



1 A bill to be entitled
2 An act relating to education; amending s. 1002.20,
3 F.S.; including specific certifications and programs
4 in the public educational choice options available to
5 students; providing that parents of certain public
6 school students may use the Florida Personal Learning
7 Scholarship Accounts Program to seek private
8 educational choice options; providing that parents of
9 public school students have the right to certain
10 information relating to school district finances and
11 the school district's annual financial report;
12 specifying that certain financial information be
13 included and other information not be included in the
14 school report card; requiring that certain financial
15 information be included in the school district's
16 parent guide or a similar publication; amending s.
17 1002.21, F.S.; requiring state universities and
18 Florida College System institutions to annually notify
19 students of certain financial information related to
20 the cost of instruction; amending 1002.31, F.S.;
21 requiring school districts to establish a controlled
22 open enrollment process; requiring school districts to
23 define school capacity; requiring that a district
24 school board annually report the number of students
25 exercising school choice; authorizing a parent to
26 enroll his or her child in any public school in the



27 | state that has not reached capacity; providing that a
28 | student may continue to attend a chosen school until
29 | the student completes the highest grade offered by the
30 | school; requiring district school boards to establish
31 | a process for a parent to request that his or her
32 | child be transferred to another classroom teacher;
33 | amending s. 1002.33, F.S.; revising required contents
34 | of charter school applications; conforming provisions
35 | regarding the appeal process for denial of a high-
36 | performing charter school application; requiring an
37 | applicant to provide the sponsor with a copy of the
38 | appeal; providing that a charter school may defer
39 | opening for a specified period; requiring a charter
40 | school to notify the sponsor of its intent to defer;
41 | specifying that the reading curriculum and
42 | instructional strategies in a charter school's charter
43 | satisfy the research-based reading plan requirement
44 | and that charter schools are eligible for the
45 | research-based reading allocation; revising provisions
46 | relating to long-term charters and charter
47 | terminations; requiring a charter school applicant to
48 | provide monthly financial statements before opening;
49 | requiring a sponsor to review charter school financial
50 | statements to identify the existence of certain
51 | conditions; providing for the automatic termination of
52 | a charter if certain conditions are met; requiring a



53 | sponsor to notify certain parties when a charter is
54 | terminated for specific reasons; authorizing governing
55 | board members to participate in public meetings in
56 | person or through communications media technology;
57 | authorizing a charter school not having reached
58 | capacity to be open to any student in the state;
59 | revising requirements for payments to charter schools;
60 | allowing for the use of certain surpluses and assets
61 | by specific entities for certain educational purposes;
62 | amending s. 1002.331, F.S.; providing an exemption
63 | from the replication limitations for high-performing
64 | charter school; conforming a cross-reference; deleting
65 | obsolete provisions; creating s. 1004.650;
66 | establishing the Florida Institute for Charter School
67 | Innovation; specifying requirements for the institute;
68 | providing for the appointment of a director of the
69 | institute; establishing duties of the director;
70 | requiring an annual report to the Governor and
71 | Legislature and an annual financial report to certain
72 | entities; amending s. 1012.56, F.S.; specifying that a
73 | charter school may develop and operate a professional
74 | development certification and education competency
75 | program; amending s. 1013.62, F.S.; revising
76 | eligibility requirements for charter school capital
77 | outlay funding; amending s. 1012.2315, F.S.;
78 | specifying which teachers are deemed to be in need of



79 improvement for certain purposes; deleting a provision
80 related to rulemaking; renaming the term "salary
81 incentives" as "salary supplements"; amending s.
82 1012.57, F.S.; requiring the State Board of Education
83 to adopt rules for the issuance of adjunct teaching
84 certificates; providing that adjunct teaching
85 certificates may be used for full-time teaching
86 positions in certain circumstances; authorizing
87 charter school governing boards to issue adjunct
88 teaching certificates; amending s. 1001.43, F.S.;
89 authorizing district school boards to adopt a standard
90 student attire policy; establishing criteria for and
91 the purpose of the policy; providing immunity from
92 civil liability for district school boards that
93 implement a standard student attire policy under
94 certain conditions; designating a specific paragraph
95 as the "Students Attired for Education (SAFE) Act";
96 amending s. 1003.57, F.S.; requiring school districts
97 to provide instruction to homebound or hospitalized
98 students; requiring the State Board of Education to
99 adopt rules for student eligibility, methods of
100 providing instruction to homebound or hospitalized
101 students, and initiation of services; requiring
102 certain school districts to enter into an agreement
103 with certain children's specialty hospitals to
104 establish certain processes and timelines relating to



105 | the instruction of homebound or hospitalized students;
106 | amending s. 1011.62, F.S.; creating a safe schools
107 | allocation to provide funding to school districts for
108 | certain safe schools activities; providing for the
109 | withholding of a district's safe schools funding for
110 | failure to comply with certain reporting requirements
111 | with respect to school safety and student discipline;
112 | creating s. 1011.6202, F.S.; creating the Principal
113 | Autonomy Pilot Program Initiative; providing a
114 | procedure for a school district to participate in the
115 | program; providing requirements for participating
116 | school districts and schools; exempting participating
117 | schools from certain laws and rules; requiring
118 | principals of participating schools to complete a
119 | specific professional development program; providing
120 | for the term of participation in the program;
121 | providing for renewal or revocation of authorization
122 | to participate in the program; providing for reporting
123 | and rulemaking; amending s. 1011.64, F.S.; providing
124 | that certain training may be included in school
125 | district minimum classroom expenditure requirements;
126 | amending s. 1011.69, F.S.; requiring district school
127 | boards participating in the Principal Autonomy Pilot
128 | Program Initiative to allocate a specified percentage
129 | of certain funds to participating schools; creating s.
130 | 1011.78, F.S.; providing for incentive payments to



131 school districts that implement standard student
 132 attire policies; providing eligibility for and the
 133 amount of the incentive payments; providing for annual
 134 reversion of undisbursed funds; amending s. 1012.28,
 135 F.S.; providing additional authority and
 136 responsibilities of the principal of a school
 137 participating in the Principal Autonomy Pilot Program
 138 Initiative; amending s. 1012.986, F.S.; specifying the
 139 contents of a specific professional development
 140 program for certain school principals; providing
 141 effective dates.

142

143 Be It Enacted by the Legislature of the State of Florida:

144

145 Section 1. Paragraphs (a) and (b) of subsection (6) and
 146 subsection (16) of section 1002.20, Florida Statutes, are
 147 amended to read:

148 1002.20 K-12 student and parent rights.—Parents of public
 149 school students must receive accurate and timely information
 150 regarding their child's academic progress and must be informed
 151 of ways they can help their child to succeed in school. K-12
 152 students and their parents are afforded numerous statutory
 153 rights including, but not limited to, the following:

154 (6) EDUCATIONAL CHOICE.—

155 (a) Public educational ~~school~~ choices.—Parents of public
 156 school students may seek whatever public school choice options



157 that are applicable and available to students in their school
158 districts. These options may include controlled open enrollment,
159 single-gender programs, lab schools, virtual instruction
160 programs, charter schools, charter technical career centers,
161 magnet schools, alternative schools, special programs, auditory-
162 oral education programs, career and professional education
163 (CAPE) digital tool certificates, CAPE industry certifications,
164 collegiate high school programs, advanced placement, dual
165 enrollment, International Baccalaureate, International General
166 Certificate of Secondary Education (pre-AICE), Advanced
167 International Certificate of Education, early admissions, credit
168 by examination or demonstration of competency, the New World
169 School of the Arts, the Florida School for the Deaf and the
170 Blind, and the Florida Virtual School. These options may also
171 include the public educational school choice options of the
172 Opportunity Scholarship Program and the McKay Scholarships for
173 Students with Disabilities Program.

174 (b) Private educational school choices.—Parents of public
175 school students may seek private educational school choice
176 options under certain programs.

177 1. Under the McKay Scholarships for Students with
178 Disabilities Program, the parent of a public school student with
179 a disability may request and receive a McKay Scholarship for the
180 student to attend a private school in accordance with s.
181 1002.39.

182 2. Under the Florida Tax Credit Scholarship Program, the



183 parent of a student who qualifies for free or reduced-price
184 school lunch or who is currently placed, or during the previous
185 state fiscal year was placed, in foster care as defined in s.
186 39.01 may seek a scholarship from an eligible nonprofit
187 scholarship-funding organization in accordance with s. 1002.395.

188 3. Under the Florida Personal Learning Scholarship
189 Accounts Program, the parent of a student with a qualifying
190 disability may apply for a personal learning scholarship to be
191 used for educational purposes pursuant to s. 1002.385.

