

Bill No. CS for SB 2424

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	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Webster moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 Delete everything after the enacting clause

15

16 and insert:

17 Section 1. Section 1002.33, Florida Statutes, is
18 amended to read:

19 1002.33 Charter schools.--

20 (1) AUTHORIZATION.--Charter schools shall be part of
21 the state's program of public education. All charter schools
22 in Florida are public schools. A charter school may be formed
23 by creating a new school or converting an existing public
24 school to charter status. A public school may not use the term
25 charter in its name unless it has been approved under this
26 section.

27 (2) GUIDING PRINCIPLES; PURPOSE.--

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

30 1. Meet high standards of student achievement while
31 providing parents flexibility to choose among diverse

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1 educational opportunities within the state's public school
2 system.

3 2. Promote enhanced academic success and financial
4 efficiency by aligning responsibility with accountability.

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

9 (b) Charter schools shall fulfill the following
10 purposes:

11 1. Improve student learning and academic achievement.

12 2. Increase learning opportunities for all students,
13 with special emphasis on low-performing students and reading.

14 ~~3. Create new professional opportunities for teachers,~~
15 ~~including ownership of the learning program at the school~~
16 ~~site.~~

17 ~~3.4.~~ Encourage the use of innovative learning methods.

18 ~~4.5.~~ Require the measurement of learning outcomes.

19 (c) Charter schools may fulfill the following
20 purposes:

21 1. Create innovative measurement tools.

22 2. Provide rigorous competition within the public
23 school district to stimulate continual improvement in all
24 public schools.

25 3. Expand the capacity of the public school system.

26 4. Mitigate the educational impact created by the
27 development of new residential dwelling units.

28 5. Create new professional opportunities for teachers,
29 including ownership of the learning program at the school
30 site.

31 (3) APPLICATION FOR CHARTER STATUS.--

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

5 (b) An application for a conversion charter school
 6 shall be made by the district school board, the principal,
 7 teachers, parents, and/or the school advisory council at an
 8 existing public school that has been in operation for at least
 9 2 years prior to the application to convert, ~~including~~ A
 10 public school-within-a-school that is designated as a school
 11 by the district school board may also submit an application to
 12 convert to charter status. An application submitted proposing
 13 to convert an existing public school to a charter school shall
 14 demonstrate the support of at least 50 percent of the teachers
 15 employed at the school and 50 percent of the parents voting
 16 whose children are enrolled at the school, provided that a
 17 majority of the parents eligible to vote participate in the
 18 ballot process, according to rules adopted by the State Board
 19 of Education. A district school board denying an application
 20 for a conversion charter school shall provide notice of denial
 21 to the applicants in writing within 10 ~~30~~ days after the
 22 meeting at which the district school board denied the
 23 application. The notice must articulate in writing ~~specify~~ the
 24 specific ~~exact~~ reasons for denial and must provide
 25 documentation supporting those reasons. A private school,
 26 parochial school, or home education program shall not be
 27 eligible for charter school status.

28 (4) UNLAWFUL REPRISAL.--

29 (a) No district school board, or district school board
 30 employee who has control over personnel actions, shall take
 31 unlawful reprisal against another district school board

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1 employee because that employee is either directly or
2 indirectly involved with an application to establish a charter
3 school. As used in this subsection, the term "unlawful
4 reprisal" means an action taken by a district school board or
5 a school system employee against an employee who is directly
6 or indirectly involved in a lawful application to establish a
7 charter school, which occurs as a direct result of that
8 involvement, and which results in one or more of the
9 following: disciplinary or corrective action; adverse transfer
10 or reassignment, whether temporary or permanent; suspension,
11 demotion, or dismissal; an unfavorable performance evaluation;
12 a reduction in pay, benefits, or rewards; elimination of the
13 employee's position absent of a reduction in workforce as a
14 result of lack of moneys or work; or other adverse significant
15 changes in duties or responsibilities that are inconsistent
16 with the employee's salary or employment classification. The
17 following procedures shall apply to an alleged unlawful
18 reprisal that occurs as a consequence of an employee's direct
19 or indirect involvement with an application to establish a
20 charter school:

21 1. Within 60 days after the date upon which a reprisal
22 prohibited by this subsection is alleged to have occurred, an
23 employee may file a complaint with the Department of
24 Education.

25 2. Within 3 working days after receiving a complaint
26 under this section, the Department of Education shall
27 acknowledge receipt of the complaint and provide copies of the
28 complaint and any other relevant preliminary information
29 available to each of the other parties named in the complaint,
30 which parties shall each acknowledge receipt of such copies to
31 the complainant.

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1 3. If the Department of Education determines that the
2 complaint demonstrates reasonable cause to suspect that an
3 unlawful reprisal has occurred, the Department of Education
4 shall conduct an investigation to produce a fact-finding
5 report.

6 4. Within 90 days after receiving the complaint, the
7 Department of Education shall provide the district school
8 superintendent of the complainant's district and the
9 complainant with a fact-finding report that may include
10 recommendations to the parties or a proposed resolution of the
11 complaint. The fact-finding report shall be presumed
12 admissible in any subsequent or related administrative or
13 judicial review.

14 5. If the Department of Education determines that
15 reasonable grounds exist to believe that an unlawful reprisal
16 has occurred, is occurring, or is to be taken, and is unable
17 to conciliate a complaint within 60 days after receipt of the
18 fact-finding report, the Department of Education shall
19 terminate the investigation. Upon termination of any
20 investigation, the Department of Education shall notify the
21 complainant and the district school superintendent of the
22 termination of the investigation, providing a summary of
23 relevant facts found during the investigation and the reasons
24 for terminating the investigation. A written statement under
25 this paragraph is presumed admissible as evidence in any
26 judicial or administrative proceeding.

27 6. The Department of Education shall either contract
28 with the Division of Administrative Hearings under s. 120.65,
29 or otherwise provide for a complaint for which the Department
30 of Education determines reasonable grounds exist to believe
31 that an unlawful reprisal has occurred, is occurring, or is to

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1 be taken, and is unable to conciliate, to be heard by a panel
 2 of impartial persons. Upon hearing the complaint, the panel
 3 shall make findings of fact and conclusions of law for a final
 4 decision by the Department of Education.

5

6 It shall be an affirmative defense to any action brought
 7 pursuant to this section that the adverse action was
 8 predicated upon grounds other than, and would have been taken
 9 absent, the employee's exercise of rights protected by this
 10 section.

11 (b) In any action brought under this section for which
 12 it is determined reasonable grounds exist to believe that an
 13 unlawful reprisal has occurred, is occurring, or is to be
 14 taken, the relief shall include the following:

15 1. Reinstatement of the employee to the same position
 16 held before the unlawful reprisal was commenced, or to an
 17 equivalent position, or payment of reasonable front pay as
 18 alternative relief.

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

21 3. Compensation, if appropriate, for lost wages,
 22 benefits, or other lost remuneration caused by the unlawful
 23 reprisal.

24 4. Payment of reasonable costs, including attorney's
 25 fees, to a substantially prevailing employee, or to the
 26 prevailing employer if the employee filed a frivolous action
 27 in bad faith.

28 5. Issuance of an injunction, if appropriate, by a
 29 court of competent jurisdiction.

30 6. Temporary reinstatement to the employee's former
 31 position or to an equivalent position, pending the final

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1 outcome of the complaint, if it is determined that the action
 2 was not made in bad faith or for a wrongful purpose, and did
 3 not occur after a district school board's initiation of a
 4 personnel action against the employee that includes
 5 documentation of the employee's violation of a disciplinary
 6 standard or performance deficiency.

7 (5) SPONSOR; DUTIES.--

8 (a) Sponsoring entities.--

9 1. A district school board may sponsor a charter
 10 school in the county over which the district school board has
 11 jurisdiction.

12 2. A state university may grant a charter to a lab
 13 school created under s. 1002.32 and shall be considered to be
 14 the school's sponsor. Such school shall be considered a
 15 charter lab school.

16 (b) Sponsor duties.--

17 1. The sponsor shall monitor and review the charter
 18 school in its progress toward the goals established in the
 19 charter.

20 2. The sponsor shall monitor the revenues and
 21 expenditures of the charter school.

22 3. The sponsor may approve a charter for a charter
 23 school before the applicant has secured space, equipment, or
 24 personnel, if the applicant indicates approval is necessary
 25 for it to raise working funds ~~capital~~.

26 4. The sponsor's policies shall not apply to a charter
 27 school unless mutually agreed to by both the sponsor and the
 28 charter school.

29 5. The sponsor shall ensure that the charter is
 30 innovative and consistent with the state education goals
 31 established by s. 1000.03(5).

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1 6. The sponsor shall ensure that the charter school
 2 participates in the state's education accountability system.
 3 If a charter school falls short of performance measures
 4 included in the approved charter, the sponsor shall report
 5 such shortcomings to the Department of Education.

6 7. The sponsor shall not impose additional reporting
 7 requirements on a charter school without providing reasonable
 8 and specific justification in writing to the charter school.

