

By Senator Wise

5-02599A-08

20082828__

1 A bill to be entitled

2 An act relating to public schools; amending s. 1002.33,
3 F.S.; removing a requirement that an applicant indicate
4 that approval of the charter is necessary in order to
5 raise working funds before a charter may be approved
6 without securing space, equipment, or personnel; revising
7 requirements concerning the charter school applications
8 that must be received and considered by a sponsor;
9 revising the time period within which the sponsor of a
10 charter school may submit a response to the State Board of
11 Education after notice of the appeal of an applicant for a
12 charter school; authorizing an operating charter school to
13 apply to the State Board of Education for designation as a
14 Florida Quality Charter School Operator; providing
15 criteria concerning the granting of such a designation;
16 exempting a charter school holding such a designation from
17 certain requirements concerning approval of an application
18 to expand the school; providing that a charter school
19 holding such a designation retains any eligibility for
20 certain federal grant programs concerning startup charter
21 schools; requiring that the approval of a charter be based
22 upon an action plan to purchase or lease a facility and
23 that the charter address such an action plan; authorizing
24 compensation or reimbursement of the members of the
25 governing body of a charter school for attending certain
26 meetings or training events; reducing the administrative
27 fee a charter school must pay for services provided by
28 district school boards, cosponsors, or the Florida Schools
29 of Excellence Commission if certain warrants are not

5-02599A-08

20082828__

30 | timely issued; requiring the commission to establish an
31 | appeal process concerning such reduction in fee payments;
32 | exempting charter schools from requirements concerning
33 | zoning classifications except for environmental zoning
34 | classifications; clarifying provisions concerning
35 | compliance with building and firesafety laws for
36 | facilities used by charter schools; requiring that the
37 | Department of Education and the Florida Schools of
38 | Excellence Commission employ experts to assist charter
39 | schools in securing necessary approvals concerning
40 | building, fire, life, health, and safety issues; amending
41 | s. 1002.335, F.S.; requiring that a person possessing
42 | abilities and responsibilities concerning building
43 | requirements applicable to charter schools be retained on
44 | the staff of the Florida Schools of Excellence Commission;
45 | revising the duties of the commission; requiring that the
46 | commission use federal funding for startup grants for
47 | approved charter schools; requiring the commission to act
48 | as a liaison with local government officials concerning
49 | certain local building requirements; requiring the
50 | commission to consider adopting supportive policies for
51 | persons operating a high-performing charter school;
52 | amending s. 1006.06, F.S.; requiring district school
53 | boards to implement school breakfast programs in certain
54 | new charter schools; requiring rulemaking by the
55 | Department of Education and the Florida Schools of
56 | Excellence Commission concerning qualification of students
57 | for free or reduced-price school breakfast or lunch

5-02599A-08

20082828__

58 | programs; providing an appropriation; providing an
59 | effective date.

60

61 | Be It Enacted by the Legislature of the State of Florida:

62

63 | Section 1. Paragraph (b) of subsection (5), paragraphs (b)
64 | and (c) of subsection (6), paragraph (a) of subsection (7),
65 | paragraph (j) of subsection (9), paragraph (d) of subsection
66 | (17), and paragraphs (a) and (b) of subsection (18) of section
67 | 1002.33, Florida Statutes, are amended, paragraph (j) is added to
68 | subsection (6) of that section, and paragraph (e) is added to
69 | subsection (17) of that section, to read:

70 | 1002.33 Charter schools.--

71 | (5) SPONSOR; DUTIES.--

72 | (b) Sponsor duties.--

73 | 1.a. The sponsor shall monitor and review the charter
74 | school in its progress toward the goals established in the
75 | charter.

76 | b. The sponsor shall monitor the revenues and expenditures
77 | of the charter school.

78 | c. The sponsor may approve a charter for a charter school
79 | before the applicant has secured space, equipment, or personnel,
80 | ~~if the applicant indicates approval is necessary for it to raise~~
81 | ~~working funds.~~

82 | d. The sponsor's policies shall not apply to a charter
83 | school unless mutually agreed to by both the sponsor and the
84 | charter school.

