

1 A bill to be entitled
2 An act relating to charter schools; amending s. 1002.33,
3 F.S.; correcting cross-references to high school
4 graduation requirements; providing eligibility
5 requirements for designation as a high-performing charter
6 school; providing that a high-performing charter school is
7 entitled to certain renewal, increase in enrollment,
8 startup grants, capital outlay funds, and application
9 procedures; revising requirements for providing financial
10 statements to a sponsor; deleting obsolete provisions;
11 revising requirements for the establishment of a charter
12 school-in-the-workplace; providing that a charter school-
13 in-the-workplace is eligible for capital outlay funding;
14 providing that charter schools shall receive certain
15 federal funding for which they are eligible; prohibiting a
16 school district from imposing certain restrictions
17 relating to charter school facilities; providing for an
18 exemption from certain exactions; removing a reporting
19 requirement relating to student assessment data; revising
20 restrictions on the employment of relatives by charter
21 school personnel; providing an exception; correcting a
22 cross-reference relating to the disclosure of financial
23 interests; conforming cross-references; amending s.
24 1013.62, F.S.; authorizing additional uses for charter
25 school capital outlay funds; conforming cross-references;
26 amending ss. 163.3180, 1002.32, 1002.34, 1002.345,
27 1011.68, and 1012.32, F.S.; conforming cross-references
28 and provisions; requiring the Office of Program Policy

CS/HB 1569

2010

29 Analysis and Government Accountability to conduct a study
30 comparing the funding of charter schools with traditional
31 public schools and examining certain funding and costs;
32 requiring recommendations to the Governor and Legislature,
33 if warranted, for improving the accountability and equity
34 of the funding system for charter schools; providing an
35 effective date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Subsection (7) of section 1002.33, Florida
40 Statutes, is amended, a new subsection (8) is added to that
41 section, and present subsections (8) through (26) are renumbered
42 as subsections (9) through (27), respectively, and amended, to
43 read:

44 1002.33 Charter schools.—

45 (7) CHARTER.—The major issues involving the operation of a
46 charter school shall be considered in advance and written into
47 the charter. The charter shall be signed by the governing body
48 of the charter school and the sponsor, following a public
49 hearing to ensure community input.

50 (a) The charter shall address and criteria for approval of
51 the charter shall be based on:

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

54 2. The focus of the curriculum, the instructional methods
55 to be used, any distinctive instructional techniques to be
56 employed, and identification and acquisition of appropriate

57 | technologies needed to improve educational and administrative
58 | performance which include a means for promoting safe, ethical,
59 | and appropriate uses of technology which comply with legal and
60 | professional standards. The charter shall ensure that reading is
61 | a primary focus of the curriculum and that resources are
62 | provided to identify and provide specialized instruction for
63 | students who are reading below grade level. The curriculum and
64 | instructional strategies for reading must be consistent with the
65 | Sunshine State Standards and grounded in scientifically based
66 | reading research.

67 | 3. The current incoming baseline standard of student
68 | academic achievement, the outcomes to be achieved, and the
69 | method of measurement that will be used. The criteria listed in
70 | this subparagraph shall include a detailed description of:

71 | a. How the baseline student academic achievement levels
72 | and prior rates of academic progress will be established.

73 | b. How these baseline rates will be compared to rates of
74 | academic progress achieved by these same students while
75 | attending the charter school.

76 | c. To the extent possible, how these rates of progress
77 | will be evaluated and compared with rates of progress of other
78 | closely comparable student populations.

79 |

80 | The district school board is required to provide academic
81 | student performance data to charter schools for each of their
82 | students coming from the district school system, as well as
83 | rates of academic progress of comparable student populations in
84 | the district school system.

85 4. The methods used to identify the educational strengths
86 and needs of students and how well educational goals and
87 performance standards are met by students attending the charter
88 school. The methods shall provide a means for the charter school
89 to ensure accountability to its constituents by analyzing
90 student performance data and by evaluating the effectiveness and
91 efficiency of its major educational programs. Students in
92 charter schools shall, at a minimum, participate in the
93 statewide assessment program created under s. 1008.22.

94 5. In secondary charter schools, a method for determining
95 that a student has satisfied the requirements for graduation in
96 s. 1003.428, s. 1003.429, or s. 1003.43.

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

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

101 8. The ways by which the school will achieve a
102 racial/ethnic balance reflective of the community it serves or
103 within the racial/ethnic range of other public schools in the
104 same school district.

105 9. The financial and administrative management of the
106 school, including a reasonable demonstration of the professional
107 experience or competence of those individuals or organizations
108 applying to operate the charter school or those hired or
109 retained to perform such professional services and the
110 description of clearly delineated responsibilities and the
111 policies and practices needed to effectively manage the charter
112 school. A description of internal audit procedures and

113 establishment of controls to ensure that financial resources are
114 properly managed must be included. Both public sector and
115 private sector professional experience shall be equally valid in
116 such a consideration.

117 10. The asset and liability projections required in the
118 application which are incorporated into the charter and shall be
119 compared with information provided in the annual report of the
120 charter school.

121 11. A description of procedures that identify various
122 risks and provide for a comprehensive approach to reduce the
123 impact of losses; plans to ensure the safety and security of
124 students and staff; plans to identify, minimize, and protect
125 others from violent or disruptive student behavior; and the
126 manner in which the school will be insured, including whether or
127 not the school will be required to have liability insurance,
128 and, if so, the terms and conditions thereof and the amounts of
129 coverage.

130 12. The term of the charter which shall provide for
131 cancellation of the charter if insufficient progress has been
132 made in attaining the student achievement objectives of the
133 charter and if it is not likely that such objectives can be
134 achieved before expiration of the charter. The initial term of a
135 charter shall be for 4 or 5 years. In order to facilitate access
136 to long-term financial resources for charter school
137 construction, charter schools that are operated by a
138 municipality or other public entity as provided by law are
139 eligible for up to a 15-year charter, subject to approval by the
140 district school board. A charter lab school is eligible for a

141 charter for a term of up to 15 years. In addition, to facilitate
142 access to long-term financial resources for charter school
143 construction, charter schools that are operated by a private,
144 not-for-profit, s. 501(c)(3) status corporation are eligible for
145 up to a 15-year charter, subject to approval by the district
146 school board. Such long-term charters remain subject to annual
147 review and may be terminated during the term of the charter, but
148 only according to the provisions set forth in subsection (9)
149 ~~(8)~~.

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

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

154 15. The governance structure of the school, including the
155 status of the charter school as a public or private employer as
156 required in paragraph (13) ~~(12)~~ (i).

157 16. A timetable for implementing the charter which
158 addresses the implementation of each element thereof and the
159 date by which the charter shall be awarded in order to meet this
160 timetable.

161 17. In the case of an existing public school that is being
162 converted to charter status, alternative arrangements for
163 current students who choose not to attend the charter school and
164 for current teachers who choose not to teach in the charter
165 school after conversion in accordance with the existing
166 collective bargaining agreement or district school board rule in
167 the absence of a collective bargaining agreement. However,
168 alternative arrangements shall not be required for current

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

172 18. Full disclosure of the identity of all relatives
 173 employed by the charter school who are related to the charter
 174 school owner, president, chairperson of the governing board of
 175 directors, superintendent, governing board member, principal,
 176 assistant principal, or any other person employed by the charter
 177 school who has equivalent decisionmaking authority. For the
 178 purpose of this subparagraph, the term "relative" means father,
 179 mother, son, daughter, brother, sister, uncle, aunt, first
 180 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 181 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 182 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 183 stepsister, half brother, or half sister.

184 (b)1. A charter may be renewed provided that a program
 185 review demonstrates that the criteria in paragraph (a) have been
 186 successfully accomplished and that none of the grounds for
 187 nonrenewal established by paragraph (9)~~(8)~~(a) has been
 188 documented. In order to facilitate long-term financing for
 189 charter school construction, charter schools operating for a
 190 minimum of 3 years and demonstrating exemplary academic
 191 programming and fiscal management are eligible for a 15-year
 192 charter renewal. Such long-term charter is subject to annual
 193 review and may be terminated during the term of the charter.

194 2. The 15-year charter renewal that may be granted
 195 pursuant to subparagraph 1. shall be granted to a charter school
 196 that has received a school grade of "A" or "B" pursuant to s.

197 1008.34 in 3 of the past 4 years and is not in a state of
 198 financial emergency or deficit position as defined by this
 199 section. Such long-term charter is subject to annual review and
 200 may be terminated during the term of the charter pursuant to
 201 subsection (9) ~~(8)~~.

202 (c) A charter may be modified during its initial term or
 203 any renewal term upon the recommendation of the sponsor or the
 204 charter school governing board and the approval of both parties
 205 to the agreement.

206 (8) HIGH-PERFORMING CHARTER SCHOOLS.-

207 (a) A charter school is designated as a high-performing
 208 charter school if it meets all of the following criteria:

209 1. Has received a school grade of "A" or "B" pursuant to
 210 s. 1008.34 for 3 consecutive years.

211 2. Has received unqualified opinions on its annual audited
 212 financial statements for 3 consecutive years.

213 3. Has maintained positive fund balances for 3 consecutive
 214 years.

