



346014

581-02428-15

Proposed Committee Substitute by the Committee on Education Pre-  
K - 12

1                                   A bill to be entitled  
2       An act relating to student choice; amending s.  
3       1002.20, F.S.; conforming a provision to changes made  
4       by the act; providing the right of a parent to know  
5       the average amount of money expended for the education  
6       of his or her child; requiring the Department of  
7       Education to provide each school district with such  
8       information and requiring the school districts to  
9       provide notification to parents; authorizing the  
10      information to be published in the student handbook or  
11      a similar publication; amending s. 1002.31, F.S.;  
12      deleting the definition of the term "controlled open  
13      enrollment" and deleting provisions relating to  
14      controlled open enrollment; requiring each district  
15      school board to establish a public school parental  
16      choice policy that allows students to attend any  
17      public school that has not reached capacity in their  
18      district; requiring assignments to be made on a first-  
19      come, first-served basis; defining the term "capacity"  
20      for the purposes of a district school board public  
21      school parental choice plan; authorizing a parent to  
22      enroll his or her child in any public school that has  
23      not reached capacity in the state; amending s.  
24      1002.33, F.S.; revising required contents of charter  
25      school applications; requiring a charter school to  
26      submit quarterly financial statements for the first  
27      year of operation with specified information included;



346014

581-02428-15

28 requiring a charter school to submit a plan to become  
29 financially viable under certain circumstances;  
30 conforming provisions regarding the appeal process for  
31 denial of a high-performing charter school  
32 application; specifying that the reading curriculum  
33 and instructional strategies in a charter school's  
34 charter satisfy the research-based reading plan  
35 requirement and that charter schools are eligible for  
36 the research-based reading allocation; requiring a  
37 person or officer of an entity who submits a charter  
38 school application to undergo background screening;  
39 prohibiting a sponsor from approving a charter school  
40 application until completion, receipt, and review of  
41 the results of such screening; requiring a charter to  
42 document that the governing board is independent of a  
43 management company or cooperative; revising charter  
44 provisions relating to long-term charters; revising  
45 the deadline by which a charter school must have a  
46 certificate of occupancy or temporary certificate of  
47 occupancy; revising conditions for nonrenewal or  
48 termination of a charter; requiring the sponsor to  
49 review monthly financial statements; requiring the  
50 sponsor to notify specified parties of a charter's  
51 termination under certain circumstances; requiring a  
52 charter school's governing board to appoint a  
53 representative to provide information and assistance  
54 to parents; requiring the governing board to hold a  
55 certain number of meetings that are noticed, open, and  
56 accessible to the public per school year; requiring a



346014

581-02428-15

57 charter school with space available to be open to any  
58 student in the state; revising requirements for the  
59 funding of charter schools; prohibiting the district  
60 school board from delaying payment to a charter school  
61 under specified circumstances; requiring the  
62 Department of Education to include a standard  
63 application form when providing information to the  
64 public on how to form, operate, and enroll in a  
65 charter school; prohibiting an employee of a  
66 management company or cooperative from being a member  
67 of a charter school governing board; prohibiting  
68 specified conflicts of interests on the part of  
69 members of the governing board of a charter school or  
70 charter school cooperative organization; amending s.  
71 1002.331, F.S.; providing an exception to the  
72 prohibition on a high-performing charter school  
73 establishing more than one charter school in this  
74 state under specified circumstances; conforming  
75 provisions and a cross-reference to changes made by  
76 the act; amending s. 1002.332, F.S.; authorizing  
77 certain out-of-state entities to apply for designation  
78 as a high-performing charter school system; requiring  
79 the State Board of Education to adopt by rule  
80 eligibility criteria for such designation; requiring  
81 that charter schools established by such entities  
82 receive a reduction in certain administrative fees;  
83 amending s. 1002.451, F.S.; conforming a provision to  
84 changes made by the act; creating s. 1003.3101, F.S.;  
85 requiring each district school board to establish a



346014

581-02428-15

86 classroom teacher transfer process for parents,  
87 approve or deny a request within a certain timeframe,  
88 and post an explanation of the transfer process in the  
89 student handbook or a similar publication; creating s.  
90 1003.5711, F.S.; providing that certain students who  
91 are deemed eligible for hospitalized program services  
92 are considered students with a disability; authorizing  
93 an individual education plan to be modified to  
94 accommodate such services; requiring the student to  
95 continue to receive educational instruction; requiring  
96 a school district to provide the student with a  
97 certified teacher or to partner with the Florida  
98 Virtual School for instructional services under  
99 certain circumstances; requiring the department to  
100 transfer funds for the student; requiring a children's  
101 hospital to provide adequate educational space for  
102 each student; requiring the hospital and school  
103 district to enter in an agreement; creating s.  
104 1004.6491, F.S.; establishing the Florida Institute  
105 for Charter School Innovation; specifying requirements  
106 for the institute; requiring an annual report to the  
107 Governor and the Legislature; requiring a report on  
108 the institute's annual financial audit to the Auditor  
109 General, the Board of Governors of the State  
110 University System, and the State Board of Education;  
111 amending s. 1006.15, F.S.; conforming provisions to  
112 changes made by the act; amending s. 1011.61, F.S.;  
113 revising the definition of the term "full-time  
114 student" for the purposes of the Florida Education



346014

581-02428-15

115 Finance Program; creating s. 1011.6202, F.S.; creating  
116 the Charter School District Pilot Program; providing a  
117 procedure for a school district to participate in the  
118 pilot program; providing requirements for  
119 participating school districts and schools; exempting  
120 participating school districts from certain laws and  
121 rules; providing that charter school districts must  
122 comply with certain laws and rules; requiring  
123 principals of participating schools to complete a  
124 specific professional development program; providing  
125 the authorization period of a charter; providing for  
126 renewal and revocation of a charter; providing for  
127 reporting and rulemaking; amending s. 1011.69, F.S.;  
128 requiring district school boards participating in the  
129 pilot program to allocate a specified percentage of  
130 certain funds to participating schools; amending s.  
131 1012.28, F.S.; providing additional authority and  
132 responsibilities of the principal of a participating  
133 school in a charter school district; amending s.  
134 1012.42, F.S.; authorizing a parent who receives  
135 notification that a teacher is teaching outside his or  
136 her field to request that his or her child be  
137 transferred to another classroom teacher within the  
138 school and grade in which the child is currently  
139 enrolled; amending s. 1012.986, F.S.; specifying the  
140 contents of a specific professional development  
141 program for certain school principals; amending s.  
142 1013.62, F.S.; revising eligibility requirements for  
143 charter school capital outlay funding; specifying



346014

581-02428-15

144 applicability of certain reporting requirements to  
145 charter schools and public schools; providing an  
146 effective date.

147

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

149

150 Section 1. Paragraph (a) of subsection (6) of section  
151 1002.20, Florida Statutes, is amended, and subsection (25) is  
152 added to that section, to read:

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

159 (6) EDUCATIONAL CHOICE.—

160 (a) *Public school choices*.—Parents of public school  
161 students may seek whatever public school choice options that are  
162 applicable and available to students in their school districts.  
163 These options may include public school parental choice  
164 ~~controlled open enrollment~~, single-gender programs, lab schools,  
165 virtual instruction programs, charter schools, charter technical  
166 career centers, magnet schools, alternative schools, special  
167 programs, auditory-oral education programs, advanced placement,  
168 dual enrollment, International Baccalaureate, International  
169 General Certificate of Secondary Education (pre-AICE), Advanced  
170 International Certificate of Education, CAPE digital tools, CAPE  
171 industry certifications, collegiate high school programs, early  
172 admissions, credit by examination or demonstration of



346014

581-02428-15

173 competency, the New World School of the Arts, the Florida School  
174 for the Deaf and the Blind, and the Florida Virtual School.  
175 These options may also include the public school choice options  
176 of the Opportunity Scholarship Program and the McKay  
177 Scholarships for Students with Disabilities Program.

178 (25) FISCAL TRANSPARENCY.—A parent has the right to know  
179 the average amount of money estimated to be expended from all  
180 sources, state, local, and federal, for the education of his or  
181 her child, including operating and capital outlay expenses. The  
182 department shall annually provide each district the estimated  
183 amount of funding allocated for a student in the district by  
184 grade level and level of support. Each district must notify  
185 parents of the estimated amount of funding allocated for a  
186 student similar to their child, based upon grade level and level  
187 of support. The fiscal transparency notification may be included  
188 in the student handbook or a similar publication.

189 Section 2. Subsections (1), (2), and (3) of section  
190 1002.31, Florida Statutes, are amended to read:

191 1002.31 ~~Controlled open enrollment~~; Public school parental  
192 choice.—

193 ~~(1) As used in this section, “controlled open enrollment”~~  
194 ~~means a public education delivery system that allows school~~  
195 ~~districts to make student school assignments using parents’~~  
196 ~~indicated preferential school choice as a significant factor.~~

197 (1)-(2) Each district school board shall establish a public  
198 school parental choice policy that authorizes a parent to choose  
199 to enroll his or her child in and transport his or her child to  
200 any public school that has not reached capacity, including  
201 charter schools, in the district. This policy may offer



346014

581-02428-15

202 ~~controlled open enrollment within the public schools which is in~~  
203 ~~addition to the existing choice programs, such as virtual~~  
204 ~~instruction programs, magnet schools, alternative schools,~~  
205 ~~special programs, CAPE digital tools, CAPE industry~~  
206 ~~certifications, advanced placement, collegiate high school~~  
207 ~~programs, and dual enrollment.~~

208 ~~(2)(3) Each district school board offering controlled open~~  
209 ~~enrollment shall adopt by rule and post on its website a public~~  
210 ~~school parental choice ~~controlled open enrollment~~ plan which~~  
211 ~~must:~~

212 (a) Adhere to federal desegregation requirements.

213 (b) Include an application process required to participate  
214 in public school parental choice ~~controlled open enrollment~~ that  
215 allows parents to declare school preferences, including  
216 placement of siblings within the same school.

217 (c) Assign students on a first-come, first-served basis  
218 based upon the date and time complete applications are received  
219 by the school district ~~Provide a lottery procedure to determine~~  
220 ~~student assignment and establish an appeals process for hardship~~  
221 ~~eases.~~

222 (d) Afford parents of students in multiple session schools  
223 preferred access ~~to controlled open enrollment.~~

224 (e) Maintain socioeconomic, demographic, and racial  
225 balance.

226 (f) Address the availability of transportation.

227 (g) Define the term "capacity" as a school in which the  
228 capital outlay FTE enrollment exceeds 95 percent of the space  
229 and occupant design capacity of its nonrelocatable facilities.  
230 However, if a school's initial design incorporated relocatable





346014

581-02428-15

231 or modular instructional space, the term "capacity" shall mean a  
232 school in which the capital outlay FTE enrollment exceeds 95  
233 percent of the space and occupant design capacity of its core  
234 facilities.

