

By the Committee on Appropriations; and Senator Legg

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1 A bill to be entitled
2 An act relating to education; amending s. 1002.33,
3 F.S.; requiring a charter school sponsor to submit an
4 annual report that includes specified information;
5 allowing a school district to enter into certain
6 interlocal agreements and allowing charter schools to
7 use the school district for certain related services;
8 modifying the application process for charter schools;
9 prohibiting a sponsor from requiring a charter school
10 to have a certificate of occupancy before the first
11 day of school; requiring a sponsor to make student
12 academic achievement for all students a priority in
13 deciding whether to renew a charter; modifying charter
14 school requirements for financial records; imposing
15 rules that follow the closing of a charter school or
16 termination of a charter; requiring a charter school
17 to maintain a public website with certain information;
18 modifying statutory exemptions for charter schools;
19 restricting the membership of a charter school
20 governing board; amending s. 1002.331, F.S.; modifying
21 a limitation for increasing student enrollment;
22 providing that the sponsor may deny a request to
23 increase enrollment under certain circumstances;
24 establishing timeframes for a charter school
25 requesting that multiple charters be consolidated;
26 requiring that full implementation of online
27 assessments for Next Generation Sunshine State
28 Standards in English/language arts and mathematics for
29 all kindergarten through grade 12 public school

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30 students occur only after the technology
31 infrastructure, connectivity, and capacity of all
32 public schools and school districts have been load
33 tested and independently verified as ready for
34 successful deployment and implementation; requiring
35 that the technology infrastructure, connectivity, and
36 capacity of all public schools and school districts
37 that administer statewide standardized assessments
38 pursuant to s. 1008.22, F.S., be load tested and
39 independently verified as appropriate, adequate,
40 efficient, and sustainable; providing an effective
41 date.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Paragraph (b) of subsection (5), paragraph (h)
46 of subsection (6), paragraph (a) of subsection (7), paragraph
47 (a) of subsection (8), paragraph (g) of subsection (9),
48 paragraph (b) of subsection (16), paragraph (a) of subsection
49 (21), and subsection (27) of section 1002.33, Florida Statutes,
50 are amended, paragraphs (o) and (p) are added to subsection (9)
51 of that section, paragraph (c) is added to subsection (26) of
52 that section, present paragraphs (e) and (f) of subsection (17)
53 of that section are redesignated as paragraphs (f) and (g),
54 respectively, and a new paragraph (e) is added to that
55 subsection, to read:

56 1002.33 Charter schools.—

57 (5) SPONSOR; DUTIES.—

58 (b) *Sponsor duties.*—

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59 1.a. The sponsor shall monitor and review the charter
60 school in its progress toward the goals established in the
61 charter.

62 b. The sponsor shall monitor the revenues and expenditures
63 of the charter school and perform the duties provided in s.
64 1002.345.

65 c. The sponsor may approve a charter for a charter school
66 before the applicant has identified space, equipment, or
67 personnel, if the applicant indicates approval is necessary for
68 it to raise working funds.

69 d. The sponsor's policies shall not apply to a charter
70 school unless mutually agreed to by both the sponsor and the
71 charter school.

72 e. The sponsor shall ensure that the charter is innovative
73 and consistent with the state education goals established by s.
74 1000.03(5).

75 f. The sponsor shall ensure that the charter school
76 participates in the state's education accountability system. If
77 a charter school falls short of performance measures included in
78 the approved charter, the sponsor shall report such shortcomings
79 to the Department of Education.

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

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

87 i. The sponsor's duties to monitor the charter school shall

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88 not constitute the basis for a private cause of action.

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

92 k. The sponsor shall submit an annual report to the
93 Department of Education in a web-based format to be determined
94 by the department.

95 (I) The report shall include the following information:

96 (A) The number of draft applications received on or before
97 May 1 and each applicant's contact information.

98 (B) The number of final applications received on or before
99 August 1 and each applicant's contact information.

100 (C) The date each application was approved, denied, or
101 withdrawn.

102 (D) The date each final contract was executed.

103 (II) Beginning August 31, 2013, and each year thereafter,
104 the sponsor shall submit to the department the information for
105 the applications submitted the previous year.