215 (b) A high-performing charter school is entitled to:

216 1. Automatically renew its charter for 15 years.

217 2. Increase its enrollment in excess of the maximum
 218 enrollment specified in its charter.

219 3. Automatically qualify for startup grants for new
 220 applicants.

221 4. Receive capital outlay funds under s. 1013.62 beginning
 222 with the first year it receives a high-performing charter school
 223 designation.

224 5. Receive an extension of time until January 1 to submit

225 an initial application pursuant to subsection (6) to replicate a
 226 successful charter school.

227 (9)-(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

228 (a) The sponsor may choose not to renew or may terminate
 229 the charter for any of the following grounds:

230 1. Failure to participate in the state's education
 231 accountability system created in s. 1008.31, as required in this
 232 section, or failure to meet the requirements for student
 233 performance stated in the charter.

234 2. Failure to meet generally accepted standards of fiscal
 235 management.

236 3. Violation of law.

237 4. Other good cause shown.

238 (b) At least 90 days prior to renewing or terminating a
 239 charter, the sponsor shall notify the governing body of the
 240 school of the proposed action in writing. The notice shall state
 241 in reasonable detail the grounds for the proposed action and
 242 stipulate that the school's governing body may, within 14
 243 calendar days after receiving the notice, request an informal
 244 hearing before the sponsor. The sponsor shall conduct the
 245 informal hearing within 30 calendar days after receiving a
 246 written request.

247 (c) If a charter is not renewed or is terminated pursuant
 248 to paragraph (b), the sponsor shall, within 10 calendar days,
 249 articulate in writing the specific reasons for its nonrenewal or
 250 termination of the charter and must provide the letter of
 251 nonrenewal or termination and documentation supporting the
 252 reasons to the charter school governing body, the charter school

253 principal, and the Department of Education. The charter school's
254 governing body may, within 30 calendar days after receiving the
255 sponsor's final written decision to refuse to renew or to
256 terminate the charter, appeal the decision pursuant to the
257 procedure established in subsection (6).

258 (d) A charter may be terminated immediately if the sponsor
259 determines that good cause has been shown or if the health,
260 safety, or welfare of the students is threatened. The sponsor's
261 determination is not subject to an informal hearing under
262 paragraph (b) or pursuant to chapter 120. The sponsor shall
263 notify in writing the charter school's governing body, the
264 charter school principal, and the department if a charter is
265 immediately terminated. The sponsor shall clearly identify the
266 specific issues that resulted in the immediate termination and
267 provide evidence of prior notification of issues resulting in
268 the immediate termination when appropriate. The school district
269 in which the charter school is located shall assume operation of
270 the school under these circumstances. The charter school's
271 governing board may, within 30 days after receiving the
272 sponsor's decision to terminate the charter, appeal the decision
273 pursuant to the procedure established in subsection (6).

274 (e) When a charter is not renewed or is terminated, the
275 school shall be dissolved under the provisions of law under
276 which the school was organized, and any unencumbered public
277 funds, except for capital outlay funds and federal charter
278 school program grant funds, from the charter school shall revert
279 to the sponsor. Capital outlay funds provided pursuant to s.
280 1013.62 and federal charter school program grant funds that are

281 unencumbered shall revert to the department to be redistributed
 282 among eligible charter schools. In the event a charter school is
 283 dissolved or is otherwise terminated, all district school board
 284 property and improvements, furnishings, and equipment purchased
 285 with public funds shall automatically revert to full ownership
 286 by the district school board, subject to complete satisfaction
 287 of any lawful liens or encumbrances. Any unencumbered public
 288 funds from the charter school, district school board property
 289 and improvements, furnishings, and equipment purchased with
 290 public funds, or financial or other records pertaining to the
 291 charter school, in the possession of any person, entity, or
 292 holding company, other than the charter school, shall be held in
 293 trust upon the district school board's request, until any appeal
 294 status is resolved.

295 (f) If a charter is not renewed or is terminated, the
 296 charter school is responsible for all debts of the charter
 297 school. The district may not assume the debt from any contract
 298 made between the governing body of the school and a third party,
 299 except for a debt that is previously detailed and agreed upon in
 300 writing by both the district and the governing body of the
 301 school and that may not reasonably be assumed to have been
 302 satisfied by the district.

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

307 (10)~~(9)~~ CHARTER SCHOOL REQUIREMENTS.—

308 (a) A charter school shall be nonsectarian in its

309 | programs, admission policies, employment practices, and
 310 | operations.

311 | (b) A charter school shall admit students as provided in
 312 | subsection (11) ~~(10)~~.

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

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

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

321 | (f) A charter school shall not violate the
 322 | antidiscrimination provisions of s. 1000.05.

323 | (g) In order to provide financial information that is
 324 | comparable to that reported for other public schools, charter
 325 | schools are to maintain all financial records that constitute
 326 | their accounting system:

327 | 1. In accordance with the accounts and codes prescribed in
 328 | the most recent issuance of the publication titled "Financial
 329 | and Program Cost Accounting and Reporting for Florida Schools";
 330 | or

331 | 2. At the discretion of the charter school governing
 332 | board, a charter school may elect to follow generally accepted
 333 | accounting standards for not-for-profit organizations, but must
 334 | reformat this information for reporting according to this
 335 | paragraph.

336 |

337 Charter schools shall provide annual financial report and
 338 program cost report information in the state-required formats
 339 for inclusion in district reporting in compliance with s.
 340 1011.60(1). Charter schools that are operated by a municipality
 341 or are a component unit of a parent nonprofit organization may
 342 use the accounting system of the municipality or the parent but
 343 must reformat this information for reporting according to this
 344 paragraph. A charter school shall provide a quarterly ~~monthly~~
 345 financial statement to the sponsor unless the charter school is
 346 determined to be in a state of financial emergency pursuant to
 347 s. 1002.345, in which case the charter school shall provide a
 348 monthly financial statement. The ~~monthly~~ financial statement
 349 required under this paragraph shall be in a form prescribed by
 350 the Department of Education.

351 (h) The governing board of the charter school shall
 352 annually adopt and maintain an operating budget.

353 (i) The governing body of the charter school shall
 354 exercise continuing oversight over charter school operations.

355 (j) The governing body of the charter school shall be
 356 responsible for:

357 1. Ensuring that the charter school has retained the
 358 services of a certified public accountant or auditor for the
 359 annual financial audit, pursuant to s. 1002.345(2), who shall
 360 submit the report to the governing body.

361 2. Reviewing and approving the audit report, including
 362 audit findings and recommendations for the financial recovery
 363 plan.

364 3.a. Performing the duties in s. 1002.345, including

365 monitoring a corrective action plan.

366 b. Monitoring a financial recovery plan in order to ensure
367 compliance.

368 4. Participating in governance training approved by the
369 department which must include government in the sunshine,
370 conflicts of interest, ethics, and financial responsibility.

371 (k) The governing body of the charter school shall report
372 its progress annually to its sponsor, which shall forward the
373 report to the Commissioner of Education at the same time as
374 other annual school accountability reports. The Department of
375 Education shall develop a uniform, online annual accountability
376 report to be completed by charter schools. This report shall be
377 easy to utilize and contain demographic information, student
378 performance data, and financial accountability information. A
379 charter school shall not be required to provide information and
380 data that is duplicative and already in the possession of the
381 department. The Department of Education shall include in its
382 compilation a notation if a school failed to file its report by
383 the deadline established by the department. The report shall
384 include at least the following components:

385 1. Student achievement performance data, including the
386 information required for the annual school report and the
387 education accountability system governed by ss. 1008.31 and
388 1008.345. Charter schools are subject to the same accountability
389 requirements as other public schools, including reports of
390 student achievement information that links baseline student data
391 to the school's performance projections identified in the
392 charter. The charter school shall identify reasons for any

393 | difference between projected and actual student performance.

394 | 2. Financial status of the charter school which must
 395 | include revenues and expenditures at a level of detail that
 396 | allows for analysis of the charter school's ability to meet
 397 | financial obligations and timely repayment of debt.

398 | 3. Documentation of the facilities in current use and any
 399 | planned facilities for use by the charter school for instruction
 400 | of students, administrative functions, or investment purposes.

401 | 4. Descriptive information about the charter school's
 402 | personnel, including salary and benefit levels of charter school
 403 | employees, the proportion of instructional personnel who hold
 404 | professional or temporary certificates, and the proportion of
 405 | instructional personnel teaching in-field or out-of-field.

406 | (l) A charter school shall not levy taxes or issue bonds
 407 | secured by tax revenues.

408 | (m) A charter school shall provide instruction for at
 409 | least the number of days required by law for other public
 410 | schools and may provide instruction for additional days.

411 | (n) The director and a representative of the governing
 412 | body of a charter school that has received a school grade of "D"
 413 | under s. 1008.34(2) shall appear before the sponsor or the
 414 | sponsor's staff at least once a year to present information
 415 | concerning each contract component having noted deficiencies.
 416 | The sponsor shall communicate at the meeting, and in writing to
 417 | the director, the services provided to the school to help the
 418 | school address its deficiencies.