9
 10 A community college may work with the school district or
 11 school districts in its designated service area to develop
 12 charter schools that offer secondary education. These charter
 13 schools must include an option for students to receive an
 14 associate degree upon high school graduation. District school
 15 boards shall cooperate with and assist the community college
 16 on the charter application. Community college applications for
 17 charter schools are not subject to the time deadlines outlined
 18 in subsection (6) and may be approved by the district school
 19 board at any time during the year. Community colleges shall
 20 not report FTE for any students who receive FTE funding
 21 through the Florida Education Finance Program.

22 (6) APPLICATION PROCESS AND REVIEW.--Charter school
 23 ~~Beginning September 1, 2003,~~ applications are subject to the
 24 following requirements:

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

27 1. Demonstrates how the school will use the guiding
 28 principles and meet the statutorily defined purpose of a
 29 charter school.

30 2. Provides a detailed curriculum plan that
 31 illustrates how students will be provided services to attain

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1 the Sunshine State Standards.

2 3. Contains goals and objectives for improving student
3 learning and measuring that improvement. These goals and
4 objectives must indicate how much academic improvement
5 students are expected to show each year, how success will be
6 evaluated, and the specific results to be attained through
7 instruction.

8 4. Describes the reading curriculum and differentiated
9 strategies that will be used for students reading at grade
10 level or higher and a separate curriculum and strategies for
11 students who are reading below grade level. A sponsor shall
12 deny a charter if the school does not propose a reading
13 curriculum that is consistent with effective teaching
14 strategies that are grounded in scientifically based reading
15 research.

16 5. Contains an annual financial plan for each year
17 requested by the charter for operation of the school for up to
18 5 years. This plan must contain anticipated fund balances
19 based on revenue projections, a spending plan based on
20 projected revenues and expenses, and a description of controls
21 that will safeguard finances and projected enrollment trends.

22 (b) A district school board shall receive and review
23 all applications for a charter school. Beginning with the
24 2007-2008 school year, a district school board shall receive
25 and consider charter school applications received on or before
26 August ~~September~~ 1 of each calendar year for charter schools
27 to be opened at the beginning of the school district's next
28 school year, or to be opened at a time agreed to by the
29 applicant and the district school board. A district school
30 board may receive applications later than this date if it
31 chooses. A sponsor may not charge an applicant for a charter

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1 any fee for the processing or consideration of an application,
2 and a sponsor may not base its consideration or approval of an
3 application upon the promise of future payment of any kind.

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

14 2. In order to ensure fiscal responsibility, an
15 application for a charter school shall include a full
16 accounting of expected assets, a projection of expected
17 sources and amounts of income, including income derived from
18 projected student enrollments and from community support, and
19 an expense projection that includes full accounting of the
20 costs of operation, including start-up costs.

21 3. A district school board shall by a majority vote
22 approve or deny an application no later than 60 calendar days
23 after the application is received, unless the district school
24 board and the applicant mutually agree in writing to
25 temporarily postpone the vote to a specific date, at which
26 time the district school board shall by a majority vote
27 approve or deny the application. If the district school board
28 fails to act on the application, an applicant may appeal to
29 the State Board of Education as provided in paragraph (c). If
30 an application is denied, the district school board shall,
31 within 10 calendar days, articulate in writing the specific

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1 reasons for ~~based upon good cause supporting~~ its denial of the
 2 charter application and shall provide the letter of denial and
 3 supporting documentation to the applicant and to the
 4 Department of Education supporting those reasons.

5 4. For budget projection purposes, the district school
 6 board or other sponsor shall report to the Department of
 7 Education the approval or denial of a charter application
 8 within 10 calendar days after such approval or denial. In the
 9 event of approval, the report to the Department of Education
 10 shall include the final projected FTE for the approved charter
 11 school.

12 5. Upon approval of a charter application, the initial
 13 startup shall commence with the beginning of the public school
 14 calendar for the district in which the charter is granted
 15 unless the sponsor ~~district school board~~ allows a waiver of
 16 this provision for good cause.

17 (c) An applicant may appeal any denial of that
 18 applicant's application or failure to act on an application to
 19 the State Board of Education no later than 30 calendar days
 20 after receipt of the district school board's decision or
 21 failure to act and shall notify the district school board of
 22 its appeal. Any response of the district school board shall be
 23 submitted to the State Board of Education within 30 calendar
 24 days after notification of the appeal. Upon receipt of
 25 notification from the State Board of Education that a charter
 26 school applicant is filing an appeal, the Commissioner of
 27 Education shall convene a meeting of the Charter School Appeal
 28 Commission to study and make recommendations to the State
 29 Board of Education regarding its pending decision about the
 30 appeal. The commission shall forward its recommendation to the
 31 state board no later than 7 calendar days prior to the date on

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1 which the appeal is to be heard. The State Board of Education
 2 shall by majority vote accept or reject the decision of the
 3 district school board no later than 90 calendar days after an
 4 appeal is filed in accordance with State Board of Education
 5 rule. The Charter School Appeal Commission may reject an
 6 appeal submission for failure to comply with procedural rules
 7 governing the appeals process. The rejection shall describe
 8 the submission errors. The appellant may have up to 15
 9 calendar days from notice of rejection to resubmit an appeal
 10 that meets requirements of State Board of Education rule. An
 11 application for appeal submitted subsequent to such rejection
 12 shall be considered timely if the original appeal was filed
 13 within 30 calendar days after receipt of notice of the
 14 specific reasons for the district school board's denial of the
 15 charter application. The State Board of Education shall remand
 16 the application to the district school board with its written
 17 decision that the district school board approve or deny the
 18 application. The district school board shall implement the
 19 decision of the State Board of Education. The decision of the
 20 State Board of Education is not subject to the provisions of
 21 the Administrative Procedure Act, chapter 120.

22 (d) The district school board shall act upon the
 23 decision of the State Board of Education within 30 calendar
 24 days after it is received. The State Board of Education's
 25 decision is a final action subject to judicial review in the
 26 district court of appeal.

27 (e)1. A Charter School Appeal Commission is
 28 established to assist the commissioner and the State Board of
 29 Education with a fair and impartial review of appeals by
 30 applicants whose charter applications have been denied, whose
 31 charter contracts have not been renewed, or whose charter

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1 ~~contracts have been terminated by their sponsors, or whose~~
2 ~~disputes over contract negotiations have not been resolved~~
3 ~~through mediation.~~

4 2. The Charter School Appeal Commission may receive
5 copies of the appeal documents forwarded to the State Board of
6 Education, review the documents, gather other applicable
7 information regarding the appeal, and make a written
8 recommendation to the commissioner. The recommendation must
9 state whether the appeal should be upheld or denied and
10 include the reasons for the recommendation being offered. The
11 commissioner shall forward the recommendation to the State
12 Board of Education no later than 7 calendar days prior to the
13 date on which the appeal is to be heard. The state board must
14 consider the commission's recommendation in making its
15 decision, but is not bound by the recommendation. The decision
16 of the Charter School Appeal Commission is not subject to the
17 provisions of the Administrative Procedure Act, chapter 120.

18 3. The commissioner shall appoint the members of the
19 Charter School Appeal Commission. Members shall serve without
20 compensation but may be reimbursed for travel and per diem
21 expenses in conjunction with their service. One-half of the
22 members must represent currently operating charter schools,
23 and one-half of the members must represent school districts.
24 The commissioner or a named designee shall chair the Charter
25 School Appeal Commission.

26 4. The chair shall convene meetings of the commission
27 and shall ensure that the written recommendations are
28 completed and forwarded in a timely manner. In cases where the
29 commission cannot reach a decision, the chair shall make the
30 written recommendation with justification, noting that the
31 decision was rendered by the chair.

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1 5. Commission members shall thoroughly review the
 2 materials presented to them from the appellant and the
 3 sponsor. The commission may request information to clarify the
 4 documentation presented to it. In the course of its review,
 5 the commission may facilitate the postponement of an appeal in
 6 those cases where additional time and communication may negate
 7 the need for a formal appeal and both parties agree, in
 8 writing, to postpone the appeal to the State Board of
 9 Education. A new date certain for the appeal shall then be set
 10 based upon the rules and procedures of the State Board of
 11 Education. Commission members shall provide a written
 12 recommendation to the state board as to whether the appeal
 13 should be upheld or denied. A fact-based justification for the
 14 recommendation must be included. The chair must ensure that
 15 the written recommendation is submitted to the State Board of
 16 Education members no later than 7 calendar days prior to the
 17 date on which the appeal is to be heard. Both parties in the
 18 case shall also be provided a copy of the recommendation.

19 (f) The Department of Education shall offer or arrange
 20 for training and technical assistance to charter school
 21 applicants in developing business plans and estimating costs
 22 and income. This assistance shall address estimating startup
 23 costs, projecting enrollment, and identifying the types and
 24 amounts of state and federal financial assistance the charter
 25 school will be eligible to receive. The department ~~of~~
 26 ~~Education~~ may provide other technical assistance to an
 27 applicant upon written request.

28 (g) In considering charter applications for a lab
 29 school, a state university shall consult with the district
 30 school board of the county in which the lab school is located.
 31 The decision of a state university may be appealed pursuant to

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1 the procedure established in this subsection.