235 (3) A parent may choose to enroll his or her child in and  
236 transport his or her child to any public school that has not  
237 reached capacity, including charter schools, in any school  
238 district in the state. The school district shall accept the  
239 student and report the student for purposes of the district's  
240 funding pursuant to the Florida Education Finance Program.

241 Section 3. Paragraphs (a), (b), and (c) of subsection (6),  
242 paragraphs (a), (b), and (d) of subsection (7), paragraphs (e),  
243 (f), and (g) of subsection (8), paragraphs (g), (n), and (p) of  
244 subsection (9), paragraph (a) of subsection (10), paragraphs (b)  
245 and (e) of subsection (17), subsection (21), and paragraph (c)  
246 of subsection (26) of section 1002.33, Florida Statutes, are  
247 amended, paragraphs (h) and (i) are added to subsection (8) of  
248 that section, a new subsection (27) is added to that section,  
249 and present subsections (27) and (28) are redesignated as  
250 subsections (28) and (29), respectively, to read:

251 1002.33 Charter schools.—

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

254 (a) A person or entity wishing to open a charter school  
255 shall prepare and submit an application on a model application  
256 form prepared by the Department of Education which:

257 1. Demonstrates how the school will use the guiding  
258 principles and meet the statutorily defined purpose of a charter  
259 school.



346014

581-02428-15

260           2. Provides a detailed curriculum plan that illustrates how  
261 students will be provided services to attain the Sunshine State  
262 Standards.

263           3. Contains goals and objectives for improving student  
264 learning and measuring that improvement. These goals and  
265 objectives must indicate how much academic improvement students  
266 are expected to show each year, how success will be evaluated,  
267 and the specific results to be attained through instruction.

268           4. Describes the reading curriculum and differentiated  
269 strategies that will be used for students reading at grade level  
270 or higher and a separate curriculum and strategies for students  
271 who are reading below grade level. A sponsor shall deny an  
272 application ~~a charter~~ if the school does not propose a reading  
273 curriculum that is consistent with effective teaching strategies  
274 that are grounded in scientifically based reading research, but  
275 the sponsor may not require the school to implement any  
276 curriculum adopted by the school district.

277           5. Contains an annual financial plan for each year  
278 requested by the charter for operation of the school for up to 5  
279 years. This plan must contain anticipated fund balances based on  
280 revenue projections, a spending plan based on projected revenues  
281 and expenses, and a description of controls that will safeguard  
282 finances and projected enrollment trends.

283           6. Discloses the name of each applicant, governing board  
284 member, and proposed management company or cooperative, if any;  
285 the name and sponsor of any charter school currently operated or  
286 previously operated by such parties; and the academic and  
287 financial history of such charter schools, which the sponsor  
288 shall consider in deciding to approve or deny the application.



346014

581-02428-15

289        7. Documents that the governing board is independent of any  
290 management company or cooperative and may, at its sole  
291 discretion, terminate a contract with the management company or  
292 cooperative at any time.

293        ~~8.6.~~ Contains additional information a sponsor may require,  
294 which shall be attached as an addendum to the charter school  
295 application described in this paragraph.

296        ~~9.7.~~ For the establishment of a virtual charter school,  
297 documents that the applicant has contracted with a provider of  
298 virtual instruction services pursuant to s. 1002.45(1)(d).

299        (b) A sponsor shall receive and review all applications for  
300 a charter school using an evaluation instrument developed by the  
301 Department of Education. A sponsor shall receive and consider  
302 charter school applications received on or before August 1 of  
303 each calendar year for charter schools to be opened at the  
304 beginning of the school district's next school year, or to be  
305 opened at a time agreed to by the applicant and the sponsor. A  
306 sponsor may not refuse to receive a charter school application  
307 submitted before August 1 and may receive an application  
308 submitted later than August 1 if it chooses. In order to  
309 facilitate greater collaboration in the application process, an  
310 applicant may submit a draft charter school application on or  
311 before May 1 with an application fee of \$500. If a draft  
312 application is timely submitted, the sponsor shall review and  
313 provide feedback as to material deficiencies in the application  
314 by July 1. The applicant shall then have until August 1 to  
315 resubmit a revised and final application. The sponsor may  
316 approve the draft application. Except as provided for a draft  
317 application, a sponsor may not charge an applicant for a charter



346014

581-02428-15

318 any fee for the processing or consideration of an application,  
319 and a sponsor may not base its consideration or approval of a  
320 final application upon the promise of future payment of any  
321 kind. Before approving or denying any final application, the  
322 sponsor shall allow the applicant, upon receipt of written  
323 notification, at least 7 calendar days to make technical or  
324 nonsubstantive corrections and clarifications, including, but  
325 not limited to, corrections of grammatical, typographical, and  
326 like errors or missing signatures, if such errors are identified  
327 by the sponsor as cause to deny the final application.

328 1. In order to facilitate an accurate budget projection  
329 process, a sponsor shall be held harmless for FTE students who  
330 are not included in the FTE projection due to approval of  
331 charter school applications after the FTE projection deadline.  
332 In a further effort to facilitate an accurate budget projection,  
333 within 15 calendar days after receipt of a charter school  
334 application, a sponsor shall report to the Department of  
335 Education the name of the applicant entity, the proposed charter  
336 school location, and its projected FTE.

337 2. In order to ensure fiscal responsibility, an application  
338 for a charter school shall include a full accounting of expected  
339 assets, a projection of expected sources and amounts of income,  
340 including income derived from projected student enrollments and  
341 from community support, and an expense projection that includes  
342 full accounting of the costs of operation, including start-up  
343 costs. To ensure continued financial responsibility, a charter  
344 school shall submit quarterly financial statements for the first  
345 year of operation which include a full accounting of the costs  
346 of operation and sources of income. If a school's financial



346014

581-02428-15

347 statement indicates that the school is not financially viable,  
348 the school must also prepare and submit a plan that describes  
349 specific actions the school will take to become viable.

350       3.a. A sponsor shall by a majority vote approve or deny an  
351 application no later than 60 calendar days after the application  
352 is received, unless the sponsor and the applicant mutually agree  
353 in writing to temporarily postpone the vote to a specific date,  
354 at which time the sponsor shall by a majority vote approve or  
355 deny the application. If the sponsor fails to act on the  
356 application, an applicant may appeal to the State Board of  
357 Education as provided in paragraph (c). If an application is  
358 denied, the sponsor shall, within 10 calendar days after such  
359 denial, articulate in writing the specific reasons, based upon  
360 good cause, supporting its denial of the charter application and  
361 shall provide the letter of denial and supporting documentation  
362 to the applicant and to the Department of Education.

363       b. An application submitted by a high-performing charter  
364 school identified pursuant to s. 1002.331 may be denied by the  
365 sponsor only if the sponsor demonstrates by clear and convincing  
366 evidence that:

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

369       (II) The charter school proposed in the application does  
370 not materially comply with the requirements in paragraphs  
371 (9) (a) - (f);

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

375       (IV) The applicant has made a material misrepresentation or



346014

581-02428-15

376 false statement or concealed an essential or material fact  
377 during the application process; or

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

381  
382 Material noncompliance is a failure to follow requirements or a  
383 violation of prohibitions applicable to charter school  
384 applications, which failure is quantitatively or qualitatively  
385 significant either individually or when aggregated with other  
386 noncompliance. An applicant is considered to be replicating a  
387 high-performing charter school if the proposed school is  
388 substantially similar to at least one of the applicant's high-  
389 performing charter schools and the organization or individuals  
390 involved in the establishment and operation of the proposed  
391 school are significantly involved in the operation of replicated  
392 schools.

393 c. If the sponsor denies an application submitted by a  
394 high-performing charter school, the sponsor must, within 10  
395 calendar days after such denial, state in writing the specific  
396 reasons, based upon the criteria in sub-subparagraph b.,  
397 supporting its denial of the application and must provide the  
398 letter of denial and supporting documentation to the applicant  
399 and to the Department of Education. The applicant may appeal the  
400 sponsor's denial of the application ~~directly~~ to the State Board  
401 of Education pursuant to paragraph (c) and must provide the  
402 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

403 4. For budget projection purposes, the sponsor shall report  
404 to the Department of Education the approval or denial of a



346014

581-02428-15

405 charter application within 10 calendar days after such approval  
406 or denial. In the event of approval, the report to the  
407 Department of Education shall include the final projected FTE  
408 for the approved charter school.

409 5. Upon approval of a charter application, the initial  
410 startup shall commence with the beginning of the public school  
411 calendar for the district in which the charter is granted unless  
412 the sponsor allows a waiver of this subparagraph for good cause.

413 6. A person, or an officer of an entity, who submits an  
414 application pursuant to this subsection must undergo background  
415 screening in the same manner as instructional and  
416 noninstructional personnel hired or contracted to fill positions  
417 in a charter school or as members of the governing board of a  
418 charter school undergo background screening under s. 1012.32.  
419 Notwithstanding any other provision of this subsection, a person  
420 may not receive approval of a charter application until the  
421 person's screening is completed and the results have been  
422 submitted to, and reviewed by, the sponsor.

423 (c)1. An applicant may appeal any denial of that  
424 applicant's application or failure to act on an application to  
425 the State Board of Education within ~~no later than~~ 30 calendar  
426 days after receipt of the sponsor's decision or failure to act  
427 and shall notify the sponsor of its appeal. Any response of the  
428 sponsor shall be submitted to the State Board of Education  
429 within 30 calendar days after notification of the appeal. Upon  
430 receipt of notification from the State Board of Education that a  
431 charter school applicant is filing an appeal, the Commissioner  
432 of Education shall convene a meeting of the Charter School  
433 Appeal Commission to study and make recommendations to the State



346014

581-02428-15

434 Board of Education regarding its pending decision about the  
435 appeal. The commission shall forward its recommendation to the  
436 state board at least 7 calendar days before the date on which  
437 the appeal is to be heard. An appeal regarding the denial of an  
438 application submitted by a high-performing charter school  
439 pursuant to s. 1002.331 shall be conducted by the State Board of  
440 Education in accordance with this paragraph, except that the  
441 commission shall not convene to make recommendations regarding  
442 the appeal. However, the Commissioner of Education shall review  
443 the appeal and make a recommendation to the state board.