419 | (o) Upon notification that a charter school receives a
 420 | school grade of "D" for 2 consecutive years or a school grade of

421 "F" under s. 1008.34(2), the charter school sponsor or the
422 sponsor's staff shall require the director and a representative
423 of the governing body to submit to the sponsor for approval a
424 school improvement plan to raise student achievement and to
425 implement the plan. The sponsor has the authority to approve a
426 school improvement plan that the charter school will implement
427 in the following school year. ~~The sponsor may also consider the~~
428 ~~State Board of Education's recommended action pursuant to s.~~
429 ~~1008.33(1) as part of the school improvement plan.~~ The
430 Department of Education shall offer technical assistance and
431 training to the charter school and its governing body and
432 establish guidelines for developing, submitting, and approving
433 such plans.

434 1. If the charter school fails to improve its student
435 performance from the year immediately prior to the
436 implementation of the school improvement plan, the sponsor shall
437 place the charter school on probation and shall require the
438 charter school governing body to take one of the following
439 corrective actions:

440 a. Contract for the educational services of the charter
441 school;

442 b. Reorganize the school at the end of the school year
443 under a new director or principal who is authorized to hire new
444 staff and implement a plan that addresses the causes of
445 inadequate progress; or

446 c. Reconstitute the charter school.

447 2. A charter school that is placed on probation shall
448 continue the corrective actions required under subparagraph 1.

449 until the charter school improves its student performance from
450 the year prior to the implementation of the school improvement
451 plan.

452 3. Notwithstanding any provision of this paragraph, the
453 sponsor may terminate the charter at any time pursuant to
454 subsection (9) ~~(8)~~.

455 (p) The director and a representative of the governing
456 body of a graded charter school that has submitted a school
457 improvement plan or has been placed on probation under paragraph
458 (o) shall appear before the sponsor or the sponsor's staff at
459 least once a year to present information regarding the
460 corrective strategies that are being implemented by the school
461 pursuant to the school improvement plan. The sponsor shall
462 communicate at the meeting, and in writing to the director, the
463 services provided to the school to help the school address its
464 deficiencies.

465 (11) ~~(10)~~ ELIGIBLE STUDENTS.—

466 (a) A charter school shall be open to any student covered
467 in an interdistrict agreement or residing in the school district
468 in which the charter school is located; however, in the case of
469 a charter lab school, the charter lab school shall be open to
470 any student eligible to attend the lab school as provided in s.
471 1002.32 or who resides in the school district in which the
472 charter lab school is located. Any eligible student shall be
473 allowed interdistrict transfer to attend a charter school when
474 based on good cause. Good cause shall include, but is not
475 limited to, geographic proximity to a charter school in a
476 neighboring school district.

477 (b) The charter school shall enroll an eligible student
 478 who submits a timely application, unless the number of
 479 applications exceeds the capacity of a program, class, grade
 480 level, or building. In such case, all applicants shall have an
 481 equal chance of being admitted through a random selection
 482 process.

483 (c) When a public school converts to charter status,
 484 enrollment preference shall be given to students who would have
 485 otherwise attended that public school. The district school board
 486 shall consult and negotiate with the conversion charter school
 487 every 3 years to determine whether realignment of the conversion
 488 charter school's attendance zone is appropriate in order to
 489 ensure that students residing closest to the charter school are
 490 provided with an enrollment preference.

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

493 1. Students who are siblings of a student enrolled in the
 494 charter school.

495 2. Students who are the children of a member of the
 496 governing board of the charter school.

497 3. Students who are the children of an employee of the
 498 charter school.

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

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

502 2. Students considered at risk of dropping out of school
 503 or academic failure. Such students shall include exceptional
 504 education students.

505 3. Students enrolling in a charter school-in-the-workplace
506 or charter school-in-a-municipality established pursuant to
507 subsection (16) ~~(15)~~.

508 4. Students residing within a reasonable distance of the
509 charter school, as described in paragraph (21) ~~(20)~~ (c). Such
510 students shall be subject to a random lottery and to the
511 racial/ethnic balance provisions described in subparagraph
512 (7) (a) 8. or any federal provisions that require a school to
513 achieve a racial/ethnic balance reflective of the community it
514 serves or within the racial/ethnic range of other public schools
515 in the same school district.

516 5. Students who meet reasonable academic, artistic, or
517 other eligibility standards established by the charter school
518 and included in the charter school application and charter or,
519 in the case of existing charter schools, standards that are
520 consistent with the school's mission and purpose. Such standards
521 shall be in accordance with current state law and practice in
522 public schools and may not discriminate against otherwise
523 qualified individuals.

524 6. Students articulating from one charter school to
525 another pursuant to an articulation agreement between the
526 charter schools that has been approved by the sponsor.

527 (f) Students with disabilities and students served in
528 English for Speakers of Other Languages programs shall have an
529 equal opportunity of being selected for enrollment in a charter
530 school.

531 (g) A student may withdraw from a charter school at any
532 time and enroll in another public school as determined by

533 district school board rule.

534 (h) The capacity of the charter school shall be determined
 535 annually by the governing board, in conjunction with the
 536 sponsor, of the charter school in consideration of the factors
 537 identified in this subsection.

538 (12)~~(11)~~ PARTICIPATION IN INTERSCHOLASTIC EXTRACURRICULAR
 539 ACTIVITIES.—A charter school student is eligible to participate
 540 in an interscholastic extracurricular activity at the public
 541 school to which the student would be otherwise assigned to
 542 attend pursuant to s. 1006.15(3)(d).

543 (13)~~(12)~~ EMPLOYEES OF CHARTER SCHOOLS.—

544 (a) A charter school shall select its own employees. A
 545 charter school may contract with its sponsor for the services of
 546 personnel employed by the sponsor.

547 (b) Charter school employees shall have the option to
 548 bargain collectively. Employees may collectively bargain as a
 549 separate unit or as part of the existing district collective
 550 bargaining unit as determined by the structure of the charter
 551 school.

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

555 (d) The teachers at a charter school may choose to be part
 556 of a professional group that subcontracts with the charter
 557 school to operate the instructional program under the auspices
 558 of a partnership or cooperative that they collectively own.
 559 Under this arrangement, the teachers would not be public
 560 employees.

561 (e) Employees of a school district may take leave to
562 accept employment in a charter school upon the approval of the
563 district school board. While employed by the charter school and
564 on leave that is approved by the district school board, the
565 employee may retain seniority accrued in that school district
566 and may continue to be covered by the benefit programs of that
567 school district, if the charter school and the district school
568 board agree to this arrangement and its financing. School
569 districts shall not require resignations of teachers desiring to
570 teach in a charter school. This paragraph shall not prohibit a
571 district school board from approving alternative leave
572 arrangements consistent with chapter 1012.

573 (f) Teachers employed by or under contract to a charter
574 school shall be certified as required by chapter 1012. A charter
575 school governing board may employ or contract with skilled
576 selected noncertified personnel to provide instructional
577 services or to assist instructional staff members as education
578 paraprofessionals in the same manner as defined in chapter 1012,
579 and as provided by State Board of Education rule for charter
580 school governing boards. A charter school may not knowingly
581 employ an individual to provide instructional services or to
582 serve as an education paraprofessional if the individual's
583 certification or licensure as an educator is suspended or
584 revoked by this or any other state. A charter school may not
585 knowingly employ an individual who has resigned from a school
586 district in lieu of disciplinary action with respect to child
587 welfare or safety, or who has been dismissed for just cause by
588 any school district with respect to child welfare or safety. The

589 qualifications of teachers shall be disclosed to parents.

590 (g)1. A charter school shall employ or contract with
591 employees who have undergone background screening as provided in
592 s. 1012.32. Members of the governing board of the charter school
593 shall also undergo background screening in a manner similar to
594 that provided in s. 1012.32.

595 2. A charter school shall disqualify instructional
596 personnel and school administrators, as defined in s. 1012.01,
597 from employment in any position that requires direct contact
598 with students if the personnel or administrators are ineligible
599 for such employment under s. 1012.315.

600 3. The governing board of a charter school shall adopt
601 policies establishing standards of ethical conduct for
602 instructional personnel and school administrators. The policies
603 must require all instructional personnel and school
604 administrators, as defined in s. 1012.01, to complete training
605 on the standards; establish the duty of instructional personnel
606 and school administrators to report, and procedures for
607 reporting, alleged misconduct by other instructional personnel
608 and school administrators which affects the health, safety, or
609 welfare of a student; and include an explanation of the
610 liability protections provided under ss. 39.203 and 768.095. A
611 charter school, or any of its employees, may not enter into a
612 confidentiality agreement regarding terminated or dismissed
613 instructional personnel or school administrators, or personnel
614 or administrators who resign in lieu of termination, based in
615 whole or in part on misconduct that affects the health, safety,
616 or welfare of a student, and may not provide instructional

617 personnel or school administrators with employment references or
618 discuss the personnel's or administrators' performance with
619 prospective employers in another educational setting, without
620 disclosing the personnel's or administrators' misconduct. Any
621 part of an agreement or contract that has the purpose or effect
622 of concealing misconduct by instructional personnel or school
623 administrators which affects the health, safety, or welfare of a
624 student is void, is contrary to public policy, and may not be
625 enforced.