192 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
193 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
194 have the right ~~are entitled~~ to an easy-to-read report card about
195 the school's grade designation or, if applicable under s.
196 1008.341, the school's improvement rating; ~~and~~ the school's
197 accountability report, including the school financial report as
198 required under s. 1010.215; and the school district's annual
199 financial report, including expenditures by fund type for the
200 district's general fund, special revenue funds, debt service
201 funds, capital projects funds, and the total of such
202 expenditures, calculated per full-time equivalent student.
203 Fiduciary funds, enterprise funds, and internal service funds
204 shall not be included in the report card. The total expenditures
205 per full-time equivalent student as reported in the school
206 district's annual financial report, at a minimum, must be
207 included in the parent guide or a similar publication.

208 Section 2. Subsection (6) is added to section 1002.21,



209 Florida Statutes, to read:

210 1002.21 Postsecondary student and parent rights.—

211 (6) FISCAL TRANSPARENCY.—Each state university and Florida
212 College System institution shall annually notify students of the
213 amount and percentage of tuition per credit hour subsidized by
214 the state in accordance with rules of the State Board of
215 Education and regulations of the Board of Governors. This
216 information shall also include the average amount of money, by
217 source, estimated to be expended for the education of the
218 student.

219 Section 3. Section 1002.31, Florida Statutes, is amended
220 to read:

221 1002.31 Controlled open enrollment; public school parental
222 choice.—

223 (1) As used in this section, "controlled open enrollment"
224 means a public education delivery system that allows school
225 districts to make student school assignments using parents'
226 indicated preferential school choice as a significant factor.

227 (2) In addition to the existing eligibility criteria for
228 choice programs provided in s. 1002.20(6)(a), each district
229 school board shall allow a parent to enroll his or her child in
230 and transport his or her child to any public school that has not
231 reached capacity in the district. For purposes of continuity of
232 educational choice, a student may continue to attend the chosen
233 school until the student completes the highest grade offered by
234 the school ~~may offer controlled open enrollment within the~~



235 ~~public schools which is in addition to the existing choice~~
236 ~~programs such as virtual instruction programs, magnet schools,~~
237 ~~alternative schools, special programs, advanced placement, and~~
238 ~~dual enrollment.~~

239 (3) Each district school board ~~offering controlled open~~
240 ~~enrollment~~ shall annually adopt by rule and post on its website,
241 no later than January 1, the process required to participate in
242 controlled open enrollment. The process a controlled open
243 enrollment plan which must:

244 (a) Adhere to federal desegregation requirements.

245 (b) Allow ~~Include an application process required to~~
246 ~~participate in controlled open enrollment that allows parents to~~
247 ~~declare school preferences, including placement of siblings~~
248 ~~within the same school.~~

249 (c) Provide a lottery procedure to determine student
250 assignment and establish an appeals process for hardship cases.

251 (d) Afford parents of students in multiple session schools
252 preferred access to controlled open enrollment.

253 (e) Maintain socioeconomic, demographic, and racial
254 balance.

255 (f) Address the availability of transportation.

256 (g) Identify schools that have not reached capacity,
257 determined as 90 percent of the total student stations of the
258 school by program and grade level. In making its determination,
259 each school district shall consider the specifications, plans,
260 elements, and commitments contained in the school district



261 educational facilities plan and the long-term work programs
262 required under s. 1013.35.

263 (4) In accordance with the reporting requirements of s.
264 1011.62, each district school board shall annually report the
265 number of students exercising public school choice, by type of
266 choice attending the various types of public schools of choice
267 in the district, in accordance with including schools such as
268 virtual instruction programs, magnet schools, and public charter
269 schools, according to rules adopted by the State Board of
270 Education.

271 (5) (a) Beginning in the 2016-2017 school year, a parent
272 may enroll his or her child in and transport his or her child to
273 any public school that has not reached capacity in any school
274 district in the state. The school district shall accept the
275 student and report the student for purposes of the school
276 district's funding pursuant to the Florida Education Finance
277 Program.

278 (b) If a parent chooses to enroll his or her child in a
279 school in another school district pursuant to paragraph (a) for
280 the 2016-2017 school year, the parent shall notify the district
281 of residence and the district of choice no later than November
282 15, 2015. For the 2017-2018 school year and each school year
283 thereafter, the parent shall notify the district of residence
284 and the district of choice of his or her intention to enroll his
285 or her child in the district of choice no later than February 15
286 of each preceding school year. For purposes of continuity of



287 educational choice, a student may continue to attend the chosen
288 school until he or she completes the highest grade offered by
289 the school ~~For a school or program that is a public school of~~
290 ~~choice under this section, the calculation for compliance with~~
291 ~~maximum class size pursuant to s. 1003.03 is the average number~~
292 ~~of students at the school level.~~

293 (6) Each district school board shall establish a transfer
294 process for a parent to request that his or her child be
295 transferred to another classroom teacher. This subsection does
296 not give a parent the right to choose a specific classroom
297 teacher. A school must grant or deny the transfer within 2 weeks
298 after receiving the request. If a request for transfer is
299 denied, the school shall notify the parent and specify the
300 reasons for the denial. An explanation of the transfer process
301 must be made available in the parent guide or a similar
302 publication.

303 Section 4. Paragraphs (a) and (b) of subsection (6),
304 paragraph (d) of subsection (7), paragraphs (g), (n), and (p) of
305 subsection (9), paragraph (a) of subsection (10), subsection
306 (13), and paragraphs (b) and (e) of subsection (17), of section
307 1002.33, Florida Statutes, are amended to read:

308 1002.33 Charter schools.—

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

311 (a) A person or entity seeking ~~wishing~~ to open a charter
312 school shall prepare and submit an application on a model



313 application form prepared by the Department of Education which:
314 1. Demonstrates how the school will use the guiding
315 principles and meet the statutorily defined purpose of a charter
316 school.
317 2. Provides a detailed curriculum plan that illustrates
318 how students will be provided services to attain the Sunshine
319 State Standards.
320 3. Contains goals and objectives for improving student
321 learning and measuring that improvement. These goals and
322 objectives must indicate how much academic improvement students
323 are expected to show each year, how success will be evaluated,
324 and the specific results to be attained through instruction.
325 4. Describes the reading curriculum and differentiated
326 strategies that will be used for students reading at grade level
327 or higher and a separate curriculum and strategies for students
328 who are reading below grade level. A sponsor shall deny an
329 application ~~a charter~~ if the school does not propose a reading
330 curriculum that is consistent with effective teaching strategies
331 that are grounded in scientifically based reading research;
332 however, a sponsor may not require the school to implement the
333 reading curriculum adopted by the school district. The reading
334 curriculum and instructional strategies approved in the
335 application satisfy the research-based reading plan requirement
336 of s. 1011.62(9).
337 5. Contains an annual financial plan for each year
338 requested by the charter for operation of the school for up to 5



339 | years. This plan must contain anticipated fund balances based on
340 | revenue projections, a spending plan based on projected revenues
341 | and expenses, and a description of controls that will safeguard
342 | finances and projected enrollment trends.

343 | 6. Discloses the name of each applicant, governing board
344 | member, and proposed management company, if any; the name and
345 | sponsor of any charter school currently or previously operated
346 | by each applicant, each governing board member, and the proposed
347 | management company; and the academic and financial history of
348 | such charter schools, which the sponsor shall consider in
349 | deciding whether to approve or deny the application.

350 | ~~7.6.~~ Contains additional information a sponsor may
351 | require, which shall be attached as an addendum to the charter
352 | school application described in this paragraph.

353 | ~~8.7.~~ For the establishment of a virtual charter school,
354 | documents that the applicant has contracted with a provider of
355 | virtual instruction services pursuant to s. 1002.45(1)(d).

356 | (b) A sponsor shall receive and review all applications
357 | for a charter school using the ~~an~~ evaluation instrument
358 | developed by the Department of Education. A sponsor shall
359 | receive and consider charter school applications received on or
360 | before August 1 of each calendar year for charter schools to be
361 | opened at the beginning of the school district's next school
362 | year, or to be opened at a time agreed to by the applicant and
363 | the sponsor. A sponsor may not refuse to receive a charter
364 | school application submitted before August 1 and may receive an



365 application submitted later than August 1 if it chooses. In
366 order to facilitate greater collaboration in the application
367 process, an applicant may submit a draft charter school
368 application on or before May 1 with an application fee of \$500.
369 If a draft application is timely submitted, the sponsor shall
370 review and provide feedback as to material deficiencies in the
371 application by July 1. The applicant shall then have until
372 August 1 to resubmit a revised and final application. The
373 sponsor may approve the draft application. Except as provided
374 for a draft application, a sponsor may not charge an applicant
375 for a charter any fee for the processing or consideration of an
376 application, and a sponsor may not base its consideration or
377 approval of a final application upon the promise of future
378 payment of any kind. Before approving or denying any final
379 application, the sponsor shall allow the applicant, upon receipt
380 of written notification, at least 7 calendar days to make
381 technical or nonsubstantive corrections and clarifications,
382 including, but not limited to, corrections of grammatical,
383 typographical, and like errors or missing signatures, if such
384 errors are identified by the sponsor as cause to deny the final
385 application.