2 (h) The terms and conditions for the operation of a
3 charter school shall be set forth by the sponsor and the
4 applicant in a written contractual agreement, called a
5 charter. The sponsor shall not impose unreasonable rules or
6 regulations that violate the intent of giving charter schools
7 greater flexibility to meet educational goals. The ~~applicant~~
8 ~~and~~ sponsor shall have 60 days to provide an initial proposed
9 charter contract to the charter school. The applicant and the
10 sponsor shall have 75 days thereafter to negotiate and notice
11 the charter contract for final approval by the sponsor unless
12 both parties agree to an extension ~~6 months in which to~~
13 ~~mutually agree to the provisions of the charter. The proposed~~
14 charter contract shall be provided to the charter school at
15 least 7 calendar days prior to the date of the meeting at
16 which the charter is scheduled to be voted upon by the
17 sponsor. The Department of Education shall provide mediation
18 services for any dispute regarding this section subsequent to
19 the approval of a charter application and for any dispute
20 relating to the approved charter, except disputes regarding
21 charter school application denials. If the Commissioner of
22 Education determines that the dispute cannot be settled
23 through mediation, the dispute may be appealed to an
24 administrative law judge appointed by the Division of
25 Administrative Hearings. The administrative law judge may rule
26 on issues of equitable treatment of the charter school as a
27 public school, whether proposed provisions of the charter
28 violate the intended flexibility granted charter schools by
29 statute, or on any other matter regarding this section except
30 a charter school application denial, a charter termination, or
31 a charter nonrenewal and shall award the prevailing party

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1 reasonable attorney's fees and costs incurred to be paid by
2 the losing party. The costs of the administrative hearing
3 shall be paid by the party whom the administrative law judge
4 rules against.

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

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

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

14 2. The focus of the curriculum, the instructional
15 methods to be used, any distinctive instructional techniques
16 to be employed, and identification and acquisition of
17 appropriate technologies needed to improve educational and
18 administrative performance which include a means for promoting
19 safe, ethical, and appropriate uses of technology which comply
20 with legal and professional standards. The charter shall
21 ensure that reading is a primary focus of the curriculum and
22 that resources are provided to identify and provide
23 specialized instruction for students who are reading below
24 grade level. The curriculum and instructional strategies for
25 reading must be consistent with the Sunshine State Standards
26 and grounded in scientifically based reading research.

27 3. The current incoming baseline standard of student
28 academic achievement, the outcomes to be achieved, and the
29 method of measurement that will be used. The criteria listed
30 in this subparagraph shall include a detailed description for
31 each of the following:

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1 a. How the baseline student academic achievement
2 levels and prior rates of academic progress will be
3 established.

4 b. How these baseline rates will be compared to rates
5 of academic progress achieved by these same students while
6 attending the charter school.

7 c. To the extent possible, how these rates of progress
8 will be evaluated and compared with rates of progress of other
9 closely comparable student populations.

10

11 The district school board is required to provide academic
12 student performance data to charter schools for each of their
13 students coming from the district school system, as well as
14 rates of academic progress of comparable student populations
15 in the district school system.

16 4. The methods used to identify the educational
17 strengths and needs of students and how well educational goals
18 and performance standards are met by students attending the
19 charter school. Included in the methods is a means for the
20 charter school to ensure accountability to its constituents by
21 analyzing student performance data and by evaluating the
22 effectiveness and efficiency of its major educational
23 programs. Students in charter schools shall, at a minimum,
24 participate in the statewide assessment program created under
25 s. 1008.22.

26 5. In secondary charter schools, a method for
27 determining that a student has satisfied the requirements for
28 graduation in s. 1003.43.

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

31 7. The admissions procedures and dismissal procedures,

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1 including the school's code of student conduct.

2 8. The ways by which the school will achieve a
3 racial/ethnic balance reflective of the community it serves or
4 within the racial/ethnic range of other public schools in the
5 same school district.

6 9. The financial and administrative management of the
7 school, including a reasonable demonstration of the
8 professional experience or competence of those individuals or
9 organizations applying to operate the charter school or those
10 hired or retained to perform such professional services and
11 the description of clearly delineated responsibilities and the
12 policies and practices needed to effectively manage the
13 charter school. A description of internal audit procedures and
14 establishment of controls to ensure that financial resources
15 are properly managed must be included. Both public sector and
16 private sector professional experience shall be equally valid
17 in such a consideration.

18 10. The asset and liability projections required in
19 the application which are incorporated into the charter and
20 which shall be compared with information provided in the
21 annual report of the charter school. The charter shall ensure
22 that, if a charter school internal audit or annual financial
23 audit reveals a state of financial emergency as defined in s.
24 218.503 or deficit financial position, the auditors are
25 required to notify the charter school governing board, the
26 sponsor, and the Department of Education. The internal auditor
27 shall report such findings in the form of an exit interview to
28 the principal or the principal administrator of the charter
29 school and the chair of the governing board within 7 working
30 days after finding the state of financial emergency or deficit
31 position. A final report shall be provided to the entire

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1 governing board, the sponsor, and the Department of Education
 2 within 14 working days after the exit interview. When a
 3 charter school is in a state of financial emergency, the
 4 charter school shall file a detailed financial recovery plan
 5 with the sponsor. The department, with the involvement of both
 6 sponsors and charter schools, shall establish guidelines for
 7 developing such plans.

8 11. A description of procedures that identify various
 9 risks and provide for a comprehensive approach to reduce the
 10 impact of losses; plans to ensure the safety and security of
 11 students and staff; plans to identify, minimize, and protect
 12 others from violent or disruptive student behavior; and the
 13 manner in which the school will be insured, including whether
 14 or not the school will be required to have liability
 15 insurance, and, if so, the terms and conditions thereof and
 16 the amounts of coverage.

17 12. The term of the charter which shall provide for
 18 cancellation of the charter if insufficient progress has been
 19 made in attaining the student achievement objectives of the
 20 charter and if it is not likely that such objectives can be
 21 achieved before expiration of the charter. The initial term of
 22 a charter shall be for ~~3~~, ~~4~~, or 5 years. In order to
 23 facilitate access to long-term financial resources for charter
 24 school construction, charter schools that are operated by a
 25 municipality or other public entity as provided by law are
 26 eligible for up to a 15-year charter, subject to approval by
 27 the district school board. A charter lab school is eligible
 28 for a charter for a term of up to 15 years. In addition, to
 29 facilitate access to long-term financial resources for charter
 30 school construction, charter schools that are operated by a
 31 private, not-for-profit, s. 501(c)(3) status corporation are

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1 eligible for up to a 15-year ~~10-year~~ charter, subject to
 2 approval by the district school board. Such long-term charters
 3 remain subject to annual review and may be terminated during
 4 the term of the charter, but only ~~for specific good cause~~
 5 according to the provisions set forth in subsection (8).

6 13. The facilities to be used and their location.

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

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

13 16. A timetable for implementing the charter which
 14 addresses the implementation of each element thereof and the
 15 date by which the charter shall be awarded in order to meet
 16 this timetable.

17 17. In the case of an existing public school being
 18 converted to charter status, alternative arrangements for
 19 current students who choose not to attend the charter school
 20 and for current teachers who choose not to teach in the
 21 charter school after conversion in accordance with the
 22 existing collective bargaining agreement or district school
 23 board rule in the absence of a collective bargaining
 24 agreement. However, alternative arrangements shall not be
 25 required for current teachers who choose not to teach in a
 26 charter lab school, except as authorized by the employment
 27 policies of the state university which grants the charter to
 28 the lab school.

29 (b)1. A charter may be renewed ~~every 5 school years,~~
 30 provided that a program review demonstrates that the criteria
 31 in paragraph (a) have been successfully accomplished and that

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1 none of the grounds for nonrenewal established by paragraph
 2 (8)(a) has been documented. In order to facilitate long-term
 3 financing for charter school construction, charter schools
 4 operating for a minimum of 2 years and demonstrating exemplary
 5 academic programming and fiscal management are eligible for a
 6 15-year charter renewal. Such long-term charter is subject to
 7 annual review and may be terminated during the term of the
 8 charter.

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

17 (c) A charter may be modified during its initial term
 18 or any renewal term upon the recommendation of the sponsor or
 19 the charter school governing board and the approval of both
 20 parties to the agreement.

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

22 (a) ~~At the end of the term of a charter,~~ The sponsor
 23 may choose not to renew or may terminate the charter for any
 24 of the following grounds:

25 1. Failure to participate in the state's education
 26 accountability system created in s. 1008.31, as required in
 27 this section, or failure to meet the requirements for student
 28 performance stated in the charter.

29 2. Failure to meet generally accepted standards of
 30 fiscal management.

31 3. Violation of law.

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1 4. Other good cause shown.