5-02599A-08

20082828__

85 e. The sponsor shall ensure that the charter is innovative
86 and consistent with the state education goals established by s.
87 1000.03(5).

88 f. The sponsor shall ensure that the charter school
89 participates in the state's education accountability system. If a
90 charter school falls short of performance measures included in
91 the approved charter, the sponsor shall report such shortcomings
92 to the Department of Education.

93 g. The sponsor shall not be liable for civil damages under
94 state law for personal injury, property damage, or death
95 resulting from an act or omission of an officer, employee, agent,
96 or governing body of the charter school.

97 h. The sponsor shall not be liable for civil damages under
98 state law for any employment actions taken by an officer,
99 employee, agent, or governing body of the charter school.

100 i. The sponsor's duties to monitor the charter school shall
101 not constitute the basis for a private cause of action.

102 j. The sponsor shall not impose additional reporting
103 requirements on a charter school without providing reasonable and
104 specific justification in writing to the charter school.

105 2. Immunity for the sponsor of a charter school under
106 subparagraph 1. applies only with respect to acts or omissions
107 not under the sponsor's direct authority as described in this
108 section.

109 3. Nothing contained in this paragraph shall be considered
110 a waiver of sovereign immunity by a district school board.

111 4. A community college may work with the school district or
112 school districts in its designated service area to develop
113 charter schools that offer secondary education. These charter

5-02599A-08

20082828__

114 schools must include an option for students to receive an
115 associate degree upon high school graduation. District school
116 boards shall cooperate with and assist the community college on
117 the charter application. Community college applications for
118 charter schools are not subject to the time deadlines outlined in
119 subsection (6) and may be approved by the district school board
120 at any time during the year. Community colleges shall not report
121 FTE for any students who receive FTE funding through the Florida
122 Education Finance Program.

123 (6) APPLICATION PROCESS AND REVIEW.--Charter school
124 applications are subject to the following requirements:

125 (b) A sponsor shall receive and review all applications for
126 a charter school. Beginning with the 2007-2008 school year, a
127 sponsor shall receive and consider charter school applications
128 received on or before August 1 of each calendar year for charter
129 schools to be opened at the beginning of the school district's
130 next 2 school years ~~year~~, or to be opened at a time agreed to by
131 the applicant and the sponsor. A sponsor may receive applications
132 later than this date if it chooses. A sponsor may not charge an
133 applicant for a charter any fee for the processing or
134 consideration of an application, and a sponsor may not base its
135 consideration or approval of an application upon the promise of
136 future payment of any kind.

137 1. In order to facilitate an accurate budget projection
138 process, a sponsor shall be held harmless for FTE students who
139 are not included in the FTE projection due to approval of charter
140 school applications after the FTE projection deadline. In a
141 further effort to facilitate an accurate budget projection,
142 within 15 calendar days after receipt of a charter school

5-02599A-08

20082828__

143 application, a sponsor shall report to the Department of
144 Education the name of the applicant entity, the proposed charter
145 school location, and its projected FTE.

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

153 3. A sponsor shall by a majority vote approve or deny an
154 application no later than 60 calendar days after the application
155 is received, unless the sponsor and the applicant mutually agree
156 in writing to temporarily postpone the vote to a specific date,
157 at which time the sponsor shall by a majority vote approve or
158 deny the application. If the sponsor fails to act on the
159 application, an applicant may appeal to the State Board of
160 Education as provided in paragraph (c). If an application is
161 denied, the sponsor shall, within 10 calendar days, articulate in
162 writing the specific reasons, based upon good cause, supporting
163 its denial of the charter application and shall provide the
164 letter of denial and supporting documentation to the applicant
165 and to the Department of Education supporting those reasons.

166 4. For budget projection purposes, the sponsor shall report
167 to the Department of Education the approval or denial of a
168 charter application within 10 calendar days after such approval
169 or denial. In the event of approval, the report to the Department
170 of Education shall include the final projected FTE for the
171 approved charter school.

5-02599A-08

20082828__

172 5. Upon approval of a charter application, the initial
173 startup shall commence with the beginning of the public school
174 calendar for the district in which the charter is granted unless
175 the sponsor allows a waiver of this provision for good cause.