386 1. In order to facilitate an accurate budget projection
387 process, a sponsor shall be held harmless for FTE students who
388 are not included in the FTE projection due to approval of
389 charter school applications after the FTE projection deadline.
390 In a further effort to facilitate an accurate budget projection,



391 within 15 calendar days after receipt of a charter school
392 application, a sponsor shall report to the Department of
393 Education the name of the applicant entity, the proposed charter
394 school location, and its projected FTE.

395 2. In order to ensure fiscal responsibility, an
396 application for a charter school shall include a full accounting
397 of expected assets, a projection of expected sources and amounts
398 of income, including income derived from projected student
399 enrollments and from community support, and an expense
400 projection that includes full accounting of the costs of
401 operation, including start-up costs.

402 3.a. A sponsor shall by a majority vote approve or deny an
403 application no later than 60 calendar days after the application
404 is received, unless the sponsor and the applicant mutually agree
405 in writing to temporarily postpone the vote to a specific date,
406 at which time the sponsor shall by a majority vote approve or
407 deny the application. If the sponsor fails to act on the
408 application, an applicant may appeal to the State Board of
409 Education as provided in paragraph (c). If an application is
410 denied, the sponsor shall, within 10 calendar days after such
411 denial, articulate in writing the specific reasons, based upon
412 good cause, supporting its denial of the ~~charter~~ application and
413 shall provide the letter of denial and supporting documentation
414 to the applicant and to the Department of Education.

415 b. An application submitted by a high-performing charter
416 school identified pursuant to s. 1002.331 may be denied by the



417 sponsor only if the sponsor demonstrates by clear and convincing
418 evidence that:

419 (I) The application does not materially comply with the
420 requirements in paragraph (a);

421 (II) The charter school proposed in the application does
422 not materially comply with the requirements in paragraphs
423 (9) (a) - (f);

424 (III) The proposed charter school's educational program
425 does not substantially replicate that of the applicant or one of
426 the applicant's high-performing charter schools;

427 (IV) The applicant has made a material misrepresentation
428 or false statement or concealed an essential or material fact
429 during the application process; or

430 (V) The proposed charter school's educational program and
431 financial management practices do not materially comply with the
432 requirements of this section.

433
434 Material noncompliance is a failure to follow requirements or a
435 violation of prohibitions applicable to charter school
436 applications, which failure is quantitatively or qualitatively
437 significant either individually or when aggregated with other
438 noncompliance. An applicant is considered to be replicating a
439 high-performing charter school if the proposed school is
440 substantially similar to at least one of the applicant's high-
441 performing charter schools and the organization or individuals
442 involved in the establishment and operation of the proposed



443 school are significantly involved in the operation of replicated
444 schools.

445 c. If the sponsor denies an application submitted by a
446 high-performing charter school, the sponsor must, within 10
447 calendar days after such denial, state in writing the specific
448 reasons, based upon the criteria in sub-subparagraph b.,
449 supporting its denial of the application and must provide the
450 letter of denial and supporting documentation to the applicant
451 and to the Department of Education. The applicant may appeal the
452 sponsor's denial of the application directly to the State Board
453 of Education pursuant to paragraph (c). If an applicant files an
454 appeal, the applicant must provide the sponsor with a copy of
455 the appeal ~~sub-subparagraph (c)3.b.~~

456 4. For budget projection purposes, the sponsor shall
457 report to the Department of Education the approval or denial of
458 an ~~a charter~~ application within 10 calendar days after such
459 approval or denial. In the event of approval, the report to the
460 Department of Education shall include the final projected FTE
461 for the approved charter school.

462 5. Upon approval of an ~~a charter~~ application, the initial
463 startup shall commence with the beginning of the public school
464 calendar for the district in which the charter is granted. A
465 charter school, at the school's option, may notify the sponsor
466 of its intent to defer the opening of the school's operations
467 for up to 2 years to provide time for adequate facility
468 planning. The sponsor may not require the charter school to



469 provide written notice of such intent earlier than 15 calendar
470 days before the first day of school unless the sponsor allows a
471 waiver of this subparagraph for good cause.

472 (7) CHARTER.—The major issues involving the operation of a
473 charter school shall be considered in advance and written into
474 the charter. The charter shall be signed by the governing board
475 of the charter school and the sponsor, following a public
476 hearing to ensure community input.

477 (d)~~1.~~ A charter may be terminated by a charter school's
478 governing board through voluntary closure. The governing board
479 must notify the sponsor and the department in writing within 7
480 calendar days after its decision to cease operations. The notice
481 shall state the reason for the closure and acknowledge that the
482 governing board agrees to follow the procedures for dissolution
483 and reversion of public funds pursuant to paragraphs (8) (e)-(g)
484 and (9) (o). Each charter school's governing board must appoint a
485 representative to facilitate parental involvement, provide
486 access to information, assist parents and others with questions
487 and concerns, and resolve disputes. The representative must
488 reside in the school district in which the charter school is
489 located and may be a governing board member, charter school
490 employee, or individual contracted to represent the governing
491 board. If the governing board oversees multiple charter schools
492 in the same school district, the governing board must appoint a
493 separate individual representative for each charter school in
494 the district. The representative's contact information must be



495 ~~provided annually in writing to parents and posted prominently~~
496 ~~on the charter school's website if a website is maintained by~~
497 ~~the school. The sponsor may not require that governing board~~
498 ~~members reside in the school district in which the charter~~
499 ~~school is located if the charter school complies with this~~
500 ~~paragraph.~~

501 ~~2. Each charter school's governing board must hold at~~
502 ~~least two public meetings per school year in the school~~
503 ~~district. The meetings must be noticed, open, and accessible to~~
504 ~~the public, and attendees must be provided an opportunity to~~
505 ~~receive information and provide input regarding the charter~~
506 ~~school's operations. The appointed representative and charter~~
507 ~~school principal or director, or his or her equivalent, must be~~
508 ~~physically present at each meeting.~~

509 (9) CHARTER SCHOOL REQUIREMENTS.—

510 (g)1. In order to provide financial information that is
511 comparable to that reported for other public schools, charter
512 schools are to maintain all financial records that constitute
513 their accounting system:

514 a. In accordance with the accounts and codes prescribed in
515 the most recent issuance of the publication titled "Financial
516 and Program Cost Accounting and Reporting for Florida Schools";
517 or

518 b. At the discretion of the charter school's governing
519 board, a charter school may elect to follow generally accepted
520 accounting standards for not-for-profit organizations, but must



521 reformat this information for reporting according to this
522 paragraph.

523 2. Charter schools shall provide annual financial report
524 and program cost report information in the state-required
525 formats for inclusion in district reporting in compliance with
526 s. 1011.60(1). Charter schools that are operated by a
527 municipality or are a component unit of a parent nonprofit
528 organization may use the accounting system of the municipality
529 or the parent but must reformat this information for reporting
530 according to this paragraph.

531 3. A charter school shall, upon approval of the contract,
532 provide the sponsor with a concise, uniform, monthly financial
533 statement summary sheet that contains a balance sheet and a
534 statement of revenue, expenditures, and changes in fund balance.
535 The balance sheet and the statement of revenue, expenditures,
536 and changes in fund balance shall be in the governmental funds
537 format prescribed by the Governmental Accounting Standards
538 Board. A high-performing charter school pursuant to s. 1002.331
539 may provide a quarterly financial statement in the same format
540 and requirements as the uniform monthly financial statement
541 summary sheet. The sponsor shall review each monthly or
542 quarterly financial statement to identify the existence of any
543 conditions identified in s. 1002.345(1)(a).

544 4. A charter school shall maintain and provide financial
545 information as required in this paragraph. The financial
546 statement required in subparagraph 3. must be in a form



547 prescribed by the Department of Education.

548 (n)1. The director and a representative of the governing
549 board of a charter school that has earned a grade of "D" or "F"
550 pursuant to s. 1008.34 shall appear before the sponsor to
551 present information concerning each contract component having
552 noted deficiencies. The director and a representative of the
553 governing board shall submit to the sponsor for approval a
554 school improvement plan to raise student performance. Upon
555 approval by the sponsor, the charter school shall begin
556 implementation of the school improvement plan. The department
557 shall offer technical assistance and training to the charter
558 school and its governing board and establish guidelines for
559 developing, submitting, and approving such plans.