444 2. The Charter School Appeal Commission or, in the case of  
445 an appeal regarding an application submitted by a high-  
446 performing charter school, the State Board of Education may  
447 reject an appeal submission for failure to comply with  
448 procedural rules governing the appeals process. The rejection  
449 shall describe the submission errors. The appellant shall have  
450 15 calendar days after notice of rejection in which to resubmit  
451 an appeal that meets the requirements set forth in State Board  
452 of Education rule. An appeal submitted subsequent to such  
453 rejection is considered timely if the original appeal was filed  
454 within 30 calendar days after receipt of notice of the specific  
455 reasons for the sponsor's denial of the ~~charter~~ application.

456 3.a. The State Board of Education shall by majority vote  
457 accept or reject the decision of the sponsor no later than 90  
458 calendar days after an appeal is filed in accordance with State  
459 Board of Education rule. The State Board of Education shall  
460 remand the application to the sponsor with its written decision  
461 that the sponsor approve or deny the application. The sponsor  
462 shall implement the decision of the State Board of Education.





346014

581-02428-15

463 The decision of the State Board of Education is not subject to  
464 the provisions of the Administrative Procedure Act, chapter 120.

465 b. If an appeal concerns an application submitted by a  
466 high-performing charter school identified pursuant to s.  
467 1002.331, the State Board of Education shall determine whether  
468 the sponsor's denial of the application complies with the  
469 requirements in sub-subparagraph (b)3.b. sponsor has shown, by  
470 clear and convincing evidence, that:

471 ~~(I) The application does not materially comply with the~~  
472 ~~requirements in paragraph (a);~~

473 ~~(II) The charter school proposed in the application does~~  
474 ~~not materially comply with the requirements in paragraphs~~  
475 ~~(9)(a)-(f);~~

476 ~~(III) The proposed charter school's educational program~~  
477 ~~does not substantially replicate that of the applicant or one of~~  
478 ~~the applicant's high-performing charter schools;~~

479 ~~(IV) The applicant has made a material misrepresentation or~~  
480 ~~false statement or concealed an essential or material fact~~  
481 ~~during the application process; or~~

482 ~~(V) The proposed charter school's educational program and~~  
483 ~~financial management practices do not materially comply with the~~  
484 ~~requirements of this section.~~

485  
486 The State Board of Education shall approve or reject the  
487 sponsor's denial of an application no later than 90 calendar  
488 days after an appeal is filed in accordance with State Board of  
489 Education rule. The State Board of Education shall remand the  
490 application to the sponsor with its written decision that the  
491 sponsor approve or deny the application. The sponsor shall



346014

581-02428-15

492 implement the decision of the State Board of Education. The  
493 decision of the State Board of Education is not subject to the  
494 Administrative Procedure Act, chapter 120.

495 (7) CHARTER.—The major issues involving the operation of a  
496 charter school shall be considered in advance and written into  
497 the charter. The charter shall be signed by the governing board  
498 of the charter school and the sponsor, following a public  
499 hearing to ensure community input.

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

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

504 2. The focus of the curriculum, the instructional methods  
505 to be used, any distinctive instructional techniques to be  
506 employed, and identification and acquisition of appropriate  
507 technologies needed to improve educational and administrative  
508 performance which include a means for promoting safe, ethical,  
509 and appropriate uses of technology which comply with legal and  
510 professional standards.

511 a. The charter shall ensure that reading is a primary focus  
512 of the curriculum and that resources are provided to identify  
513 and provide specialized instruction for students who are reading  
514 below grade level. The curriculum and instructional strategies  
515 for reading must be consistent with the Next Generation Sunshine  
516 State Standards and grounded in scientifically based reading  
517 research. For purposes of determining eligibility for the  
518 research-based reading instruction allocation, the reading  
519 curriculum and instructional strategies specified in the charter  
520 satisfy the research-based reading plan requirement under s.



346014

581-02428-15

521 1011.62(9).

522       b. In order to provide students with access to diverse  
523 instructional delivery models, to facilitate the integration of  
524 technology within traditional classroom instruction, and to  
525 provide students with the skills they need to compete in the  
526 21st century economy, the Legislature encourages instructional  
527 methods for blended learning courses consisting of both  
528 traditional classroom and online instructional techniques.  
529 Charter schools may implement blended learning courses which  
530 combine traditional classroom instruction and virtual  
531 instruction. Students in a blended learning course must be full-  
532 time students of the charter school and receive the online  
533 instruction in a classroom setting at the charter school.  
534 Instructional personnel certified pursuant to s. 1012.55 who  
535 provide virtual instruction for blended learning courses may be  
536 employees of the charter school or may be under contract to  
537 provide instructional services to charter school students. At a  
538 minimum, such instructional personnel must hold an active state  
539 or school district adjunct certification under s. 1012.57 for  
540 the subject area of the blended learning course. The funding and  
541 performance accountability requirements for blended learning  
542 courses are the same as those for traditional courses.

543       3. The current incoming baseline standard of student  
544 academic achievement, the outcomes to be achieved, and the  
545 method of measurement that will be used. The criteria listed in  
546 this subparagraph shall include a detailed description of:

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

549       b. How these baseline rates will be compared to rates of



346014

581-02428-15

550 academic progress achieved by these same students while  
551 attending the charter school.

552 c. To the extent possible, how these rates of progress will  
553 be evaluated and compared with rates of progress of other  
554 closely comparable student populations.

555  
556 The district school board is required to provide academic  
557 student performance data to charter schools for each of their  
558 students coming from the district school system, as well as  
559 rates of academic progress of comparable student populations in  
560 the district school system.

561 4. The methods used to identify the educational strengths  
562 and needs of students and how well educational goals and  
563 performance standards are met by students attending the charter  
564 school. The methods shall provide a means for the charter school  
565 to ensure accountability to its constituents by analyzing  
566 student performance data and by evaluating the effectiveness and  
567 efficiency of its major educational programs. Students in  
568 charter schools shall, at a minimum, participate in the  
569 statewide assessment program created under s. 1008.22.

570 5. In secondary charter schools, a method for determining  
571 that a student has satisfied the requirements for graduation in  
572 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

573 6. A method for resolving conflicts between the governing  
574 board of the charter school and the sponsor.

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

577 8. The ways by which the school will achieve a  
578 racial/ethnic balance reflective of the community it serves or



346014

581-02428-15

579 within the racial/ethnic range of other public schools in the  
580 same school district.

581 9. The financial and administrative management of the  
582 school, including a reasonable demonstration of the professional  
583 experience or competence of those individuals or organizations  
584 applying to operate the charter school or those hired or  
585 retained to perform such professional services and the  
586 description of clearly delineated responsibilities and the  
587 policies and practices needed to effectively manage the charter  
588 school. A description of internal audit procedures and  
589 establishment of controls to ensure that financial resources are  
590 properly managed must be included. Both public sector and  
591 private sector professional experience shall be equally valid in  
592 such a consideration. The charter must document that the  
593 governing board is independent of any management company or  
594 cooperative and may, at its sole discretion, terminate the  
595 contract with the management company or cooperative at any time.

596 10. The asset and liability projections required in the  
597 application which are incorporated into the charter and shall be  
598 compared with information provided in the annual report of the  
599 charter school.

600 11. A description of procedures that identify various risks  
601 and provide for a comprehensive approach to reduce the impact of  
602 losses; plans to ensure the safety and security of students and  
603 staff; plans to identify, minimize, and protect others from  
604 violent or disruptive student behavior; and the manner in which  
605 the school will be insured, including whether or not the school  
606 will be required to have liability insurance, and, if so, the  
607 terms and conditions thereof and the amounts of coverage.



346014

581-02428-15

608           12. The term of the charter which shall provide for  
609           cancellation of the charter if insufficient progress has been  
610           made in attaining the student achievement objectives of the  
611           charter and if it is not likely that such objectives can be  
612           achieved before expiration of the charter. The initial term of  
613           the a charter is either shall be for 4 years or 5 years. In  
614           ~~order to facilitate access to long term financial resources for~~  
615           ~~charter school construction,~~ Charter schools that are operated  
616           by a municipality or other public entity, as provided by law, or  
617           a private, not-for-profit corporation granted 501(c)(3) status  
618           by the Internal Revenue Service are eligible for up to a 15-year  
619           charter, subject to approval by the district school board. A  
620           charter lab school is also eligible for a charter for a term of  
621           up to 15 years. ~~In addition, to facilitate access to long term~~  
622           ~~financial resources for charter school construction, charter~~  
623           ~~schools that are operated by a private, not-for-profit, s.~~  
624           ~~501(c)(3) status corporation are eligible for up to a 15-year~~  
625           ~~charter, subject to approval by the district school board.~~ Such  
626           long-term charters remain subject to annual review and may be  
627           terminated during the term of the charter, but only according to  
628           ~~the provisions set forth in~~ subsection (8) or paragraph (9)(n).

629           13. Termination or nonrenewal of the charter pursuant to  
630           subsection (8) or paragraph (9)(n).

631           14.13. The facilities to be used and their location. The  
632           sponsor shall ~~may not~~ require a charter school to have a  
633           certificate of occupancy or a temporary certificate of occupancy  
634           for such a facility no later than 30 ~~earlier than 15~~ calendar  
635           days before the first day of school.

636           15.14. The qualifications to be required of the teachers



346014

581-02428-15

637 and the potential strategies used to recruit, hire, train, and  
638 retain qualified staff to achieve best value.

639 ~~16.15.~~ The governance structure of the school, including  
640 the status of the charter school as a public or private employer  
641 as required in paragraph (12) (i).

642 ~~17.16.~~ A timetable for implementing the charter which  
643 addresses the implementation of each element thereof and the  
644 date by which the charter shall be awarded in order to meet this  
645 timetable.

646 ~~18.17.~~ In the case of an existing public school that is  
647 being converted to charter status, alternative arrangements for  
648 current students who choose not to attend the charter school and  
649 for current teachers who choose not to teach in the charter  
650 school after conversion in accordance with the existing  
651 collective bargaining agreement or district school board rule in  
652 the absence of a collective bargaining agreement. However,  
653 alternative arrangements shall not be required for current  
654 teachers who choose not to teach in a charter lab school, except  
655 as authorized by the employment policies of the state university  
656 which grants the charter to the lab school.

657 ~~19.18.~~ Full disclosure of the identity of all relatives  
658 employed by the charter school who are related to the charter  
659 school owner, president, chairperson of the governing board of  
660 directors, superintendent, governing board member, principal,  
661 assistant principal, or any other person employed by the charter  
662 school who has equivalent decisionmaking authority. For the  
663 purpose of this subparagraph, the term "relative" means father,  
664 mother, son, daughter, brother, sister, uncle, aunt, first  
665 cousin, nephew, niece, husband, wife, father-in-law, mother-in-



346014

581-02428-15

666 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
667 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
668 stepsister, half brother, or half sister.