2 ~~(b) During the term of a charter, the sponsor may~~
3 ~~terminate the charter for any of the grounds listed in~~
4 ~~paragraph (a).~~

5 (b)(c) At least 90 days prior to renewing or
6 terminating a charter, the sponsor shall notify the governing
7 body of the school of the proposed action in writing. The
8 notice shall state in reasonable detail the grounds for the
9 proposed action and stipulate that the school's governing body
10 may, within 14 calendar days after receiving the notice,
11 request an informal hearing before the sponsor. The sponsor
12 shall conduct the informal hearing within 30 calendar days
13 after receiving a written request. ~~The charter school's~~
14 ~~governing body may, within 14 calendar days after receiving~~
15 ~~the sponsor's decision to terminate or refuse to renew the~~
16 ~~charter, appeal the decision pursuant to the procedure~~
17 ~~established in subsection (6).~~

18 (c) If a charter is not renewed or is terminated
19 pursuant to paragraph (b), the sponsor shall, within 10
20 calendar days, articulate in writing the specific reasons for
21 its nonrenewal or termination of the charter and must provide
22 the letter of nonrenewal or termination and documentation
23 supporting the reasons to the charter school governing body,
24 the charter school principal, and the Department of Education.
25 The charter school's governing body may, within 30 calendar
26 days after receiving the sponsor's final written decision to
27 refuse to renew or to terminate the charter, appeal the
28 decision pursuant to the procedure established in subsection
29 (6).

30 (d) A charter may be terminated immediately if the
31 sponsor determines that good cause has been shown or if the

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1 health, safety, or welfare of the students is threatened. The
 2 sponsor shall notify in writing the charter school's governing
 3 body, the charter school principal, and the department if a
 4 charter is immediately terminated. The sponsor shall clearly
 5 identify the specific issues that resulted in the immediate
 6 termination and provide evidence of prior notification of
 7 issues resulting in the immediate termination when
 8 appropriate. The school district in which the charter school
 9 is located shall assume operation of the school under these
 10 circumstances. The charter school's governing board may,
 11 within 30 ~~14~~ days after receiving the sponsor's decision to
 12 terminate the charter, appeal the decision pursuant to the
 13 procedure established in subsection (6).

14 (e) When a charter is not renewed or is terminated,
 15 the school shall be dissolved under the provisions of law
 16 under which the school was organized, and any unencumbered
 17 public funds, except for capital outlay funds and federal
 18 charter school program grant funds, from the charter school
 19 shall revert to the sponsor ~~district school board~~. Capital
 20 outlay funds provided pursuant to s. 1013.62 and federal
 21 charter school program grant funds that are unencumbered shall
 22 revert to the department to be redistributed among eligible
 23 charter schools. In the event a charter school is dissolved or
 24 is otherwise terminated, all district school board property
 25 and improvements, furnishings, and equipment purchased with
 26 public funds shall automatically revert to full ownership by
 27 the district school board, subject to complete satisfaction of
 28 any lawful liens or encumbrances. Any unencumbered public
 29 funds from the charter school, district school board property
 30 and improvements, furnishings, and equipment purchased with
 31 public funds, or financial or other records pertaining to the

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1 charter school, in the possession of any person, entity, or
2 holding company, other than the charter school, shall be held
3 in trust upon the district school board's request, until any
4 appeal status is resolved.

5 (f) If a charter is not renewed or is terminated, the
6 charter school is responsible for all debts of the charter
7 school. The district may not assume the debt from any contract
8 for services made between the governing body of the school and
9 a third party, except for a debt that is previously detailed
10 and agreed upon in writing by both the district and the
11 governing body of the school and that may not reasonably be
12 assumed to have been satisfied by the district.

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

17 (9) CHARTER SCHOOL REQUIREMENTS.--

18 (a) A charter school shall be nonsectarian in its
19 programs, admission policies, employment practices, and
20 operations.

21 (b) A charter school shall admit students as provided
22 in subsection (10).

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

25 (d) A charter school shall not charge tuition or
26 registration fees, except those fees normally charged by other
27 public schools. However, a charter lab school may charge a
28 student activity and service fee as authorized by s.
29 1002.32(5).

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

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

3 (g) A charter school shall provide for an annual
4 financial audit in accordance with s. 218.39. Financial audits
5 that reveal a state of financial emergency as defined in s.
6 218.503 and are conducted by a certified public accountant or
7 auditor in accordance with s. 218.39 shall be provided to the
8 governing body of the charter school within 7 working days
9 after finding that a state of financial emergency exists. When
10 a charter school is found to be in a state of financial
11 emergency by a certified public accountant or auditor, the
12 charter school must file a detailed financial recovery plan
13 with the sponsor within 30 days after receipt of the audit.

14 ~~(h) No organization shall hold more than 15 charters~~
15 ~~statewide.~~

16 ~~(h)~~(i) In order to provide financial information that
17 is comparable to that reported for other public schools,
18 charter schools are to maintain all financial records which
19 constitute their accounting system:

20 1. In accordance with the accounts and codes
21 prescribed in the most recent issuance of the publication
22 titled "Financial and Program Cost Accounting and Reporting
23 for Florida Schools"; or

24 2. At the discretion of the charter school governing
25 board, a charter school may elect to follow generally accepted
26 accounting standards for not-for-profit organizations, but
27 must reformat this information for reporting according to this
28 paragraph.

29
30 Charter schools shall ~~are to~~ provide annual financial report
31 and program cost report information in the state-required

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1 formats for inclusion in district reporting in compliance with
2 s. 1011.60(1). Charter schools that are operated by a
3 municipality or are a component unit of a parent nonprofit
4 organization may use the accounting system of the municipality
5 or the parent but must reformat this information for reporting
6 according to this paragraph.

7 ~~(i)(j)~~ The governing board of the charter school shall
8 annually adopt and maintain an operating budget.

9 ~~(j)(k)~~ The governing body of the charter school shall
10 exercise continuing oversight over charter school operations.

11 (k) The governing body of the charter school shall be
12 responsible for:

13 1. Ensuring that the charter school has retained the
14 services of a certified public accountant or auditor for the
15 annual financial audit, pursuant to paragraph (g), who shall
16 submit the report to the governing body.

17 2. Reviewing and approving the audit report, including
18 audit findings and recommendations for the financial recovery
19 plan.

20 3. Monitoring a financial recovery plan in order to
21 ensure compliance.

22 (1) The governing body of the charter school shall
23 report its progress annually to its sponsor, which shall
24 forward the report to the Commissioner of Education at the
25 same time as other annual school accountability reports. The
26 Department of Education shall develop a uniform, on-line
27 annual accountability report to be completed by charter
28 schools. This report shall be easy to utilize and contain
29 demographic information, student performance data, and
30 financial accountability information. A charter school shall
31 not be required to provide information and data that is

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1 duplicative and already in the possession of the department.

2 The Department of Education shall include in its compilation a
3 notation if a school failed to file its report by the deadline
4 established by the department. The report shall include at
5 least the following components:

6 1. Student achievement performance data, including the
7 information required for the annual school report and the
8 education accountability system governed by ss. 1008.31 and
9 1008.345. Charter schools are subject to the same
10 accountability requirements as other public schools, including
11 reports of student achievement information that links baseline
12 student data to the school's performance projections
13 identified in the charter. The charter school shall identify
14 reasons for any difference between projected and actual
15 student performance.

16 2. Financial status of the charter school which must
17 include revenues and expenditures at a level of detail that
18 allows for analysis of the ability to meet financial
19 obligations and timely repayment of debt.

20 3. Documentation of the facilities in current use and
21 any planned facilities for use by the charter school for
22 instruction of students, administrative functions, or
23 investment purposes.

24 4. Descriptive information about the charter school's
25 personnel, including salary and benefit levels of charter
26 school employees, the proportion of instructional personnel
27 who hold professional or temporary certificates, and the
28 proportion of instructional personnel teaching in-field or
29 out-of-field.

30 (m) A charter school shall not levy taxes or issue
31 bonds secured by tax revenues.

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1 (n) A charter school shall provide instruction for at
2 least the number of days required by law for other public
3 schools, and may provide instruction for additional days.

4 (o) The director and a representative of the governing
5 body of a charter school that has received a school grade of
6 "D" under s. 1008.34(2) shall appear before the sponsor or the
7 sponsor's staff at least once a year to present information
8 concerning each contract component having noted deficiencies.

9 The sponsor shall communicate at the meeting, and in writing
10 to the director, the services provided to the school to help
11 the school address its deficiencies.

12 (p) Upon notification that a charter school receives a
13 school grade of "D" for 2 consecutive years or a school grade
14 of "F" under s. 1008.34(2), the charter school sponsor or the
15 sponsor's staff shall require the director and a
16 representative of the governing body to submit to the sponsor
17 for approval a school improvement plan to raise student
18 achievement and to implement the plan. The sponsor has the
19 authority to approve a school improvement plan that the
20 charter school will implement in the following school year.
21 The sponsor may also consider the State Board of Education's
22 recommended action pursuant to s. 1008.33(1) as part of the
23 school improvement plan. The Department of Education shall
24 offer technical assistance and training to the charter school
25 and its governing body and establish guidelines for
26 developing, submitting, and approving such plans.

27 1. If the charter school fails to improve its student
28 performance from the year immediately prior to the
29 implementation of the school improvement plan, the sponsor
30 shall place the charter school on probation and shall require
31 the charter school governing body to take one of the following

1 corrective actions:

2 a. Contract for the educational services of the
3 charter school;

4 b. Reorganize the school at the end of the school year
5 under a new director or principal who is authorized to hire
6 new staff and implement a plan that addresses the causes of
7 inadequate progress; or

8 c. Reconstitute the charter school.