560 2.a. If a charter school earns three consecutive grades of
561 "D," two consecutive grades of "D" followed by a grade of "F,"
562 or two nonconsecutive grades of "F" within a 3-year period, the
563 charter school governing board shall choose one of the following
564 corrective actions:

565 (I) Contract for educational services to be provided
566 directly to students, instructional personnel, and school
567 administrators, as prescribed in state board rule;

568 (II) Contract with an outside entity that has a
569 demonstrated record of effectiveness to operate the school;

570 (III) Reorganize the school under a new director or
571 principal who is authorized to hire new staff; or

572 (IV) Voluntarily close the charter school.



573 b. The charter school must implement the corrective action
574 in the school year following receipt of a third consecutive
575 grade of "D," a grade of "F" following two consecutive grades of
576 "D," or a second nonconsecutive grade of "F" within a 3-year
577 period.

578 c. The sponsor may annually waive a corrective action if
579 it determines that the charter school is likely to improve a
580 letter grade if additional time is provided to implement the
581 intervention and support strategies prescribed by the school
582 improvement plan. Notwithstanding this sub-subparagraph, a
583 charter school that earns a second consecutive grade of "F" is
584 subject to subparagraph 4.

585 d. A charter school is no longer required to implement a
586 corrective action if it improves by at least one letter grade.
587 However, the charter school must continue to implement
588 strategies identified in the school improvement plan. The
589 sponsor must annually review implementation of the school
590 improvement plan to monitor the school's continued improvement
591 pursuant to subparagraph 5.

592 e. A charter school implementing a corrective action that
593 does not improve by at least one letter grade after 2 full
594 school years of implementing the corrective action must select a
595 different corrective action. Implementation of the new
596 corrective action must begin in the school year following the
597 implementation period of the existing corrective action, unless
598 the sponsor determines that the charter school is likely to



599 improve a letter grade if additional time is provided to
600 implement the existing corrective action. Notwithstanding this
601 sub-subparagraph, a charter school that earns a second
602 consecutive grade of "F" while implementing a corrective action
603 is subject to subparagraph 4.

604 3. A charter school with a grade of "D" or "F" that
605 improves by at least one letter grade must continue to implement
606 the strategies identified in the school improvement plan. The
607 sponsor must annually review implementation of the school
608 improvement plan to monitor the school's continued improvement
609 pursuant to subparagraph 5.

610 4. A charter school's charter is automatically terminated
611 if the school earns two consecutive grades of "F" after all
612 school grade appeals are final ~~The sponsor shall terminate a~~
613 ~~charter if the charter school earns two consecutive grades of~~
614 ~~"F" unless:~~

615 a. The charter school is established to turn around the
616 performance of a district public school pursuant to s.
617 1008.33(4)(b)3. Such charter schools shall be governed by s.
618 1008.33;

619 b. The charter school serves a student population the
620 majority of which resides in a school zone served by a district
621 public school that earned a grade of "F" in the year before the
622 charter school opened and the charter school earns at least a
623 grade of "D" in its third year of operation. The exception
624 provided under this sub-subparagraph does not apply to a charter



625 school in its fourth year of operation and thereafter; or
626 c. The state board grants the charter school a waiver of
627 termination. The charter school must request the waiver within
628 15 days after the department's official release of school
629 grades. The state board may waive termination if the charter
630 school demonstrates that the Learning Gains of its students on
631 statewide assessments are comparable to or better than the
632 Learning Gains of similarly situated students enrolled in nearby
633 district public schools. The waiver is valid for 1 year and may
634 only be granted once. Charter schools that have been in
635 operation for more than 5 years are not eligible for a waiver
636 under this sub-subparagraph.

637
638 The sponsor shall notify the charter school's governing board,
639 the charter school principal, and the department in writing when
640 a charter is terminated under this subparagraph. A charter
641 terminated under this subparagraph is governed by the
642 requirements of paragraphs (8) (e)-(g) and (9) (o).

643 5. The director and a representative of the governing
644 board of a graded charter school that has implemented a school
645 improvement plan under this paragraph shall appear before the
646 sponsor at least once a year to present information regarding
647 the progress of intervention and support strategies implemented
648 by the school pursuant to the school improvement plan and
649 corrective actions, if applicable. The sponsor shall communicate
650 at the meeting, and in writing to the director, the services



651 provided to the school to help the school address its
652 deficiencies.

653 6. Notwithstanding any provision of this paragraph except
654 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
655 at any time pursuant to subsection (8).

656 (p)1. Each charter school shall maintain a website that
657 enables the public to obtain information regarding the school;
658 the school's academic performance; the names of the governing
659 board members; the programs at the school; any management
660 companies, service providers, or education management
661 corporations associated with the school; the school's annual
662 budget and its annual independent fiscal audit; the school's
663 grade pursuant to s. 1008.34; and, on a quarterly basis, the
664 minutes of governing board meetings.

665 2. Each charter school's governing board must appoint a
666 representative to facilitate parental involvement, provide
667 access to information, assist parents and others with questions
668 and concerns, and resolve disputes. The representative must
669 reside in the school district in which the charter school is
670 located and may be a governing board member, a charter school
671 employee, or an individual contracted to represent the governing
672 board. If the governing board oversees multiple charter schools
673 in the same school district, the governing board must appoint a
674 separate representative for each charter school in the district.
675 The representative's contact information must be provided
676 annually in writing to parents and posted prominently on the



677 charter school's website. The sponsor may not require governing
678 board members to reside in the school district in which the
679 charter school is located if the charter school complies with
680 this subparagraph.

681 3. Each charter school's governing board must hold at
682 least two public meetings per school year in the school district
683 where the charter school is located. The meetings must be
684 noticed, open, and accessible to the public, and attendees must
685 be provided an opportunity to receive information and provide
686 input regarding the charter school's operations. The appointed
687 representative and charter school principal or director, or his
688 or her designee, must be physically present at each meeting.
689 Members of the governing board may attend in person or by means
690 of communications media technology used in accordance with rules
691 adopted by the Administration Commission under s. 120.54(5).

692 (10) ELIGIBLE STUDENTS.—

693 (a) A charter school shall be open to any student covered
694 in an interdistrict agreement or residing in the school district
695 in which the charter school is located; however, in the case of
696 a charter lab school, the charter lab school shall be open to
697 any student eligible to attend the lab school as provided in s.
698 1002.32 or who resides in the school district in which the
699 charter lab school is located. Any eligible student shall be
700 allowed interdistrict transfer to attend a charter school when
701 based on good cause. Good cause shall include, but is not
702 limited to, geographic proximity to a charter school in a



703 neighboring school district. A charter school that has not
704 reached capacity as defined in s. 1002.31(3)(g), as determined
705 by the charter school's governing board, may be open to any
706 student in the state.

707 (13) CHARTER SCHOOL COOPERATIVES.— Charter schools may
708 enter into cooperative agreements to form charter school
709 cooperative organizations that may provide ~~the following~~
710 services to further educational, operational, and administrative
711 initiatives in which the participating charter schools share
712 common interests: ~~charter school planning and development,~~
713 ~~direct instructional services, and contracts with charter school~~
714 ~~governing boards to provide personnel administrative services,~~
715 ~~payroll services, human resource management, evaluation and~~
716 ~~assessment services, teacher preparation, and professional~~
717 ~~development.~~

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

723 (b) The basis for the agreement for funding students
724 enrolled in a charter school shall be the sum of the school
725 district's operating funds from the Florida Education Finance
726 Program as provided in s. 1011.62 and the General Appropriations
727 Act, including gross state and local funds, discretionary
728 lottery funds, and funds from the school district's current



729 operating discretionary millage levy; divided by total funded
730 weighted full-time equivalent students in the school district;
731 multiplied by the weighted full-time equivalent students for the
732 charter school. Charter schools whose students or programs meet
733 the eligibility criteria in law are entitled to their
734 proportionate share of categorical program funds included in the
735 total funds available in the Florida Education Finance Program
736 by the Legislature, including transportation, the research-based
737 reading allocation, and the Florida digital classrooms
738 allocation. Total funding for each charter school shall be
739 recalculated during the year to reflect the revised calculations
740 under the Florida Education Finance Program by the state and the
741 actual weighted full-time equivalent students reported by the
742 charter school during the full-time equivalent student survey
743 periods designated by the Commissioner of Education. Any
744 unrestricted surplus or unrestricted net assets identified in
745 the charter school's annual audit may be used for K-12
746 educational purposes by a not-for-profit or municipal entity
747 organizing or operating the charter school.