626 4. Before employing instructional personnel or school
627 administrators in any position that requires direct contact with
628 students, a charter school shall conduct employment history
629 checks of each of the personnel's or administrators' previous
630 employers, screen the instructional personnel or school
631 administrators through use of the educator screening tools
632 described in s. 1001.10(5), and document the findings. If unable
633 to contact a previous employer, the charter school must document
634 efforts to contact the employer.

635 5. The sponsor of a charter school that knowingly fails to
636 comply with this paragraph shall terminate the charter under
637 subsection (9) ~~(8)~~.

638 (h) For the purposes of tort liability, the governing body
639 and employees of a charter school shall be governed by s.
640 768.28.

641 (i) A charter school shall organize as, or be operated by,
642 a nonprofit organization. A charter school may be operated by a
643 municipality or other public entity as provided for by law. As
644 such, the charter school may be either a private or a public

645 employer. As a public employer, a charter school may participate
 646 in the Florida Retirement System upon application and approval
 647 as a "covered group" under s. 121.021(34). If a charter school
 648 participates in the Florida Retirement System, the charter
 649 school employees shall be compulsory members of the Florida
 650 Retirement System. As either a private or a public employer, a
 651 charter school may contract for services with an individual or
 652 group of individuals who are organized as a partnership or a
 653 cooperative. Individuals or groups of individuals who contract
 654 their services to the charter school are not public employees.

655 (14)~~(13)~~ CHARTER SCHOOL COOPERATIVES.—Charter schools may
 656 enter into cooperative agreements to form charter school
 657 cooperative organizations that may provide the following
 658 services: charter school planning and development, direct
 659 instructional services, and contracts with charter school
 660 governing boards to provide personnel administrative services,
 661 payroll services, human resource management, evaluation and
 662 assessment services, teacher preparation, and professional
 663 development.

664 (15)~~(14)~~ CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
 665 INDEMNIFICATION OF THE STATE AND SCHOOL DISTRICT; CREDIT OR
 666 TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into to
 667 borrow or otherwise secure funds for a charter school authorized
 668 in this section from a source other than the state or a school
 669 district shall indemnify the state and the school district from
 670 any and all liability, including, but not limited to, financial
 671 responsibility for the payment of the principal or interest. Any
 672 loans, bonds, or other financial agreements are not obligations

673 of the state or the school district but are obligations of the
 674 charter school authority and are payable solely from the sources
 675 of funds pledged by such agreement. The credit or taxing power
 676 of the state or the school district shall not be pledged and no
 677 debts shall be payable out of any moneys except those of the
 678 legal entity in possession of a valid charter approved by a
 679 district school board pursuant to this section.

680 (16) ~~(15)~~ CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER
 681 SCHOOLS-IN-A-MUNICIPALITY.-

682 (a) In order to increase business partnerships in
 683 education, to reduce school and classroom overcrowding
 684 throughout the state, and to offset the high costs for
 685 educational facilities construction, the Legislature intends to
 686 encourage the formation of business partnership schools or
 687 satellite learning centers and municipal-operated schools
 688 through charter school status.

689 (b) A charter school-in-the-workplace may be established
 690 when a business partner:

691 1. Provides one of the following:

692 a. Access to a ~~the~~ school facility to be used;

693 b. Resources that materially reduce the cost of
 694 constructing a school facility;

695 c. Land for a school facility; or

696 d. Resources to maintain a school facility;

697 2. Enrolls students based upon a random lottery that
 698 involves all of the children of employees of that business or
 699 corporation who are seeking enrollment, as provided for in
 700 subsection (11) ~~(10)~~; and

701 3. Enrolls students according to the racial/ethnic balance
702 provisions described in subparagraph (7)(a)8.

703

704 A charter school-in-the-workplace is eligible for capital outlay
705 funding under s. 1013.62. Any portion of a facility used for a
706 public charter school shall be exempt from ad valorem taxes, as
707 provided for in s. 1013.54, for the duration of its use as a
708 public school.

709 (c) A charter school-in-a-municipality designation may be
710 granted to a municipality that possesses a charter; enrolls
711 students based upon a random lottery that involves all of the
712 children of the residents of that municipality who are seeking
713 enrollment, as provided for in subsection (11) ~~(10)~~; and enrolls
714 students according to the racial/ethnic balance provisions
715 described in subparagraph (7)(a)8. When a municipality has
716 submitted charter applications for the establishment of a
717 charter school feeder pattern, consisting of elementary, middle,
718 and senior high schools, and each individual charter application
719 is approved by the district school board, such schools shall
720 then be designated as one charter school for all purposes listed
721 pursuant to this section. Any portion of the land and facility
722 used for a public charter school shall be exempt from ad valorem
723 taxes, as provided for in s. 1013.54, for the duration of its
724 use as a public school.

725 (d) As used in this subsection, the terms "business
726 partner" or "municipality" may include more than one business or
727 municipality to form a charter school-in-the-workplace or
728 charter school-in-a-municipality.

729 (17)~~(16)~~ EXEMPTION FROM STATUTES.—

730 (a) A charter school shall operate in accordance with its
731 charter and shall be exempt from all statutes in chapters 1000-
732 1013. However, a charter school shall be in compliance with the
733 following statutes in chapters 1000-1013:

734 1. Those statutes specifically applying to charter
735 schools, including this section.

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

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

740 4. Those statutes pertaining to civil rights, including s.
741 1000.05, relating to discrimination.

742 5. Those statutes pertaining to student health, safety,
743 and welfare.

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

746 1. Section 286.011, relating to public meetings and
747 records, public inspection, and criminal and civil penalties.

748 2. Chapter 119, relating to public records.

749 (18)~~(17)~~ FUNDING.—Students enrolled in a charter school,
750 regardless of the sponsorship, shall be funded as if they are in
751 a basic program or a special program, the same as students
752 enrolled in other public schools in the school district. Funding
753 for a charter lab school shall be as provided in s. 1002.32.

754 (a) Each charter school shall report its student
755 enrollment to the sponsor as required in s. 1011.62, and in
756 accordance with the definitions in s. 1011.61. The sponsor shall

757 include each charter school's enrollment in the district's
758 report of student enrollment. All charter schools submitting
759 student record information required by the Department of
760 Education shall comply with the Department of Education's
761 guidelines for electronic data formats for such data, and all
762 districts shall accept electronic data that complies with the
763 Department of Education's electronic format.

764 (b) The basis for the agreement for funding students
765 enrolled in a charter school shall be the sum of the school
766 district's operating funds from the Florida Education Finance
767 Program as provided in s. 1011.62 and the General Appropriations
768 Act, including gross state and local funds, discretionary
769 lottery funds, and funds from the school district's current
770 operating discretionary millage levy; divided by total funded
771 weighted full-time equivalent students in the school district;
772 multiplied by the weighted full-time equivalent students for the
773 charter school. Charter schools whose students or programs meet
774 the eligibility criteria in law shall be entitled to their
775 proportionate share of categorical program funds included in the
776 total funds available in the Florida Education Finance Program
777 by the Legislature, including transportation. Total funding for
778 each charter school shall be recalculated during the year to
779 reflect the revised calculations under the Florida Education
780 Finance Program by the state and the actual weighted full-time
781 equivalent students reported by the charter school during the
782 full-time equivalent student survey periods designated by the
783 Commissioner of Education.

784 (c) If the district school board is providing programs or

785 services to students funded by federal funds, any eligible
786 students enrolled in charter schools in the school district
787 shall be provided federal funds for the same level of service
788 provided students in the schools operated by the district school
789 board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all
790 charter schools shall receive all federal funding for which the
791 school is otherwise eligible, including Title I and IDEA
792 funding, not later than 5 months after the charter school first
793 opens and within 5 months after any subsequent expansion of
794 enrollment.

795 (d) Charter schools shall be included by the Department of
796 Education and the district school board in requests for federal
797 stimulus funds in the same manner as district school board-
798 operated public schools, including Title I and IDEA funds and
799 shall be entitled to receive such funds. Charter schools are
800 eligible to participate in federal competitive grants that are
801 available as part of the federal stimulus funds.

802 (e) District school boards shall make timely and efficient
803 payment and reimbursement to charter schools, including
804 processing paperwork required to access special state and
805 federal funding for which they may be eligible. The district
806 school board may distribute funds to a charter school for up to
807 3 months based on the projected full-time equivalent student
808 membership of the charter school. Thereafter, the results of
809 full-time equivalent student membership surveys shall be used in
810 adjusting the amount of funds distributed monthly to the charter
811 school for the remainder of the fiscal year. The payment shall
812 be issued no later than 10 working days after the district

813 school board receives a distribution of state or federal funds.
 814 If a warrant for payment is not issued within 10 working days
 815 after receipt of funding by the district school board, the
 816 school district shall pay to the charter school, in addition to
 817 the amount of the scheduled disbursement, interest at a rate of
 818 1 percent per month calculated on a daily basis on the unpaid
 819 balance from the expiration of the 10 working days until such
 820 time as the warrant is issued.