176 (c) An applicant may appeal any denial of that applicant's
177 application or failure to act on an application to the State
178 Board of Education no later than 30 calendar days after receipt
179 of the sponsor's decision or failure to act and shall notify the
180 sponsor of its appeal. Any response of the sponsor shall be
181 submitted to the State Board of Education within 10 ~~30~~ calendar
182 days after notification of the appeal. Upon receipt of
183 notification from the State Board of Education that a charter
184 school applicant is filing an appeal, the Commissioner of
185 Education shall convene a meeting of the Charter School Appeal
186 Commission to study and make recommendations to the State Board
187 of Education regarding its pending decision about the appeal. The
188 commission shall forward its recommendation to the state board no
189 later than 7 calendar days prior to the date on which the appeal
190 is to be heard. The State Board of Education shall by majority
191 vote accept or reject the decision of the sponsor no later than
192 90 calendar days after an appeal is filed in accordance with
193 State Board of Education rule. The Charter School Appeal
194 Commission may reject an appeal submission for failure to comply
195 with procedural rules governing the appeals process. The
196 rejection shall describe the submission errors. The appellant may
197 have up to 15 calendar days from notice of rejection to resubmit
198 an appeal that meets requirements of State Board of Education
199 rule. An application for appeal submitted subsequent to such
200 rejection shall be considered timely if the original appeal was

5-02599A-08

20082828__

201 filed within 30 calendar days after receipt of notice of the
202 specific reasons for the sponsor's denial of the charter
203 application. The State Board of Education shall remand the
204 application to the sponsor with its written decision that the
205 sponsor approve or deny the application. The sponsor shall
206 implement the decision of the State Board of Education. The
207 decision of the State Board of Education is not subject to the
208 provisions of the Administrative Procedure Act, chapter 120.

209 (j) An operating charter school may apply for designation
210 as a Florida Quality Charter School Operator on forms provided by
211 the State Board of Education. The State Board of Education shall
212 grant such designation if the applicant charter school
213 demonstrates a record of success with the programs used in the
214 charter school and demonstrates that the school was operated in a
215 financially stable manner during the 3-year period immediately
216 preceding the date it applied for the designation. A charter
217 school that holds such a designation:

218 1. Does not require an approval under this subsection to
219 expand its campus in the school district where it is operating.

220 2. Retains any eligibility it holds to secure funds for the
221 expansion under federal grant programs for startup charter
222 schools.

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

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

5-02599A-08

20082828__

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

232 2. The focus of the curriculum, the instructional methods
233 to be used, any distinctive instructional techniques to be
234 employed, and identification and acquisition of appropriate
235 technologies needed to improve educational and administrative
236 performance which include a means for promoting safe, ethical,
237 and appropriate uses of technology in compliance ~~which comply~~
238 with legal and professional standards. The charter shall ensure
239 that reading is a primary focus of the curriculum and that
240 resources are provided to identify and provide specialized
241 instruction for students who are reading below grade level. The
242 curriculum and instructional strategies for reading must be
243 consistent with the Sunshine State Standards and grounded in
244 scientifically based reading research.

245 3. The current incoming baseline standard of student
246 academic achievement, the outcomes to be achieved, and the method
247 of measurement that will be used. The criteria listed in this
248 subparagraph shall include a detailed description for each of the
249 following:

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

252 b. How these baseline rates will be compared to rates of
253 academic progress achieved by these same students while attending
254 the charter school.

255 c. To the extent possible, how these rates of progress will
256 be evaluated and compared with rates of progress of other closely
257 comparable student populations.

258

5-02599A-08

20082828__

259 | The district school board shall ~~is required to~~ provide academic
260 | student performance data to charter schools for each of their
261 | students coming from the district school system, as well as rates
262 | of academic progress of comparable student populations in the
263 | district school system.

264 | 4. The methods used to identify the educational strengths
265 | and needs of students and how well educational goals and
266 | performance standards are met by students attending the charter
267 | school. Included in the methods is a means for the charter school
268 | to ensure accountability to its constituents by analyzing student
269 | performance data and by evaluating the effectiveness and
270 | efficiency of its major educational programs. Students in charter
271 | schools shall, at a minimum, participate in the statewide
272 | assessment program created under s. 1008.22.