748 (e) District school boards shall make timely and efficient
749 payment and reimbursement to charter schools, including
750 processing paperwork required to access special state and
751 federal funding for which they may be eligible. The district
752 school board may distribute funds to a charter school for up to
753 3 months based on the projected full-time equivalent student
754 membership of the charter school. Thereafter, the results of



755 full-time equivalent student membership surveys shall be used in
756 adjusting the amount of funds distributed monthly to the charter
757 school for the remainder of the fiscal year. The payment shall
758 be issued no later than 10 working days after the district
759 school board receives a distribution of state or federal funds.
760 If a warrant for payment is not issued within 10 working days
761 after receipt of funding by the district school board, the
762 school district shall pay to the charter school, in addition to
763 the amount of the scheduled disbursement, interest at a rate of
764 1 percent per month calculated on a daily basis on the unpaid
765 balance from the expiration of the 10 working days until such
766 time as the warrant is issued. The district school board may not
767 delay payment to a charter school of any portion of the funds
768 provided in paragraph (b) based on the timing of receipt of
769 local funds by the district school board.

770 Section 5. Paragraph (e) of subsection (2) and subsections
771 (3), (4), and (5) of section 1002.331, Florida Statutes, are
772 amended to read:

773 1002.331 High-performing charter schools.—

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

775 (e) Receive a modification of its charter to a term of 15
776 years or a 15-year charter renewal. The charter may be modified
777 or renewed for a shorter term at the option of the high-
778 performing charter school. The charter must be consistent with
779 s. 1002.33(7)(a)20. ~~1002.33(7)(a)19.~~ and (10)(h) and (i), is
780 subject to annual review by the sponsor, and may be terminated



781 during its term pursuant to s. 1002.33(8).

782

783 A high-performing charter school shall notify its sponsor in
784 writing by March 1 if it intends to increase enrollment or
785 expand grade levels the following school year. The written
786 notice shall specify the amount of the enrollment increase and
787 the grade levels that will be added, as applicable. If a charter
788 school notifies the sponsor of its intent to expand, the sponsor
789 shall modify the charter within 90 days to include the new
790 enrollment maximum and may not make any other changes. The
791 sponsor may deny a request to increase the enrollment of a high-
792 performing charter school if the commissioner has declassified
793 the charter school as high-performing. If a high-performing
794 charter school requests to consolidate multiple charters, the
795 sponsor shall have 40 days after receipt of that request to
796 provide an initial draft charter to the charter school. The
797 sponsor and charter school shall have 50 days thereafter to
798 negotiate and notice the charter contract for final approval by
799 the sponsor.

800 (3) (a) A high-performing charter school may submit an
801 application pursuant to s. 1002.33(6) in any school district in
802 the state to establish and operate a new charter school that
803 will substantially replicate its educational program. An
804 application submitted by a high-performing charter school must
805 state that the application is being submitted pursuant to this
806 paragraph and must include the verification letter provided by



807 the Commissioner of Education pursuant to subsection ~~(4)~~~~(5)~~. If
808 the sponsor fails to act on the application within 60 days after
809 receipt, the application is deemed approved and the procedure in
810 s. 1002.33(6)(h) applies. If the sponsor denies the application,
811 the high-performing charter school may appeal pursuant to s.
812 1002.33(6).

813 (b) A high-performing charter school may not establish
814 more than one charter school within the state under paragraph
815 (a) in any year. A subsequent application to establish a charter
816 school under paragraph (a) may not be submitted unless each
817 charter school established in this manner achieves high-
818 performing charter school status. This paragraph does not apply
819 to charter schools established by a high-performing charter
820 school in the attendance zone of a school identified as in need
821 of intervention and support pursuant to s. 1008.33(3)(b) or to
822 meet capacity needs or needs for innovative school choice
823 options identified by the district school board.

824 ~~(4) A high-performing charter school may not increase~~
825 ~~enrollment or expand grade levels following any school year in~~
826 ~~which it receives a school grade of "C" or below. If the charter~~
827 ~~school receives a school grade of "C" or below in any 2 years~~
828 ~~during the term of the charter awarded under subsection (2), the~~
829 ~~term of the charter may be modified by the sponsor and the~~
830 ~~charter school loses its high-performing charter school status~~
831 ~~until it regains that status under subsection (1).~~

832 ~~(4)~~~~(5)~~ The Commissioner of Education, upon request by a



833 charter school, shall verify that the charter school meets the
834 criteria in subsection (1) and provide a letter to the charter
835 school and the sponsor stating that the charter school is a
836 high-performing charter school pursuant to this section. The
837 commissioner shall annually determine whether a high-performing
838 charter school under subsection (1) continues to meet the
839 criteria in that subsection. Such high-performing charter school
840 shall maintain its high-performing status unless the
841 commissioner determines that the charter school no longer meets
842 the criteria in subsection (1), at which time the commissioner
843 shall send a letter to the charter school and its sponsor
844 providing notification that the charter school has been
845 declassified ~~of its declassification~~ as a high-performing
846 charter school.

847 Section 6. Section 1004.650, Florida Statutes, is created
848 to read:

849 1004.650 Florida Institute for Charter School Innovation.-

850 (1) There is established the Florida Institute for Charter
851 School Innovation within the Florida State University. The
852 purposes of the institute are to advance charter school
853 accountability, quality, and innovation; provide support for and
854 technical assistance to charter school applicants and sponsors;
855 provide opportunities for aspiring teachers to experience
856 teaching in schools of choice; and conduct research for the
857 development and promotion of best practices for the authorizing,
858 accountability, financing, management, operation, and



859 instructional practices of charter schools.

860 (2) The institute shall:

861 (a) Provide technical assistance and support to charter
862 school applicants and sponsors.

863 (b) Conduct research to inform both policy and practices
864 related to charter school authorizing, accountability,
865 instructional practices, financing, management, and operations.

866 (c) Partner with state-approved teacher preparation
867 programs around the state to provide opportunities for aspiring
868 teachers to experience teaching in schools of choice.

869 (3) The President of the Florida State University shall
870 appoint a director of the institute. The director is responsible
871 for overall management of the institute and for developing and
872 executing the work of the institute consistent with this
873 section. The director may engage individuals in other state
874 universities with accredited colleges of education to
875 participate in the work of the institute.

876 (4) By October 1 of each year, the institute shall provide
877 a written report to the Governor, the President of the Senate,
878 and the Speaker of the House of Representatives that outlines
879 its activities in the preceding year, reports significant
880 research findings, details expenditures of state funds, and
881 provides specific recommendations for improving the state's
882 charter school policies and the institute's ability to fulfill
883 its mission.

884 (5) Within 180 days after completion of the institute's



885 fiscal year, the institute must provide to the Auditor General,
886 the Board of Governors of the State University System, and the
887 State Board of Education a report on the results of an annual
888 financial audit conducted by an independent certified public
889 accountant in accordance with s. 11.45.

890 Section 7. Paragraph (b) of subsection (8) of section
891 1012.56, Florida Statutes, is amended to read:

892 1012.56 Educator certification requirements.—

893 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
894 COMPETENCY PROGRAM.—

895 (b)1. Each school district must and a private school or
896 state-supported ~~state-supported~~ public school, including a
897 charter school, ~~or a private school~~ may develop and maintain a
898 system by which members of the instructional staff may
899 demonstrate mastery of professional preparation and education
900 competence as required by law. Each program must be based on
901 classroom application of the Florida Educator Accomplished
902 Practices and instructional performance and, for public schools,
903 must be aligned with the district's or state-supported public
904 school's evaluation system established ~~approved~~ under s.
905 1012.34, as applicable.

906 2. The Commissioner of Education shall determine the
907 continued approval of programs implemented under this paragraph,
908 based upon the department's review of performance data. The
909 department shall review the performance data as a part of the
910 periodic review of each school district's professional



911 development system required under s. 1012.98.

912 Section 8. Paragraph (a) of subsection (1) of section
913 1013.62, Florida Statutes, is amended to read:

914 1013.62 Charter schools capital outlay funding.—

915 (1) In each year in which funds are appropriated for
916 charter school capital outlay purposes, the Commissioner of
917 Education shall allocate the funds among eligible charter
918 schools.