106 (III) The department shall compile an annual report, by
107 district, and post the report on its website by November 1 of
108 each year.

109 2. Immunity for the sponsor of a charter school under
110 subparagraph 1. applies only with respect to acts or omissions
111 not under the sponsor's direct authority as described in this
112 section.

113 3. This paragraph does not waive a district school board's
114 sovereign immunity.

115 4. A Florida College System institution may work with the
116 school district or school districts in its designated service

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117 area to develop charter schools that offer secondary education.
118 These charter schools must include an option for students to
119 receive an associate degree upon high school graduation.
120 District school boards shall cooperate with and assist the
121 Florida College System institution on the charter application.
122 Florida College System institution applications for charter
123 schools are not subject to the time deadlines outlined in
124 subsection (6) and may be approved by the district school board
125 at any time during the year. Florida College System institutions
126 may not report FTE for any students who receive FTE funding
127 through the Florida Education Finance Program.

128 5. A school district may enter into nonexclusive interlocal
129 agreements with federal and state agencies, counties,
130 municipalities, and other governmental entities that operate
131 within the geographical borders of the school district to act on
132 behalf of such governmental entities in the inspection,
133 issuance, and other necessary activities for all necessary
134 permits, licenses, and other permissions that a charter school
135 needs in order for development, construction, or operation. A
136 charter school may use, but may not be required to use, a school
137 district for these services. The interlocal agreement must
138 include, but need not be limited to, the identification of fees
139 that charter schools will be charged for such services. The fees
140 must consist of the governmental entity's fees plus a fee for
141 the school district to recover no more than actual costs for
142 providing such services. These services and fees are not
143 included within the services to be provided pursuant to
144 subsection (20).

145 (6) APPLICATION PROCESS AND REVIEW.—Charter school

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146 applications are subject to the following requirements:

147 (h) The terms and conditions for the operation of a charter
148 school shall be set forth by the sponsor and the applicant in a
149 written contractual agreement, called a charter. The sponsor may
150 ~~shall~~ not impose unreasonable rules or regulations that violate
151 the intent of giving charter schools greater flexibility to meet
152 educational goals. The sponsor has 30 ~~shall have 60~~ days after
153 approval of the application to provide an initial proposed
154 charter contract to the charter school. The applicant and
155 sponsor shall use the standard charter adopted in state board
156 rule pursuant to subsection (27) and the application submitted
157 by the applicant. The parties may file an addendum to the
158 standard charter contract, not to exceed a page limit prescribed
159 by the department, that identifies changes to the standard
160 charter contract. Otherwise, neither the sponsor nor the charter
161 school may modify the standard charter contract or otherwise
162 insert or append attachments, addenda, or exhibits to the
163 standard charter contract. The applicant and the sponsor have 40
164 ~~shall have 75~~ days thereafter to negotiate and notice the
165 charter contract for final approval by the sponsor unless both
166 parties agree to an extension. The proposed charter contract
167 shall be provided to the charter school at least 7 calendar days
168 prior to the date of the meeting at which the charter is
169 scheduled to be voted upon by the sponsor. The Department of
170 Education shall provide mediation services for any dispute
171 regarding this section subsequent to the approval of a charter
172 application and for any dispute relating to the approved
173 charter, except disputes regarding charter school application
174 denials. If the Commissioner of Education determines that the

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175 dispute cannot be settled through mediation, the dispute may be
176 appealed to an administrative law judge appointed by the
177 Division of Administrative Hearings. The administrative law
178 judge may rule on issues of equitable treatment of the charter
179 school as a public school, whether proposed provisions of the
180 charter violate the intended flexibility granted charter schools
181 by statute, or on any other matter regarding this section except
182 a charter school application denial, a charter termination, or a
183 charter nonrenewal and shall award the prevailing party
184 reasonable attorney's fees and costs incurred to be paid by the
185 losing party. The costs of the administrative hearing shall be
186 paid by the party whom the administrative law judge rules
187 against.

188 (7) CHARTER.—The major issues involving the operation of a
189 charter school shall be considered in advance and written into
190 the charter. The charter shall be signed by the governing board
191 of the charter school and the sponsor, following a public
192 hearing to ensure community input.