669 ~~20.19.~~ Implementation of the activities authorized under s.  
670 1002.331 by the charter school when it satisfies the eligibility  
671 requirements for a high-performing charter school. A high-  
672 performing charter school shall notify its sponsor in writing by  
673 March 1 if it intends to increase enrollment or expand grade  
674 levels the following school year. The written notice shall  
675 specify the amount of the enrollment increase and the grade  
676 levels that will be added, as applicable.

677 (b)1. A charter may be renewed provided that a program  
678 review demonstrates that the criteria in paragraph (a) have been  
679 successfully accomplished and that none of the grounds for  
680 nonrenewal established by paragraph (8) (a) has been documented.  
681 ~~In order to facilitate long-term financing for charter school~~  
682 ~~construction,~~ Charter schools operating for a minimum of 3 years  
683 and demonstrating exemplary academic programming and fiscal  
684 management are eligible for a 15-year charter renewal. Such  
685 long-term charter is subject to annual review and may be  
686 terminated during the term of the charter.

687 2. The 15-year charter renewal that may be granted pursuant  
688 to subparagraph 1. shall be granted to a charter school that has  
689 received a school grade of "A" or "B" pursuant to s. 1008.34 in  
690 3 of the past 4 years and is not in a state of financial  
691 emergency or deficit position as defined by this section. Such  
692 long-term charter is subject to annual review and may be  
693 terminated during the term of the charter pursuant to subsection  
694 (8).





346014

581-02428-15

695       ~~(d)1. Each charter school's governing board must appoint a~~  
696 ~~representative to facilitate parental involvement, provide~~  
697 ~~access to information, assist parents and others with questions~~  
698 ~~and concerns, and resolve disputes. The representative must~~  
699 ~~reside in the school district in which the charter school is~~  
700 ~~located and may be a governing board member, charter school~~  
701 ~~employee, or individual contracted to represent the governing~~  
702 ~~board. If the governing board oversees multiple charter schools~~  
703 ~~in the same school district, the governing board must appoint a~~  
704 ~~separate individual representative for each charter school in~~  
705 ~~the district. The representative's contact information must be~~  
706 ~~provided annually in writing to parents and posted prominently~~  
707 ~~on the charter school's website if a website is maintained by~~  
708 ~~the school. The sponsor may not require that governing board~~  
709 ~~members reside in the school district in which the charter~~  
710 ~~school is located if the charter school complies with this~~  
711 ~~paragraph.~~

712       ~~2. Each charter school's governing board must hold at least~~  
713 ~~two public meetings per school year in the school district. The~~  
714 ~~meetings must be noticed, open, and accessible to the public,~~  
715 ~~and attendees must be provided an opportunity to receive~~  
716 ~~information and provide input regarding the charter school's~~  
717 ~~operations. The appointed representative and charter school~~  
718 ~~principal or director, or his or her equivalent, must be~~  
719 ~~physically present at each meeting.~~

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

721       (e) When a charter is not renewed or is terminated or when  
722 a charter school is closed voluntarily by the operator, the  
723 school shall be dissolved under the provisions of law under



346014

581-02428-15

724 which the school was organized, and any unencumbered public  
725 funds, except for capital outlay funds and federal charter  
726 school program grant funds, from the charter school shall revert  
727 to the sponsor. Capital outlay funds provided pursuant to s.  
728 1013.62 and federal charter school program grant funds that are  
729 unencumbered shall revert to the department to be redistributed  
730 among eligible charter schools. In the event a charter school is  
731 dissolved or is otherwise terminated, all district school board  
732 property and improvements, furnishings, and equipment purchased  
733 with public funds shall automatically revert to full ownership  
734 by the district school board, subject to complete satisfaction  
735 of any lawful liens or encumbrances. Any unencumbered public  
736 funds from the charter school, district school board property  
737 and improvements, furnishings, and equipment purchased with  
738 public funds, or financial or other records pertaining to the  
739 charter school, in the possession of any person, entity, or  
740 holding company, other than the charter school, shall be held in  
741 trust upon the district school board's request, until any appeal  
742 status is resolved.

743 (f) If a charter is not renewed or is terminated or a  
744 charter school is closed voluntarily by the operator, the  
745 charter school is responsible for all debts of the charter  
746 school. The district may not assume the debt from any contract  
747 made between the governing body of the school and a third party,  
748 except for a debt that is previously detailed and agreed upon in  
749 writing by both the district and the governing body of the  
750 school and that may not reasonably be assumed to have been  
751 satisfied by the district.

752 (g) If a charter is not renewed or is terminated, a student



346014

581-02428-15

753 who attended the school may apply to, and shall be enrolled in,  
754 another public school. Normal application deadlines shall be  
755 disregarded under such circumstances.

756 (h) The governing board of a charter school that closes  
757 voluntarily shall notify the sponsor and the department in  
758 writing within 7 calendar days of its decision to cease  
759 operations. The notice must state the reasons for the closure  
760 and acknowledge that the governing board agrees to follow the  
761 procedures for dissolution and reversion of public funds  
762 specified in this subsection and paragraph (9) (o).

763 (i) For a high-performing charter school that is having the  
764 charter agreement renewed, the charter contract, as that  
765 contract exists on the day the term of the contract is to  
766 terminate, must be automatically renewed for the length of the  
767 current term if the charter school governing board and sponsor  
768 have not executed the renewal before the term of the charter  
769 agreement is scheduled to expire.

770 (9) CHARTER SCHOOL REQUIREMENTS.—

771 (g)1. In order to provide financial information that is  
772 comparable to that reported for other public schools, charter  
773 schools are to maintain all financial records that constitute  
774 their accounting system:

775 a. In accordance with the accounts and codes prescribed in  
776 the most recent issuance of the publication titled "Financial  
777 and Program Cost Accounting and Reporting for Florida Schools";  
778 or

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



346014

581-02428-15

782 reformat this information for reporting according to this  
783 paragraph.

784         2. Charter schools shall provide annual financial report  
785 and program cost report information in the state-required  
786 formats for inclusion in district reporting in compliance with  
787 s. 1011.60(1). Charter schools that are operated by a  
788 municipality or are a component unit of a parent nonprofit  
789 organization may use the accounting system of the municipality  
790 or the parent but must reformat this information for reporting  
791 according to this paragraph.

792         3. A charter school shall, upon execution of the contract,  
793 provide the sponsor with a concise, uniform, monthly financial  
794 statement summary sheet that contains a balance sheet and a  
795 statement of revenue, expenditures, and changes in fund balance.  
796 The balance sheet and the statement of revenue, expenditures,  
797 and changes in fund balance shall be in the governmental funds  
798 format prescribed by the Governmental Accounting Standards  
799 Board. A high-performing charter school pursuant to s. 1002.331  
800 may provide a quarterly financial statement in the same format  
801 and requirements as the uniform monthly financial statement  
802 summary sheet. The sponsor shall review each monthly financial  
803 statement, to identify the existence of any conditions  
804 identified in s. 1002.345 (1) (a).

805         4. A charter school shall maintain and provide financial  
806 information as required in this paragraph. The financial  
807 statement required in subparagraph 3. must be in a form  
808 prescribed by the Department of Education.

809         (n)1. The director and a representative of the governing  
810 board of a charter school that has earned a grade of "D" or "F"



346014

581-02428-15

811 pursuant to s. 1008.34 shall appear before the sponsor to  
812 present information concerning each contract component having  
813 noted deficiencies. The director and a representative of the  
814 governing board shall submit to the sponsor for approval a  
815 school improvement plan to raise student performance. Upon  
816 approval by the sponsor, the charter school shall begin  
817 implementation of the school improvement plan. The department  
818 shall offer technical assistance and training to the charter  
819 school and its governing board and establish guidelines for  
820 developing, submitting, and approving such plans.

821 2.a. If a charter school earns three consecutive grades of  
822 "D," two consecutive grades of "D" followed by a grade of "F,"  
823 or two nonconsecutive grades of "F" within a 3-year period, the  
824 charter school governing board shall choose one of the following  
825 corrective actions:

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

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

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

833 (IV) Voluntarily close the charter school.

834 b. The charter school must implement the corrective action  
835 in the school year following receipt of a third consecutive  
836 grade of "D," a grade of "F" following two consecutive grades of  
837 "D," or a second nonconsecutive grade of "F" within a 3-year  
838 period.

839 c. The sponsor may annually waive a corrective action if it



346014

581-02428-15

840 determines that the charter school is likely to improve a letter  
841 grade if additional time is provided to implement the  
842 intervention and support strategies prescribed by the school  
843 improvement plan. Notwithstanding this sub-subparagraph, a  
844 charter school that earns a second consecutive grade of "F" is  
845 subject to subparagraph 4.

846 d. A charter school is no longer required to implement a  
847 corrective action if it improves by at least one letter grade.  
848 However, the charter school must continue to implement  
849 strategies identified in the school improvement plan. The  
850 sponsor must annually review implementation of the school  
851 improvement plan to monitor the school's continued improvement  
852 pursuant to subparagraph 5.

853 e. A charter school implementing a corrective action that  
854 does not improve by at least one letter grade after 2 full  
855 school years of implementing the corrective action must select a  
856 different corrective action. Implementation of the new  
857 corrective action must begin in the school year following the  
858 implementation period of the existing corrective action, unless  
859 the sponsor determines that the charter school is likely to  
860 improve a letter grade if additional time is provided to  
861 implement the existing corrective action. Notwithstanding this  
862 sub-subparagraph, a charter school that earns a second  
863 consecutive grade of "F" while implementing a corrective action  
864 is subject to subparagraph 4.

865 3. A charter school with a grade of "D" or "F" that  
866 improves by at least one letter grade must continue to implement  
867 the strategies identified in the school improvement plan. The  
868 sponsor must annually review implementation of the school



346014

581-02428-15

869 improvement plan to monitor the school's continued improvement  
870 pursuant to subparagraph 5.

871 4. A charter school's charter is automatically terminated  
872 if the school earns two consecutive grades of "F" after all  
873 school grade appeals are final ~~The sponsor shall terminate a~~  
874 ~~charter if the charter school earns two consecutive grades of~~  
875 ~~"F" unless:~~

876 a. The charter school is established to turn around the  
877 performance of a district public school pursuant to s.  
878 1008.33(4)(b)3. Such charter schools shall be governed by s.  
879 1008.33;

880 b. The charter school serves a student population the  
881 majority of which resides in a school zone served by a district  
882 public school that earned a grade of "F" in the year before the  
883 charter school opened and the charter school earns at least a  
884 grade of "D" in its third year of operation. The exception  
885 provided under this sub-subparagraph does not apply to a charter  
886 school in its fourth year of operation and thereafter; or

887 c. The state board grants the charter school a waiver of  
888 termination. The charter school must request the waiver within  
889 15 days after the department's official release of school  
890 grades. The state board may waive termination if the charter  
891 school demonstrates that the Learning Gains of its students on  
892 statewide assessments are comparable to or better than the  
893 Learning Gains of similarly situated students enrolled in nearby  
894 district public schools. The waiver is valid for 1 year and may  
895 only be granted once. Charter schools that have been in  
896 operation for more than 5 years are not eligible for a waiver  
897 under this sub-subparagraph.