919 (a) To be eligible for a funding allocation, a charter
920 school must:

921 1.a. Have been in operation for 3 or more years;

922 b. Be governed by a governing board established in the
923 state for 3 or more years which operates both charter schools
924 and conversion charter schools within the state;

925 c. Be an expanded feeder chain of a charter school within
926 the same school district that is currently receiving charter
927 school capital outlay funds;

928 d. Have been accredited by the Commission on Schools of
929 the Southern Association of Colleges and Schools; or

930 e. Serve students in facilities that are provided by a
931 business partner for a charter school-in-the-workplace pursuant
932 to s. 1002.33(15) (b) .

933 2. Have an annual audit that does not reveal any of the
934 financial emergency conditions provided in s. 218.503(1) for the
935 most recent fiscal year for which such audit results are
936 available ~~stability for future operation as a charter school.~~



937 3. Have satisfactory student achievement based on state
938 accountability standards applicable to the charter school.

939 4. Have received final approval from its sponsor pursuant
940 to s. 1002.33 for operation during that fiscal year.

941 5. Serve students in facilities that are not provided by
942 the charter school's sponsor.

943 Section 9. Subsections (1), (2), (3), and (4) and
944 paragraph (a) of subsection (5) of section 1012.2315, Florida
945 Statutes, are amended to read:

946 1012.2315 Assignment of teachers.—

947 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
948 disparities between teachers assigned to teach in a majority of
949 schools that do not need improvement and schools that do need
950 improvement pursuant to s. 1008.33. The disparities may be found
951 in the assignment of temporarily certified teachers, teachers
952 who received a performance evaluation rating of needs
953 improvement or unsatisfactory pursuant to s. 1012.34 ~~in need of~~
954 ~~improvement~~, and out-of-field teachers and in the performance of
955 the students. It is the intent of the Legislature that district
956 school boards have flexibility through the collective bargaining
957 process to assign teachers more equitably across the schools in
958 the district.

959 (2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

960 (a) A school district may not assign a higher percentage
961 than the school district average of temporarily certified
962 teachers, teachers who received a performance evaluation rating



963 of needs improvement or unsatisfactory pursuant to s. 1012.34 ~~in~~
964 ~~need of improvement~~, or out-of-field teachers to schools graded
965 "D" or "F" pursuant to s. 1008.34.

966 (b)1. ~~Beginning July 1, 2014,~~ A school district may assign
967 an individual newly hired as instructional personnel to a school
968 that has earned a grade of "F" in the previous year or any
969 combination of three consecutive grades of "D" or "F" in the
970 previous 3 years pursuant to s. 1008.34 if the individual:

971 a. Has received an effective rating or highly effective
972 rating in the immediate prior year's performance evaluation
973 pursuant s. 1012.34;

974 b. Has successfully completed or is enrolled in a teacher
975 preparation program pursuant to s. 1004.04, s. 1004.85, or s.
976 1012.56, or a teacher preparation program specified in State
977 Board of Education rule, is provided with high quality mentoring
978 during the first 2 years of employment, holds a certificate
979 issued pursuant to s. 1012.56, and holds a probationary contract
980 pursuant to s. 1012.335(2) (a); or

981 c. Holds a probationary contract pursuant to s.
982 1012.335(2) (a), holds a certificate issued pursuant to s.
983 1012.56, and has successful teaching experience, and if, in the
984 judgment of the school principal, students would benefit from
985 the placement of that individual.

986 2. As used in this paragraph, the term "mentoring"
987 includes the use of student achievement data combined with at
988 least monthly observations to improve the educator's



989 effectiveness in improving student outcomes. Mentoring may be
990 provided by a school district, a teacher preparation program
991 approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a
992 teacher preparation program specified in State Board of
993 Education rule.

994 ~~3. The State Board of Education shall adopt rules under~~
995 ~~ss. 120.536(1) and 120.54 to implement this paragraph.~~

996
997 Each school district shall annually certify to the Commissioner
998 of Education that the requirements in this subsection have been
999 met. If the commissioner determines that a school district is
1000 not in compliance with this subsection, the State Board of
1001 Education shall be notified and shall take action pursuant to s.
1002 1008.32 in the next regularly scheduled meeting to require
1003 compliance.

1004 (3) SALARY SUPPLEMENTS ~~INCENTIVES~~.—District school boards
1005 are authorized to provide salary supplements ~~incentives~~ to meet
1006 the requirement of subsection (2). A district school board may
1007 not sign a collective bargaining agreement that precludes the
1008 school district from providing sufficient supplements ~~incentives~~
1009 to meet this requirement.

1010 (4) COLLECTIVE BARGAINING.—Notwithstanding provisions of
1011 chapter 447 relating to district school board collective
1012 bargaining, collective bargaining provisions may not preclude a
1013 school district from providing supplements ~~incentives~~ to high-
1014 quality teachers and assigning such teachers to low-performing



1015 schools.

1016 (5) REPORT.—

1017 (a) ~~By July 1, 2012,~~ The Department of Education shall
1018 annually report on its website, in a manner that is accessible
1019 to the public, the performance rating data reported by district
1020 school boards under s. 1012.34. The report must include the
1021 percentage of classroom teachers, instructional personnel, and
1022 school administrators receiving each performance rating
1023 aggregated by school district and by school.

1024 Section 10. Section 1012.57, Florida Statutes, is amended
1025 to read:

1026 1012.57 Certification of adjunct educators.—

1027 (1) Notwithstanding the provisions of ss. 1012.32,
1028 1012.55, and 1012.56, or any other provision of law or rule to
1029 the contrary, the State Board of Education ~~district school~~
1030 ~~boards~~ shall adopt rules to allow for the issuance of an adjunct
1031 teaching certificate by a district school board and charter
1032 school governing board to any applicant who fulfills the
1033 requirements of s. 1012.56(2)(a)-(f) and (10) and who has
1034 expertise in the subject area to be taught. An applicant shall
1035 be considered to have expertise in the subject area to be taught
1036 if the applicant demonstrates sufficient subject area mastery
1037 pursuant to rules of the state board ~~through passage of a~~
1038 ~~subject area test~~. The adjunct teaching certificate shall be
1039 used for part-time teaching positions and may be used for full-
1040 time teaching positions upon demonstrating competency in each of



1041 the following:

1042 (a) The Florida Educator Accomplished Practices.

1043 (b) The state-adopted student content standards.

1044 (c) Scientifically research-based reading instruction.

1045 (d) Content literacy and mathematical practices.

1046 (e) Strategies appropriate for instruction of English

1047 language learners.

1048 (f) Strategies appropriate for instruction of students

1049 with disabilities.

1050 (2) Adjunct certification enables ~~The Legislature intends~~
1051 ~~that this section allow school districts to tap the wealth of~~
1052 ~~talent and expertise represented in Florida's citizens who may~~
1053 ~~wish to teach part-time in a Florida public school by permitting~~
1054 ~~school districts and charter schools to enhance the diversity of~~
1055 ~~course offerings, whether face-to-face or online, by using the~~
1056 ~~wealth of talent and expertise represented by the residents of~~
1057 ~~the state issue adjunct certificates to qualified applicants.~~

1058 ~~(3) Adjunct certificateholders should be used as a~~
1059 ~~strategy to enhance the diversity of course offerings offered to~~
1060 ~~all students. School districts may use the expertise of~~
1061 ~~individuals in the state who wish to provide online instruction~~
1062 ~~to students by issuing adjunct certificates to qualified~~
1063 ~~applicants.~~

1064 (3)(4) Each adjunct teaching certificate is valid through
1065 the term of the annual contract between the educator and the
1066 school district or charter school. An additional annual



1067 certification and an additional annual contract may be awarded
 1068 ~~by the district at the district's discretion but only~~ if the
 1069 applicant is rated effective or highly effective under s.
 1070 1012.34 during each year of teaching under adjunct teaching
 1071 certification.

1072 (4)~~(5)~~ Individuals who are certified and employed under
 1073 this section shall have the same rights and protection of laws
 1074 as teachers certified under s. 1012.56.

1075 Section 11. Effective upon this act becoming a law,
 1076 paragraph (b) of subsection (1) of section 1001.43, Florida
 1077 Statutes, is amended to read:

1078 1001.43 Supplemental powers and duties of district school
 1079 board.—The district school board may exercise the following
 1080 supplemental powers and duties as authorized by this code or
 1081 State Board of Education rule.

1082 (1) STUDENT MANAGEMENT.—The district school board may
 1083 adopt programs and policies to ensure the safety and welfare of
 1084 individuals, the student body, and school personnel, which
 1085 programs and policies may:

1086 (b)1. Require that the attire uniforms to be worn by the
 1087 student body conform to a standard student attire policy that
 1088 prohibits certain types or styles of clothing and requires solid
 1089 colored clothing and fabrics for pants, skirts, shorts, or
 1090 similar clothing and short or long sleeved shirts with collars.
 1091 The policy may authorize a small logo but may not authorize a
 1092 motto or slogan. The purpose of a standard student attire policy



1093 is to provide a safe environment that fosters learning and
1094 improves school safety and discipline by:

1095 a. Encouraging students to express their individuality
1096 through personality and academic achievements, rather than
1097 outward appearance.

