

By Senator Montford

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1 A bill to be entitled
2 An act relating to charter schools; providing a short
3 title; providing legislative findings and intent;
4 creating the Florida Innovation Zone Schools Act to
5 allow school districts to designate certain schools to
6 serve as incubators of innovation and transformation
7 of public education; requiring such schools to
8 personalize education for each student; exempting
9 innovation zone schools from ch. 1000-1013, F.S.,
10 subject to certain exceptions; providing guiding
11 principles by which the innovation zone schools should
12 function; establishing elements of the program;
13 providing that a participating school district has
14 autonomy in certain areas; amending s. 196.1983, F.S.;
15 granting school district programs the ad valorem tax
16 exemption given to charter schools and creating
17 certain restrictions on the exempt property; requiring
18 a landlord to certify compliance by affidavit;
19 restricting the use of capital outlay funds for
20 property improvements if the property is exempt from
21 ad valorem taxes; amending s. 1002.31, F.S.; providing
22 a calculation for compliance with class size maximums
23 for a public school of choice or an innovation zone
24 school; amending s. 1002.33, F.S.; conforming a cross-
25 reference; modifying requirements for charter school
26 applications; creating new reporting requirements for
27 charter schools regarding governance, fees, and
28 students; providing a funding requirement for a
29 student who transfers between a charter school and

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30 district school; authorizing a district school board
31 to negotiate an appropriate usage fee based on market
32 value for unused space; deleting a prohibition on
33 rental or leasing fees on existing public schools that
34 convert to charter schools; prohibiting a charter
35 school from selling or renting out property from a
36 school district without written permission of the
37 school district; providing that certain
38 recommendations from the department are not binding on
39 a school district; restricting use of capital outlay
40 funds; deleting restrictions on withheld
41 administrative fees; amending s. 1002.345, F.S.;
42 restricting charter schools or technical career
43 centers having financial problems from certain
44 activities and requiring disclosure of such financial
45 problems on subsequent applications; creating s.
46 1003.622, F.S.; providing legislative intent;
47 recognizing academically high-performing school choice
48 districts and granting them flexibility; qualifying an
49 academically high-performing school choice district;
50 exempting such districts from ch. 1000-1013, F.S.,
51 subject to certain exceptions; exempting such
52 districts from certain ad valorem taxes and other
53 requirements; requiring an academically high-
54 performing school choice district to submit an annual
55 report to the State Board of Education and the
56 Legislature; specifying requirements for such report;
57 amending 1010.305, F.S.; extending student enrollment
58 auditing procedures to charter schools; providing that

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59 a school district or charter school may request an
60 expedited review by the Auditor General; providing an
61 effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Florida Innovation Zone Schools.—

66 (1) SHORT TITLE.—This section may be cited as the “Florida
67 Innovation Zone Schools Act.”

68 (2) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
69 that the 19th and 20th century models of education do not meet
70 the needs of the 21st century world as current public school
71 years are based on an agrarian calendar and most public school
72 classrooms are based on an antiquated classroom model. The
73 Legislature further finds that credit-based instruction and one
74 comprehensive standardized assessment do not accurately measure
75 student learning or prepare students for adulthood. The
76 Legislature finds that Florida is already a leader in education
77 accountability and innovation and that this state should take
78 such innovation to another level by replacing an outdated,
79 homogenized model with a vibrant, rigorous model that allows
80 students to thrive and be prepared to meet the economic and
81 political challenges of the 21st century. The public schools in
82 this state should be the education incubators that disrupt the
83 old status quo. The Legislature intends to establish schools
84 that serve as incubators of innovation and transform public
85 education.

86 (3) FLORIDA INNOVATION ZONE SCHOOLS ACT.—The Florida
87 Innovation Zone Schools Act is created to allow participating

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88 schools to serve as incubators of innovation and transform
89 public education. An innovation zone school, which is designated
90 as such by the school district to which it belongs, may be
91 funded on incentive grants or through public or private
92 partnerships. Participating schools are exempt from chapters
93 1000-1013, Florida Statutes, except those laws specifically
94 pertaining to health, safety, antidiscrimination, or public
95 records and meetings. Such schools are also specifically exempt
96 from class size requirements. Teachers shall continue to be
97 evaluated based on performance but innovation zone schools may
98 use different methods to make such evaluation.

99 (4) GUIDING PRINCIPLES.—An innovation zone school shall be
100 guided by the following principles:

101 (a) Globally competitive standards.—Student learning
102 outcomes are aligned with the common core standards.