821 (19)~~(18)~~ FACILITIES.—

822 (a) A startup charter school shall utilize facilities
 823 which comply with the Florida Building Code pursuant to chapter
 824 553 except for the State Requirements for Educational
 825 Facilities. Conversion charter schools shall utilize facilities
 826 that comply with the State Requirements for Educational
 827 Facilities provided that the school district and the charter
 828 school have entered into a mutual management plan for the
 829 reasonable maintenance of such facilities. The mutual management
 830 plan shall contain a provision by which the district school
 831 board agrees to maintain charter school facilities in the same
 832 manner as its other public schools within the district. Charter
 833 schools, with the exception of conversion charter schools, are
 834 not required to comply, but may choose to comply, with the State
 835 Requirements for Educational Facilities of the Florida Building
 836 Code adopted pursuant to s. 1013.37. The local governing
 837 authority shall not adopt or impose local building requirements
 838 or restrictions that are more stringent than those found in the
 839 Florida Building Code. The agency having jurisdiction for
 840 inspection of a facility and issuance of a certificate of

841 occupancy shall be the local municipality or, if in an
842 unincorporated area, the county governing authority. The school
843 district shall not impose any restrictions that are more
844 stringent than those of the agency having jurisdiction.

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

849 (c) Any facility, or portion thereof, used to house a
850 charter school whose charter has been approved by the sponsor
851 and the governing board, pursuant to subsection (7), shall be
852 exempt from ad valorem taxes pursuant to s. 196.1983. Library,
853 community service, museum, performing arts, theatre, cinema,
854 church, community college, college, and university facilities
855 may provide space to charter schools within their facilities
856 under their preexisting zoning and land use designations.

857 (d) Charter school facilities are exempt from assessments
858 of fees for building permits, except as provided in s. 553.80,
859 fees for building and occupational licenses, impact fees or
860 exactions under s. 163.3180(13)(e)2., service availability fees,
861 and assessments for special benefits.

862 (e) If a district school board facility or property is
863 available because it is surplus, marked for disposal, or
864 otherwise unused, it shall be provided for a charter school's
865 use on the same basis as it is made available to other public
866 schools in the district. A charter school receiving property
867 from the school district may not sell or dispose of such
868 property without written permission of the school district.

869 Similarly, for an existing public school converting to charter
870 status, no rental or leasing fee for the existing facility or
871 for the property normally inventoried to the conversion school
872 may be charged by the district school board to the parents and
873 teachers organizing the charter school. The charter school shall
874 agree to reasonable maintenance provisions in order to maintain
875 the facility in a manner similar to district school board
876 standards. The Public Education Capital Outlay maintenance funds
877 or any other maintenance funds generated by the facility
878 operated as a conversion school shall remain with the conversion
879 school.

880 (f) To the extent that charter school facilities are
881 specifically created to mitigate the educational impact created
882 by the development of new residential dwelling units, pursuant
883 to subparagraph (2)(c)4., some of or all of the educational
884 impact fees required to be paid in connection with the new
885 residential dwelling units may be designated instead for the
886 construction of the charter school facilities that will mitigate
887 the student station impact. Such facilities shall be built to
888 the State Requirements for Educational Facilities and shall be
889 owned by a public or nonprofit entity. The local school district
890 retains the right to monitor and inspect such facilities to
891 ensure compliance with the State Requirements for Educational
892 Facilities. If a facility ceases to be used for public
893 educational purposes, either the facility shall revert to the
894 school district subject to any debt owed on the facility, or the
895 owner of the facility shall have the option to refund all
896 educational impact fees utilized for the facility to the school

897 district. The district and the owner of the facility may
898 contractually agree to another arrangement for the facilities if
899 the facilities cease to be used for educational purposes. The
900 owner of property planned or approved for new residential
901 dwelling units and the entity levying educational impact fees
902 shall enter into an agreement that designates the educational
903 impact fees that will be allocated for the charter school
904 student stations and that ensures the timely construction of the
905 charter school student stations concurrent with the expected
906 occupancy of the residential units. The application for use of
907 educational impact fees shall include an approved charter school
908 application. To assist the school district in forecasting
909 student station needs, the entity levying the impact fees shall
910 notify the affected district of any agreements it has approved
911 for the purpose of mitigating student station impact from the
912 new residential dwelling units.

913 (g) Each school district shall annually provide to the
914 Department of Education as part of its 5-year work plan the
915 number of existing vacant classrooms in each school that the
916 district does not intend to use or does not project will be
917 needed for educational purposes for the following school year.
918 The department may recommend that a district make such space
919 available to an appropriate charter school.

920 (20)~~(19)~~ CAPITAL OUTLAY FUNDING.—Charter schools are
921 eligible for capital outlay funds pursuant to s. 1013.62.

922 (21)~~(20)~~ SERVICES.—

923 (a) A sponsor shall provide certain administrative and
924 educational services to charter schools. These services shall

925 include contract management services; full-time equivalent and
926 data reporting services; exceptional student education
927 administration services; services related to eligibility and
928 reporting duties required to ensure that school lunch services
929 under the federal lunch program, consistent with the needs of
930 the charter school, are provided by the school district at the
931 request of the charter school, that any funds due to the charter
932 school under the federal lunch program be paid to the charter
933 school as soon as the charter school begins serving food under
934 the federal lunch program, and that the charter school is paid
935 at the same time and in the same manner under the federal lunch
936 program as other public schools serviced by the sponsor or the
937 school district; test administration services, including payment
938 of the costs of state-required or district-required student
939 assessments; processing of teacher certificate data services;
940 and information services, including equal access to student
941 information systems that are used by public schools in the
942 district in which the charter school is located. Student
943 performance data for each student in a charter school,
944 including, but not limited to, FCAT scores, standardized test
945 scores, previous public school student report cards, and student
946 performance measures, shall be provided by the sponsor to a
947 charter school in the same manner provided to other public
948 schools in the district. A total administrative fee for the
949 provision of such services shall be calculated based upon up to
950 5 percent of the available funds defined in paragraph
951 (18)~~(17)~~(b) for all students. However, a sponsor may only
952 withhold up to a 5-percent administrative fee for enrollment for

953 up to and including 500 students. For charter schools with a
954 population of 501 or more students, the difference between the
955 total administrative fee calculation and the amount of the
956 administrative fee withheld may only be used for capital outlay
957 purposes specified in s. 1013.62(2). Each charter school shall
958 receive 100 percent of the funds awarded to that school pursuant
959 to s. 1012.225. Sponsors shall not charge charter schools any
960 additional fees or surcharges for administrative and educational
961 services in addition to the maximum 5-percent administrative fee
962 withheld pursuant to this paragraph.

963 (b) If goods and services are made available to the
964 charter school through the contract with the school district,
965 they shall be provided to the charter school at a rate no
966 greater than the district's actual cost unless mutually agreed
967 upon by the charter school and the sponsor in a contract
968 negotiated separately from the charter. When mediation has
969 failed to resolve disputes over contracted services or
970 contractual matters not included in the charter, an appeal may
971 be made for a dispute resolution hearing before the Charter
972 School Appeal Commission. To maximize the use of state funds,
973 school districts shall allow charter schools to participate in
974 the sponsor's bulk purchasing program if applicable.

975 (c) Transportation of charter school students shall be
976 provided by the charter school consistent with the requirements
977 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
978 body of the charter school may provide transportation through an
979 agreement or contract with the district school board, a private
980 provider, or parents. The charter school and the sponsor shall

981 cooperate in making arrangements that ensure that transportation
 982 is not a barrier to equal access for all students residing
 983 within a reasonable distance of the charter school as determined
 984 in its charter.

985 (22)~~(21)~~ PUBLIC INFORMATION ON CHARTER SCHOOLS.—

986 (a) The Department of Education shall provide information
 987 to the public, directly and through sponsors, on how to form and
 988 operate a charter school and how to enroll in a charter school
 989 once it is created. This information shall include a standard
 990 application format, charter format, evaluation instrument, and
 991 charter renewal format, which shall include the information
 992 specified in subsection (7) and shall be developed by consulting
 993 and negotiating with both school districts and charter schools
 994 before implementation. The charter and charter renewal formats
 995 shall be used by charter school sponsors.

996 (b)1. The Department of Education shall report student
 997 assessment data pursuant to s. 1008.34(3)(c) which is reported
 998 to schools that receive a school grade or student assessment
 999 data pursuant to s. 1008.341(3) which is reported to alternative
 1000 schools that receive a school improvement rating to each charter
 1001 school that:

1002 a. Does not receive a school grade pursuant to s. 1008.34
 1003 or a school improvement rating pursuant to s. 1008.341; and

1004 b. Serves at least 10 students who are tested on the
 1005 statewide assessment test pursuant to s. 1008.22.

1006 ~~2. The charter school shall report the information in~~
 1007 ~~subparagraph 1. to each parent of a student at the charter~~
 1008 ~~school, the parent of a child on a waiting list for the charter~~

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1009 ~~school, the district in which the charter school is located, and~~
 1010 ~~the governing board of the charter school. This paragraph does~~
 1011 ~~not abrogate the provisions of s. 1002.22, relating to student~~
 1012 ~~records, or the requirements of 20 U.S.C. s. 1232g, the Family~~
 1013 ~~Educational Rights and Privacy Act.~~

1014 2.3.a. Pursuant to this paragraph, the Department of
 1015 Education shall compare the charter school student performance
 1016 data for each charter school in subparagraph 1. with the student
 1017 performance data in traditional public schools in the district
 1018 in which the charter school is located and other charter schools
 1019 in the state. For alternative charter schools, the department
 1020 shall compare the student performance data described in this
 1021 paragraph with all alternative schools in the state. The
 1022 comparative data shall be provided by the following grade
 1023 groupings:

- 1024 (I) Grades 3 through 5;
- 1025 (II) Grades 6 through 8; and
- 1026 (III) Grades 9 through 11.