1098 b. Enabling students to focus on academics, rather than
1099 fashion, because they are able to project a neat, serious, and
1100 studious image.

1101 c. Minimizing disciplinary problems because students are
1102 not distracted by clothing.

1103 d. Reducing the time needed to correct dress code
1104 violations through a readily available inventory of compliant
1105 attire.

1106 e. Minimizing visible differences and eliminating social
1107 pressures to wear brand name clothing or "gang colors," thereby
1108 easing financial pressures on parents and enhancing school
1109 safety.

1110 f. Creating a sense of school pride and belonging.

1111

1112 A district school board may implement a standard student attire
1113 policy as part of an overall program to foster and promote
1114 desirable school operating conditions and a safe and supportive
1115 educational environment. A standard student attire policy must
1116 allow a parent to opt his or her student out of the policy for
1117 religious purposes or by reason of a disability. A district
1118 school board that implements a districtwide standard student



1119 attire policy for all students in at least kindergarten through
1120 eighth grade is immune from civil liability resulting from
1121 adoption of the policy in accordance with this paragraph, ~~or~~
1122 ~~impose other dress-related requirements, if the district school~~
1123 ~~board finds that those requirements are necessary for the safety~~
1124 ~~or welfare of the student body or school personnel. However,~~
1125 Students may wear sunglasses, hats, or other sun-protective wear
1126 while outdoors during school hours, such as when students are at
1127 recess.

1128 2. This paragraph may be cited as the "Students Attired
1129 for Education (SAFE) Act."

1130 Section 12. Effective upon this act becoming a law,
1131 paragraph (b) of subsection (1) of section 1003.57, Florida
1132 Statutes, is amended to read:

1133 1003.57 Exceptional students instruction.-

1134 (1)

1135 (b) Each district school board shall provide for an
1136 appropriate program of special instruction, facilities, and
1137 services for exceptional students as prescribed by the State
1138 Board of Education as acceptable. Each district program must,
1139 ~~including provisions that:~~

1140 1. ~~The district school board~~ Provide the necessary
1141 professional services for diagnosis and evaluation of
1142 exceptional students. At least once every 3 years, the district
1143 school board must submit to the department its proposed
1144 procedures for the provision of special instruction and services



1145 | for exceptional students.

1146 | 2. ~~The district school board~~ Provide the special
1147 | instruction, classes, and services, either within the district
1148 | school system, in cooperation with other district school
1149 | systems, or through contractual arrangements with approved
1150 | private schools or community facilities that meet standards
1151 | established by the commissioner.

1152 | 3. ~~The district school board~~ Annually provide information
1153 | describing the Florida School for the Deaf and the Blind and all
1154 | other programs and methods of instruction available to the
1155 | parent of a sensory-impaired student.

1156 | 4. Provide instruction to homebound or hospitalized
1157 | students in accordance with this section and rules adopted by
1158 | the state board, which must establish, at a minimum, the
1159 | following:

1160 | a. Criteria for the eligibility of K-12 homebound or
1161 | hospitalized students for specially designed instruction.

1162 | b. Procedures for determining student eligibility.

1163 | c. A list of appropriate methods for providing instruction
1164 | to homebound or hospitalized students.

1165 | d. Requirements for providing instructional services for a
1166 | homebound or hospitalized student once the student is determined
1167 | to be eligible. Eligible students receiving treatment in a
1168 | children's specialty hospital licensed under part I of chapter
1169 | 395 must be provided educational instruction from the school
1170 | district in which the hospital is located until the school



1171 district in which the hospital is located enters into an
1172 agreement with the school district in which the student resides.
1173 The department shall develop a standard agreement for use by
1174 school districts to provide seamless educational instruction to
1175 students who transition between school districts while receiving
1176 treatment in the children's specialty hospital.

1177
1178 No later than August 15, 2015, each school district in which a
1179 children's specialty hospital licensed under part I of chapter
1180 395 is located shall enter into an agreement with the hospital
1181 that establishes a process by which the hospital must notify the
1182 school district of students who may be eligible for instruction
1183 consistent with this subparagraph and the timelines for
1184 determining student eligibility and providing educational
1185 instruction to eligible students ~~The district school board, once~~
1186 ~~every 3 years, submit to the department its proposed procedures~~
1187 ~~for the provision of special instruction and services for~~
1188 ~~exceptional students.~~

1189 Section 13. Subsection (16) is added to section 1011.62,
1190 Florida Statutes, to read:

1191 1011.62 Funds for operation of schools.—If the annual
1192 allocation from the Florida Education Finance Program to each
1193 district for operation of schools is not determined in the
1194 annual appropriations act or the substantive bill implementing
1195 the annual appropriations act, it shall be determined as
1196 follows:



1197 (16) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
1198 created to provide funding for allowable safe schools
1199 activities. Each school district shall receive a minimum safe
1200 schools allocation in an amount provided in the General
1201 Appropriations Act. Of the remaining funds provided in the
1202 General Appropriations Act for safe schools activities, two-
1203 thirds shall be allocated among the school districts based on
1204 each district's proportionate share of Total Index Crime for
1205 Florida by county reported by the Department of Law Enforcement
1206 in its most recent Uniform Crime Reports offense data and one-
1207 third shall be allocated based on each district's proportionate
1208 share of the state's total unweighted full-time equivalent
1209 student enrollment. Allowable safe schools activities shall be
1210 provided in the General Appropriations Act. The department shall
1211 monitor compliance with the reporting procedures of ss. 1006.09
1212 and 1006.147. If a school district does not comply with the
1213 reporting procedures, the school district's funds from the safe
1214 schools allocation shall be withheld and reallocated to other
1215 school districts. Each school district shall report to the
1216 Department of Education the amount of funds expended for each of
1217 the allowable safe schools activities.

1218 Section 14. Section 1011.6202, Florida Statutes, is
1219 created to read:

1220 1011.6202 Principal Autonomy Pilot Program Initiative.—The
1221 Principal Autonomy Pilot Program Initiative is created within
1222 the Department of Education. The purpose of the pilot program is



1223 to provide the principal of a participating school with
1224 increased autonomy and authority to operate his or her school in
1225 a way that produces significant improvements in student
1226 achievement and school management while complying with
1227 constitutional requirements. The State Board of Education may,
1228 upon approval of a principal autonomy proposal, enter into a
1229 performance contract with up to six district school boards for
1230 participation in the program.

1231 (1) PARTICIPATING SCHOOL DISTRICTS.—A Florida school
1232 district may submit to the state board for approval a principal
1233 autonomy proposal that exchanges statutory and rule exemptions
1234 for an agreement to meet performance goals established in the
1235 proposal. If approved by the state board, the school district
1236 shall be eligible to participate in the program for 3 years. At
1237 the end of the 3 years, the performance of all participating
1238 schools in the school district shall be evaluated.

1239 (2) PRINCIPAL AUTONOMY PROPOSAL.—

1240 (a) To participate in the program, a school district must:

1241 1. Identify three middle or high schools whose principals
1242 will have fiscal and administrative autonomy.

1243 2. Describe the current financial and administrative
1244 management of each participating school; identify the areas in
1245 which each school principal will have increased fiscal and
1246 administrative autonomy, including the authority and
1247 responsibilities provided in s. 1012.28(8); and identify the
1248 areas in which each participating school will continue to follow



1249 district school board fiscal and administrative policies.

1250 3. Explain the methods used to identify the educational
1251 strengths and needs of the participating school's students and
1252 identify how student achievement can be improved.

1253 4. Establish performance goals for student achievement, as
1254 defined in s. 1008.34(1), and explain how the increased autonomy
1255 of principals will help participating schools improve student
1256 achievement and school management.

1257 5. Provide each participating school's mission and a
1258 description of its student population.

1259 (b) The state board shall establish criteria, which must
1260 include the criteria listed in paragraph (a), for the approval
1261 of a principal autonomy proposal.

1262 (c) A school district must submit its principal autonomy
1263 proposal to the state board for approval by December 1 in order
1264 to begin participation in the subsequent school year. By
1265 February 28 of the school year in which the proposal is
1266 submitted, the state board shall notify the district school
1267 board in writing whether the proposal is approved.

1268 (3) EXEMPTION FROM LAWS.—

1269 (a) With the exception of those laws listed in paragraph
1270 (b), a participating school district is exempt from the
1271 provisions of chapters 1000-1013 and rules of the state board
1272 that implement those exempt provisions.

