



LEGISLATIVE ACTION

Senate	.	House
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Floor: 4/AD/3R	.	Floor: C
05/01/2013 12:36 PM	.	05/02/2013 11:27 AM
	.	

Senator Montford moved the following:

Senate Amendment (with title amendment)

Between lines 1074 and 1075
insert:

Section 5. Subsection (9) is added to section 1002.31,
Florida Statutes, to read:

1002.31 Public school parental choice.-

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

Section 6. Section 1002.451, Florida Statutes, is created
to read:



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14 1002.451 District innovation school of technology program.-

15 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.-

16 (a) A district school board may operate an innovation
17 school of technology for the purpose of developing the
18 innovative use of industry-leading technology while requiring
19 high student academic achievement and accountability in exchange
20 for flexibility and exemption from specified statutes and rules.
21 The innovation school of technology shall operate within
22 existing resources.

23 (b) An innovation school of technology is a school that
24 has, on a schoolwide basis, adopted and implemented a blended
25 learning program. A blended learning program is an education
26 program in which a student learns in part through online
27 delivery of content and instruction with some element of student
28 control over time, place, path, or pace and in part at a
29 supervised brick-and-mortar location away from home. Blended
30 learning models must include major components such as
31 differentiated instruction, data-driven placement, flexible
32 scheduling, differentiated teaching, and self-paced learning.
33 The school may use one of the following blended learning models:

34 1. Flipped classroom model in which students use online
35 instructional videos and practice concepts in the classroom with
36 the support of the teacher;

37 2. Flex model in which students learn primarily online and
38 teachers act as facilitators; or

39 3. Rotation model in which students move between different
40 learning modalities, such as online instruction, teacher-
41 directed instruction, seminar or group projects, and one-on-one
42 teacher coaching. Rotation models include individual, station,



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43 and laboratory models.

44 (c) An innovation school of technology must be open to any
45 student covered in an interdistrict agreement or residing in the
46 school district in which the innovation school of technology is
47 located. An innovation school of technology shall enroll an
48 eligible student who submits a timely application if the number
49 of applications does not exceed the capacity of a program,
50 class, grade level, or building. If the number of applications
51 exceeds capacity, all applicants shall have an equal chance of
52 being admitted through a public random selection process.
53 However, a district may give enrollment preference to students
54 who identify the innovation school of technology as the
55 student's preferred choice pursuant to the district's controlled
56 open enrollment plan.

57 (2) GUIDING PRINCIPLES.—An innovation school of technology
58 shall be guided by the following principles:

59 (a) Meet high standards of student achievement in exchange
60 for flexibility with respect to statutes or rules.

61 (b) Implement innovative learning methods and assessment
62 tools to implement a schoolwide transformation regarding
63 industry-leading technology to improve student learning and
64 academic achievement.

65 (c) Promote enhanced academic success and financial
66 efficiency by aligning responsibility with accountability and
67 industry-leading technology.

68 (d) Measure student performance based on student learning
69 growth, or based on student achievement if student learning
70 growth cannot be measured.

71 (e) Provide a parent with sufficient information as to



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72 whether his or her child is reading at grade level and making
73 learning gains each year.

74 (f) Incorporate industry certifications and similar
75 recognitions into performance expectations.

76 (g) Focus on utilizing industry-leading hardware and
77 software technology for student individual use and to develop
78 the school's infrastructure in furtherance of this section.

79 (3) TERM OF PERFORMANCE CONTRACT.—An innovation school of
80 technology may operate pursuant to a performance contract with
81 the State Board of Education for a period of 5 years.

82 (a) Before expiration of the performance contract, the
83 school's performance shall be evaluated against the eligibility
84 criteria, purpose, guiding principles, and compliance with the
85 contract to determine whether the contract may be renewed. The
86 contract may be renewed every 5 years.

87 (b) The performance contract shall be terminated by the
88 State Board of Education if:

89 1. The school receives a grade of "F" as an innovation
90 school of technology for 2 consecutive years;

91 2. The school or district fails to comply with the criteria
92 in this section;

93 3. The school or district does not comply with terms of the
94 contract which specify that a violation results in termination;

95 or

96 4. Other good cause is shown.