273 | 5. In secondary charter schools, a method for determining
274 | that a student has satisfied the requirements for graduation in
275 | s. 1003.43.

276 | 6. A method for resolving conflicts between the governing
277 | body of the charter school and the sponsor.

278 | 7. The admissions procedures and dismissal procedures,
279 | including the school's code of student conduct.

280 | 8. The ways by which the school will achieve a
281 | racial/ethnic balance reflective of the community it serves or
282 | within the racial/ethnic range of other public schools in the
283 | same school district.

284 | 9. The financial and administrative management of the
285 | school, including a reasonable demonstration of the professional
286 | experience or competence of those individuals or organizations
287 | applying to operate the charter school or those hired or retained

5-02599A-08

20082828__

288 | to perform such professional services and the description of
289 | clearly delineated responsibilities and the policies and
290 | practices needed to effectively manage the charter school. A
291 | description of internal audit procedures and establishment of
292 | controls to ensure that financial resources are properly managed
293 | must be included. Both public sector and private sector
294 | professional experience shall be equally valid in such a
295 | consideration.

296 | 10. The asset and liability projections required in the
297 | application which are incorporated into the charter and which
298 | shall be compared with information provided in the annual report
299 | of the charter school. The charter shall ensure that, if a
300 | charter school internal audit or annual financial audit reveals a
301 | state of financial emergency as defined in s. 218.503 or deficit
302 | financial position, the auditors are required to notify the
303 | charter school governing board, the sponsor, and the Department
304 | of Education. The internal auditor shall report such findings in
305 | the form of an exit interview to the principal or the principal
306 | administrator of the charter school and the chair of the
307 | governing board within 7 working days after finding the state of
308 | financial emergency or deficit position. A final report shall be
309 | provided to the entire governing board, the sponsor, and the
310 | Department of Education within 14 working days after the exit
311 | interview. When a charter school is in a state of financial
312 | emergency, the charter school shall file a detailed financial
313 | recovery plan with the sponsor. The department, with the
314 | involvement of both sponsors and charter schools, shall establish
315 | guidelines for developing such plans.

5-02599A-08

20082828__

316 11. A description of procedures that identify various risks
317 and provide for a comprehensive approach to reduce the impact of
318 losses; plans to ensure the safety and security of students and
319 staff; plans to identify, minimize, and protect others from
320 violent or disruptive student behavior; and the manner in which
321 the school will be insured, including whether or not the school
322 will be required to have liability insurance, and, if so, the
323 terms and conditions thereof and the amounts of coverage.

324 12. The term of the charter which shall provide for
325 cancellation of the charter if insufficient progress has been
326 made in attaining the student achievement objectives of the
327 charter and if it is not likely that such objectives can be
328 achieved before expiration of the charter. The initial term of a
329 charter shall be for 4 or 5 years. In order to facilitate access
330 to long-term financial resources for charter school construction,
331 charter schools that are operated by a municipality or other
332 public entity as provided by law are eligible for up to a 15-year
333 charter, subject to approval by the district school board. A
334 charter lab school is eligible for a charter for a term of up to
335 15 years. In addition, to facilitate access to long-term
336 financial resources for charter school construction, charter
337 schools that are operated by a private, not-for-profit, s.
338 501(c)(3) status corporation are eligible for up to a 15-year
339 charter, subject to approval by the district school board. Such
340 long-term charters remain subject to annual review and may be
341 terminated during the term of the charter, but only according to
342 the provisions ~~set forth~~ in subsection (8).

343 13. The action plan to purchase or lease a facility. ~~The~~
344 ~~facilities to be used and their location.~~

5-02599A-08

20082828__

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

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

351 16. A timetable for implementing the charter which
352 addresses the implementation of each element thereof and the date
353 by which the charter must ~~shall~~ be awarded in order to meet this
354 timetable.

355 17. In the case of an existing public school being
356 converted to charter status, alternative arrangements for current
357 students who choose not to attend the charter school and for
358 current teachers who choose not to teach in the charter school
359 after conversion in accordance with the existing collective
360 bargaining agreement or district school board rule in the absence
361 of a collective bargaining agreement. However, alternative
362 arrangements are ~~shall~~ not ~~be~~ required for current teachers who
363 choose not to teach in a charter lab school, except as authorized
364 by the employment policies of the state university that ~~which~~
365 grants the charter to the lab school.

