

By Senator Sobel

31-01166-11

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1                   A bill to be entitled  
2           An act relating to charter schools; amending s.  
3           1002.33, F.S.; providing a requirement for the  
4           composition of a charter school's governing body;  
5           conforming cross-references; providing for the shared  
6           use of facilities by charter schools; providing  
7           requirements for the transfer of enrolled students to  
8           certain charter schools; providing conditions that  
9           render a charter school ineligible for state  
10          implementation grant funds; providing capacity  
11          restrictions; amending s. 1002.345, F.S.; conforming  
12          cross-references; providing an effective date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

15  
16           Section 1. Paragraphs (j) through (o) of subsection (9) of  
17           section 1002.33, Florida Statutes, are redesignated as  
18           paragraphs (k) through (p), respectively, present paragraph (p)  
19           is redesignated as paragraph (q) and amended, a new paragraph  
20           (j) is added to that subsection, subsection (23) is amended,  
21           subsection (26) is renumbered as subsection (27), and a new  
22           subsection (26) is added to that section, to read:

23           1002.33 Charter schools.—

24           (9) CHARTER SCHOOL REQUIREMENTS.—

25           (j) The majority of the members of the charter school's  
26           governing body shall reside in the school district in which the  
27           charter school is located.

28           ~~(q) (p)~~ The director and a representative of the governing  
29           body of a graded charter school that has submitted a school

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30 improvement plan or has been placed on probation under paragraph  
31 (p) ~~(e)~~ shall appear before the sponsor or the sponsor's staff  
32 at least once a year to present information regarding the  
33 corrective strategies that are being implemented by the school  
34 pursuant to the school improvement plan. The sponsor shall  
35 communicate at the meeting, and in writing to the director, the  
36 services provided to the school to help the school address its  
37 deficiencies.

38 (23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon receipt  
39 of the annual report required by paragraph (9) (l) ~~(k)~~, the  
40 Department of Education shall provide to the State Board of  
41 Education, the Commissioner of Education, the Governor, the  
42 President of the Senate, and the Speaker of the House of  
43 Representatives an analysis and comparison of the overall  
44 performance of charter school students, to include all students  
45 whose scores are counted as part of the statewide assessment  
46 program, versus comparable public school students in the  
47 district as determined by the statewide assessment program  
48 currently administered in the school district, and other  
49 assessments administered pursuant to s. 1008.22(3).

50 (26) SHARED USE OF FACILITIES BY CHARTER SCHOOLS.—

51 (a) A charter school may not transfer an enrolled student  
52 to another charter school having a separate Master School  
53 Identification Number (MSID) without first obtaining the written  
54 approval of the student's parent.

55 (b) A charter school is ineligible for state implementation  
56 grant funds during any period of time during which it:

57 1. Shares an educational facility with an existing charter  
58 school having a separate Master School Identification Number

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59 (MSID) and serving students in any of the grades offered by that  
60 charter school; or

61 2. Shares administrative, instructional, or support staff  
62 with another charter school having a separate Master School  
63 Identification Number (MSID) and operating within the same  
64 educational facility.

65  
66 If a charter school has received state implementation grant  
67 funds and subsequently becomes ineligible for such funds  
68 pursuant to this paragraph, the charter school must return to  
69 the state the prorated amount of such funds for any period of  
70 ineligibility.

71 (c) If more than one charter school having separate Master  
72 School Identification Numbers (MSIDs) is operated at an  
73 educational facility, the combined student enrollment of those  
74 charter schools and their combined projected student enrollments  
75 may not exceed the capacity approved by building officials  
76 having jurisdiction over the educational facility.

77 Section 2. Paragraph (d) of subsection (1) and paragraph  
78 (b) of subsection (2) of section 1002.345, Florida Statutes, are  
79 amended to read:

80 1002.345 Determination of deteriorating financial  
81 conditions and financial emergencies for charter schools and  
82 charter technical career centers.—This section applies to  
83 charter schools operating pursuant to s. 1002.33 and to charter  
84 technical career centers operating pursuant to s. 1002.34.

85 (1) EXPEDITED REVIEW; REQUIREMENTS.—

86 (d) The governing board shall include the corrective action  
87 plan and the status of its implementation in the annual progress

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88 report to the sponsor which is required pursuant to s.  
89 1002.33(9) (1)~~(k)~~ or s. 1002.34(14).

90 (2) FINANCIAL EMERGENCY; REQUIREMENTS.—

91 (b) The governing board shall include the financial  
92 recovery plan and the status of its implementation in the annual  
93 progress report to the sponsor which is required under s.

94 1002.33(9) (1)~~(k)~~ or s. 1002.34(14).

95 Section 3. This act shall take effect July 1, 2011.