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

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

197 2. The focus of the curriculum, the instructional methods
198 to be used, any distinctive instructional techniques to be
199 employed, and identification and acquisition of appropriate
200 technologies needed to improve educational and administrative
201 performance which include a means for promoting safe, ethical,
202 and appropriate uses of technology which comply with legal and
203 professional standards.

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204 a. The charter shall ensure that reading is a primary focus
205 of the curriculum and that resources are provided to identify
206 and provide specialized instruction for students who are reading
207 below grade level. The curriculum and instructional strategies
208 for reading must be consistent with the Sunshine State Standards
209 and grounded in scientifically based reading research.

210 b. In order to provide students with access to diverse
211 instructional delivery models, to facilitate the integration of
212 technology within traditional classroom instruction, and to
213 provide students with the skills they need to compete in the
214 21st century economy, the Legislature encourages instructional
215 methods for blended learning courses consisting of both
216 traditional classroom and online instructional techniques.
217 Charter schools may implement blended learning courses which
218 combine traditional classroom instruction and virtual
219 instruction. Students in a blended learning course must be full-
220 time students of the charter school and receive the online
221 instruction in a classroom setting at the charter school.
222 Instructional personnel certified pursuant to s. 1012.55 who
223 provide virtual instruction for blended learning courses may be
224 employees of the charter school or may be under contract to
225 provide instructional services to charter school students. At a
226 minimum, such instructional personnel must hold an active state
227 or school district adjunct certification under s. 1012.57 for
228 the subject area of the blended learning course. The funding and
229 performance accountability requirements for blended learning
230 courses are the same as those for traditional courses.

231 3. The current incoming baseline standard of student
232 academic achievement, the outcomes to be achieved, and the

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233 method of measurement that will be used. The criteria listed in
234 this subparagraph shall include a detailed description of:

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

237 b. How these baseline rates will be compared to rates of
238 academic progress achieved by these same students while
239 attending the charter school.

240 c. To the extent possible, how these rates of progress will
241 be evaluated and compared with rates of progress of other
242 closely comparable student populations.

243

244 The district school board is required to provide academic
245 student performance data to charter schools for each of their
246 students coming from the district school system, as well as
247 rates of academic progress of comparable student populations in
248 the district school system.

249 4. The methods used to identify the educational strengths
250 and needs of students and how well educational goals and
251 performance standards are met by students attending the charter
252 school. The methods shall provide a means for the charter school
253 to ensure accountability to its constituents by analyzing
254 student performance data and by evaluating the effectiveness and
255 efficiency of its major educational programs. Students in
256 charter schools shall, at a minimum, participate in the
257 statewide assessment program created under s. 1008.22.

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

261 6. A method for resolving conflicts between the governing

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262 board of the charter school and the sponsor.

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

265 8. The ways by which the school will achieve a
266 racial/ethnic balance reflective of the community it serves or
267 within the racial/ethnic range of other public schools in the
268 same school district.

269 9. The financial and administrative management of the
270 school, including a reasonable demonstration of the professional
271 experience or competence of those individuals or organizations
272 applying to operate the charter school or those hired or
273 retained to perform such professional services and the
274 description of clearly delineated responsibilities and the
275 policies and practices needed to effectively manage the charter
276 school. A description of internal audit procedures and
277 establishment of controls to ensure that financial resources are
278 properly managed must be included. Both public sector and
279 private sector professional experience shall be equally valid in
280 such a consideration.

281 10. The asset and liability projections required in the
282 application which are incorporated into the charter and shall be
283 compared with information provided in the annual report of the
284 charter school.

285 11. A description of procedures that identify various risks
286 and provide for a comprehensive approach to reduce the impact of
287 losses; plans to ensure the safety and security of students and
288 staff; plans to identify, minimize, and protect others from
289 violent or disruptive student behavior; and the manner in which
290 the school will be insured, including whether or not the school

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291 will be required to have liability insurance, and, if so, the
292 terms and conditions thereof and the amounts of coverage.