97 (4) FUNDING.—A district school board operating an
98 innovation school of technology shall report full-time
99 equivalent students to the department in a manner prescribed by
100 the department, and funding shall be provided through the



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101 Florida Education Finance Program as provided in ss. 1011.61 and
102 1011.62. An innovation school of technology may seek and receive
103 additional funding through incentive grants or public or private
104 partnerships.

105 (5) EXEMPTION FROM STATUTES.—

106 (a) An innovation school of technology is exempt from
107 chapters 1000-1013. However, an innovation school of technology
108 shall comply with the following provisions of those chapters:

109 1. Laws pertaining to the following:

110 a. Schools of technology, including this section.

111 b. Student assessment program and school grading system.

112 c. Services to students who have disabilities.

113 d. Civil rights, including s. 1000.05, relating to
114 discrimination.

115 e. Student health, safety, and welfare.

116 2. Laws governing the election and compensation of district
117 school board members and election or appointment and
118 compensation of district school superintendents.

119 3. Section 1003.03, governing maximum class size, except
120 that the calculation for compliance pursuant to s. 1003.03 is
121 the average at the school level.

122 4. Sections 1012.22(1)(c) and 1012.27(2), relating to
123 compensation and salary schedules.

124 5. Section 1012.33(5), relating to workforce reductions,
125 for annual contracts for instructional personnel. This
126 subparagraph does not apply to at-will employees.

127 6. Section 1012.335, relating to contracts with
128 instructional personnel hired on or after July 1, 2011, for
129 annual contracts for instructional personnel. This subparagraph



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130 does not apply to at-will employees.

131 7. Section 1012.34, relating to requirements for
132 performance evaluations of instructional personnel and school
133 administrators.

134 (b) An innovation school of technology shall also comply
135 with chapter 119 and s. 286.011, relating to public meetings and
136 records, public inspection, and criminal and civil penalties.

137 (c) An innovation school of technology is exempt from ad
138 valorem taxes and the State Requirements for Educational
139 Facilities when leasing facilities.

140 (6) APPLICATION PROCESS AND PERFORMANCE CONTRACT.-

141 (a) A district school board may apply to the State Board of
142 Education for an innovation school of technology if the
143 district:

144 1. Has at least 20 percent of its total enrollment in
145 public school choice programs or at least 5 percent of its total
146 enrollment in charter schools;

147 2. Has no material weaknesses or instances of material
148 noncompliance noted in the annual financial audit conducted
149 pursuant to s. 218.39; and

150 3. Has received a district grade of "A" or "B" in each of
151 the past 3 years.

152 (b) A district school board may operate one innovation
153 school of technology upon an application being approved by the
154 State Board of Education.

155 1. A district school board may apply to the State Board of
156 Education to establish additional schools of technology if each
157 existing innovation school of technology in the district:

158 a. Meets all requirements in this section and in the



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159 performance contract;
160 b. Has a grade of "A" or "B"; and
161 c. Has at least 50 percent of its students exceed the state
162 average on the statewide assessment program pursuant to s.
163 1008.22. This comparison may take student subgroups, as defined
164 in the federal Elementary and Secondary Education Act (ESEA), 20
165 U.S.C. s. 6311(b) (2) (C) (v) (II), into specific consideration so
166 that at least 50 percent of students in each student subgroup
167 meet or exceed the statewide average performance, rounded to the
168 nearest whole number, of that particular subgroup.
169 2. Notwithstanding subparagraph 1., the number of schools
170 of technology in a school district may not exceed:
171 a. Seven in a school district that has 100,000 or more
172 students.
173 b. Five in a school district that has 50,000 to 99,999
174 students.
175 c. Three in a school district that has fewer than 50,000
176 students.
177 (c) A school district that meets the eligibility
178 requirements of paragraph (a) may apply to the State Board of
179 Education at any time to enter into a performance contract to
180 operate an innovation school of technology. The application
181 must, at a minimum:
182 1. Demonstrate how the school district meets and will
183 continue to meet the requirements of this section;
184 2. Identify how the school will accomplish the purposes and
185 guiding principles of this section;
186 3. Identify the statutes or rules from which the district
187 is seeking a waiver for the school;



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188 4. Identify and provide supporting documentation for the
189 purpose and impact of each waiver, how each waiver would enable
190 the school to achieve the purpose and guiding principles of this
191 section, and how the school would not be able to achieve the
192 purpose and guiding principles of this section without each
193 waiver; and

194 5. Confirm that the school board remains responsible for
195 the operation, control, and supervision of the school in
196 accordance with all applicable laws, rules, and district
197 procedures not waived pursuant to this section or waived
198 pursuant to other applicable law.