9 2. A charter school that is placed on probation shall
10 continue the corrective actions required under subparagraph 1.
11 until the charter school improves its student performance from
12 the year prior to the implementation of the school improvement
13 plan.

14 3. Notwithstanding any provision of this paragraph,
15 the sponsor may terminate the charter at any time pursuant to
16 the provisions of subsection (8).

17 (q) The director and a representative of the governing
18 body of a graded charter school that has submitted a school
19 improvement plan or has been placed on probation under
20 paragraph (p) shall appear before the sponsor or the sponsor's
21 staff at least once a year to present information regarding
22 the corrective strategies that are being implemented by the
23 school pursuant to the school improvement plan. The sponsor
24 shall communicate at the meeting, and in writing to the
25 director, the services provided to the school to help the
26 school address its deficiencies.

27 (10) ELIGIBLE STUDENTS.--

28 (a) A charter school shall be open to any student
29 covered in an interdistrict agreement or residing in the
30 school district in which the charter school is located;
31 however, in the case of a charter lab school, the charter lab

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1 school shall be open to any student eligible to attend the lab
 2 school as provided in s. 1002.32 or who resides in the school
 3 district in which the charter lab school is located. Any
 4 eligible student shall be allowed interdistrict transfer to
 5 attend a charter school when based on good cause.

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

12 (c) When a public school converts to charter status,
 13 enrollment preference shall be given to students who would
 14 have otherwise attended that public school. The district
 15 school board shall consult and negotiate with the conversion
 16 charter school every 3 years to determine whether realignment
 17 of the conversion charter school's attendance zone is
 18 appropriate in order to ensure that students residing closest
 19 to the charter school are provided with an enrollment
 20 preference.

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

23 1. Students who are siblings of a student enrolled in
 24 the charter school.

25 2. Students who are the children of a member of the
 26 governing board of the charter school.

27 3. Students who are the children of an employee of the
 28 charter school.

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

31 1. Students within specific age groups or grade

1 levels.

2 2. Students considered at risk of dropping out of
3 school or academic failure. Such students shall include
4 exceptional education students.

5 3. Students enrolling in a charter
6 school-in-the-workplace or charter school-in-a-municipality
7 established pursuant to subsection (15).

8 4. Students residing within a reasonable distance of
9 the charter school, as described in paragraph (20)(c). Such
10 students shall be subject to a random lottery and to the
11 racial/ethnic balance provisions described in subparagraph
12 (7)(a)8. or any federal provisions that require a school to
13 achieve a racial/ethnic balance reflective of the community it
14 serves or within the racial/ethnic range of other public
15 schools in the same school district.

16 5. Students who meet reasonable academic, artistic, or
17 other eligibility standards established by the charter school
18 and included in the charter school application and charter or,
19 in the case of existing charter schools, standards that are
20 consistent with the school's mission and purpose. Such
21 standards shall be in accordance with current state law and
22 practice in public schools and may not discriminate against
23 otherwise qualified individuals.

24 6. Students articulating from one charter school to
25 another pursuant to an articulation agreement between the
26 charter schools that has been approved by the sponsor.

27 (f) Students with handicapping conditions and students
28 served in English for Speakers of Other Languages programs
29 shall have an equal opportunity of being selected for
30 enrollment in a charter school.

31 (g) A student may withdraw from a charter school at

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1 any time and enroll in another public school as determined by
2 district school board rule.

3 (h) The capacity of the charter school shall be
4 determined annually by the governing board, in conjunction
5 with the sponsor, of the charter school in consideration of
6 the factors identified in this subsection.

7 (11) PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
8 ACTIVITIES.--A charter school student is eligible to
9 participate in an interscholastic extracurricular activity at
10 the public school to which the student would be otherwise
11 assigned to attend pursuant to s. 1006.15(3)(d).

12 (12) EMPLOYEES OF CHARTER SCHOOLS.--

13 (a) A charter school shall select its own employees. A
14 charter school may contract with its sponsor for the services
15 of personnel employed by the sponsor.

16 (b) Charter school employees shall have the option to
17 bargain collectively. Employees may collectively bargain as a
18 separate unit or as part of the existing district collective
19 bargaining unit as determined by the structure of the charter
20 school.

21 (c) The employees of a conversion charter school shall
22 remain public employees for all purposes, unless such
23 employees choose not to do so.

24 (d) The teachers at a charter school may choose to be
25 part of a professional group that subcontracts with the
26 charter school to operate the instructional program under the
27 auspices of a partnership or cooperative that they
28 collectively own. Under this arrangement, the teachers would
29 not be public employees.

30 (e) Employees of a school district may take leave to
31 accept employment in a charter school upon the approval of the

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1 district school board. While employed by the charter school
 2 and on leave that is approved by the district school board,
 3 the employee may retain seniority accrued in that school
 4 district and may continue to be covered by the benefit
 5 programs of that school district, if the charter school and
 6 the district school board agree to this arrangement and its
 7 financing. School districts shall not require resignations of
 8 teachers desiring to teach in a charter school. This paragraph
 9 shall not prohibit a district school board from approving
 10 alternative leave arrangements consistent with chapter 1012.

11 (f) Teachers employed by or under contract to a
 12 charter school shall be certified as required by chapter 1012.
 13 A charter school governing board may employ or contract with
 14 skilled selected noncertified personnel to provide
 15 instructional services or to assist instructional staff
 16 members as education paraprofessionals in the same manner as
 17 defined in chapter 1012, and as provided by State Board of
 18 Education rule for charter school governing boards. A charter
 19 school may not knowingly employ an individual to provide
 20 instructional services or to serve as an education
 21 paraprofessional if the individual's certification or
 22 licensure as an educator is suspended or revoked by this or
 23 any other state. A charter school may not knowingly employ an
 24 individual who has resigned from a school district in lieu of
 25 disciplinary action with respect to child welfare or safety,
 26 or who has been dismissed for just cause by any school
 27 district with respect to child welfare or safety. The
 28 qualifications of teachers shall be disclosed to parents.

29 (g) A charter school shall employ or contract with
 30 employees who have undergone background screening as provided
 31 in s. 1012.32. Members of the governing board of the charter

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1 school shall also undergo background screening in a manner
2 similar to that provided in s. 1012.32.

3 (h) For the purposes of tort liability, the governing
4 body and employees of a charter school shall be governed by s.
5 768.28.

6 (i) A charter school shall organize as, or be operated
7 by, a nonprofit organization. A charter school may be operated
8 by a municipality or other public entity as provided for by
9 law. As such, the charter school may be either a private or a
10 public employer. As a public employer, a charter school may
11 participate in the Florida Retirement System upon application
12 and approval as a "covered group" under s. 121.021(34). If a
13 charter school participates in the Florida Retirement System,
14 the charter school employees shall be compulsory members of
15 the Florida Retirement System. As either a private or a public
16 employer, a charter school may contract for services with an
17 individual or group of individuals who are organized as a
18 partnership or a cooperative. Individuals or groups of
19 individuals who contract their services to the charter school
20 are not public employees.

21 (13) CHARTER SCHOOL COOPERATIVES.--Charter schools may
22 enter into cooperative agreements to form charter school
23 cooperative organizations that may provide the following
24 services: charter school planning and development, direct
25 instructional services, and contracts with charter school
26 governing boards to provide personnel administrative services,
27 payroll services, human resource management, evaluation and
28 assessment services, teacher preparation, and professional
29 development.

30 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
31 INDEMNIFICATION OF THE STATE AND SCHOOL DISTRICT; CREDIT OR

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1 TAXING POWER NOT TO BE PLEDGED.--Any arrangement entered into
2 to borrow or otherwise secure funds for a charter school
3 authorized in this section from a source other than the state
4 or a school district shall indemnify the state and the school
5 district from any and all liability, including, but not
6 limited to, financial responsibility for the payment of the
7 principal or interest. Any loans, bonds, or other financial
8 agreements are not obligations of the state or the school
9 district but are obligations of the charter school authority
10 and are payable solely from the sources of funds pledged by
11 such agreement. The credit or taxing power of the state or the
12 school district shall not be pledged and no debts shall be
13 payable out of any moneys except those of the legal entity in
14 possession of a valid charter approved by a district school
15 board pursuant to this section.

16 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER
17 SCHOOLS-IN-A-MUNICIPALITY.--

18 (a) In order to increase business partnerships in
19 education, to reduce school and classroom overcrowding
20 throughout the state, and to offset the high costs for
21 educational facilities construction, the Legislature intends
22 to encourage the formation of business partnership schools or
23 satellite learning centers and municipal-operated schools
24 through charter school status.

25 (b) A charter school-in-the-workplace may be
26 established when a business partner provides the school
27 facility to be used; enrolls students based upon a random
28 lottery that involves all of the children of employees of that
29 business or corporation who are seeking enrollment, as
30 provided for in subsection (10); and enrolls students
31 according to the racial/ethnic balance provisions described in

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1 subparagraph (7)(a)8. Any portion of a facility used for a
2 public charter school shall be exempt from ad valorem taxes,
3 as provided for in s. 1013.54, for the duration of its use as
4 a public school.