103 (b) Competency-based learning and assessment.—Students
104 advance by demonstrating skills, abilities, and knowledge on how
105 to be successful, rather than the traditional way of receiving
106 credit based on seat time in a classroom.

107 (c) Personalized learning plans.—Teachers, advisors,
108 students, and parents manage a personalized learning plan that
109 accounts for each student's preferred pace and learning style.

110 (d) Multiple modes of learning.—Each student learns in the
111 way he or she learns best, be it independently, one-on-one with
112 a coach, collaboratively in small groups, online, through
113 internships or early college courses, or in other real-world
114 contexts.

115 (e) New staff and student roles.—School staff shall take on
116 new roles as learning coaches, advisors, and content and

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117 assessment experts. Students are empowered to plan and manage
118 their own studies in a variety of ways. The program must be
119 tailored to the students at the school to personalize education
120 for each student.

121 (5) PROGRAM ELEMENTS.—An innovation zone school shall:

122 (a) Upon designation by the school district, plan during
123 the first year, begin at least partial implementation during the
124 second year, and fully implement the program by the third year.

125 (b) Integrate technology into instruction, assessment, and
126 professional development. The school shall also restructure the
127 school day or school year in a way that allows it to best
128 accomplish its goals.

129 (c) Monitor performance progress based on skills that help
130 students succeed in college and careers, including problem
131 solving, research, interpretation, and communication. The
132 program must use competency-based grading and look into ways to
133 allow students to advance based on their understanding of the
134 content, not on time spent, and to measure success accordingly.
135 The learning environment must allow for innovation and the
136 resources must enable personalization and increase student
137 achievement and college and career readiness.

138 (6) POWERS OF SCHOOL DISTRICTS.—A participating school
139 district has autonomy in the budget, staffing, governance,
140 curriculum, assessment, and school calendar.

141 Section 2. Section 196.1983, Florida Statutes, is amended
142 to read:

143 196.1983 Charter school and school district program
144 exemption from ad valorem taxes.—Any facility, or portion
145 thereof, used to house a school district program or charter

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146 school whose charter has been approved by the sponsor and the
147 governing board pursuant to s. 1002.33(7) is shall be exempt
148 from ad valorem taxes. For leasehold properties, the landlord
149 must certify by affidavit to the district or charter school
150 sponsor that the lease payments shall be reduced to the extent
151 of the exemption received, that the lease payments before
152 reduction do not exceed fair market value, and that the
153 transaction does not involve related parties as described in s.
154 1002.33(7)(a)18. The owner of the property shall disclose ~~to a~~
155 ~~charter school~~ the full amount of the benefit derived from the
156 exemption and the method for ensuring that the district or
157 charter school receives such benefit. The charter school shall
158 receive the full benefit derived from the exemption through
159 ~~either~~ an annual or monthly credit to the district or charter
160 school's lease payments. For property exempt from ad valorem
161 taxes pursuant to this section, district or public education
162 capital outlay funds may be used for property improvements only
163 if:

164 (1) The transaction does not, directly or indirectly,
165 involve relatives; and

166 (2) The lease or contract makes adequate provision for
167 crediting or reimbursing such funding when the property is no
168 longer used for exempt purposes.

169 Section 3. Subsections (9) and (10) are added to section
170 1002.31, Florida Statutes, to read:

171 1002.31 Public school parental choice.—

172 (9) For a school or program that is a public school of
173 choice under this section, the calculation for compliance with
174 maximum class size pursuant to s. 1003.03 is the average number

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175 of students at the school level.

176 (10) For a school or program that is an innovation zone
177 school under the Florida Innovation Zone Schools Act, the
178 calculation for compliance with maximum class size pursuant to
179 s. 1003.03 is the average number of students at the school
180 level.

181 Section 4. Subsection (1), paragraph (a) of subsection (6),
182 paragraphs (c), (e), and (g) of subsection (18), subsection
183 (19), and paragraph (a) of subsection (20) of section 1002.33,
184 Florida Statutes, are amended, paragraph (g) is added to
185 subsection (17), present paragraphs (c) and (d) of subsection
186 (7) are redesignated as paragraphs (d) and (e), respectively,
187 and a new paragraph (c) is added to subsection (7) of that
188 section, to read:

189 1002.33 Charter schools.—

190 (1) AUTHORIZATION.—Charter schools shall be part of the
191 state's program of public education. All charter schools in
192 Florida are public schools. A charter school may be formed by
193 creating a new school or converting an existing public school to
194 charter status. A charter school may operate a virtual charter
195 school pursuant to s. 1002.45(1)(d) to provide full-time online
196 instruction to eligible students, pursuant to s. 1002.455, in
197 kindergarten through grade 12. A charter school must amend its
198 charter or submit a new application pursuant to subsection (6)
199 to become a virtual charter school. A virtual charter school is
200 subject to the requirements of this section; however, a virtual
201 charter school is exempt from subsections (18) and (19),
202 subparagraphs (20) (a) 1. and 2. ~~(20) (a) 2., 4., 5., and 7.,~~
203 paragraph (20) (c), and s. 1003.03. A public school may not use

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204 the term charter in its name unless it has been approved under
205 this section.

206 (6) APPLICATION PROCESS AND REVIEW.—Charter school
207 applications are subject to the following requirements:

208 (a) A person or entity wishing to open a charter school
209 shall prepare and submit an application on a model application
210 form prepared by the department ~~of Education~~ which:

211 1. Demonstrates how the school will use the guiding
212 principles and meet the statutorily defined purpose of a charter
213 school.

214 2. Provides a detailed curriculum plan that illustrates how
215 students will be provided services to attain the Sunshine State
216 Standards.

217 3. Contains goals and objectives for improving student
218 learning and measuring that improvement. These goals and
219 objectives must indicate how much academic improvement students
220 are expected to show each year, how success will be evaluated,
221 and the specific results to be attained through instruction.

222 4. Describes the reading curriculum and differentiated
223 strategies that will be used for students reading at grade level
224 or higher and a separate curriculum and strategies for students
225 who are reading below grade level. A sponsor shall deny a
226 charter if the school does not propose a reading curriculum that
227 is consistent with effective teaching strategies that are
228 grounded in scientifically based reading research.

229 5. Contains an annual financial plan for each year
230 requested by the charter for operation of the school for up to 5
231 years. This plan must contain anticipated fund balances based on
232 revenue projections, a spending plan based on projected revenues

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233 and expenses, and a description of controls that will safeguard
234 finances and projected enrollment trends.

235 6. Documents that the applicant has participated in the
236 training required in subparagraph (f)2. A sponsor may require an
237 applicant to provide additional information as an addendum to
238 the charter school application described in this paragraph.

239 7. For the establishment of a virtual charter school,
240 documents that the applicant has contracted with a provider of
241 virtual instruction services pursuant to s. 1002.45(1)(d).

242 8. Demonstrates that the charter school governing board is
243 independent of any management company and that termination of
244 any management company contract rests with the governing board.

245 (7) CHARTER.—The major issues involving the operation of a
246 charter school shall be considered in advance and written into
247 the charter. The charter shall be signed by the governing board
248 of the charter school and the sponsor, following a public
249 hearing to ensure community input.

250 (c) The charter school must:

251 1. Document, for the initial and any subsequent charter,
252 that the governing board is independent of any management
253 company and that termination of any management company contract
254 rests with the governing board.

255 2. Document the administrative fee and any other fee
256 provided to a management company for the operation, management,
257 or any involvement with the charter school.

258 3. Document that any lease payment for real property,
259 facilities, equipment, and employment is within the fair market
260 value of the community in which the charter school is located.

261 4. In order to provide funding and administrative

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262 transparency, report to the Department of Education and, through
263 a central website, to parents, the following information:

264 a. Any management fee and fee structure.

265 b. Salaries or fees of management personnel,
266 administrators, principals, teachers, and support staff.

267 c. Ratio of administrators to teachers.

268 d. Number of free or reduced-priced lunch students,
269 exceptional education students, and English for Speakers of
270 Other Languages students as compared to other school districts.

271 5. Provide a report to the sponsor and the department
272 describing the innovative programs and instructional strategies
273 provided to students which differ from the programs and
274 strategies provided in traditional public schools. The
275 department shall identify the innovative programs and strategies
276 and incorporate them into the analysis of charter school
277 performance required under subsection (23).

278 (17) FUNDING.—Students enrolled in a charter school,
279 regardless of the sponsorship, shall be funded as if they are in
280 a basic program or a special program, the same as students
281 enrolled in other public schools in the school district. Funding
282 for a charter lab school shall be as provided in s. 1002.32.

283 (g) If a student transfers from a charter school to a
284 district school or from a district school to a charter school
285 after the first day of the school year, funding must be
286 allocated proportionately according to the number of days that
287 the student attends the charter school or traditional public
288 school.