366 (9) CHARTER SCHOOL REQUIREMENTS.--

367 (j) The governing body of the charter school shall exercise
368 continuing oversight over charter school operations. Members of
369 the governing body may receive compensation for attending
370 meetings of such governing board and reimbursement of the costs
371 for attending other meetings or training events that are not
372 conducted at a scheduled meeting of the governing body.

5-02599A-08

20082828__

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

378 (d) District school boards shall make timely and efficient
379 payment and reimbursement to charter schools, including
380 processing paperwork required to access special state and federal
381 funding for which charter schools ~~they~~ may be eligible. The
382 district school board may distribute funds to a charter school
383 for up to 3 months based on the projected full-time equivalent
384 student membership of the charter school. Thereafter, the results
385 of full-time equivalent student membership surveys shall be used
386 in adjusting the amount of funds distributed monthly to the
387 charter school for the remainder of the fiscal year. The payment
388 shall be issued no later than 10 working days after the district
389 school board receives a distribution of state or federal funds.
390 If a warrant for payment is not issued within 10 working days
391 after receipt of funding by the district school board, the school
392 district shall pay to the charter school, in addition to the
393 amount of the scheduled disbursement, interest at a rate of 1
394 percent per month calculated on a daily basis on the unpaid
395 balance from the expiration of the 10 working days until such
396 time as the warrant is issued. In addition, the amount of
397 administrative fees that a charter school is required to pay for
398 services in the pending fiscal year under paragraph (20) (a) or s.
399 1002.335(11) (b) is reduced by 1 percent each time such a warrant
400 is not issued within the 10-day period. The Florida Schools of

5-02599A-08

20082828__

401 Excellence Commission shall establish an appeal process for
402 reviewing the propriety of such reductions in payment.

403 (e) A charter school that receives approval of its charter
404 by a school district or the Florida Schools of Excellence
405 Commission is also approved by this state for the receipt of any
406 federal startup grant that is available for new or expanding
407 charter schools.

408 (18) FACILITIES.--

409 (a) A charter school may be located or operated in any area
410 of this state regardless of the area's zoning classification,
411 except that a charter school may not be located or operated in an
412 area having an environmental zoning classification. A startup
413 charter school shall use utilize facilities that which comply
414 with:

415 1. The Florida Building Code adopted under pursuant to
416 chapter 553, except that, unless required under paragraph (f):

417 a. A startup charter school's facilities need not comply
418 with the portion of the Florida Building Code adopted under s.
419 1013.37 concerning for the State Requirements for Educational
420 Facilities; and-

421 b. A conversion charter school schools shall use utilize
422 facilities that comply with the State Requirements for
423 Educational Facilities if provided that the school district and
424 the charter school have entered into a mutual management plan for
425 the reasonable maintenance of such facilities which contains. The
426 mutual management plan shall contain a provision by which the
427 district school board agrees to maintain charter school
428 facilities in the same manner as its other public schools within
429 the district. Charter schools, with the exception of conversion

5-02599A-08

20082828__

430 ~~charter schools, are not required to comply, but may choose to~~
431 ~~comply, with the State Requirements for Educational Facilities of~~
432 ~~the Florida Building Code adopted pursuant to s. 1013.37.~~

433
434 A charter school may choose to use facilities that comply with
435 some or all of the State Requirements for Educational Facilities
436 regardless of whether this paragraph requires such use.

437 2. The Florida Fire Prevention Code as adopted by the State
438 Fire Marshall or a local governing body under s. 633.025.

439 (b) The local governing authority may ~~shall~~ not adopt or
440 impose local building requirements or restrictions governing
441 construction of facilities used by charter schools which ~~that~~ are
442 more stringent than those otherwise applicable under ~~found in the~~
443 Florida Building Code or this subsection. The agency having
444 jurisdiction for inspection of a facility to be used for a
445 charter school and issuance of a certificate of occupancy for
446 such a facility is ~~shall be~~ the local municipality or, if in an
447 unincorporated area, the county governing authority. The
448 Department of Education or the Florida Schools of Excellence
449 Commission shall employ experts to assist charter schools in
450 securing necessary approvals in the areas of building and fire
451 requirements and in addressing life, health, and safety issues.

