-2003 appropriation, the funds shall
1052 be prorated among the schools eligible in paragraph (a).

1053 (c) If the appropriation for charter school capital outlay
1054 funds is greater than the 2002-2003 appropriation, the amount of
1055 funds provided in the 2002-2003 appropriation shall be allocated
1056 according to paragraph (a). First priority for allocating the
1057 amount in excess of the 2002-2003 appropriation shall be to
1058 prorate the excess funds among the charter schools with long-
1059 term debt or long-term lease to the extent that the initial

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1060 allocation is insufficient to provide one-fifteenth of the cost
1061 per student station specified in s. 1013.64(6)(b), and second
1062 priority shall be to other eligible charter schools.

1063 Section 5. This act shall take effect July 1, 2003.
1064

1065 ===== T I T L E A M E N D M E N T =====

1066 Remove the entire title, and insert:

1067 A bill to be entitled

1068 An act relating to charter schools; amending s. 1002.33,
1069 F.S.; providing guiding principles; requiring an emphasis
1070 on reading; requiring certain accountability measures;
1071 authorizing community colleges to develop charter schools;
1072 revising application requirements; requiring fiscal
1073 projections in a charter application; extending the time
1074 allowed for the State Board of Education to act on an
1075 appeal; requiring auditors to provide notification of
1076 certain financial conditions; providing additional
1077 requirements for a charter school's annual report;
1078 eliminating limitations on the number of charter schools
1079 per school district; revising administrative fees charged
1080 by the sponsor for the provision of services; providing a
1081 report to the Governor; amending s. 1002.32, F.S. ;
1082 correcting a cross reference; providing exceptions to the
1083 one lab school per university limitation; revising
1084 provisions relating to funding for lab schools; revising
1085 provisions relating to employees of lab schools; amending
1086 s. 1011.68, F.S.; correcting a cross reference; amending
1087 s. 1013.62, F.S.; revising eligibility criteria for
1088 charter school capital outlay funding; revising purposes

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1089 for charter school capital outlay funds; providing
1090 allocation criteria for charter school capital outlay
1091 appropriations; providing an effective date.

1092
1093 WHEREAS, in the 2002-2003 school year, Florida has 223
1094 charter schools educating approximately 51,000 Florida students,
1095 with a projected increase of 117 additional charter schools in
1096 the next school year, and

1097 WHEREAS, this rate of growth is a dramatic increase over
1098 the prior averages of 36 charter schools per year, and

1099 WHEREAS, while charter schools are public schools, their
1100 unique populations or small size mean that few of them are
1101 eligible for inclusion in the state's accountability system,
1102 with only 38 of the 173 charter schools receiving a school
1103 performance grade in 2002, and

1104 WHEREAS, the issue of charter school accountability is of
1105 the utmost importance at this time of budget constraints and
1106 heightened awareness of public ethics, NOW, THEREFORE,