289 (18) FACILITIES.—

290 (c) Any facility, or portion thereof, used to house a

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291 school district program or charter school whose charter has been
292 approved by the sponsor and the governing board, pursuant to
293 subsection (7), ~~is shall be~~ exempt from ad valorem taxes
294 pursuant to s. 196.1983. Library, community service, museum,
295 performing arts, theatre, cinema, church, Florida College System
296 institution, college, and university facilities may provide
297 space to charter schools within their facilities under their
298 preexisting zoning and land use designations.

299 (e) If a district school board facility or property is
300 available because the district school board has deemed it as it
301 ~~is~~ surplus, marked for disposal, or otherwise unused, and the
302 facility is appropriate for student instruction, it may shall be
303 made available provided for a charter school's use based on
304 reasonable eligibility criteria for applicants and below-market
305 lease or purchase terms that fairly reflect existing debt, and
306 the availability of alternative facilities. The school district
307 may negotiate an appropriate usage fee based on market value on
308 ~~the same basis as it is made available to other public schools~~
309 ~~in the district.~~ A charter school receiving property from the
310 school district may not sell or dispose of such property without
311 written permission of the school district. ~~Similarly, for an~~
312 ~~existing public school converting to charter status, no rental~~
313 ~~or leasing fee for the existing facility or for the property~~
314 ~~normally inventoried to the conversion school may be charged by~~
315 ~~the district school board to the parents and teachers organizing~~
316 ~~the charter school.~~ The charter school shall agree to reasonable
317 maintenance provisions in order to maintain the facility in a
318 manner similar to district school board standards. A charter
319 school receiving property from the school district may not

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320 relet, sublet, sell, or dispose of such property without written
321 permission of the school district. The lease may provide for use
322 of public education capital outlay maintenance funds or any
323 other maintenance funds if such use is consistent with the
324 district's 5-year work plan generated by the facility operated
325 as a conversion school shall remain with the conversion school.

326 (g) Each school district shall annually provide to the
327 Department of Education as part of its 5-year work plan the
328 number of existing vacant classrooms in each school that the
329 district does not intend to use or does not project will be
330 needed for educational purposes for the following school year.
331 The department may recommend that a district make such space
332 available to an appropriate charter school pursuant to paragraph
333 (e). The recommendation is not binding on the district school
334 board.

335 (19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible
336 for capital outlay funds pursuant to s. 1013.62. Capital outlay
337 funds authorized in ss. 1011.71(2) and 1013.62 which were ~~have~~
338 ~~been~~ shared with a charter school-in-the-workplace before ~~prior~~
339 ~~to~~ July 1, 2010, are deemed to have met the authorized
340 expenditure requirements for such funds. Charter schools may
341 spend capital outlay funds only on assets that can be returned
342 to the school district.

343 (20) SERVICES.—

344 (a)~~1~~. A sponsor shall provide certain administrative and
345 educational services to charter schools. These services ~~shall~~
346 include contract management services; full-time equivalent and
347 data reporting services; exceptional student education
348 administration services; services related to eligibility and

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349 reporting duties required to ensure that school lunch services
350 under the federal lunch program, consistent with the needs of
351 the charter school, are provided by the school district at the
352 request of the charter school, that any funds due to the charter
353 school under the federal lunch program be paid to the charter
354 school as soon as the charter school begins serving food under
355 the federal lunch program, and that the charter school is paid
356 at the same time and in the same manner under the federal lunch
357 program as other public schools serviced by the sponsor or the
358 school district; test administration services, including payment
359 of the costs of state-required or district-required student
360 assessments; processing of teacher certificate data services;
361 and information services, including equal access to student
362 information systems that are used by public schools in the
363 district in which the charter school is located. Student
364 performance data for each student in a charter school,
365 including, but not limited to, FCAT scores, standardized test
366 scores, previous public school student report cards, and student
367 performance measures, shall be provided by the sponsor to a
368 charter school in the same manner provided to other public
369 schools in the district.

