



1           may participate in the Florida Retirement  
2           System; providing for funding and for a  
3           deduction from funds distributed to public  
4           schools; allowing the office to retain  
5           administrative funds, as specified; requiring  
6           the office to disseminate information to  
7           parents; requiring the department to adopt  
8           rules; providing an effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

11  
12           Section 1.   Section 1002.331, Florida Statutes, is  
13   created to read:

14           1002.331 Schools of Excellence Act; Florida Schools of  
15   Excellence Office; creation; composition; powers and duties;  
16   accountability; charter school application process;  
17   supplemental support; employee retirement; funding;  
18   transportation; access to information.--

19           (1) SHORT TITLE.--This section may be cited as the  
20   "Schools of Excellence Act."

21           (2) ESTABLISHMENT.--There is established, as an  
22   independent office working in collaboration with the  
23   Department of Education, the Florida Schools of Excellence  
24   Office, or FSE. The office is not a school district for any  
25   purpose. The office shall have no fiscal impact on the state  
26   at its inception and shall, thereafter, be self-funded. The  
27   Department of Education shall assist the office in securing  
28   federal and other institutional grant funds that must be used  
29   to establish the Florida Schools of Excellence Fund. The  
30   office may not begin to review applications received from  
31   prospective charter schools until the balance of the fund is

1 at least \$200,000, whether received from gifts, grants,  
2 donations, or other private or public sources.

3 (3) MEMBERSHIP.--The Florida Schools of Excellence  
4 Office shall include two members appointed by the President of  
5 the Senate and two members appointed by the Speaker of the  
6 House of Representatives. The Governor shall appoint three  
7 members and shall designate the chairperson. Each member shall  
8 be appointed to serve a 2-year term, unless reviewed and  
9 removed for cause by the entity that made the appointment. If  
10 a vacancy occurs, it must be filled by the entity that  
11 appointed the vacating person. The office shall meet at least  
12 quarterly. Meetings may be called by the chairperson or upon  
13 the request of five members. Five members of the office  
14 constitute a quorum. The office shall retain an executive  
15 director and a staff.

16 (4) POWERS AND DUTIES.--

17 (a) The Florida Schools of Excellence Office has the  
18 power to:

19 1. Authorize the establishment of charter schools  
20 pursuant to s. 1002.33.

21 2. Serve as sponsor and fiscal agent for the charter  
22 schools that it authorizes.

23 3. Be a local education agency for purposes of federal  
24 law, considered to be a public authority legally constituted  
25 within the state for the administrative control and direction  
26 of, and to perform a service function for, public elementary  
27 and secondary charter schools in the state.

28 (b) The Florida Schools of Excellence Office shall:

29 1. Review applications for FSE charter schools and  
30 assist in the establishment of FSE charter schools throughout  
31 the state.

- 1           2. Approve or deny applications for FSE charter  
2 schools and renew or terminate FSE charter school charters.
- 3           3. Assist in the conversion of a traditional public  
4 school to an FSE charter school under s. 1002.33(3)(b).
- 5           4. Develop, promote, and disseminate best practices  
6 for charter schools and administrators of charter schools.
- 7           5. Develop, promote, and disseminate high standards of  
8 accountability.
- 9           6. Monitor and annually review and evaluate the  
10 performance of the charter schools it sponsors and hold the  
11 schools accountable for their performance.
- 12           7. Monitor the financial management of each FSE  
13 charter school. Each FSE charter school shall annually provide  
14 to the office the results of an independent audit of the  
15 school. The office shall report to the Department of Education  
16 the same financial information relating to FSE charter schools  
17 that school districts are required to report to the state with  
18 respect to public schools.
- 19           8. Provide technical support to charter schools and to  
20 persons who seek to establish charter schools by:
- 21           a. Identifying and promoting successful charter school  
22 models.
- 23           b. Directing charter schools and persons who seek to  
24 establish charter schools to sources of private funding and  
25 support.
- 26           9. Develop criteria and standards to ensure that  
27 high-quality charter schools are developed and provided with  
28 incentives. At a minimum, the standards must encourage the  
29 development and replication of academically and financially  
30 proven charter school programs. These standards must be based  
31 on academic achievement data compiled under chapter 1008 and

1 on financial information reported annually in independent  
2 financial audits. Each exemplary FSE charter school that meets  
3 these standards shall be designated as a "Florida School of  
4 Excellence" and shall be eligible for funds from the Seal of  
5 Best Academic and Financial Management Performance program.

6 10. Perform for FSE charter schools the duties that  
7 school districts perform for public schools under s.  
8 1002.33(5)(b).

9 11. Collaborate with state universities, community,  
10 colleges, municipalities, and other entities as cosponsors of  
11 FSE charter schools for the purpose of providing the highest  
12 level of public education to low-income and underserved  
13 student populations.

14 a. Such collaborations must allow state universities  
15 and community colleges that cosponsor an FSE charter school to  
16 provide to students who attend such a charter school the  
17 opportunity to take college courses and receive high school  
18 and college credit for those courses. These schools can ease  
19 transitions from high school to college and provide support to  
20 students when they are in college. These schools may serve as  
21 teaching academies where students who are interested in  
22 becoming teachers can begin to earn college credit towards a  
23 teaching degree, prospective teachers can conduct their  
24 student teaching, and prospective administrators can complete  
25 their internships.

26 b. The office shall actively seek partnerships with  
27 municipalities through which the mayor or chief executive of a  
28 municipality, by a resolution of the municipal governing body,  
29 is granted the power to sponsor and establish charter schools  
30 within the municipal boundaries. Such a municipality must  
31 provide to the office assurances that its principal commitment

1 in sponsoring charter schools is to provide equal access for  
2 all students, maintain a diverse student population, and focus  
3 on lower-income and lower-performing students.