293 12. The term of the charter which shall provide for
294 cancellation of the charter if insufficient progress has been
295 made in attaining the student achievement objectives of the
296 charter and if it is not likely that such objectives can be
297 achieved before expiration of the charter. The initial term of a
298 charter shall be for 4 or 5 years. In order to facilitate access
299 to long-term financial resources for charter school
300 construction, charter schools that are operated by a
301 municipality or other public entity as provided by law are
302 eligible for up to a 15-year charter, subject to approval by the
303 district school board. A charter lab school is eligible for a
304 charter for a term of up to 15 years. In addition, to facilitate
305 access to long-term financial resources for charter school
306 construction, charter schools that are operated by a private,
307 not-for-profit, s. 501(c)(3) status corporation are eligible for
308 up to a 15-year charter, subject to approval by the district
309 school board. Such long-term charters remain subject to annual
310 review and may be terminated during the term of the charter, but
311 only according to the provisions set forth in subsection (8).

312 13. The facilities to be used and their location. The
313 sponsor may not require a charter school to have a temporary
314 certificate of occupancy or certificate of occupancy for such a
315 facility earlier than the first day of school.

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

319 15. The governance structure of the school, including the

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320 status of the charter school as a public or private employer as
321 required in paragraph (12) (i).

322 16. A timetable for implementing the charter which
323 addresses the implementation of each element thereof and the
324 date by which the charter shall be awarded in order to meet this
325 timetable.

326 17. In the case of an existing public school that is being
327 converted to charter status, alternative arrangements for
328 current students who choose not to attend the charter school and
329 for current teachers who choose not to teach in the charter
330 school after conversion in accordance with the existing
331 collective bargaining agreement or district school board rule in
332 the absence of a collective bargaining agreement. However,
333 alternative arrangements shall not be required for current
334 teachers who choose not to teach in a charter lab school, except
335 as authorized by the employment policies of the state university
336 which grants the charter to the lab school.

337 18. Full disclosure of the identity of all relatives
338 employed by the charter school who are related to the charter
339 school owner, president, chairperson of the governing board of
340 directors, superintendent, governing board member, principal,
341 assistant principal, or any other person employed by the charter
342 school who has equivalent decisionmaking authority. For the
343 purpose of this subparagraph, the term "relative" means father,
344 mother, son, daughter, brother, sister, uncle, aunt, first
345 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
346 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
347 stepfather, stepmother, stepson, stepdaughter, stepbrother,
348 stepsister, half brother, or half sister.

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349 19. Implementation of the activities authorized under s.
 350 1002.331 by the charter school when it satisfies the eligibility
 351 requirements for a high-performing charter school. A high-
 352 performing charter school shall notify its sponsor in writing by
 353 March 1 if it intends to increase enrollment or expand grade
 354 levels the following school year. The written notice shall
 355 specify the amount of the enrollment increase and the grade
 356 levels that will be added, as applicable.

357 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

358 (a) The sponsor shall make student academic achievement for
 359 all students the most important factor when determining whether
 360 to renew or terminate the charter. The sponsor may also choose
 361 not to renew or may terminate the charter for any of the
 362 following grounds:

363 1. Failure to participate in the state's education
 364 accountability system created in s. 1008.31, as required in this
 365 section, or failure to meet the requirements for student
 366 performance stated in the charter.

367 2. Failure to meet generally accepted standards of fiscal
 368 management.

369 3. Violation of law.

370 4. Other good cause shown.

371 (9) CHARTER SCHOOL REQUIREMENTS.—

372 (g)1. In order to provide financial information that is
 373 comparable to that reported for other public schools, charter
 374 schools are to maintain all financial records that constitute
 375 their accounting system:

376 a.1. In accordance with the accounts and codes prescribed
 377 in the most recent issuance of the publication titled "Financial

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378 and Program Cost Accounting and Reporting for Florida Schools”;
379 or

380 ~~b.2.~~ At the discretion of the charter school’s governing
381 board, a charter school may elect to follow generally accepted
382 accounting standards for not-for-profit organizations, but must
383 reformat this information for reporting according to this
384 paragraph.

385 2. Charter schools shall provide annual financial report
386 and program cost report information in the state-required
387 formats for inclusion in district reporting in compliance with
388 s. 1011.60(1). Charter schools that are operated by a
389 municipality or are a component unit of a parent nonprofit
390 organization may use the accounting system of the municipality
391 or the parent but must reformat this information for reporting
392 according to this paragraph.