370 1.2. A total administrative fee for the provision of such
371 services shall be calculated based on ~~upon~~ up to 5 percent of
372 the available funds defined in paragraph (17) (b) for all
373 students; however, if except that when 75 percent or more of the
374 students enrolled in the charter school are exceptional students
375 as defined in s. 1003.01(3), the 5 percent of those available
376 funds shall be calculated based on unweighted full-time
377 equivalent students. ~~However, a sponsor may only withhold up to~~

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378 ~~a 5-percent administrative fee for enrollment for up to and~~
379 ~~including 250 students. For charter schools with a population of~~
380 ~~251 or more students, the difference between the total~~
381 ~~administrative fee calculation and the amount of the~~
382 ~~administrative fee withheld may only be used for capital outlay~~
383 ~~purposes specified in s. 1013.62(2).~~

384 ~~3. For high-performing charter schools, as defined in ch.~~
385 ~~2011-232, a sponsor may withhold a total administrative fee of~~
386 ~~up to 2 percent for enrollment up to and including 250 students~~
387 ~~per school.~~

388 ~~4. In addition, a sponsor may withhold only up to a 5-~~
389 ~~percent administrative fee for enrollment for up to and~~
390 ~~including 500 students within a system of charter schools which~~
391 ~~meets all of the following:~~

392 ~~a. Includes both conversion charter schools and~~
393 ~~noneconversion charter schools;~~

394 ~~b. Has all schools located in the same county;~~

395 ~~c. Has a total enrollment exceeding the total enrollment of~~
396 ~~at least one school district in the state;~~

397 ~~d. Has the same governing board; and~~

398 ~~e. Does not contract with a for-profit service provider for~~
399 ~~management of school operations.~~

400 ~~5. The difference between the total administrative fee~~
401 ~~calculation and the amount of the administrative fee withheld~~
402 ~~pursuant to subparagraph 4. may be used for instructional and~~
403 ~~administrative purposes as well as for capital outlay purposes~~
404 ~~specified in s. 1013.62(2).~~

405 ~~6. For a high-performing charter school system that also~~
406 ~~meets the requirements in subparagraph 4., a sponsor may~~

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407 ~~withhold a 2-percent administrative fee for enrollments up to~~
408 ~~and including 500 students per system.~~

409 ~~2.7.~~ Sponsors may ~~shall~~ not charge charter schools ~~any~~
410 additional fees or surcharges for administrative and educational
411 services ~~in addition to the maximum 5-percent administrative fee~~
412 ~~withheld pursuant to this paragraph.~~

413 ~~3.8.~~ The sponsor of a virtual charter school may withhold a
414 fee of up to 5 percent. The funds must ~~shall~~ be used to cover
415 the cost of services provided under this paragraph ~~subparagraph~~
416 ~~1.~~ and for the school district's local instructional improvement
417 system pursuant to s. 1006.281 or other technological tools that
418 are required to access electronic and digital instructional
419 materials.

420 Section 5. Subsection (7) is added to section 1002.345,
421 Florida Statutes, to read:

422 1002.345 Determination of deteriorating financial
423 conditions and financial emergencies for charter schools and
424 charter technical career centers.—This section applies to
425 charter schools operating pursuant to s. 1002.33 and to charter
426 technical career centers operating pursuant to s. 1002.34.

427 (7) EFFECT ON OTHER APPLICATIONS.—If a charter school or
428 charter technical career center exhibits a deteriorating
429 financial condition or is subject to a financial recovery plan
430 or corrective action plan, the governing board of the charter
431 school or charter technical career center, or any related
432 entity, is not eligible to apply for additional charter schools
433 or charter technical centers under s. 1002.33, s. 1002.331, or
434 s. 1002.45 until the financial condition or financial recovery
435 plan has been satisfactorily resolved. The existence and

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436 resolution of financial emergencies or poor financial conditions
437 as provided in this chapter shall be disclosed in subsequent
438 applications by the applicant under s. 1002.33(6) and be
439 considered in determining whether the financial management
440 practices materially comply with that section.

441 Section 6. Section 1003.622, Florida Statutes, is created
442 to read:

443 1003.622 Academically high-performing school choice
444 districts.—It is the intent of the Legislature to recognize and
445 reward school districts that demonstrate the ability to provide
446 its residents with a broad range of choice programs. The purpose
447 of this section is to provide high-performing school choice
448 districts with flexibility in meeting the specific requirements
449 of law and rules of the State Board of Education.

450 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL CHOICE DISTRICT.—

451 (a) A school district is an academically high-performing
452 school choice district if it:

453 1. Earns a grade of "A" or "B" as provided in s. 1008.34
454 for 2 consecutive years;

455 2. Has at least 20 percent of its total enrollment in
456 public choice programs or at least 5 percent of its total
457 enrollment in charter schools;

458 3. Has no material weaknesses or instances of material
459 noncompliance noted in the annual financial audit conducted
460 pursuant to s. 218.39; and

461 4. Operates as a school choice district that focuses on
462 teaching and learning infused with up-to-date technology that
463 prepares students for work or postsecondary education.