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

456 Section 2. Paragraph (d) of subsection (3) and paragraph
457 (b) of subsection (4) of section 1002.335, Florida Statutes, are
458 amended to read:

5-02599A-08

20082828__

459 | 1002.335 Florida Schools of Excellence Commission.--

460 | (3) FLORIDA SCHOOLS OF EXCELLENCE COMMISSION.--

461 | (d) The commission shall appoint an executive director who
462 | shall employ such staff as is necessary to perform the
463 | administrative duties and responsibilities of the commission. The
464 | executive director shall retain on staff a person who is
465 | knowledgeable about the building requirements applicable to
466 | facilities used by charter schools and who shall work with
467 | appropriate officials to facilitate a local government's issuance
468 | of a certificate of occupancy for such facilities.

469 | (4) POWERS AND DUTIES.--

470 | (b) The commission shall have the following duties:

471 | 1. Review charter school applications and assist in the
472 | establishment of Florida Schools of Excellence (FSE) charter
473 | schools throughout the state. An FSE charter school shall exist
474 | as a public school within the state as a component of the
475 | delivery of public education within Florida's K-20 education
476 | system.

477 | 2. Develop, promote, and disseminate best practices for
478 | charter schools and charter school sponsors in order to ensure
479 | that high-quality charter schools are developed and incentivized.
480 | At a minimum, the best practices shall encourage the development
481 | and replication of academically and financially proven charter
482 | school programs.

483 | 3. Develop, promote, and require high standards of
484 | accountability for any school that applies for and is granted a
485 | charter under this section.

486 | 4. Monitor and annually review the performance of
487 | cosponsors approved under ~~pursuant to~~ this section and hold the

5-02599A-08

20082828__

488 cosponsors accountable for their performance pursuant to the
489 provisions of paragraph (6) (c). The commission shall annually
490 review and evaluate the performance of each cosponsor based upon
491 the financial and administrative support provided to the
492 cosponsor's charter schools and the quality of charter schools
493 approved by the cosponsor, including the academic performance of
494 the students who attend those schools.

495 5. Monitor and annually review and evaluate the academic
496 and financial performance of the charter schools it sponsors and
497 hold the schools accountable for their performance pursuant to
498 the provisions of chapter 1008.

499 6. Report the student enrollment in each of its sponsored
500 charter schools to the district school board of the county in
501 which the school is located.

502 7. Work with its cosponsors to monitor the financial
503 management of each FSE charter school.

504 8. Direct charter schools and persons seeking to establish
505 charter schools to sources of private funding and support.

506 9. Actively seek, with the assistance of the department,
507 supplemental revenue from federal grant funds, institutional
508 grant funds, and philanthropic organizations. The commission may,
509 through the department's Grants and Donations Trust Fund, receive
510 and expend gifts, grants, and donations of any kind from any
511 public or private entity to carry out the purposes of this
512 section. The commission shall use any funding made available by
513 the Federal Government for the startup or implementation of
514 charter schools to provide a startup grant to each charter school
515 for which an application is approved.

5-02599A-08

20082828__

516 10. Review and recommend to the Legislature any necessary
517 revisions to statutory requirements regarding the qualification
518 and approval of municipalities, state universities, community
519 colleges, and regional educational consortia as cosponsors for
520 FSE charter schools.

521 11. Review and recommend to the Legislature any necessary
522 revisions to statutory requirements regarding the standards for
523 accountability and criteria for revocation of approval of
524 cosponsors of FSE charter schools.

525 12. Act as liaison for cosponsors and FSE charter schools
526 in:

527 a. Cooperating with district school boards that may choose
528 to allow charter schools to use ~~utilize~~ excess space within
529 district public school facilities.

530 b. Working with appropriate local government officials to
531 facilitate a local government's issuance of a certificate of
532 occupancy for facilities to be used by a charter school.