346014

581-02428-15

898  
899 The sponsor shall notify in writing the charter school's  
900 governing board, the charter school principal, and the  
901 department when a charter is terminated under this subparagraph.  
902 A charter terminated under this subparagraph is governed by the  
903 requirements of paragraphs (8) (e)-(g) and paragraph (o) of this  
904 subsection.

905         5. The director and a representative of the governing board  
906 of a graded charter school that has implemented a school  
907 improvement plan under this paragraph shall appear before the  
908 sponsor at least once a year to present information regarding  
909 the progress of intervention and support strategies implemented  
910 by the school pursuant to the school improvement plan and  
911 corrective actions, if applicable. The sponsor shall communicate  
912 at the meeting, and in writing to the director, the services  
913 provided to the school to help the school address its  
914 deficiencies.

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

918         (p)1. Each charter school shall maintain a website that  
919 enables the public to obtain information regarding the school;  
920 the school's academic performance; the names of the governing  
921 board members; the programs at the school; any management  
922 companies, cooperatives, service providers, or education  
923 management corporations associated with the school; the school's  
924 annual budget and its annual independent fiscal audit; the  
925 school's grade pursuant to s. 1008.34; and, on a quarterly  
926 basis, the minutes of governing board meetings.





346014

581-02428-15

927       2. Each charter school's governing board shall appoint a  
928 representative to facilitate parental involvement, provide  
929 access to information, assist parents and others with questions  
930 and concerns, and resolve disputes. The representative must  
931 reside in the school district in which the charter school is  
932 located and may be a governing board member, charter school  
933 employee, or individual contracted to represent the governing  
934 board. If the governing board oversees multiple charter schools  
935 in the same school district, the governing board must appoint a  
936 separate individual representative for each charter school in  
937 the district. The representative's contact information must be  
938 provided annually, in writing, to parents and posted prominently  
939 on the charter school's website. The sponsor may not require  
940 that governing board members reside in the school district in  
941 which the charter school is located if the charter school  
942 complies with this paragraph.

943       3. Each charter school's governing board must hold at least  
944 two public meetings per school year in the school district where  
945 the charter school is located. The meetings must be noticed,  
946 open, and accessible to the public, and attendees must be  
947 provided an opportunity to receive information and provide input  
948 regarding the charter school's operations. The appointed  
949 representative and charter school principal or director, or his  
950 or her equivalent, must be physically present at each meeting.

951       (10) ELIGIBLE STUDENTS.—

952       (a) A charter school shall be open to any student covered  
953 in an interdistrict agreement or residing in the school district  
954 in which the charter school is located; however, in the case of  
955 a charter lab school, the charter lab school shall be open to



346014

581-02428-15

956 any student eligible to attend the lab school as provided in s.  
957 1002.32 or who resides in the school district in which the  
958 charter lab school is located. A charter school with space  
959 available must be open to any student in the state, pursuant to  
960 s. 1002.31(2). Any eligible student shall be allowed  
961 interdistrict transfer to attend a charter school when based on  
962 good cause. Good cause shall include, but is not limited to,  
963 geographic proximity to a charter school in a neighboring school  
964 district.

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

970 (b) The basis for the agreement for funding students  
971 enrolled in a charter school shall be the sum of the school  
972 district's operating funds from the Florida Education Finance  
973 Program as provided in s. 1011.62 and the General Appropriations  
974 Act, including gross state and local funds, discretionary  
975 lottery funds, and funds from the school district's current  
976 operating discretionary millage levy; divided by total funded  
977 weighted full-time equivalent students in the school district;  
978 multiplied by the weighted full-time equivalent students for the  
979 charter school. Charter schools whose students or programs meet  
980 the eligibility criteria in law are entitled to their  
981 proportionate share of categorical program funds included in the  
982 total funds available in the Florida Education Finance Program  
983 by the Legislature, including transportation, the research-based  
984 reading allocation, and the Florida digital classrooms



346014

581-02428-15

985 allocation. Total funding for each charter school shall be  
986 recalculated during the year to reflect the revised calculations  
987 under the Florida Education Finance Program by the state and the  
988 actual weighted full-time equivalent students reported by the  
989 charter school during the full-time equivalent student survey  
990 periods designated by the Commissioner of Education.

991 (e) District school boards shall make timely and efficient  
992 payment and reimbursement to charter schools, including  
993 processing paperwork required to access special state and  
994 federal funding for which they may be eligible. The district  
995 school board may distribute funds to a charter school for up to  
996 3 months based on the projected full-time equivalent student  
997 membership of the charter school. Thereafter, the results of  
998 full-time equivalent student membership surveys shall be used in  
999 adjusting the amount of funds distributed monthly to the charter  
1000 school for the remainder of the fiscal year. The payment shall  
1001 be issued no later than 10 working days after the district  
1002 school board receives a distribution of state or federal funds.  
1003 If a warrant for payment is not issued within 10 working days  
1004 after receipt of funding by the district school board, the  
1005 school district shall pay to the charter school, in addition to  
1006 the amount of the scheduled disbursement, interest at a rate of  
1007 1 percent per month calculated on a daily basis on the unpaid  
1008 balance from the expiration of the 10 working days until such  
1009 time as the warrant is issued. The district school board may not  
1010 delay payment to a charter school of any portion of the funds  
1011 provided in paragraph (b) based on the timing of receipt of  
1012 local funds by the district school board.

1013 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.-



346014

581-02428-15

1014 (a) The Department of Education shall provide information  
1015 to the public, directly and through sponsors, on how to form and  
1016 operate a charter school and how to enroll in a charter school  
1017 once it is created. This information shall include a standard  
1018 ~~model~~ application form, standard charter contract, standard  
1019 application evaluation instrument, and standard charter renewal  
1020 contract, which shall include the information specified in  
1021 subsection (7) and shall be developed by consulting and  
1022 negotiating with both school districts and charter schools  
1023 before implementation. The charter and charter renewal contracts  
1024 shall be used by charter school sponsors.

1025 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1026 (c) An employee of the charter school, or his or her  
1027 spouse, or an employee of a management company, cooperative, or  
1028 charter management organization, or his or her spouse, may not  
1029 be a member of the governing board of the charter school.

1030 (27) CONFLICTS OF INTEREST AND ETHICS.—An individual may  
1031 not serve as a member of a governing board of a charter school,  
1032 an education management corporation, or charter school  
1033 cooperative organization if he or she or an immediate family  
1034 member receives a pension or any compensation from the charter  
1035 school, or if the individual's partner is an owner or principal  
1036 with an entity or independent contractor with whom the charter  
1037 school does business or contracts, directly or indirectly, for  
1038 professional services, goods, or facilities. An individual may  
1039 not serve as a governing board member if an immediate family  
1040 member is an employee of the school. Members of the governing  
1041 board of a charter school may not be appointed, removed, or  
1042 replaced by an entity or component unit of an entity, which the



346014

581-02428-15

1043 charter school has entered into any contract with.

1044 Section 4. Paragraph (e) of subsection (2), paragraph (b)  
1045 of subsection (3), and subsection (5) of section 1002.331,  
1046 Florida Statutes, are amended to read:

1047 1002.331 High-performing charter schools.—

1048 (2) A high-performing charter school is authorized to:

1049 (e) Receive a modification of its charter to a term of 15  
1050 years or a 15-year charter renewal. The charter may be modified  
1051 or renewed for a shorter term at the option of the high-  
1052 performing charter school. The charter must be consistent with  
1053 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is  
1054 subject to annual review by the sponsor, and may be terminated  
1055 during its term pursuant to s. 1002.33(8).

1056  
1057 A high-performing charter school shall notify its sponsor in  
1058 writing by March 1 if it intends to increase enrollment or  
1059 expand grade levels the following school year. The written  
1060 notice shall specify the amount of the enrollment increase and  
1061 the grade levels that will be added, as applicable. If a charter  
1062 school notifies the sponsor of its intent to expand, the sponsor  
1063 shall modify the charter within 90 days to include the new  
1064 enrollment maximum and may not make any other changes. The  
1065 sponsor may deny a request to increase the enrollment of a high-  
1066 performing charter school if the commissioner has declassified  
1067 the charter school as high-performing. If a high-performing  
1068 charter school requests to consolidate multiple charters, the  
1069 sponsor shall have 40 days after receipt of that request to  
1070 provide an initial draft charter to the charter school. The  
1071 sponsor and charter school shall have 50 days thereafter to



346014

581-02428-15

1072 negotiate and notice the charter contract for final approval by  
1073 the sponsor.

1074 (3)

1075 (b) A high-performing charter school may not establish more  
1076 than one charter school within the state under paragraph (a) in  
1077 any year. A subsequent application to establish a charter school  
1078 under paragraph (a) may not be submitted unless each charter  
1079 school established in this manner achieves high-performing  
1080 charter school status. The limits set forth in this paragraph do  
1081 not apply to charter schools established by a high-performing  
1082 charter school in the attendance zone of a school identified as  
1083 in need of intervention and support pursuant to s. 1008.33(3)(b)  
1084 or to meet needs for innovative choice options identified by the  
1085 district school board.

1086 (5) The Commissioner of Education, upon request by a  
1087 charter school, shall verify that the charter school meets the  
1088 criteria in subsection (1) and provide a letter to the charter  
1089 school and the sponsor stating that the charter school is a  
1090 high-performing charter school pursuant to this section. The  
1091 commissioner shall annually determine whether a high-performing  
1092 charter school under subsection (1) continues to meet the  
1093 criteria in that subsection. Such high-performing charter school  
1094 shall maintain its high-performing status unless the  
1095 commissioner determines that the charter school no longer meets  
1096 the criteria in subsection (1), at which time the commissioner  
1097 shall send a letter to the charter school and its sponsor  
1098 providing notification that the charter school has been  
1099 declassified ~~of its declassification~~ as a high-performing  
1100 charter school.