393 3. A charter school shall provide the sponsor with a
394 concise, uniform, monthly financial statement summary sheet that
395 contains a balance sheet and a statement of revenue,
396 expenditures, and changes in fund balance. The balance sheet and
397 the statement of revenue, expenditures, and changes in fund
398 balance shall be in the governmental funds format prescribed by
399 the Governmental Accounting Standards Board. A charter school
400 ~~shall provide a monthly financial statement to the sponsor~~
401 ~~unless the charter school is designated as A high-performing~~
402 ~~charter school pursuant to s. 1002.331, in which case the high-~~
403 ~~performing charter school~~ may provide a quarterly financial
404 statement in the same format and requirements as the uniform
405 monthly financial statement summary sheet. The financial
406 ~~statement required under this paragraph shall be in a form~~

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407 ~~prescribed by the Department of Education.~~

408 4. A charter school shall maintain and provide financial
409 information as required in this paragraph. The information
410 required in this paragraph must be in a form prescribed by the
411 Department of Education.

412 (o)1. Upon notification of nonrenewal or termination of its
413 charter, a charter school may not expend more than \$35,000
414 without prior written approval from the sponsor, unless such
415 expenditure was included within the annual budget submitted to
416 the sponsor pursuant to the charter contract or is for
417 reasonable attorney fees and costs during the pendency of an
418 appeal.

419 2. The charter agreement must immediately terminate when
420 the charter school closes.

421 3. Charter school contracts with employees, service
422 providers, management companies, and other types of service
423 contracts may not extend beyond the term of the charter
424 agreement. Payments may be made only for services provided
425 before the closure, nonrenewal, termination, or immediate
426 termination of the charter school.

427 4. If the charter school closes or if the charter agreement
428 is terminated before the term of the charter agreement expires,
429 the remainder of the contract is void. This subparagraph applies
430 to new contracts and to amendments to existing contracts that
431 are executed after July 1, 2013.

432 (p) Each charter school shall maintain a website that
433 enables the public to obtain information regarding the school;
434 the school's academic performance; the names of the governing
435 board members; the programs at the school; any management

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436 companies, service providers, or education management
437 corporations associated with the school; the school's annual
438 budget and its annual independent fiscal audit; the school's
439 grade pursuant to s. 1008.34; and, on a quarterly basis, the
440 minutes of governing board meetings.

441 (16) EXEMPTION FROM STATUTES.—

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

444 1. Section 286.011, relating to public meetings and
445 records, public inspection, and criminal and civil penalties.

446 2. Chapter 119, relating to public records.

447 3. Section 1003.03, relating to the maximum class size,
448 except that the calculation for compliance pursuant to s.
449 1003.03 shall be the average at the school level.

450 4. Section 1012.22(1)(c), relating to compensation and
451 salary schedules.

452 5. Section 1012.33(5), relating to workforce reductions,
453 for charter school annual contracts to instructional personnel.
454 This subparagraph does not apply to charter school instructional
455 personnel who are at-will employees.

456 6. Section 1012.335, relating to contracts with
457 instructional personnel hired on or after July 1, 2011, for
458 charter school annual contracts to instructional personnel. This
459 subparagraph does not apply to charter school instructional
460 personnel who are at-will employees.

461 7. Section 1012.34(2), (3), and (7) ~~1012.34~~, relating to
462 ~~the substantive requirements for~~ performance evaluations for
463 instructional personnel and school administrators. For purposes
464 of compliance with this subparagraph, the duties assigned to a

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465 district school superintendent apply to a charter school
466 administrative personnel or equivalent as specified by the
467 governing board, and the duties assigned to a district school
468 board apply to a charter school's governing board.

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

474 (e) Unless otherwise mutually agreed to by the charter
475 school and its sponsor, and consistent with state and federal
476 rules and regulations governing the use and disbursement of
477 federal funds, the sponsor shall reimburse the charter school on
478 a monthly basis for all invoices submitted by the charter school
479 for federal funds available to the sponsor for the benefit of
480 the charter school, the charter school's students, and the
481 charter school's students as public school students in the
482 school district. Such federal funds include, but are not limited
483 to, Title I, Title II, and Individuals with Disabilities
484 Education Act (IDEA) funds.