199 (d) The State Board of Education shall approve or deny the
200 application within 90 days or, with the agreement of the school
201 district, at a later date.

202 (e) The performance contract must address the terms under
203 which the State Board of Education may cancel the contract and,
204 at a minimum, the methods by which:

205 1. Upon execution of the performance contract, the school
206 district will plan the program during the first year, begin at
207 least partial implementation of the program during the second
208 year, and fully implement the program by the third year. A
209 district may implement the program sooner than specified in this
210 subparagraph if authorized in the performance contract.

211 2. The school will integrate industry-leading technology
212 into instruction, assessment, and professional development. The
213 school may also restructure the school day or school year in a
214 way that allows it to best accomplish its goals.

215 3. The school and district will monitor performance
216 progress based on skills that help students succeed in college



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217 and careers, including problem solving, research,
218 interpretation, and communication.

219 4. The school will incorporate industry certifications and
220 similar recognitions into performance expectations.

221 5. The school and district will comply with this section
222 and the performance contract.

223 (f) Three or more contiguous school districts may apply to
224 enter into a joint performance contract as a Region of
225 Technology, subject to terms and conditions contained in this
226 section for a single school district.

227 (g) The State Board of Education shall monitor schools of
228 technology to ensure that the respective school district is in
229 compliance with this section and the performance contract.

230 (h) The State Board of Education shall adopt rules pursuant
231 to ss. 120.536(1) and 120.54 to implement this section,
232 including, but not limited to, an application, evaluation
233 instrument, and renewal evaluation instrument.

234 (i) This section does not supersede the provisions of s.
235 768.28.

236 (7) REPORTS.—The school district of an innovation school of
237 technology shall submit to the State Board of Education, the
238 President of the Senate, and the Speaker of the House of
239 Representatives an annual report by December 1 of each year
240 which delineates the performance of the innovation school of
241 technology as it relates to the academic performance of
242 students. The annual report shall be submitted in a format
243 prescribed by the Department of Education and must include, but
244 need not be limited to, the following:

245 (a) Evidence of compliance with this section.



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246 (b) Efforts to close the achievement gap.

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

251 (d) Longitudinal performance for students who take an
252 Advanced Placement Examination, organized by age, gender, and
253 race, and for students who participate in the National School
254 Lunch Program.

255 (e) Number and percentage of students who take an Advanced
256 Placement Examination.

257 (f) Identification and analysis of industry-leading
258 technology used to comply with this section, including, but not
259 limited to, recommendations and lessons learned from such use.

261 ===== T I T L E A M E N D M E N T =====

262 And the title is amended as follows:

263 Delete line 62

264 and insert:

265 standard charter contract; amending s. 1002.31, F.S.;

266 providing a calculation for compliance with class size

267 maximums for a public school of choice; creating s.

268 1002.451, F.S.; creating schools of technology to

269 allow school districts to be innovative with industry-

270 leading technology and earn flexibility for high

271 academic achievement; describing permissible learning

272 models; specifying student eligibility requirements;

273 providing guiding principles for schools of

274 innovation; providing guiding principles for schools



275 of technology; specifying requirements of a
276 performance contract between the State Board of
277 Education and an innovation school of technology;
278 establishing the term of the performance contract;
279 providing for funding; exempting schools of technology
280 from ch. 1000-1013, F.S., subject to certain
281 exceptions; exempting such schools from certain ad
282 valorem taxes and other requirements; specifying
283 school district eligibility; establishing an
284 application process; limiting the number of schools of
285 technology that may be operated and established in a
286 school district; providing for a Region of Technology
287 in which three or more school districts enter into a
288 joint performance contract; requiring the State Board
289 of Education to monitor schools of technology for
290 compliance with the act and performance contracts;
291 requiring the State Board of Education to adopt rules;
292 requiring a school district with an innovation school
293 of technology to submit an annual report to the State
294 Board of Education and the Legislature; specifying
295 requirements for such report; providing an effective