346014

581-02428-15

1101 Section 5. Present subsection (2) of section 1002.332,  
1102 Florida Statutes, is redesignated as subsection (3), and a new  
1103 subsection (2) is added to that section, to read:

1104 1002.332 High-performing charter school system.—

1105 (2) An entity that successfully operates a system of  
1106 charter schools outside the state may apply to the State Board  
1107 of Education for status as a high-performing charter school  
1108 system. The state board shall adopt rules prescribing a process  
1109 for determining whether the entity meets the requirements of  
1110 this subsection by reviewing student demographic and performance  
1111 data and fiscal accountability of all schools operated by the  
1112 entity. To the extent practicable, the state board shall develop  
1113 a rubric for the approval of such entities which aligns with the  
1114 priorities of the federal Charter Schools Program Grants for  
1115 Replication and Expansion of High-Quality Charter Schools in the  
1116 Federal Register, Volume 76, No. 133. An entity classified as a  
1117 high-performing charter school system pursuant to this  
1118 subsection may submit an application in the same manner as  
1119 specified in s. 1002.331(3) to establish and operate a new  
1120 charter school in this state. For the first 3 school years of  
1121 operation, each charter school established by such an entity  
1122 shall receive a reduction in administrative fees as authorized  
1123 under s. 1002.33(20)(a)3.

1124 Section 6. Paragraph (c) of subsection (1) of section  
1125 1002.451, Florida Statutes, is amended to read:

1126 1002.451 District innovation school of technology program.—

1127 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

1128 (c) An innovation school of technology must be open to any  
1129 student covered in an interdistrict agreement or residing in the



346014

581-02428-15

1130 school district in which the innovation school of technology is  
1131 located. An innovation school of technology shall enroll an  
1132 eligible student who submits a timely application if the number  
1133 of applications does not exceed the capacity of a program,  
1134 class, grade level, or building. If the number of applications  
1135 exceeds capacity, all applicants shall have an equal chance of  
1136 being admitted through a public random selection process.  
1137 However, a district may give enrollment preference to students  
1138 who identify the innovation school of technology as the  
1139 student's preferred choice pursuant to the district's public  
1140 school parental choice ~~controlled open enrollment~~ plan.

1141 Section 7. Section 1003.3101, Florida Statutes, is created  
1142 to read:

1143 1003.3101 Additional school choice options.—Each district  
1144 school board shall establish a transfer process for a parent to  
1145 request his or her child be transferred to another classroom  
1146 teacher. A school must grant or deny the transfer within 2 weeks  
1147 after receiving a request. If a request for transfer is denied,  
1148 the school shall notify the parent and specify the reasons for a  
1149 denial. An explanation of the transfer process must be made  
1150 available in the student handbook or a similar publication.

1151 Section 8. Section 1003.5711, Florida Statutes, is created  
1152 to read:

1153 1003.5711 Instruction for students receiving hospitalized  
1154 program services.—

1155 (1) A public school student in prekindergarten through  
1156 grade 12 who is deemed eligible for hospitalized program  
1157 services in this state is considered a student with a  
1158 disability.





346014

581-02428-15

1159       (a) If the student has an individual education plan (IEP),  
1160 the IEP must be followed, but upon request of the student's  
1161 parent, the IEP may be modified to accommodate the student's use  
1162 of hospitalized program services in a children's hospital  
1163 pursuant to this section.

1164       (b) The student's IEP may be modified to reduce the  
1165 student's course load to core courses identified in s.  
1166 1002.20(19)(a). The student may be excused or exempted from  
1167 physical education classes or instruction based on the IEP or  
1168 orders from the student's medical doctor. The student's IEP may  
1169 allow the student to receive instruction beyond the normal  
1170 school hours, school day, or school year of the school district.

1171       (2) A student who is admitted to a children's hospital for  
1172 hospitalized program services must continue to receive  
1173 educational instruction.

1174       (a) If a student is expected to be absent from school and  
1175 admitted to the children's hospital for hospitalized program  
1176 services for at least 15 consecutive days, no later than the  
1177 fifth day of the student's hospital stay, the school district in  
1178 which the student is or was most recently enrolled may choose to  
1179 provide a certified teacher to the children's hospital to  
1180 provide instruction to the student. If that school district  
1181 declines to provide a certified teacher, the school district in  
1182 which the children's hospital is located must provide a  
1183 certified teacher to provide the student with instruction, or  
1184 must partner with the Florida Virtual School for instructional  
1185 services as authorized in this section. Such school district  
1186 shall also provide the student's instructional materials and  
1187 other necessary educational support and services identified in



346014

581-02428-15

1188 the IEP.

1189 (b) A student in prekindergarten through grade 6 shall be  
1190 taught in person by the certified teacher. A student in grades 7  
1191 through 12 shall be taught in person by the certified teacher,  
1192 or the student may choose to utilize instruction from the  
1193 Florida Virtual School. If the Florida Virtual School is used by  
1194 any student, at least one certified teacher from the Florida  
1195 Virtual School must be present at the hospital to assist with  
1196 online learning.

1197 (3) If a school district other than the one in which the  
1198 student was previously enrolled provides the hospitalized  
1199 program services, the Department of Education must transfer the  
1200 funds from the school district in which the student was  
1201 previously enrolled to the school district in which the  
1202 children's hospital providing hospitalized program services is  
1203 located. This transfer shall occur no later than each subsequent  
1204 quarterly FEEP payment.

1205 (4) The children's hospital providing the hospitalized  
1206 program services is responsible for providing adequate  
1207 educational space for each student, but is not required to  
1208 comply with chapter 1013. The hospital and applicable school  
1209 district must enter into an agreement to implement this section.  
1210 The agreement may be student-specific or address all students as  
1211 necessary.

1212 (5) The intent of this section is to supplement existing  
1213 laws, rules, and regulations concerning hospitalized students  
1214 that use hospitalized program services at a children's hospital.

1215 Section 9. Section 1004.6491, Florida Statutes, is created  
1216 to read:



346014

581-02428-15

1217 1004.6491 Florida Institute for Charter School Innovation.-

1218 (1) There is established the Florida Institute for Charter

1219 School Innovation within the Florida State University. The

1220 purpose of the institute is to advance charter school

1221 accountability, quality, and innovation; provide support and

1222 technical assistance to charter school applicants; connect

1223 aspiring teachers to opportunities to experience teaching in

1224 schools of choice; and conduct research and develop and promote

1225 best practices for charter school authorization, financing,

1226 management, operations, and instructional practices.

1227 (2) The institute shall:

1228 (a) Conduct research to inform both policy and practice

1229 related to charter school accountability, financing, management,

1230 operations, and instructional practices.

1231 (b) Partner with state-approved teacher preparation

1232 programs in this state to provide opportunities for aspiring

1233 teachers to experience teaching in schools of choice.

1234 (c) Provide technical assistance and support to charter

1235 school applicants with innovative charter school concepts.

1236 (3) The President of the Florida State University shall

1237 appoint a director of the institute. The director is responsible

1238 for overall management of the institute and for developing and

1239 executing the work of the institute consistent with this

1240 section. The director may engage individuals in other state

1241 universities with accredited colleges of education to

1242 participate in the institute.

1243 (4) By each October 1, the institute shall provide a

1244 written report to the Governor, the President of the Senate, and

1245 the Speaker of the House of Representatives which outlines its



346014

581-02428-15

1246 activities in the preceding year, reports significant research  
1247 findings, details expenditures of state funds, and provides  
1248 specific recommendations for improving the institute's ability  
1249 to fulfil its mission and for changes to statewide charter  
1250 school policy.

1251 (5) Within 180 days after completion of the institute's  
1252 fiscal year, the institute shall provide to the Auditor General,  
1253 the Board of Governors of the State University System, and the  
1254 State Board of Education a report on the results of an annual  
1255 financial audit conducted by an independent certified public  
1256 accountant in accordance with s. 11.45.

1257 Section 10. Paragraphs (c), (d), and (e) of subsection (3)  
1258 of section 1006.15, Florida Statutes, are amended to read:

1259 1006.15 Student standards for participation in  
1260 interscholastic and intrascholastic extracurricular student  
1261 activities; regulation.-

1262 (3)

1263 (c) An individual home education student is eligible to  
1264 participate at the public school to which the student would be  
1265 assigned according to district school board attendance area  
1266 policies or which the student could choose to attend pursuant to  
1267 public school parental choice district or interdistrict  
1268 ~~controlled open enrollment~~ provisions, or may develop an  
1269 agreement to participate at a private school, in the  
1270 interscholastic extracurricular activities of that school,  
1271 provided the following conditions are met:

1272 1. The home education student must meet the requirements of  
1273 the home education program pursuant to s. 1002.41.

1274 2. During the period of participation at a school, the home



346014

581-02428-15

1275 education student must demonstrate educational progress as  
1276 required in paragraph (b) in all subjects taken in the home  
1277 education program by a method of evaluation agreed upon by the  
1278 parent and the school principal which may include: review of the  
1279 student's work by a certified teacher chosen by the parent;  
1280 grades earned through correspondence; grades earned in courses  
1281 taken at a Florida College System institution, university, or  
1282 trade school; standardized test scores above the 35th  
1283 percentile; or any other method designated in s. 1002.41.

1284         3. The home education student must meet the same residency  
1285 requirements as other students in the school at which he or she  
1286 participates.

1287         4. The home education student must meet the same standards  
1288 of acceptance, behavior, and performance as required of other  
1289 students in extracurricular activities.

1290         5. The student must register with the school his or her  
1291 intent to participate in interscholastic extracurricular  
1292 activities as a representative of the school before the  
1293 beginning date of the season for the activity in which he or she  
1294 wishes to participate. A home education student must be able to  
1295 participate in curricular activities if that is a requirement  
1296 for an extracurricular activity.

1297         6. A student who transfers from a home education program to  
1298 a public school before or during the first grading period of the  
1299 school year is academically eligible to participate in  
1300 interscholastic extracurricular activities during the first  
1301 grading period provided the student has a successful evaluation  
1302 from the previous school year, pursuant to subparagraph 2.

1303         7. Any public school or private school student who has been



346014

581-02428-15

1304 unable to maintain academic eligibility for participation in  
1305 interscholastic extracurricular activities is ineligible to  
1306 participate in such activities as a home education student until  
1307 the student has successfully completed one grading period in  
1308 home education pursuant to subparagraph 2. to become eligible to  
1309 participate as a home education student.

1310 (d) An individual charter school student pursuant to s.  
1311 1002.33 is eligible to participate at the public school to which  
1312 the student would be assigned according to district school board  
1313 attendance area policies or which the student could choose to  
1314 attend, pursuant to district or interdistrict public school  
1315 parental choice ~~controlled open enrollment~~ provisions, in any  
1316 interscholastic extracurricular activity of that school, unless  
1317 such activity is provided by the student's charter school, if  
1318 the following conditions are met:

1319 1. The charter school student must meet the requirements of  
1320 the charter school education program as determined by the  
1321 charter school governing board.

1322 2. During the period of participation at a school, the  
1323 charter school student must demonstrate educational progress as  
1324 required in paragraph (b).