533 13. Collaborate with municipalities, state universities,
534 community colleges, and regional educational consortia as
535 cosponsors for FSE charter schools for the purpose of providing
536 the highest level of public education to low-income, low-
537 performing, gifted, or underserved student populations. Such
538 collaborations shall:

539 a. Allow state universities and community colleges that
540 cosponsor FSE charter schools to enable students attending a
541 charter school to take college courses and receive high school
542 and college credit for such courses.

543 b. Be used to determine the feasibility of opening charter
544 schools for students with disabilities, including, but not

5-02599A-08

20082828__

545 | limited to, charter schools for children with autism that work
546 | with and utilize the specialized expertise of the Centers for
547 | Autism and Related Disabilities established and operated under
548 | ~~pursuant to~~ s. 1004.55.

549 | 14. Support municipalities when the mayor or chief
550 | executive, through resolution passed by the governing body of the
551 | municipality, expresses an intent to cosponsor and establish
552 | charter schools within the municipal boundaries.

553 | 15. Meet the needs of charter schools and school districts
554 | by uniformly administering high-quality charter schools, thereby
555 | removing administrative burdens from the school districts.

556 | 16. Assist FSE charter schools in negotiating and
557 | contracting with district school boards that choose to provide
558 | certain administrative or transportation services to the charter
559 | schools on a contractual basis.

560 | 17. Provide training for members of FSE charter school
561 | governing bodies within 90 days after approval of the charter
562 | school. The training shall include, but not be limited to, best
563 | practices on charter school governance, the constitutional and
564 | statutory requirements relating to public records and meetings,
565 | and the requirements of applicable statutes and State Board of
566 | Education rules.

567 | 18. Perform all of the duties of sponsors set forth in s.
568 | 1002.33(5)(b) and (20).

569 | 19. Consider adoption of policies to support a person
570 | operating a charter school that received a school grade "A"
571 | pursuant to s. 1008.34 and who seeks to expand that school or to
572 | open a new charter school by providing startup funds or technical
573 | assistance and expediting necessary approvals.

5-02599A-08

20082828__

574 Section 3. Paragraph (a) of subsection (5) of section
575 1006.06, Florida Statutes, is amended, and subsection (6) is
576 added to that section, to read:

577 1006.06 School food service programs.--

578 (5)(a) Each district school board shall implement school
579 breakfast programs in all elementary schools which ~~that~~ make
580 breakfast available to all students in kindergarten through grade
581 6 in each district school, unless the elementary school goes only
582 through grade 5, in which case the requirement applies ~~shall~~
583 ~~apply~~ only through grade 5. Each district school board shall
584 implement breakfast programs in all elementary schools in which
585 students are eligible for free and reduced price lunch meals, to
586 the extent specifically funded in the General Appropriations Act.
587 A district school board may operate a breakfast program providing
588 for food preparation at the school site or in central locations
589 with distribution to designated satellite schools or any
590 combination thereof. Each district school board shall implement
591 school breakfast programs in all charter schools that are first
592 opened in its district after July 1, 2008, to the same extent
593 that this paragraph requires the district school boards to
594 implement such programs in each district school that is first
595 opened after July 1, 2008.

596 (6) The department and the Florida Schools of Excellence
597 Commission shall, in coordination with charter schools and school
598 districts, jointly adopt rules setting forth a process for
599 qualifying students who are eligible for free or reduced-price
600 school breakfast programs under subsection (5) or for free or
601 reduced-price school lunches under the National School Lunch Act.
602 The process must ensure that when a student transfers to a

5-02599A-08

20082828__

603 charter school from another public school, the charter school has
604 access to documentation held by the student's former school
605 concerning the student's eligibility for a free or reduced-price
606 school breakfast or lunch.

607 Section 4. The sum of \$ is appropriated from the
608 General Revenue Fund to the Florida Schools of Excellence
609 Commission for the purpose of paying salaries and other
610 administrative expenses necessary to retain a person who is
611 knowledgeable about building requirements and who is responsible
612 for working with appropriate officials to facilitate the issuance
613 of a certificate of occupancy for facilities to be used by a
614 charter school.

615 Section 5. This act shall take effect July 1, 2008.