1273 (b) A participating school district shall comply with the
1274 provisions of chapters 1000-1013, and rules of the state board



1275 that implement those provisions, pertaining to the following:
1276 1. Those laws relating to the election and compensation of
1277 district school board members, the election or appointment and
1278 compensation of district school superintendents, public meetings
1279 and public records requirements, financial disclosure, and
1280 conflicts of interest.
1281 2. Those laws relating to the student assessment program
1282 and school grading system, including chapter 1008.
1283 3. Those laws relating to the provision of services to
1284 students with disabilities.
1285 4. Those laws relating to civil rights, including s.
1286 1000.05, relating to discrimination.
1287 5. Those laws relating to student health, safety, and
1288 welfare.
1289 6. Section 1001.42(4)(f), relating to the uniform opening
1290 date for public schools.
1291 7. Section 1003.03, governing maximum class size, except
1292 that the calculation for compliance pursuant to s. 1003.03 is
1293 the average at the school level for a participating school.
1294 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1295 compensation and salary schedules.
1296 9. Section 1012.33(5), relating to workforce reductions
1297 for annual contracts for instructional personnel. This
1298 subparagraph does not apply to at-will employees.
1299 10. Section 1012.335, relating to annual contracts for
1300 instructional personnel hired on or after July 1, 2011. This



1301 subparagraph does not apply to at-will employees.

1302 11. Section 1012.34, relating to personnel evaluation
1303 procedures and criteria.

1304 12. Those laws pertaining to educational facilities,
1305 including chapter 1013, except that s. 1013.20, relating to
1306 covered walkways for relocatables, and s. 1013.21, relating to
1307 the use of relocatable facilities exceeding 20 years of age, are
1308 eligible for exemption.

1309 13. Those laws pertaining to participating school
1310 districts, including this section and ss. 1011.64(2)(b),
1311 1011.69(2), 1012.28(8), and 1012.986(1)(e).

1312 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
1313 district shall require that the principal of each participating
1314 school complete professional development provided through the
1315 William Cecil Golden Professional Development Program for School
1316 Leaders under s. 1012.986. The professional development must be
1317 completed before a school may participate in the Principal
1318 Autonomy Pilot Program Initiative.

1319 (5) TERM OF PARTICIPATION.—The state board shall authorize
1320 a school district to participate in the program for a period of
1321 3 years commencing with approval of the principal autonomy
1322 proposal. Authorization to participate in the program may be
1323 renewed upon action of the state board. The state board may
1324 revoke authorization to participate in the program if the school
1325 district fails to meet the requirements of this section during
1326 the 3-year period.



1327 (6) REPORTING.—Each participating school district shall
1328 submit an annual report to the state board. The state board
1329 shall annually report on the implementation of the Principal
1330 Autonomy Pilot Program Initiative. Upon completion of the
1331 program's first 3-year term, the Commissioner of Education shall
1332 submit to the President of the Senate and the Speaker of the
1333 House of Representatives by December 1 a full evaluation of the
1334 effectiveness of the program.

1335 (7) RULEMAKING.—The State Board of Education shall adopt
1336 rules to administer this section.

1337 Section 15. Paragraph (b) of subsection (2) of section
1338 1011.64, Florida Statutes, is amended to read:

1339 1011.64 School district minimum classroom expenditure
1340 requirements.—

1341 (2) For the purpose of implementing the provisions of this
1342 section, the Legislature shall prescribe minimum academic
1343 performance standards and minimum classroom expenditure
1344 requirements for districts not meeting such minimum academic
1345 performance standards in the General Appropriations Act.

1346 (b) School district minimum classroom expenditure
1347 requirements shall be calculated pursuant to subsection (3) and
1348 may include training pursuant to s. 1012.986(1)(e).

1349 Section 16. Subsection (2) of section 1011.69, Florida
1350 Statutes, is amended to read:

1351 1011.69 Equity in School-Level Funding Act.—

1352 (2) Beginning in the 2003-2004 fiscal year, district



1353 school boards shall allocate to schools within the district an
1354 average of 90 percent of the funds generated by all schools and
1355 guarantee that each school receives at least 80 percent, except
1356 schools participating in the Principal Autonomy Pilot Program
1357 Initiative under s. 1011.6202 are guaranteed to receive at least
1358 90 percent, of the funds generated by that school based upon the
1359 Florida Education Finance Program as provided in s. 1011.62 and
1360 the General Appropriations Act, including gross state and local
1361 funds, discretionary lottery funds, and funds from the school
1362 district's current operating discretionary millage levy. Total
1363 funding for each school shall be recalculated during the year to
1364 reflect the revised calculations under the Florida Education
1365 Finance Program by the state and the actual weighted full-time
1366 equivalent students reported by the school during the full-time
1367 equivalent student survey periods designated by the Commissioner
1368 of Education. If the district school board is providing programs
1369 or services to students funded by federal funds, any eligible
1370 students enrolled in the schools in the district shall be
1371 provided federal funds.

1372 Section 17. Effective upon this act becoming a law,
1373 section 1011.78, Florida Statutes, is created to read:

1374 1011.78 Standard student attire school district incentive
1375 payments.—There is created an incentive payment for school
1376 districts that implement a districtwide standard student attire
1377 policy in accordance with the Students Attired for Education
1378 (SAFE) Act created in s. 1001.43(1)(b). Subject to funding



1379 provided in the General Appropriations Act, qualified school
1380 districts shall receive an award of \$10 per student in
1381 kindergarten through grade 8. Before the release of funds, and
1382 no later than September 1 of each year, the district school
1383 superintendent shall certify to the Commissioner of Education
1384 that the district school board has implemented a districtwide
1385 standard student attire policy in accordance with s.
1386 1001.43(1)(b). The commissioner shall make payment of awards to
1387 school districts in the order in which certifications from the
1388 district school superintendents are received. As of June 30 of
1389 each year, any funds provided pursuant to this section that have
1390 not been disbursed to qualified school districts shall revert to
1391 the fund from which they were appropriated pursuant to s.
1392 216.301.

1393 Section 18. Subsection (8) is added to section 1012.28,
1394 Florida Statutes, to read:

1395 1012.28 Public school personnel; duties of school
1396 principals.—

1397 (8) The principal of a participating school in a
1398 participating school district approved under s. 1011.6202 has
1399 the following additional authority and responsibilities:

1400 (a) In addition to the authority provided in subsection
1401 (6), the authority to select qualified instructional personnel
1402 for placement or to refuse to accept the placement or transfer
1403 of instructional personnel by the district school
1404 superintendent. Placement of instructional personnel at a



1405 participating school in a participating school district does not
1406 affect the employee's status as a school district employee.

1407 (b) The authority to deploy financial resources to school
1408 programs at the principal's discretion to help improve student
1409 achievement, as defined in s. 1008.34(1), and meet performance
1410 goals identified in the principal autonomy proposal submitted
1411 pursuant to s. 1011.6202.

1412 (c) To annually provide to the district school
1413 superintendent and the district school board a budget for the
1414 operation of the participating school that identifies how funds
1415 provided pursuant to s. 1011.69(2) are allocated. The school
1416 district shall include the budget in the annual report provided
1417 to the State Board of Education pursuant to s. 1011.6202(6).

1418 Section 19. Paragraph (e) is added to subsection (1) of
1419 section 1012.986, Florida Statutes, to read:

1420 1012.986 William Cecil Golden Professional Development
1421 Program for School Leaders.—

1422 (1) There is established the William Cecil Golden
1423 Professional Development Program for School Leaders to provide
1424 high standards and sustained support for principals as
1425 instructional leaders. The program shall consist of a
1426 collaborative network of state and national professional
1427 leadership organizations to respond to instructional leadership
1428 needs throughout the state. The network shall support the human-
1429 resource development needs of principals, principal leadership
1430 teams, and candidates for principal leadership positions using



1431 the framework of leadership standards adopted by the State Board
1432 of Education, the Southern Regional Education Board, and the
1433 National Staff Development Council. The goal of the network
1434 leadership program is to:

1435 (e) For principals of schools participating in the
1436 Principal Autonomy Pilot Program Initiative under s. 1011.6202,
1437 provide training on the following:

1438 1. Managing instructional personnel, including developing
1439 a high-performing instructional leadership team.

1440 2. Public school budgeting, financial management, and
1441 human resources policies and procedures.

1442 3. Best practices for the effective exercise of increased
1443 budgetary and staffing flexibility to improve student
1444 achievement and operational efficiency.

1445 Section 20. Except as otherwise expressly provided in this
1446 act, this act shall take effect July 1, 2015.