464 (b) A school district that satisfies the eligibility

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465 criteria in this subsection shall be designated by the State
466 Board of Education as an academically high-performing school
467 choice district. The academically high-performing school choice
468 district retains its status as a high-performing school choice
469 district for 5 years and may renew the designation if the
470 district meets the requirements in this section. A school
471 district that fails to meet the requirements in this section
472 must provide written notification to the State Board of
473 Education that the district is no longer eligible for
474 designation as an academically high-performing school choice
475 district.

476 (c) A district designated as an academically high-
477 performing school choice district is exempt, during the time the
478 district continues to meet all eligibility criteria, from
479 chapters 1000-1013 pertaining to school districts and rules of
480 the State Board of Education which implement these exempt
481 provisions. However, an academically high-performing school
482 choice district must comply with:

483 1. Laws pertaining to the following:
484 a. Student health, safety, and welfare.
485 b. Services for students who have disabilities.
486 c. Student assessment programs and school grading systems.
487 d. Civil rights, including s. 1000.05, relating to
488 discrimination.

489 2. Laws governing the election and compensation of district
490 school board members and election or appointment and
491 compensation of district school superintendents.

492 3. Section 1003.03, relating to the maximum class size,
493 except that the calculation for compliance pursuant to s.

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494 1003.03 is the average at the school level.

495 4. Sections 1012.22(1)(c) and 1012.27(2), relating to
496 public school personnel compensation and salary schedules; s.
497 1012.34, relating to personnel evaluation procedures and
498 criteria; and ss. 1012.33 and 1012.335, relating to contracts
499 with instructional personnel, staff, supervisors, and school
500 administrators.

501 5. Section 286.011, relating to public meetings and
502 records, public inspection, and criminal and civil penalties.

503 6. Chapter 119, relating to public records.

504 (d) Each academically high-performing school choice
505 district shall be included in the definition of eligible
506 entities to apply for and operate a charter school or virtual
507 school and shall be exempt from ad valorem taxes when leasing
508 facilities and from the State Requirements for Educational
509 Facilities.

510 (2) GOVERNING BOARD.—The governing board of an academically
511 high-performing school choice district is the duly elected
512 district school board. The district school board shall supervise
513 the academically high-performing school choice district.

514 (3) REPORTS.—The academically high-performing school choice
515 district shall submit to the State Board of Education and the
516 Legislature an annual report by December 1 of each year which
517 delineates the performance of the school district in regards to
518 the academic performance of students. The annual report shall be
519 submitted in a format prescribed by the Department of Education
520 and must include, but need not be limited to, the following:

521 (a) Evidence of compliance with subsection (1).

522 (b) Efforts to close the achievement gap.

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523 (c) Longitudinal performance of students, by grade level
524 and subgroup, in mathematics, reading, writing, science, and any
525 other subject that is included as a part of the statewide
526 assessment program in s. 1008.22.

527 (d) Longitudinal performance regarding students who take an
528 Advanced Placement Examination organized by demographic group,
529 specifically by age, gender, and race, and by participation in
530 the National School Lunch Program.

531 (e) Number and percentage of students who take an Advanced
532 Placement Examination.

533 Section 7. Section 1010.305, Florida Statutes, is amended
534 to read:

535 1010.305 Audit of student enrollment.—

536 (1) The Auditor General shall periodically examine the
537 records of school districts, charter schools, and other agencies
538 as appropriate, to determine compliance with law and State Board
539 of Education rules relating to the classification, assignment,
540 and verification of full-time equivalent student enrollment and
541 student transportation reported under the Florida Education
542 Finance Program. A school district or charter school may request
543 expedited review by the Auditor General.

544 (2) If it is determined that the approved criteria and
545 procedures for the placement of students and the conduct of
546 programs have not been followed by the district or by a
547 district-sponsored charter school, appropriate adjustments in
548 the full-time equivalent student count for that district or
549 charter school must be made, and any excess funds must be
550 deducted from subsequent allocations of state funds to that
551 district or charter school. As provided for by rule, if errors

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552 in a specific program of a district or charter school recur in
553 consecutive years due to lack of corrective action by the
554 district or charter school, adjustments may be made based upon
555 statistical estimates of error projected to the overall district
556 or charter school program.

557 Section 8. This act shall take effect July 1, 2013.