1027 b. Each charter school shall provide the information
 1028 specified in this paragraph on its Internet website and also
 1029 provide notice to the public at large in a manner provided by
 1030 the rules of the State Board of Education. The State Board of
 1031 Education shall adopt rules to administer the notice
 1032 requirements of this subparagraph pursuant to ss. 120.536(1) and
 1033 120.54. The website shall include, through links or actual
 1034 content, other information related to school performance.

1035 ~~(23)~~(22) CHARTER SCHOOL REVIEW PANEL AND LEGISLATIVE
 1036 REVIEW.—

1037 (a) The Department of Education shall staff and regularly
 1038 convene a Charter School Review Panel in order to review issues,
 1039 practices, and policies regarding charter schools. The
 1040 composition of the review panel shall include individuals with
 1041 experience in finance, administration, law, education, and
 1042 school governance, and individuals familiar with charter school
 1043 construction and operation. The panel shall include two
 1044 appointees each from the Commissioner of Education, the
 1045 President of the Senate, and the Speaker of the House of
 1046 Representatives. The Governor shall appoint three members of the
 1047 panel and shall designate the chair. Each member of the panel
 1048 shall serve a 1-year term, unless renewed by the office making
 1049 the appointment. The panel shall make recommendations to the
 1050 Legislature, to the Department of Education, to charter schools,
 1051 and to school districts for improving charter school operations
 1052 and oversight and for ensuring best business practices at and
 1053 fair business relationships with charter schools.

1054 (b) The Legislature shall review the operation of charter
 1055 schools during the 2010 Regular Session of the Legislature.

1056 (24)~~(23)~~ ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon
 1057 receipt of the annual report required by paragraph (10)~~(9)~~(k),
 1058 the Department of Education shall provide to the State Board of
 1059 Education, the Commissioner of Education, the Governor, the
 1060 President of the Senate, and the Speaker of the House of
 1061 Representatives an analysis and comparison of the overall
 1062 performance of charter school students, to include all students
 1063 whose scores are counted as part of the statewide assessment
 1064 program, versus comparable public school students in the

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1065 district as determined by the statewide assessment program
 1066 currently administered in the school district, and other
 1067 assessments administered pursuant to s. 1008.22(3).

1068 ~~(25)~~~~(24)~~ RESTRICTION ON EMPLOYMENT OF RELATIVES.—

1069 (a) This subsection applies to charter school personnel in
 1070 a charter school operated by a private entity. As used in this
 1071 subsection, the term:

1072 1. "Charter school personnel" means a charter school
 1073 owner, president, chairperson of the governing board of
 1074 directors, superintendent, governing board member, principal,
 1075 assistant principal, or any other person employed by the charter
 1076 school who has equivalent decisionmaking authority and in whom
 1077 is vested the authority, or to whom the authority has been
 1078 delegated, to appoint, employ, promote, or advance individuals
 1079 or to recommend individuals for appointment, employment,
 1080 promotion, or advancement in connection with employment in a
 1081 charter school, including the authority as a member of a
 1082 governing body of a charter school to vote on the appointment,
 1083 employment, promotion, or advancement of individuals.

1084 2. "Relative" means father, mother, son, daughter,
 1085 brother, sister, uncle, aunt, first cousin, nephew, niece,
 1086 husband, wife, father-in-law, mother-in-law, son-in-law,
 1087 daughter-in-law, brother-in-law, sister-in-law, stepfather,
 1088 stepmother, stepson, stepdaughter, stepbrother, stepsister, half
 1089 brother, or half sister.

1090 (b) Charter school personnel may not knowingly recommend
 1091 or engage in the ~~appoint, employ, promote, or advance, or~~
 1092 ~~advocate for appointment,~~ employment, promotion, or assignment

1093 of an individual or employee to a work location if that action
 1094 will create a situation in which one employee will be
 1095 responsible for the direct supervision of, or exercise
 1096 ~~advancement, in or to a position in the charter school in which~~
 1097 ~~the personnel are serving or over which the personnel exercises~~
 1098 ~~jurisdiction or control over, another employee any individual~~
 1099 ~~who is a relative. The Commissioner of Education or the sponsor~~
 1100 ~~may make exceptions to this paragraph if such personnel actions~~
 1101 ~~would cause undue hardship on students or seriously disrupt a~~
 1102 ~~charter school's operations. An individual may not be appointed,~~
 1103 ~~employed, promoted, or advanced in or to a position in a charter~~
 1104 ~~school if such appointment, employment, promotion, or~~
 1105 ~~advancement has been advocated by charter school personnel who~~
 1106 ~~serve in or exercise jurisdiction or control over the charter~~
 1107 ~~school and who is a relative of the individual or if such~~
 1108 ~~appointment, employment, promotion, or advancement is made by~~
 1109 ~~the governing board of which a relative of the individual is a~~
 1110 ~~member.~~

1111 (c) The approval of budgets does not constitute
 1112 "jurisdiction or control" for the purposes of this subsection.

1113
 1114 Charter school personnel in schools operated by a municipality
 1115 or other public entity are subject to s. 112.3135.

1116 ~~(26)~~~~(25)~~ STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1117 (a) A member of a governing board of a charter school,
 1118 including a charter school operated by a private entity, is
 1119 subject to ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

1120 (b) A member of a governing board of a charter school

1121 operated by a municipality or other public entity is subject to
 1122 s. 112.3145 ~~112.3144~~, which relates to the disclosure of
 1123 financial interests.

1124 ~~(27)~~ ~~(26)~~ RULEMAKING.—The Department of Education, after
 1125 consultation with school districts and charter school directors,
 1126 shall recommend that the State Board of Education adopt rules to
 1127 implement specific subsections of this section. Such rules shall
 1128 require minimum paperwork and shall not limit charter school
 1129 flexibility authorized by statute. The State Board of Education
 1130 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
 1131 implement a charter model application form, evaluation
 1132 instrument, and charter and charter renewal formats in
 1133 accordance with this section.

1134 Section 2. Paragraph (e) of subsection (1) and subsections
 1135 (2) and (3) of section 1013.62, Florida Statutes, are amended to
 1136 read:

1137 1013.62 Charter schools capital outlay funding.—

1138 (1) In each year in which funds are appropriated for
 1139 charter school capital outlay purposes, the Commissioner of
 1140 Education shall allocate the funds among eligible charter
 1141 schools.

1142 (e) Unless otherwise provided in the General
 1143 Appropriations Act, the funding allocation for each eligible
 1144 charter school is determined by multiplying the school's
 1145 projected student enrollment by one-fifteenth of the cost-per-
 1146 student station specified in s. 1013.64(6)(b) for an elementary,
 1147 middle, or high school, as appropriate. If the funds
 1148 appropriated are not sufficient, the commissioner shall prorate

1149 | the available funds among eligible charter schools. However, a
1150 | charter school or charter lab school may not receive state
1151 | charter school capital outlay funds greater than the one-
1152 | fifteenth cost per student station formula if the charter
1153 | school's combination of state charter school capital outlay
1154 | funds, capital outlay funds calculated through the reduction in
1155 | the administrative fee provided in s. 1002.33(21)(~~20~~), and
1156 | capital outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds
1157 | the one-fifteenth cost per student station formula.

1158 | (2) A charter school's governing body may use charter
1159 | school capital outlay funds for the following purposes:

1160 | (a) Purchase of real property.

1161 | (b) Construction of school facilities.

1162 | (c) Purchase, lease-purchase, or lease of permanent or
1163 | relocatable school facilities.

1164 | (d) Purchase of vehicles to transport students to and from
1165 | the charter school.

1166 | (e) Renovation, repair, and maintenance of school
1167 | facilities that the charter school owns or is purchasing through
1168 | a lease-purchase or long-term lease of 5 years or longer.

1169 | (f) Effective July 1, 2008, purchase, lease-purchase, or
1170 | lease of new and replacement equipment, and enterprise resource
1171 | software applications that are classified as capital assets in
1172 | accordance with definitions of the Governmental Accounting
1173 | Standards Board, have a useful life of at least 5 years, and are
1174 | used to support schoolwide administration or state-mandated
1175 | reporting requirements.

1176 | (g) Payment of the cost of premiums for property and

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1177 | casualty insurance necessary to insure the school facilities.

1178 | (h) Purchase, lease-purchase, or lease of driver's
 1179 | education vehicles; motor vehicles used for the maintenance or
 1180 | operation of plants and equipment; security vehicles; or
 1181 | vehicles used in storing or distributing materials and
 1182 | equipment.

1183 | (i) Purchase of computer software, hardware, and network
 1184 | systems.

1185 | (j) Purchase of furniture and equipment.

1186 |

1187 | Conversion charter schools may use capital outlay funds received
 1188 | through the reduction in the administrative fee provided in s.
 1189 | 1002.33 (21) ~~(20)~~ for renovation, repair, and maintenance of
 1190 | school facilities that are owned by the sponsor.