5 (c) A charter school-in-a-municipality designation may
6 be granted to a municipality that possesses a charter; enrolls
7 students based upon a random lottery that involves all of the
8 children of the residents of that municipality who are seeking
9 enrollment, as provided for in subsection (10); and enrolls
10 students according to the racial/ethnic balance provisions
11 described in subparagraph (7)(a)8. When a municipality has
12 submitted charter applications for the establishment of a
13 charter school feeder pattern, consisting of elementary,
14 middle, and senior high schools, and each individual charter
15 application is approved by the district school board, such
16 schools shall then be designated as one charter school for all
17 purposes listed pursuant to this section. Any portion of the
18 land and facility used for a public charter school shall be
19 exempt from ad valorem taxes, as provided for in s. 1013.54,
20 for the duration of its use as a public school.

21 (d) As used in this subsection, the terms "business
22 partner" or "municipality" may include more than one business
23 or municipality to form a charter school-in-the-workplace or
24 charter school-in-a-municipality.

25 (16) EXEMPTION FROM STATUTES.--

26 (a) A charter school shall operate in accordance with
27 its charter and shall be exempt from all statutes in chapters
28 1000-1013. However, a charter school shall be in compliance
29 with the following statutes in chapters 1000-1013:

30 1. Those statutes specifically applying to charter
31 schools, including this section.

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1 2. Those statutes pertaining to the student assessment
2 program and school grading system.

3 3. Those statutes pertaining to the provision of
4 services to students with disabilities.

5 4. Those statutes pertaining to civil rights,
6 including s. 1000.05, relating to discrimination.

7 5. Those statutes pertaining to student health,
8 safety, and welfare.

9 (b) Additionally, a charter school shall be in
10 compliance with the following statutes:

11 1. Section 286.011, relating to public meetings and
12 records, public inspection, and criminal and civil penalties.

13 2. Chapter 119, relating to public records.

14 (17) FUNDING.--Students enrolled in a charter school,
15 regardless of the sponsorship, shall be funded as if they are
16 in a basic program or a special program, the same as students
17 enrolled in other public schools in the school district.
18 Funding for a charter lab school shall be as provided in s.
19 1002.32.

20 (a) Each charter school shall report its student
21 enrollment to the district school board as required in s.
22 1011.62, and in accordance with the definitions in s. 1011.61.
23 The district school board shall include each charter school's
24 enrollment in the district's report of student enrollment. All
25 charter schools submitting student record information required
26 by the Department of Education shall comply with the
27 Department of Education's guidelines for electronic data
28 formats for such data, and all districts shall accept
29 electronic data that complies with the Department of
30 Education's electronic format.

31 (b) The basis for the agreement for funding students

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1 enrolled in a charter school shall be the sum of the school
2 district's operating funds from the Florida Education Finance
3 Program as provided in s. 1011.62 and the General
4 Appropriations Act, including gross state and local funds,
5 discretionary lottery funds, and funds from the school
6 district's current operating discretionary millage levy;
7 divided by total funded weighted full-time equivalent students
8 in the school district; multiplied by the weighted full-time
9 equivalent students for the charter school. Charter schools
10 whose students or programs meet the eligibility criteria in
11 law shall be entitled to their proportionate share of
12 categorical program funds included in the total funds
13 available in the Florida Education Finance Program by the
14 Legislature, including transportation. Total funding for each
15 charter school shall be recalculated during the year to
16 reflect the revised calculations under the Florida Education
17 Finance Program by the state and the actual weighted full-time
18 equivalent students reported by the charter school during the
19 full-time equivalent student survey periods designated by the
20 Commissioner of Education.

21 (c) If the district school board is providing programs
22 or services to students funded by federal funds, any eligible
23 students enrolled in charter schools in the school district
24 shall be provided federal funds for the same level of service
25 provided students in the schools operated by the district
26 school board. Pursuant to provisions of 20 U.S.C. 8061 s.
27 10306, all charter schools shall receive all federal funding
28 for which the school is otherwise eligible, including Title I
29 funding, not later than 5 months after the charter school
30 first opens and within 5 months after any subsequent expansion
31 of enrollment.

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

22 (18) FACILITIES.--

23 (a) A startup charter school shall utilize facilities
24 which comply with the Florida Building Code pursuant to
25 chapter 553 except for the State Requirements for Educational
26 Facilities. Conversion charter schools shall utilize
27 facilities that comply with the State Requirements for
28 Educational Facilities provided that the school district and
29 the charter school have entered into a mutual management plan
30 for the reasonable maintenance of such facilities. The mutual
31 management plan shall contain a provision by which the

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1 district school board agrees to maintain charter school
 2 facilities in the same manner as its other public schools
 3 within the district. Charter schools, with the exception of
 4 conversion charter schools, are not required to comply, but
 5 may choose to comply, with the State Requirements for
 6 Educational Facilities of the Florida Building Code adopted
 7 pursuant to s. 1013.37. The local governing authority shall
 8 not adopt or impose local building requirements or
 9 restrictions that are more stringent than those found in the
 10 Florida Building Code. The agency having jurisdiction for
 11 inspection of a facility and issuance of a certificate of
 12 occupancy shall be the local municipality or, if in an
 13 unincorporated area, the county governing authority.

14 (b) A charter school shall utilize facilities that
 15 comply with the Florida Fire Prevention Code, pursuant to s.
 16 633.025, as adopted by the authority in whose jurisdiction the
 17 facility is located as provided in paragraph (a).

18 (c) Any facility, or portion thereof, used to house a
 19 charter school whose charter has been approved by the sponsor
 20 and the governing board, pursuant to subsection (7), shall be
 21 exempt from ad valorem taxes pursuant to s. 196.1983. Library,
 22 community service, museum, performing arts, theatre, cinema,
 23 church, community college, college, and university facilities
 24 may provide space to charter schools within their facilities
 25 under their preexisting zoning and land use designations.

26 (d) Charter school facilities are exempt from
 27 assessments of fees for building permits, except as provided
 28 in s. 553.80, fees ~~and~~ for building and occupational licenses,
 29 and ~~from assessments of~~ impact fees or service availability
 30 fees.

31 (e) If a district school board facility or property is

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1 available because it is surplus, marked for disposal, or
 2 otherwise unused, it shall be provided for a charter school's
 3 use on the same basis as it is made available to other public
 4 schools in the district. A charter school receiving property
 5 from the school district may not sell or dispose of such
 6 property without written permission of the school district.
 7 Similarly, for an existing public school converting to charter
 8 status, no rental or leasing fee for the existing facility or
 9 for the property normally inventoried to the conversion school
 10 may be charged by the district school board to the parents and
 11 teachers organizing the charter school. The charter school
 12 ~~organizers~~ shall agree to reasonable maintenance provisions in
 13 order to maintain the facility in a manner similar to district
 14 school board standards. The Public Education Capital Outlay
 15 maintenance funds or any other maintenance funds generated by
 16 the facility operated as a conversion school shall remain with
 17 the conversion school.

18 (f) To the extent that charter school facilities are
 19 specifically created to mitigate the educational impact
 20 created by the development of new residential dwelling units,
 21 pursuant to subparagraph (2)(c)4., some of or all of the
 22 educational impact fees required to be paid in connection with
 23 the new residential dwelling units may be designated instead
 24 for the construction of the charter school facilities that
 25 will mitigate the student station impact. Such facilities
 26 shall be built to the State Requirements for Educational
 27 Facilities and shall be owned by a public or nonprofit entity.
 28 The local school district retains the right to monitor and
 29 inspect such facilities to ensure compliance with the State
 30 Requirements for Educational Facilities. If a facility ceases
 31 to be used for public educational purposes, either the

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1 facility shall revert to the school district subject to any
 2 debt owed on the facility, or the owner of the facility shall
 3 have the option to refund all educational impact fees utilized
 4 for the facility to the school district. The district and the
 5 owner of the facility may contractually agree to another
 6 arrangement for the facilities if the facilities cease to be
 7 used for educational purposes. The owner of property planned
 8 or approved for new residential dwelling units and the entity
 9 levying educational impact fees shall enter into an agreement
 10 that designates the educational impact fees that will be
 11 allocated for the charter school student stations and that
 12 ensures the timely construction of the charter school student
 13 stations concurrent with the expected occupancy of the
 14 residential units. The application for use of educational
 15 impact fees shall include an approved charter school
 16 application. To assist the school district in forecasting
 17 student station needs, the entity levying the impact fees
 18 shall notify the affected district of any agreements it has
 19 approved for the purpose of mitigating student station impact
 20 from the new residential dwelling units.

21 (g) Each school district shall annually provide to the
 22 Department of Education as part of its 5-year work plan the
 23 number of existing vacant classrooms in each school that the
 24 district does not intend to use or does not project will be
 25 needed for educational purposes for the following school year.
 26 The department may recommend that a district make such space
 27 available to an appropriate charter school.

28 (19) CAPITAL OUTLAY FUNDING.--Charter schools are
 29 eligible for capital outlay funds pursuant to s. 1013.62.