1325 3. The charter school student must meet the same residency  
1326 requirements as other students in the school at which he or she  
1327 participates.

1328 4. The charter school student must meet the same standards  
1329 of acceptance, behavior, and performance that are required of  
1330 other students in extracurricular activities.

1331 5. The charter school student must register with the school  
1332 his or her intent to participate in interscholastic



346014

581-02428-15

1333 extracurricular activities as a representative of the school  
1334 before the beginning date of the season for the activity in  
1335 which he or she wishes to participate. A charter school student  
1336 must be able to participate in curricular activities if that is  
1337 a requirement for an extracurricular activity.

1338         6. A student who transfers from a charter school program to  
1339 a traditional public school before or during the first grading  
1340 period of the school year is academically eligible to  
1341 participate in interscholastic extracurricular activities during  
1342 the first grading period if the student has a successful  
1343 evaluation from the previous school year, pursuant to  
1344 subparagraph 2.

1345         7. Any public school or private school student who has been  
1346 unable to maintain academic eligibility for participation in  
1347 interscholastic extracurricular activities is ineligible to  
1348 participate in such activities as a charter school student until  
1349 the student has successfully completed one grading period in a  
1350 charter school pursuant to subparagraph 2. to become eligible to  
1351 participate as a charter school student.

1352         (e) A student of the Florida Virtual School full-time  
1353 program may participate in any interscholastic extracurricular  
1354 activity at the public school to which the student would be  
1355 assigned according to district school board attendance area  
1356 policies or which the student could choose to attend, pursuant  
1357 to district or interdistrict public school parental choice  
1358 ~~controlled open enrollment~~ policies, if the student:

1359             1. During the period of participation in the  
1360 interscholastic extracurricular activity, meets the requirements  
1361 in paragraph (a).



346014

581-02428-15

1362           2. Meets any additional requirements as determined by the  
1363 board of trustees of the Florida Virtual School.

1364           3. Meets the same residency requirements as other students  
1365 in the school at which he or she participates.

1366           4. Meets the same standards of acceptance, behavior, and  
1367 performance that are required of other students in  
1368 extracurricular activities.

1369           5. Registers his or her intent to participate in  
1370 interscholastic extracurricular activities with the school  
1371 before the beginning date of the season for the activity in  
1372 which he or she wishes to participate. A Florida Virtual School  
1373 student must be able to participate in curricular activities if  
1374 that is a requirement for an extracurricular activity.

1375           Section 11. Subsection (1) of section 1011.61, Florida  
1376 Statutes, is amended to read:

1377           1011.61 Definitions.—Notwithstanding the provisions of s.  
1378 1000.21, the following terms are defined as follows for the  
1379 purposes of the Florida Education Finance Program:

1380           (1) A "full-time equivalent student" in each program of the  
1381 district is defined in terms of full-time students and part-time  
1382 students as follows:

1383           (a) A "full-time student" is one student on the membership  
1384 roll of one school program or a combination of school programs  
1385 listed in s. 1011.62(1)(c) for the school year or the equivalent  
1386 for:

1387           1. Instruction in a standard school, comprising not less  
1388 than 900 net hours for a student in or at the grade level of 4  
1389 through 12, or not less than 720 net hours for a student in or  
1390 at the grade level of kindergarten through grade 3 or in an





346014

581-02428-15

1391 authorized prekindergarten exceptional program;

1392       2. Instruction in an alternative charter school that is  
1393 operating with two or more instructional sessions per day,  
1394 comprising not less than the equivalent of 810 net hours per  
1395 session and using instructional calendars that may extend beyond  
1396 180 days, as authorized in the charter contract that is approved  
1397 by the district school board;

1398       3. Instruction in a ~~double-session school or a school~~  
1399 utilizing an experimental school calendar approved by the  
1400 Department of Education, comprising not less than the equivalent  
1401 of 810 net hours in grades 4 through 12 or not less than 630 net  
1402 hours in kindergarten through grade 3; or

1403       ~~4.3.~~ Instruction comprising the appropriate number of net  
1404 hours set forth in subparagraph 1. or subparagraph 2. for  
1405 students who, within the past year, have moved with their  
1406 parents for the purpose of engaging in the farm labor or fish  
1407 industries, if a plan furnishing such an extended school day or  
1408 week, or a combination thereof, has been approved by the  
1409 commissioner. Such plan may be approved to accommodate the needs  
1410 of migrant students only or may serve all students in schools  
1411 having a high percentage of migrant students. The plan described  
1412 in this subparagraph is optional for any school district and is  
1413 not mandated by the state.

1414       (b) A "part-time student" is a student on the active  
1415 membership roll of a school program or combination of school  
1416 programs listed in s. 1011.62(1)(c) who is less than a full-time  
1417 student.

1418       (c)1. A "full-time equivalent student" is:

1419       a. A full-time student in any one of the programs listed in



346014

581-02428-15

1420 s. 1011.62(1)(c); or

1421 b. A combination of full-time or part-time students in any  
1422 one of the programs listed in s. 1011.62(1)(c) which is the  
1423 equivalent of one full-time student based on the following  
1424 calculations:

1425 (I) A full-time student in a combination of programs listed  
1426 in s. 1011.62(1)(c) shall be a fraction of a full-time  
1427 equivalent membership in each special program equal to the  
1428 number of net hours per school year for which he or she is a  
1429 member, divided by the appropriate number of hours set forth in  
1430 subparagraph (a)1. or subparagraph (a)2. The difference between  
1431 that fraction or sum of fractions and the maximum value as set  
1432 forth in subsection (4) for each full-time student is presumed  
1433 to be the balance of the student's time not spent in a special  
1434 program and shall be recorded as time in the appropriate basic  
1435 program.

1436 (II) A prekindergarten student with a disability shall meet  
1437 the requirements specified for kindergarten students.

1438 (III) A full-time equivalent student for students in  
1439 kindergarten through grade 12 in a full-time virtual instruction  
1440 program under s. 1002.45 or a virtual charter school under s.  
1441 1002.33 shall consist of six full-credit completions or the  
1442 prescribed level of content that counts toward promotion to the  
1443 next grade in programs listed in s. 1011.62(1)(c). Credit  
1444 completions may be a combination of full-credit courses or half-  
1445 credit courses. Beginning in the 2016-2017 fiscal year, the  
1446 reported full-time equivalent students and associated funding of  
1447 students enrolled in courses requiring passage of an end-of-  
1448 course assessment under s. 1003.4282 to earn a standard high



346014

581-02428-15

1449 school diploma shall be adjusted if the student does not pass  
1450 the end-of-course assessment. However, no adjustment shall be  
1451 made for a student who enrolls in a segmented remedial course  
1452 delivered online.

1453 (IV) A full-time equivalent student for students in  
1454 kindergarten through grade 12 in a part-time virtual instruction  
1455 program under s. 1002.45 shall consist of six full-credit  
1456 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
1457 Credit completions may be a combination of full-credit courses  
1458 or half-credit courses. Beginning in the 2016-2017 fiscal year,  
1459 the reported full-time equivalent students and associated  
1460 funding of students enrolled in courses requiring passage of an  
1461 end-of-course assessment under s. 1003.4282 to earn a standard  
1462 high school diploma shall be adjusted if the student does not  
1463 pass the end-of-course assessment. However, no adjustment shall  
1464 be made for a student who enrolls in a segmented remedial course  
1465 delivered online.

1466 (V) A Florida Virtual School full-time equivalent student  
1467 shall consist of six full-credit completions or the prescribed  
1468 level of content that counts toward promotion to the next grade  
1469 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
1470 participating in kindergarten through grade 12 part-time virtual  
1471 instruction and the programs listed in s. 1011.62(1)(c) for  
1472 students participating in kindergarten through grade 12 full-  
1473 time virtual instruction. Credit completions may be a  
1474 combination of full-credit courses or half-credit courses.  
1475 Beginning in the 2016-2017 fiscal year, the reported full-time  
1476 equivalent students and associated funding of students enrolled  
1477 in courses requiring passage of an end-of-course assessment



346014

581-02428-15

1478 under s. 1003.4282 to earn a standard high school diploma shall  
1479 be adjusted if the student does not pass the end-of-course  
1480 assessment. However, no adjustment shall be made for a student  
1481 who enrolls in a segmented remedial course delivered online.

1482 (VI) Each successfully completed full-credit course earned  
1483 through an online course delivered by a district other than the  
1484 one in which the student resides shall be calculated as 1/6 FTE.

1485 (VII) A full-time equivalent student for courses requiring  
1486 passage of a statewide, standardized end-of-course assessment  
1487 under s. 1003.4282 to earn a standard high school diploma shall  
1488 be defined and reported based on the number of instructional  
1489 hours as provided in this subsection until the 2016-2017 fiscal  
1490 year. Beginning in the 2016-2017 fiscal year, the FTE for the  
1491 course shall be assessment-based and shall be equal to 1/6 FTE.  
1492 The reported FTE shall be adjusted if the student does not pass  
1493 the end-of-course assessment. However, no adjustment shall be  
1494 made for a student who enrolls in a segmented remedial course  
1495 delivered online.

1496 (VIII) For students enrolled in a school district as a  
1497 full-time student, the district may report 1/6 FTE for each  
1498 student who passes a statewide, standardized end-of-course  
1499 assessment without being enrolled in the corresponding course.

1500 2. A student in membership in a program scheduled for more  
1501 or less than 180 school days or the equivalent on an hourly  
1502 basis as specified by rules of the State Board of Education is a  
1503 fraction of a full-time equivalent membership equal to the  
1504 number of instructional hours in membership divided by the  
1505 appropriate number of hours set forth in subparagraph (a)1.;  
1506 however, for the purposes of this subparagraph, membership in



346014

581-02428-15

1507 programs scheduled for more than 180 days is limited to students  
1508 enrolled in:

1509 a. Juvenile justice education programs.

1510 b. The Florida Virtual School.

1511 c. Virtual instruction programs and virtual charter schools  
1512 for the purpose of course completion and credit recovery  
1513 pursuant to ss. 1002.45 and 1003.498. Course completion applies  
1514 only to a student who is reported during the second or third  
1515 membership surveys and who does not complete a virtual education  
1516 course by the end of the regular school year. The course must be  
1517 completed no later than the deadline for amending the final  
1518 student enrollment survey for that year. Credit recovery applies  
1519 only to a student who has unsuccessfully completed a traditional  
1520 or virtual education course during the regular school year and  
1521 must re-take the course in order to be eligible to graduate with  
1522 the student's class.

1523

1524 The full-time equivalent student enrollment calculated under  
1525 this subsection is subject to the requirements in subsection  
1526 (4).