4 (c) An FSE charter school shall be considered a public  
5 school within the state which serves as a component of the  
6 delivery of public education within the state's K-20 education  
7 system.

8 (5) ACCOUNTABILITY.--The Florida Schools of Excellence  
9 Office shall establish a rigorous, high-quality accountability  
10 system based on the highest standards as established by  
11 chapter 1008, including, but not limited to, measures of  
12 adequate yearly progress, individual student learning gains,  
13 and schools' letter grades designated under s. 1008.34.

14 (a) The office shall adopt guidelines necessary to  
15 implement a performance-based bonus system that provides  
16 additional funds to schools that have demonstrated achievement  
17 of specified performance standards set forth by the office.  
18 The office shall implement the performance-based bonus system  
19 before authorizing a charter for any entity. The bonus system  
20 must be based on an accountability system that measures  
21 student progress, including, but not limited to:

22 1. Highest student achievement as measured by student  
23 performance on the FCAT.

24 2. Individual student learning gains.

25 3. The percentage of students that improve by at least  
26 two performance grade levels.

27 4. The attainment of more than 1 year's growth in the  
28 learning gains of the lowest 25th percentile in reading, math,  
29 and writing.

30 5. Attainment of standards of best financial  
31 management practices.

1           (b) The office shall create standards by which  
2 individual schools may be awarded a Seal of Best Academic and  
3 Financial Management Performance and receive additional  
4 funding.

5           (6) APPLICATION PROCEDURES AND REVIEW.--Charter school  
6 applications submitted to the Florida Schools of Excellence  
7 Office are subject to the same requirements as those set forth  
8 in s. 1002.33. For the purposes of this subsection, references  
9 to district school boards in s. 1002.33(6) shall be taken to  
10 mean the Florida Schools of Excellence Office. The office  
11 shall receive and review all applications for designation as  
12 an FSE charter school. An application for FSE charter school  
13 status may be submitted by an existing charter school  
14 authorized by a school district. Approval by the office of an  
15 application from an existing charter school does not relieve  
16 the charter school of any preexisting contractual obligations  
17 to the school district that authorized the charter school.

18           (7) SUPPLEMENTAL SUPPORT.--The Florida Schools of  
19 Excellence Office shall, with the the assistance of the  
20 Department of Education, actively seek supplemental revenue  
21 from federal grant funds, institutional grant funds, and  
22 philanthropic organizations. The office may receive and expend  
23 moneys from gifts, grants, and donations of any kind from any  
24 public or private entity to carry out the purposes of this  
25 section.

26           (8) EMPLOYEE RETIREMENT FUNDS.--An employee of a  
27 Florida Schools of Excellence charter school may participate  
28 in the Florida Retirement System in the same manner as an  
29 employee of a district school.

30           (9) FUNDING.--Students who are enrolled in an FSE  
31 charter school shall be funded as if they were in a basic

1 program or a special program, in the same manner as students  
2 who are enrolled in other public schools in the school  
3 district where the charter school is located. For each FSE  
4 charter school, the Department of Education shall withhold  
5 from the school district in which the FSE charter school is  
6 located an amount equal to 100 percent of the state per-pupil  
7 share payable to the district multiplied by the number of  
8 pupils who are enrolled in the FSE charter school. The Florida  
9 Schools of Excellence Office may retain the actual amount of  
10 the FSE charter school's per-pupil share of the administrative  
11 overhead costs actually provided to the FSE charter school,  
12 except that the office may retain no more than the actual  
13 amount of the administrative overhead costs, not to exceed 5  
14 percent of the per-pupil revenues for each pupil enrolled in  
15 the school.

16 (10) DISSEMINATION OF INFORMATION.--The Florida  
17 Schools of Excellence Office shall provide maximum access to  
18 information to all parents in this state. It shall maintain  
19 information systems, including, but not limited to, a  
20 user-friendly website, which provide information and data  
21 necessary for parents to make informed decisions. At a  
22 minimum, the office must provide parents with information  
23 about its accountability standards, links to Schools of  
24 Excellence throughout the state, and public education programs  
25 available in this state.

26 (11) IMPLEMENTATION.--The Department of Education  
27 shall adopt rules to administer this section.

28 Section 2. This act shall take effect July 1, 2006.  
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SENATE SUMMARY

1  
2  
3 Creates the "Schools of Excellence Act." Establishes the  
4 Florida Schools of Excellence Office. Provides that the  
5 office is not a school district, shall have no fiscal  
6 impact at its inception, and shall be self-funded.  
7 Requires the Department of Education to assist the office  
8 in securing grant funds to establish the Florida Schools  
9 of Excellence Fund. Provides requirements relating to the  
10 fund. Provides for the membership of the office, the  
11 appointment of a chairperson, and meetings. Defines a  
12 quorum. Provides powers and duties of the office,  
13 including the power to authorize the establishment of  
14 charter schools, to review and approve or deny  
15 applications for designation as an FSE charter school,  
16 and to review the performance of such schools. Provides  
17 that FSE charter schools are public schools and are  
18 components of the state education system. Provides for  
19 accountability. Provides for a performance-based bonus  
20 system. Creates the Seal of Best Academic and Financial  
21 Management Performance, to serve as a basis for granting  
22 bonus funding. Provides application procedures for  
23 prospective FSE charter schools. Requires the office,  
24 with the assistance of the department, to seek  
25 supplemental funding. Provides that employees of FSE  
26 charter schools may participate in the Florida Retirement  
27 System. Provides for funding and for a deduction from  
28 funds distributed to public schools. Allows the office to  
29 retain administrative funds, as specified. Requires the  
30 office to disseminate information to parents. Requires  
31 the department to adopt rules.