30 (20) SERVICES.--

31 (a) A sponsor shall provide certain administrative and

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1 educational services to charter schools. These services shall
2 include contract management services; full-time equivalent and
3 data reporting services; exceptional student education
4 administration services; services related to eligibility and
5 reporting duties required to ensure that school lunch services
6 under the federal lunch program, consistent with the needs of
7 the charter school, are provided by the school district at the
8 request of the charter school; test administration services,
9 including payment of the costs of state-required or
10 district-required student assessments; processing of teacher
11 certificate data services; and information services, including
12 equal access to student information systems that are used by
13 public schools in the district in which the charter school is
14 located. Student performance data for each student in a
15 charter school, including, but not limited to, FCAT scores,
16 standardized test scores, previous public school student
17 report cards, and student performance measures, shall be
18 provided by the sponsor to a charter school in the same manner
19 provided to other public schools in the district. A total
20 administrative fee for the provision of such services shall be
21 calculated based upon up to 5 percent of the available funds
22 defined in paragraph (17)(b) for all students. However, a
23 sponsor may only withhold up to a 5-percent administrative fee
24 for enrollment for up to and including 500 students. For
25 charter schools with a population of 501 or more students, the
26 difference between the total administrative fee calculation
27 and the amount of the administrative fee withheld may only be
28 used for capital outlay purposes specified in s. 1013.62(2).
29 Sponsors shall not charge charter schools any additional fees
30 or surcharges for administrative and educational services in
31 addition to the maximum 5-percent administrative fee withheld

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1 pursuant to this paragraph.

2 (b) If goods and services are made available to the
3 charter school through the contract with the school district,
4 they shall be provided to the charter school at a rate no
5 greater than the district's actual cost unless mutually agreed
6 upon by the charter school and the sponsor in a contract
7 negotiated separately from the charter. When mediation has
8 failed to resolve disputes over contracted services or
9 contractual matters not included in the charter, an appeal may
10 be made for a dispute resolution hearing before the Charter
11 School Appeal Commission. To maximize the use of state funds,
12 school districts shall allow charter schools to participate in
13 the sponsor's bulk purchasing program if applicable.

14 (c) Transportation of charter school students shall be
15 provided by the charter school consistent with the
16 requirements of subpart I.E. of chapter 1006 and s. 1012.45.
17 The governing body of the charter school may provide
18 transportation through an agreement or contract with the
19 district school board, a private provider, or parents. The
20 charter school and the sponsor shall cooperate in making
21 arrangements that ensure that transportation is not a barrier
22 to equal access for all students residing within a reasonable
23 distance of the charter school as determined in its charter.

24 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.--The
25 Department of Education shall provide information to the
26 public, directly and through sponsors, both on how to form and
27 operate a charter school and on how to enroll in charter
28 schools once they are created. This information shall include
29 a standard application format, charter format, and charter
30 renewal format which shall include the information specified
31 in subsection (7) and shall be developed by consulting and

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1 negotiating with both school districts and charter schools
 2 before implementation. These formats shall ~~This application~~
 3 ~~format may be used as guidelines by charter school sponsors~~
 4 ~~chartering entities.~~

5 (22) CHARTER SCHOOL REVIEW PANEL AND LEGISLATIVE
 6 REVIEW.--

7 (a) The Department of Education shall staff and
 8 regularly convene a Charter School Review Panel in order to
 9 review issues, practices, and policies regarding charter
 10 schools. The composition of the review panel shall include
 11 individuals with experience in finance, administration, law,
 12 education, and school governance, and individuals familiar
 13 with charter school construction and operation. The panel
 14 shall include two appointees each from the Commissioner of
 15 Education, the President of the Senate, and the Speaker of the
 16 House of Representatives. The Governor shall appoint three
 17 members of the panel and shall designate the chair. Each
 18 member of the panel shall serve a 1-year term, unless renewed
 19 by the office making the appointment. The panel shall make
 20 recommendations to the Legislature, to the Department of
 21 Education, to charter schools, and to school districts for
 22 improving charter school operations and oversight and for
 23 ensuring best business practices at and fair business
 24 relationships with charter schools.

25 (b) The Legislature shall review the operation of
 26 charter schools during the 2010 ~~2005~~ Regular Session of the
 27 Legislature.

28 (23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.--Upon
 29 receipt of the annual report required by paragraph (9)(1), the
 30 Department of Education shall provide to the State Board of
 31 Education, the Commissioner of Education, the Governor, the

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1 President of the Senate, and the Speaker of the House of
 2 Representatives an analysis and comparison of the overall
 3 performance of charter school students, to include all
 4 students whose scores are counted as part of the statewide
 5 assessment program, versus comparable public school students
 6 in the district as determined by the statewide assessment
 7 program currently administered in the school district, and
 8 other assessments administered pursuant to s. 1008.22(3).

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

15 Section 2. Subsection (5) of section 218.39, Florida
 16 Statutes, is amended to read:

17 218.39 Annual financial audit reports.--

18 (5) At the conclusion of the audit, the auditor shall
 19 discuss with the chair of each local governmental entity or
 20 the chair's designee, or with the elected official of each
 21 county agency or with the elected official's designee, or with
 22 the chair of the district school board or the chair's
 23 designee, or with the chair of the board of the charter school
 24 or the chair's designee, or with the chair of the charter
 25 technical career center or the chair's designee, as
 26 appropriate, all of the auditor's comments that will be
 27 included in the audit report. If the officer is not available
 28 to discuss the auditor's comments, their discussion is
 29 presumed when the comments are delivered in writing to his or
 30 her office. The auditor shall notify each member of the
 31 governing body of a local governmental entity, ~~or~~ district

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1 school board, or charter school for which deteriorating
2 financial conditions exist that may cause a condition
3 described in s. 218.503(1) to occur if actions are not taken
4 to address such conditions.

5 Section 3. Section 218.50, Florida Statutes, is
6 amended to read:

7 218.50 Short title.--Sections 218.50-218.504 may be
8 cited as the "Local Governmental Entity, Charter School, and
9 District School Board Financial Emergencies Act."

10 Section 4. Section 218.501, Florida Statutes, is
11 amended to read:

12 218.501 Purposes.--The purposes of ss. 218.50-218.504
13 are:

14 (1) To promote the fiscal responsibility of local
15 governmental entities, charter schools, and district school
16 boards.

17 (2) To assist local governmental entities, charter
18 schools, and district school boards in providing essential
19 services without interruption and in meeting their financial
20 obligations.

21 (3) To assist local governmental entities, charter
22 schools, and district school boards through the improvement of
23 local financial management procedures.

24 Section 5. Subsections (1) and (2) of section 218.503,
25 Florida Statutes, are amended, a new subsection (4) is added,
26 and subsections (4) and (5) of that section are renumbered as
27 subsections (5) and (6), respectively, to read:

28 218.503 Determination of financial emergency.--

29 (1) Local governmental entities, charter schools, and
30 district school boards shall be subject to review and
31 oversight by the Governor, charter school sponsor, or the

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1 Commissioner of Education, as appropriate, when any one of the
2 following conditions occurs:

3 (a) Failure within the same fiscal year in which due
4 to pay short-term loans or failure to make bond debt service
5 or other long-term debt payments when due, as a result of a
6 lack of funds.

7 (b) Failure to pay uncontested claims from creditors
8 within 90 days after the claim is presented, as a result of a
9 lack of funds.

10 (c) Failure to transfer at the appropriate time, due
11 to lack of funds:

12 1. Taxes withheld on the income of employees; or

13 2. Employer and employee contributions for:

14 a. Federal social security; or

15 b. Any pension, retirement, or benefit plan of an
16 employee.

17 (d) Failure for one pay period to pay, due to lack of
18 funds:

19 1. Wages and salaries owed to employees; or

20 2. Retirement benefits owed to former employees.

21 (e) An unreserved or total fund balance or retained
22 earnings deficit, or unrestricted or total net assets deficit,
23 as reported on the balance sheet or statement of net assets on
24 the general purpose or fund financial statements, for which
25 sufficient resources of the local governmental entity, as
26 reported on the balance sheet or statement of net assets on
27 the general purpose or fund financial statements, are not
28 available to cover the deficit. Resources available to cover
29 reported deficits include net assets that are not otherwise
30 restricted by federal, state, or local laws, bond covenants,
31 contractual agreements, or other legal constraints. Fixed or

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1 capital assets, the disposal of which would impair the ability
2 of a local governmental entity to carry out its functions, are
3 not considered resources available to cover reported deficits.

4 (2) A local governmental entity shall notify the
5 Governor and the Legislative Auditing Committee, a charter
6 school shall notify the charter school sponsor and the
7 Legislative Auditing Committee, and a district school board
8 shall notify the Commissioner of Education and the Legislative
9 Auditing Committee, when one or more of the conditions
10 specified in subsection (1) have occurred or will occur if
11 action is not taken to assist the local governmental entity,
12 charter school, or district school board. In addition, any
13 state agency must, within 30 days after a determination that
14 one or more of the conditions specified in subsection (1) have
15 occurred or will occur if action is not taken to assist the
16 local governmental entity, charter school, or district school
17 board, notify the Governor, charter school sponsor, or the
18 Commissioner of Education, as appropriate, and the Legislative
19 Auditing Committee.