1191 | (3) When a charter school is nonrenewed or terminated, any
 1192 | unencumbered funds and all equipment and property purchased with
 1193 | district public funds shall revert to the ownership of the
 1194 | district school board, as provided for in s. 1002.33 (9) ~~(8)~~ (e)
 1195 | and (f). In the case of a charter lab school, any unencumbered
 1196 | funds and all equipment and property purchased with university
 1197 | public funds shall revert to the ownership of the state
 1198 | university that issued the charter. The reversion of such
 1199 | equipment, property, and furnishings shall focus on recoverable
 1200 | assets, but not on intangible or irrecoverable costs such as
 1201 | rental or leasing fees, normal maintenance, and limited
 1202 | renovations. The reversion of all property secured with public
 1203 | funds is subject to the complete satisfaction of all lawful
 1204 | liens or encumbrances. If there are additional local issues such

1205 as the shared use of facilities or partial ownership of
 1206 facilities or property, these issues shall be agreed to in the
 1207 charter contract prior to the expenditure of funds.

1208 Section 3. Paragraph (e) of subsection (13) of section
 1209 163.3180, Florida Statutes, is amended to read:

1210 163.3180 Concurrency.—

1211 (13) School concurrency shall be established on a
 1212 districtwide basis and shall include all public schools in the
 1213 district and all portions of the district, whether located in a
 1214 municipality or an unincorporated area unless exempt from the
 1215 public school facilities element pursuant to s. 163.3177(12).
 1216 The application of school concurrency to development shall be
 1217 based upon the adopted comprehensive plan, as amended. All local
 1218 governments within a county, except as provided in paragraph
 1219 (f), shall adopt and transmit to the state land planning agency
 1220 the necessary plan amendments, along with the interlocal
 1221 agreement, for a compliance review pursuant to s. 163.3184(7)
 1222 and (8). The minimum requirements for school concurrency are the
 1223 following:

1224 (e) Availability standard.—Consistent with the public
 1225 welfare, a local government may not deny an application for site
 1226 plan, final subdivision approval, or the functional equivalent
 1227 for a development or phase of a development authorizing
 1228 residential development for failure to achieve and maintain the
 1229 level-of-service standard for public school capacity in a local
 1230 school concurrency management system where adequate school
 1231 facilities will be in place or under actual construction within
 1232 3 years after the issuance of final subdivision or site plan

1233 approval, or the functional equivalent. School concurrency is
 1234 satisfied if the developer executes a legally binding commitment
 1235 to provide mitigation proportionate to the demand for public
 1236 school facilities to be created by actual development of the
 1237 property, including, but not limited to, the options described
 1238 in subparagraph 1. Options for proportionate-share mitigation of
 1239 impacts on public school facilities must be established in the
 1240 public school facilities element and the interlocal agreement
 1241 pursuant to s. 163.31777.

1242 1. Appropriate mitigation options include the contribution
 1243 of land; the construction, expansion, or payment for land
 1244 acquisition or construction of a public school facility; the
 1245 construction of a charter school that complies with the
 1246 requirements of s. 1002.33 (19) ~~(18)~~; or the creation of
 1247 mitigation banking based on the construction of a public school
 1248 facility in exchange for the right to sell capacity credits.
 1249 Such options must include execution by the applicant and the
 1250 local government of a development agreement that constitutes a
 1251 legally binding commitment to pay proportionate-share mitigation
 1252 for the additional residential units approved by the local
 1253 government in a development order and actually developed on the
 1254 property, taking into account residential density allowed on the
 1255 property prior to the plan amendment that increased the overall
 1256 residential density. The district school board must be a party
 1257 to such an agreement. As a condition of its entry into such a
 1258 development agreement, the local government may require the
 1259 landowner to agree to continuing renewal of the agreement upon
 1260 its expiration.

1261 2. If the education facilities plan and the public
 1262 educational facilities element authorize a contribution of land;
 1263 the construction, expansion, or payment for land acquisition;
 1264 the construction or expansion of a public school facility, or a
 1265 portion thereof; or the construction of a charter school that
 1266 complies with the requirements of s. 1002.33(19)~~(18)~~, as
 1267 proportionate-share mitigation, the local government shall
 1268 credit such a contribution, construction, expansion, or payment
 1269 toward any other impact fee or exaction imposed by local
 1270 ordinance for the same need, on a dollar-for-dollar basis at
 1271 fair market value.

1272 3. Any proportionate-share mitigation must be directed by
 1273 the school board toward a school capacity improvement identified
 1274 in a financially feasible 5-year district work plan that
 1275 satisfies the demands created by the development in accordance
 1276 with a binding developer's agreement.

1277 4. If a development is precluded from commencing because
 1278 there is inadequate classroom capacity to mitigate the impacts
 1279 of the development, the development may nevertheless commence if
 1280 there are accelerated facilities in an approved capital
 1281 improvement element scheduled for construction in year four or
 1282 later of such plan which, when built, will mitigate the proposed
 1283 development, or if such accelerated facilities will be in the
 1284 next annual update of the capital facilities element, the
 1285 developer enters into a binding, financially guaranteed
 1286 agreement with the school district to construct an accelerated
 1287 facility within the first 3 years of an approved capital
 1288 improvement plan, and the cost of the school facility is equal

1289 to or greater than the development's proportionate share. When
 1290 the completed school facility is conveyed to the school
 1291 district, the developer shall receive impact fee credits usable
 1292 within the zone where the facility is constructed or any
 1293 attendance zone contiguous with or adjacent to the zone where
 1294 the facility is constructed.

1295 5. This paragraph does not limit the authority of a local
 1296 government to deny a development permit or its functional
 1297 equivalent pursuant to its home rule regulatory powers, except
 1298 as provided in this part.

1299 Section 4. Paragraph (c) of subsection (9) of section
 1300 1002.32, Florida Statutes, is amended to read:

1301 1002.32 Developmental research (laboratory) schools.—

1302 (9) FUNDING.—Funding for a lab school, including a charter
 1303 lab school, shall be provided as follows:

1304 (c) All operating funds provided under this section shall
 1305 be deposited in a Lab School Trust Fund and shall be expended
 1306 for the purposes of this section. The university assigned a lab
 1307 school shall be the fiscal agent for these funds, and all rules
 1308 of the university governing the budgeting and expenditure of
 1309 state funds shall apply to these funds unless otherwise provided
 1310 by law or rule of the State Board of Education. The university
 1311 board of trustees shall be the public employer of lab school
 1312 personnel for collective bargaining purposes for lab schools in
 1313 operation prior to the 2002-2003 fiscal year. Employees of
 1314 charter lab schools authorized prior to June 1, 2003, but not in
 1315 operation prior to the 2002-2003 fiscal year shall be employees
 1316 of the entity holding the charter and must comply with the

1317 provisions of s. 1002.33 (13) ~~(12)~~.

1318 Section 5. Paragraph (c) of subsection (10) and subsection
1319 (13) of section 1002.34, Florida Statutes, are amended to read:

1320 1002.34 Charter technical career centers.—

1321 (10) EXEMPTION FROM STATUTES.—

1322 (c) A center must comply with the antidiscrimination
1323 provisions in s. 1000.05 and the provisions in s.

1324 1002.33 (25) ~~(24)~~ which relate to the employment of relatives.

1325 (13) BOARD OF DIRECTORS AUTHORITY.—The board of directors
1326 of a center may decide matters relating to the operation of the
1327 school, including budgeting, curriculum, and operating
1328 procedures, subject to the center's charter. The board of
1329 directors is responsible for performing the duties provided in
1330 s. 1002.345, including monitoring the corrective action plan.

1331 The board of directors must comply with s. 1002.33 (26) ~~(25)~~.

1332 Section 6. Paragraphs (a) and (d) of subsection (1),
1333 paragraph (b) of subsection (2), and subsection (6) of section
1334 1002.345, Florida Statutes, are amended to read:

1335 1002.345 Determination of deteriorating financial
1336 conditions and financial emergencies for charter schools and
1337 charter technical career centers.—This section applies to
1338 charter schools operating pursuant to s. 1002.33 and to charter
1339 technical career centers operating pursuant to s. 1002.34.

1340 (1) EXPEDITED REVIEW; REQUIREMENTS.—

1341 (a) A charter school or a charter technical career center
1342 is subject to an expedited review by the sponsor if one of the
1343 following occurs:

1344 1. Failure to provide for an audit required by s. 218.39.

1345 2. Failure to comply with reporting requirements pursuant
1346 to s. 1002.33(10)~~(9)~~ or s. 1002.34(11)(f) or (14).

1347 3. A deteriorating financial condition identified through
1348 an annual audit pursuant to s. 218.39(5) or a ~~monthly~~ financial
1349 statement pursuant to s. 1002.33(10)~~(9)~~(g) or s. 1002.34(11)(f).
1350 "Deteriorating financial condition" means a circumstance that
1351 significantly impairs the ability of a charter school or a
1352 charter technical career center to generate enough revenues to
1353 meet its expenditures without causing the occurrence of a
1354 condition described in s. 218.503(1).

1355 4. Notification pursuant to s. 218.503(2) that one or more
1356 of the conditions specified in s. 218.503(1) have occurred or
1357 will occur if action is not taken to assist the charter school
1358 or charter technical career center.