485 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

486 (a) The Department of Education shall provide information
487 to the public, directly and through sponsors, on how to form and
488 operate a charter school and how to enroll in a charter school
489 once it is created. This information shall include a model
490 ~~standard~~ application form format, standard charter contract
491 ~~format, standard~~ evaluation instrument, and standard charter
492 renewal contract format, which shall include the information
493 specified in subsection (7) and shall be developed by consulting

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494 and negotiating with both school districts and charter schools
495 before implementation. The charter and charter renewal contracts
496 ~~formats~~ shall be used by charter school sponsors.

497 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

498 (c) An employee of the charter school, or his or her
499 spouse, or an employee of a charter management organization, or
500 his or her spouse, may not be a member of the governing board of
501 the charter school.

502 (27) RULEMAKING.—The Department of Education, after
503 consultation with school districts and charter school directors,
504 shall recommend that the State Board of Education adopt rules to
505 implement specific subsections of this section. Such rules must
506 ~~shall~~ require minimum paperwork and may ~~shall~~ not limit charter
507 school flexibility authorized by statute. The State Board of
508 Education shall adopt rules, pursuant to ss. 120.536(1) and
509 120.54, to implement a charter model application form, standard
510 evaluation instrument, and standard charter and charter renewal
511 contracts formats in accordance with this section. The standard
512 charter and charter renewal contracts must be implemented by
513 September 1, 2014.

514 Section 2. Subsection (2) of section 1002.331, Florida
515 Statutes, is amended to read:

516 1002.331 High-performing charter schools.—

517 (2) A high-performing charter school is authorized to:

518 (a) Increase its student enrollment once per school year ~~by~~
519 ~~up to 15 percent~~ more than the capacity identified in the
520 charter, but student enrollment may not exceed the current
521 facility capacity.

522 (b) Expand grade levels within kindergarten through grade

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523 12 to add grade levels not already served if any annual
524 enrollment increase resulting from grade level expansion is
525 within the limit established in paragraph (a).

526 (c) Submit a quarterly, rather than a monthly, financial
527 statement to the sponsor pursuant to s. 1002.33(9)(g).

528 (d) Consolidate under a single charter the charters of
529 multiple high-performing charter schools operated in the same
530 school district by the charter schools' governing board
531 regardless of the renewal cycle.

532 (e) Receive a modification of its charter to a term of 15
533 years or a 15-year charter renewal. The charter may be modified
534 or renewed for a shorter term at the option of the high-
535 performing charter school. The charter must be consistent with
536 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
537 review by the sponsor, and may be terminated during its term
538 pursuant to s. 1002.33(8).

539

540 A high-performing charter school shall notify its sponsor in
541 writing by March 1 if it intends to increase enrollment or
542 expand grade levels the following school year. The written
543 notice shall specify the amount of the enrollment increase and
544 the grade levels that will be added, as applicable. If a charter
545 school notifies the sponsor of its intent to expand, the sponsor
546 shall modify the charter within 90 days to include the new
547 enrollment maximum. The sponsor may deny a request to increase
548 the enrollment of a high-performing charter school if, after
549 requesting to expand, the charter school no longer qualifies as
550 a high-performing charter school under subsection (1). If a
551 high-performing charter school requests to consolidate multiple

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552 charters, the sponsor shall have 40 days after receipt of that
553 request to provide an initial draft charter to the charter
554 school. The sponsor and charter school shall have 50 days
555 thereafter to negotiate and notice the charter contract for
556 final approval by the sponsor.

557 Section 3. Full implementation of online assessments for
558 Next Generation Sunshine State Standards in English/language
559 arts and mathematics adopted under s. 1003.41 for all
560 kindergarten through grade 12 public school students shall occur
561 only after the technology infrastructure, connectivity, and
562 capacity of all public schools and school districts have been
563 load tested and independently verified as ready for successful
564 deployment and implementation.

565 Section 4. The technology infrastructure, connectivity, and
566 capacity of all public schools and school districts that
567 administer statewide standardized assessments pursuant to s.
568 1008.22, Florida Statutes, including online assessments, shall
569 be load tested and independently verified as appropriate,
570 adequate, efficient, and sustainable.

571 Section 5. This act shall take effect upon becoming a law.