20 (4) Upon notification that one or more of the
21 conditions in subsection (1) exist, the charter school sponsor
22 or the sponsor's designee shall contact the charter school
23 governing body to determine what actions have been taken by
24 the charter school governing body to resolve the condition.
25 The charter school sponsor has the authority to require and
26 approve a financial recovery plan, to be prepared by the
27 charter school governing body, prescribing actions that will
28 cause the charter school to no longer be subject to this
29 section. The Department of Education shall establish
30 guidelines for developing such plans.

31 Section 6. Subsection (1) of section 218.504, Florida

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1 Statutes, is amended to read:

2 218.504 Cessation of state action.--The Governor or
3 the Commissioner of Education, as appropriate, has the
4 authority to terminate all state actions pursuant to ss.
5 218.50-218.504. Cessation of state action must not occur until
6 the Governor or the Commissioner of Education, as appropriate,
7 has determined that:

8 (1) The local governmental entity, charter school, or
9 district school board:

10 (a) Has established and is operating an effective
11 financial accounting and reporting system.

12 (b) Has resolved the conditions outlined in s.
13 218.503(1).

14 Section 7. Paragraph (e) of subsection (7) and
15 subsection (8) of section 11.45, Florida Statutes, are amended
16 to read:

17 11.45 Definitions; duties; authorities; reports;
18 rules.--

19 (7) AUDITOR GENERAL REPORTING REQUIREMENTS.--

20 (e) The Auditor General shall notify the Governor or
21 the Commissioner of Education, as appropriate, and the
22 Legislative Auditing Committee of any audit report reviewed by
23 the Auditor General pursuant to paragraph (b) which contains a
24 statement that a local governmental entity, charter school, or
25 district school board has met one or more of the conditions
26 specified in s. 218.503. If the Auditor General requests a
27 clarification regarding information included in an audit
28 report to determine whether a local governmental entity,
29 charter school, or district school board has met one or more
30 of the conditions specified in s. 218.503, the requested
31 clarification must be provided within 45 days after the date

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1 of the request. If the local governmental entity, charter
 2 school, or district school board does not comply with the
 3 Auditor General's request, the Auditor General shall notify
 4 the Legislative Auditing Committee. If, after obtaining the
 5 requested clarification, the Auditor General determines that
 6 the local governmental entity, charter school, or district
 7 school board has met one or more of the conditions specified
 8 in s. 218.503, he or she shall notify the Governor or the
 9 Commissioner of Education, as appropriate, and the Legislative
 10 Auditing Committee.

11 (8) RULES OF THE AUDITOR GENERAL.--The Auditor
 12 General, in consultation with the Board of Accountancy, shall
 13 adopt rules for the form and conduct of all financial audits
 14 performed by independent certified public accountants pursuant
 15 to ss. 215.981, 218.39, 1001.453, 1004.28, and 1004.70. The
 16 rules for audits of local governmental entities, charter
 17 schools, and district school boards must include, but are not
 18 limited to, requirements for the reporting of information
 19 necessary to carry out the purposes of the Local Governmental
 20 Entity, Charter School, and District School Board Financial
 21 Emergencies Act as stated in s. 218.501.

22 Section 8. Subsection (3) of section 1003.05, Florida
 23 Statutes, is amended to read:

24 1003.05 Assistance to transitioning students from
 25 military families.--

26 (3) Dependent children of active duty military
 27 personnel who otherwise meet the eligibility criteria for
 28 special academic programs offered through public schools shall
 29 be given first preference for admission to such programs even
 30 if the program is being offered through a public school other
 31 than the school to which the student would generally be

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1 assigned and the school at which the program is being offered
 2 has reached its maximum enrollment. If such a program is
 3 offered through a public school other than the school to which
 4 the student would generally be assigned, the parent or
 5 guardian of the student must assume responsibility for
 6 transporting the student to that school. For purposes of this
 7 subsection, special academic programs include ~~charter schools,~~
 8 magnet schools, advanced studies programs, advanced placement,
 9 dual enrollment, and International Baccalaureate.

10 Section 9. Subsection (2) of section 1011.71, Florida
 11 Statutes, is amended to read:

12 1011.71 District school tax.--

13 (2) In addition to the maximum millage levy as
 14 provided in subsection (1), each school board may levy not
 15 more than 2 mills against the taxable value for school
 16 purposes for district schools, including charter schools at
 17 the discretion of the school board, to fund:

18 (a) New construction and remodeling projects, as set
 19 forth in s. 1013.64(3)(b) and (6)(b) and included in the
 20 district's educational plant survey pursuant to s. 1013.31,
 21 without regard to prioritization, sites and site improvement
 22 or expansion to new sites, existing sites, auxiliary
 23 facilities, athletic facilities, or ancillary facilities.

24 (b) Maintenance, renovation, and repair of existing
 25 school plants or of leased facilities to correct deficiencies
 26 pursuant to s. 1013.15(2).

27 (c) The purchase, lease-purchase, or lease of school
 28 buses; drivers' education vehicles; motor vehicles used for
 29 the maintenance or operation of plants and equipment; security
 30 vehicles; or vehicles used in storing or distributing
 31 materials and equipment.

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1 (d) The purchase, lease-purchase, or lease of new and
2 replacement equipment.

3 (e) Payments for educational facilities and sites due
4 under a lease-purchase agreement entered into by a district
5 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2),
6 not exceeding, in the aggregate, an amount equal to
7 three-fourths of the proceeds from the millage levied by a
8 district school board pursuant to this subsection.

9 (f) Payment of loans approved pursuant to ss. 1011.14
10 and 1011.15.

11 (g) Payment of costs directly related to complying
12 with state and federal environmental statutes, rules, and
13 regulations governing school facilities.

14 (h) Payment of costs of leasing relocatable
15 educational facilities, of renting or leasing educational
16 facilities and sites pursuant to s. 1013.15(2), or of renting
17 or leasing buildings or space within existing buildings
18 pursuant to s. 1013.15(4).

19 (i) Payment of the cost of school buses when a school
20 district contracts with a private entity to provide student
21 transportation services if the district meets the requirements
22 of this paragraph.

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

27 2. Each such school bus must be used for the daily
28 transportation of public school students in the manner
29 required by the school district.

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

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1 4. The proposed expenditure of the funds for this
 2 purpose must have been included in the district school board's
 3 notice of proposed tax for school capital outlay as provided
 4 in s. 200.065(9).

5
 6 Violations of these expenditure provisions shall result in an
 7 equal dollar reduction in the Florida Education Finance
 8 Program (FEFP) funds for the violating district in the fiscal
 9 year following the audit citation.

10 Section 10. This act shall take effect July 1, 2006.

11
 12

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

14 And the title is amended as follows:

15 Delete everything before the enacting clause

16
 17 and insert:

18 A bill to be entitled
 19 An act relating to charter schools; amending s.
 20 1002.33, F.S.; revising charter school
 21 purposes; modifying provisions relating to
 22 duties of sponsors, the application process,
 23 denial of an application, and review of
 24 appeals; requiring the Department of Education
 25 to provide technical assistance to charter
 26 school applicants; providing requirements
 27 relating to charter contracts; providing
 28 procedures when a state of financial emergency
 29 exists; revising provisions relating to charter
 30 terms and renewal; revising nonrenewal and
 31 termination provisions, including procedures

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1 for immediate termination; revising provisions
2 relating to the reversion of funds; revising
3 duties of a charter school governing body
4 relating to audits; requiring the department to
5 develop a uniform accountability report;
6 providing procedures with respect to charter
7 schools with deficiencies; requiring a school
8 improvement plan to raise student achievement;
9 providing for probation and corrective actions;
10 requiring consultation with respect to
11 conversion charter school attendance zones;
12 revising provisions relating to payment and
13 reimbursement to a charter school by a school
14 district; requiring conversion charter schools
15 to comply with certain facility requirements
16 under specific situations; authorizing certain
17 zoning and land use designations for certain
18 charter school facilities; revising exemption
19 from assessment of fees; authorizing the
20 department to recommend that school districts
21 make certain space available to charter
22 schools; providing for additional services to
23 charter schools and revising administrative fee
24 requirements; requiring the department to
25 develop a standard format for applications,
26 charters, and charter renewals; requiring
27 legislative review of charter schools in 2010;
28 amending s. 218.39, F.S.; requiring the
29 governing body of a charter school to be
30 notified of certain deteriorating financial
31 conditions; amending s. 218.50, F.S.; modifying

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1 a short title; amending s. 218.501, F.S.;
2 including charter schools in the statement of
3 purpose relating to financial management;
4 amending s. 218.503, F.S.; providing for
5 charter schools to be subject to provisions
6 governing financial emergencies; providing
7 procedures; amending s. 218.504, F.S.;
8 providing for cessation of state action related
9 to a state of financial emergency; amending s.
10 11.45, F.S.; conforming provisions; amending s.
11 1003.05, F.S.; modifying the list of special
12 academic programs for transitioning students
13 from military families; amending s. 1011.71,
14 F.S.; clarifying the use of funds generated
15 through additional millage; providing an
16 effective date.

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