1359 (d) The governing board shall include the corrective
1360 action plan and the status of its implementation in the annual
1361 progress report to the sponsor which is required pursuant to s.
1362 1002.33(10)~~(9)~~(k) or s. 1002.34(14).

1363 (2) FINANCIAL EMERGENCY; REQUIREMENTS.—

1364 (b) The governing board shall include the financial
1365 recovery plan and the status of its implementation in the annual
1366 progress report to the sponsor which is required under s.
1367 1002.33(10)~~(9)~~(k) or s. 1002.34(14).

1368 (6) FAILURE TO CORRECT DEFICIENCIES.—The sponsor may
1369 decide not to renew or may terminate a charter if the charter
1370 school or charter technical career center fails to correct the
1371 deficiencies noted in the corrective action plan within 1 year
1372 after being notified of the deficiencies or exhibits one or more

1373 financial emergency conditions specified in s. 218.503 for 2
 1374 consecutive years. This subsection does not affect a sponsor's
 1375 authority to terminate or not renew a charter pursuant to s.
 1376 1002.33 (9) ~~(8)~~.

1377 Section 7. Section 1011.68, Florida Statutes, is amended
 1378 to read:

1379 1011.68 Funds for student transportation.—The annual
 1380 allocation to each district for transportation to public school
 1381 programs, including charter schools as provided in s.
 1382 1002.33 (18) ~~(17)~~ (b), of students in membership in kindergarten
 1383 through grade 12 and in migrant and exceptional student programs
 1384 below kindergarten shall be determined as follows:

1385 (1) Subject to the rules of the State Board of Education,
 1386 each district shall determine the membership of students who are
 1387 transported:

1388 (a) By reason of living 2 miles or more from school.

1389 (b) By reason of being students with disabilities or
 1390 enrolled in a teenage parent program, regardless of distance to
 1391 school.

1392 (c) By reason of being in a state prekindergarten program,
 1393 regardless of distance from school.

1394 (d) By reason of being career, dual enrollment, or
 1395 students with disabilities transported from one school center to
 1396 another to participate in an instructional program or service;
 1397 or students with disabilities, transported from one designation
 1398 to another in the state, provided one designation is a school
 1399 center and provided the student's individual educational plan
 1400 (IEP) identifies the need for the instructional program or

1401 service and transportation to be provided by the school
 1402 district. A "school center" is defined as a public school
 1403 center, community college, state university, or other facility
 1404 rented, leased, or owned and operated by the school district or
 1405 another public agency. A "dual enrollment student" is defined as
 1406 a public school student in membership in both a public secondary
 1407 school program and a community college or a state university
 1408 program under a written agreement to partially fulfill ss.
 1409 1003.435 and 1007.23 and earning full-time equivalent membership
 1410 under s. 1011.62(1)(i).

1411 (e) With respect to elementary school students whose grade
 1412 level does not exceed grade 6, by reason of being subjected to
 1413 hazardous walking conditions en route to or from school as
 1414 provided in s. 1006.23. Such rules shall, when appropriate,
 1415 provide for the determination of membership under this paragraph
 1416 for less than 1 year to accommodate the needs of students who
 1417 require transportation only until such hazardous conditions are
 1418 corrected.

1419 (f) By reason of being a pregnant student or student
 1420 parent, and the child of a student parent as provided in s.
 1421 1003.54, regardless of distance from school.

1422 (2) The allocation for each district shall be calculated
 1423 annually in accordance with the following formula:
 1424 $T = B + EX$. The elements of this formula are defined as follows:
 1425 T is the total dollar allocation for transportation. B is the
 1426 base transportation dollar allocation prorated by an adjusted
 1427 student membership count. The adjusted membership count shall be
 1428 derived from a multiplicative index function in which the base

1429 student membership is adjusted by multiplying it by index
1430 numbers that individually account for the impact of the price
1431 level index, average bus occupancy, and the extent of rural
1432 population in the district. EX is the base transportation dollar
1433 allocation for disabled students prorated by an adjusted
1434 disabled student membership count. The base transportation
1435 dollar allocation for disabled students is the total state base
1436 disabled student membership count weighted for increased costs
1437 associated with transporting disabled students and multiplying
1438 it by the prior year's average per student cost for
1439 transportation. The adjusted disabled student membership count
1440 shall be derived from a multiplicative index function in which
1441 the weighted base disabled student membership is adjusted by
1442 multiplying it by index numbers that individually account for
1443 the impact of the price level index, average bus occupancy, and
1444 the extent of rural population in the district. Each adjustment
1445 factor shall be designed to affect the base allocation by no
1446 more or less than 10 percent.

1447 (3) The total allocation to each district for
1448 transportation of students shall be the sum of the amounts
1449 determined in subsection (2). If the funds appropriated for the
1450 purpose of implementing this section are not sufficient to pay
1451 the base transportation allocation and the base transportation
1452 allocation for disabled students, the Department of Education
1453 shall prorate the available funds on a percentage basis. If the
1454 funds appropriated for the purpose of implementing this section
1455 exceed the sum of the base transportation allocation and the
1456 base transportation allocation for disabled students, the base

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1457 transportation allocation for disabled students shall be limited
1458 to the amount calculated in subsection (2), and the remaining
1459 balance shall be added to the base transportation allocation.

1460 (4) No district shall use funds to purchase transportation
1461 equipment and supplies at prices which exceed those determined
1462 by the department to be the lowest which can be obtained, as
1463 prescribed in s. 1006.27(1).

1464 (5) Funds allocated or apportioned for the payment of
1465 student transportation services may be used to pay for
1466 transportation of students to and from school on local general
1467 purpose transportation systems. Student transportation funds may
1468 also be used to pay for transportation of students to and from
1469 school in private passenger cars and boats when the
1470 transportation is for isolated students, or students with
1471 disabilities as defined by rule. Subject to the rules of the
1472 State Board of Education, each school district shall determine
1473 and report the number of assigned students using general purpose
1474 transportation private passenger cars and boats. The allocation
1475 per student must be equal to the allocation per student riding a
1476 school bus.

1477 (6) Notwithstanding other provisions of this section, in
1478 no case shall any student or students be counted for
1479 transportation funding more than once per day. This provision
1480 includes counting students for funding pursuant to trips in
1481 school buses, passenger cars, or boats or general purpose
1482 transportation.

1483 Section 8. Paragraph (b) of subsection (2) of section
1484 1012.32, Florida Statutes, is amended to read:

1485 | 1012.32 Qualifications of personnel.-
 1486 | (2)
 1487 | (b) Instructional and noninstructional personnel who are
 1488 | hired or contracted to fill positions in any charter school and
 1489 | members of the governing board of any charter school, in
 1490 | compliance with s. 1002.33 (13) ~~(12)~~ (g), must, upon employment,
 1491 | engagement of services, or appointment, undergo background
 1492 | screening as required under s. 1012.465 or s. 1012.56, whichever
 1493 | is applicable, by filing with the district school board for the
 1494 | school district in which the charter school is located a
 1495 | complete set of fingerprints taken by an authorized law
 1496 | enforcement agency or an employee of the school or school
 1497 | district who is trained to take fingerprints.
 1498 |
 1499 | Fingerprints shall be submitted to the Department of Law
 1500 | Enforcement for statewide criminal and juvenile records checks
 1501 | and to the Federal Bureau of Investigation for federal criminal
 1502 | records checks. A person subject to this subsection who is found
 1503 | ineligible for employment under s. 1012.315, or otherwise found
 1504 | through background screening to have been convicted of any crime
 1505 | involving moral turpitude as defined by rule of the State Board
 1506 | of Education, shall not be employed, engaged to provide
 1507 | services, or serve in any position that requires direct contact
 1508 | with students. Probationary persons subject to this subsection
 1509 | terminated because of their criminal record have the right to
 1510 | appeal such decisions. The cost of the background screening may
 1511 | be borne by the district school board, the charter school, the
 1512 | employee, the contractor, or a person subject to this

1513 subsection.

1514 Section 9. (1) The Office of Program Policy Analysis and
1515 Government Accountability (OPPAGA) shall conduct a study
1516 comparing the funding of charter schools with traditional public
1517 schools and shall:

1518 (a) Identify the school districts that distribute funds
1519 generated by the capital improvement millage authorized pursuant
1520 to s. 1011.71(2), Florida Statutes, to charter schools and the
1521 use of such funds by the charter schools.

1522 (b) Determine the amount of funds that would be available
1523 to charter schools if school districts equitably distribute to
1524 district schools, including charter schools, funds generated by
1525 the capital improvement millage authorized pursuant to s.
1526 1011.71(2), Florida Statutes.

1527 (c) Examine the costs associated with supervising charter
1528 schools and determine if the 5-percent administrative fee for
1529 administrative and educational services for charter schools
1530 covers the costs associated with the provision of the services.

1531 (2) OPPAGA shall make recommendations, if warranted, for
1532 improving the accountability and equity of the funding system
1533 for charter schools based on the findings of the study. The
1534 results of the study shall be provided to the Governor, the
1535 President of the Senate, and the Speaker of the House of
1536 Representatives no later than January 1, 2011.

1537 Section 10. This act shall take effect July 1, 2010.