1527

1528 The department shall determine and implement an equitable method  
1529 of equivalent funding for experimental schools and for schools  
1530 operating under emergency conditions, which schools have been  
1531 approved by the department to operate for less than the minimum  
1532 school day.

1533 Section 12. Section 1011.6202, Florida Statutes, is created  
1534 to read:

1535 1011.6202 Charter School District Pilot Program.—The



346014

581-02428-15

1536 Charter School District Pilot Program is created within the  
1537 Department of Education. The purpose of the pilot program is to  
1538 provide the principal of a participating school with increased  
1539 autonomy and authority to operate his or her school in a way  
1540 that produces significant improvements in student achievement  
1541 and school management while complying with constitutional  
1542 requirements. The State Board of Education may, upon approval of  
1543 a charter proposal, enter into a performance contract with up to  
1544 six district school boards to establish such districts as  
1545 charter school districts.

1546 (1) CHARTER SCHOOL DISTRICT.—A charter school district is a  
1547 school district in the state that has submitted, and the state  
1548 board has approved, a charter proposal that exchanges statutory  
1549 and rule exemption for an agreement to meet performance goals  
1550 established in the charter proposal. A charter school district  
1551 shall be chartered for 3 years. At the end of the 3 years, the  
1552 performance of all participating schools in the charter school  
1553 district shall be evaluated.

1554 (2) CHARTER PROPOSAL.—

1555 (a) The proposal to become a charter school district must:

1556 1. Identify three middle or high schools whose principals  
1557 will have fiscal and administrative autonomy.

1558 2. Describe the current financial and administrative  
1559 management of each participating school; identify the areas in  
1560 which each school principal will have increased fiscal and  
1561 administrative autonomy, including the authority and  
1562 responsibilities provided in s. 1012.28(8); and identify the  
1563 areas in which each participating school will continue to follow  
1564 district school board fiscal and administrative policies.



346014

581-02428-15

1565 3. Explain the methods used to identify the educational  
1566 strengths and needs of the participating school's students and  
1567 identify how student achievement can be improved.

1568 4. Establish performance goals for student achievement, as  
1569 defined in s. 1008.34(1), and explain how increased principal  
1570 autonomy will help participating schools improve student  
1571 achievement and school management.

1572 5. Provide each participating school's mission and a  
1573 description of its student population.

1574 (b) The state board shall establish criteria, which must  
1575 include the criteria listed in paragraph (a), for the approval  
1576 of a school district charter proposal.

1577 (c) A school district must submit the charter proposal to  
1578 the state board for approval by December 1 in order to begin  
1579 participation in the subsequent school year. By February 28 of  
1580 the school year in which the proposal is submitted, the state  
1581 board shall notify the district school board in writing whether  
1582 the charter proposal has been approved.

1583 (3) EXEMPTION FROM LAWS.—

1584 (a) With the exception of those laws listed in paragraph  
1585 (b), a charter school district is exempt from the provisions in  
1586 chapters 1000-1013, including s. 1001.42(4)(f), relating to the  
1587 opening date for schools, and rules of the state board that  
1588 implement these exempt provisions.

1589 (b) A charter school district shall comply with the  
1590 provisions in chapters 1000-1013, and rules of the state board  
1591 that implement these provisions, pertaining to the following:

1592 1. Those laws relating to the election of district school  
1593 board members, public meetings and public records requirements,



346014

581-02428-15

1594 financial disclosure, and conflicts of interest.

1595 2. Those laws relating to the student assessment program  
1596 and school grading system, including chapter 1008.

1597 3. Those laws relating to the provision of services to  
1598 students with disabilities.

1599 4. Those laws relating to civil rights, including s.  
1600 1000.05, relating to discrimination.

1601 5. Those laws relating to student health, safety, and  
1602 welfare.

1603 6. Those laws relating to the election and compensation of  
1604 district school board members and the election or appointment  
1605 and compensation of district school superintendents.

1606 7. Section 1003.03, governing maximum class size, except  
1607 that the calculation for compliance pursuant to s. 1003.03 is  
1608 the average at the school level.

1609 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
1610 compensation and salary schedules.

1611 9. Section 1012.33(5), relating to workforce reductions for  
1612 annual contracts for instructional personnel. This subparagraph  
1613 does not apply to at-will employees.

1614 10. Section 1012.335, relating to annual contracts for  
1615 instructional personnel hired on or after July 1, 2011. This  
1616 subparagraph does not apply to at-will employees.

1617 11. Section 1012.34, relating to personnel evaluation  
1618 procedures and criteria.

1619 12. Those laws pertaining to educational facilities,  
1620 including chapter 1013, except that s. 1013.20, relating to  
1621 covered walkways for relocatables, and s. 1013.21, relating to  
1622 the use of relocatable facilities exceeding 20 years of age, are





346014

581-02428-15

1623 eligible for exemption.

1624 13. Those laws pertaining to charter school districts,  
1625 including this section.

1626 (4) PROFESSIONAL DEVELOPMENT.—Each charter school district  
1627 shall require the principal of each participating school to  
1628 complete the professional development provided through the  
1629 William Cecil Golden Professional Development Program for School  
1630 Leaders under s. 1012.986. The professional development must be  
1631 completed before a school may participate in the Charter School  
1632 District Pilot Program.

1633 (5) TERM OF CHARTER.—The state board shall authorize a  
1634 charter school district's charter for a period of 3 years  
1635 commencing with award of the charter. The charter may be renewed  
1636 upon action of the state board. The state board may revoke a  
1637 charter if the charter school district fails to meet the  
1638 requirements of this section during the 3-year period.

1639 (6) REPORTING.—Each charter school district shall submit an  
1640 annual report to the state board. The state board shall annually  
1641 report on the implementation of the Charter School District  
1642 Pilot Program. Upon completion of the program's first 3-year  
1643 term, the Commissioner of Education shall submit to the  
1644 President of the Senate and the Speaker of the House of  
1645 Representatives by December 1 a full evaluation of the  
1646 effectiveness of the program.

1647 (7) RULEMAKING.—The State Board of Education shall adopt  
1648 rules to administer this section.

1649 Section 13. Subsection (2) of section 1011.69, Florida  
1650 Statutes, is amended to read:

1651 1011.69 Equity in School-Level Funding Act.—



346014

581-02428-15

1652           (2) Beginning in the 2003-2004 fiscal year, district school  
1653 boards shall allocate to schools within the district an average  
1654 of 90 percent of the funds generated by all schools and  
1655 guarantee that each school receives at least 80 percent, except  
1656 schools participating in the Charter School District Pilot  
1657 Program under s. 1011.6202 are guaranteed to receive at least 90  
1658 percent, of the funds generated by that school based upon the  
1659 Florida Education Finance Program as provided in s. 1011.62 and  
1660 the General Appropriations Act, including gross state and local  
1661 funds, discretionary lottery funds, and funds from the school  
1662 district's current operating discretionary millage levy. Total  
1663 funding for each school shall be recalculated during the year to  
1664 reflect the revised calculations under the Florida Education  
1665 Finance Program by the state and the actual weighted full-time  
1666 equivalent students reported by the school during the full-time  
1667 equivalent student survey periods designated by the Commissioner  
1668 of Education. If the district school board is providing programs  
1669 or services to students funded by federal funds, any eligible  
1670 students enrolled in the schools in the district shall be  
1671 provided federal funds.

1672           Section 14. Subsection (8) is added to section 1012.28,  
1673 Florida Statutes, to read:

1674           1012.28 Public school personnel; duties of school  
1675 principals.-

1676           (8) The principal of a participating school in a charter  
1677 school district approved under s. 1011.6202 has the following  
1678 additional authority and responsibilities:

1679           (a) In addition to the authority provided in subsection  
1680 (6), the authority to select qualified instructional personnel



346014

581-02428-15

1681 for placement or to refuse to accept the placement or transfer  
1682 of instructional personnel by the district school  
1683 superintendent. Placement of instructional personnel at a  
1684 participating school in a charter school district does not  
1685 affect the employee's status as a school district employee.

1686 (b) The authority to deploy financial resources to school  
1687 programs at the principal's discretion to help improve student  
1688 achievement, as defined in s. 1008.34(1), and meet performance  
1689 goals identified in the charter proposal submitted pursuant to  
1690 s. 1011.6202.

1691 (c) To annually provide to the district school  
1692 superintendent and the district school board a budget for the  
1693 operation of the participating school that identifies how funds  
1694 provided pursuant to s. 1011.69(2) are allocated. The school  
1695 district shall include the budget in the annual report provided  
1696 to the State Board of Education pursuant to s. 1011.6202(6).

1697 Section 15. Subsection (2) of section 1012.42, Florida  
1698 Statutes, is amended to read:

1699 1012.42 Teacher teaching out-of-field.-

1700 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district  
1701 school system is assigned teaching duties in a class dealing  
1702 with subject matter that is outside the field in which the  
1703 teacher is certified, outside the field that was the applicant's  
1704 minor field of study, or outside the field in which the  
1705 applicant has demonstrated sufficient subject area expertise, as  
1706 determined by district school board policy in the subject area  
1707 to be taught, the parents of all students in the class shall be  
1708 notified in writing of such assignment. A parent that receives  
1709 this notification may, after the October student membership



346014

581-02428-15

1710 survey, request that his or her child be transferred to another  
1711 classroom teacher within the school and grade in which the child  
1712 is currently enrolled. A school must grant or deny the transfer  
1713 within 2 weeks after receiving a request. If a request for  
1714 transfer is denied, the school shall notify the parent and  
1715 specify the reasons for a denial. An explanation of the transfer  
1716 process must be made available in the student handbook or a  
1717 similar publication. This does not provide a parent the right to  
1718 choose a specific teacher.

1719 Section 16. Paragraph (e) is added to subsection (1) of  
1720 section 1012.986, Florida Statutes, to read:

1721 1012.986 William Cecil Golden Professional Development  
1722 Program for School Leaders.-

1723 (1) There is established the William Cecil Golden  
1724 Professional Development Program for School Leaders to provide  
1725 high standards and sustained support for principals as  
1726 instructional leaders. The program shall consist of a  
1727 collaborative network of state and national professional  
1728 leadership organizations to respond to instructional leadership  
1729 needs throughout the state. The network shall support the human-  
1730 resource development needs of principals, principal leadership  
1731 teams, and candidates for principal leadership positions using  
1732 the framework of leadership standards adopted by the State Board  
1733 of Education, the Southern Regional Education Board, and the  
1734 National Staff Development Council. The goal of the network  
1735 leadership program is to:

1736 (e) For principals of schools participating in the Charter  
1737 School District Pilot Program under s. 1011.6202, provide  
1738 training on the following:



346014

581-02428-15

1739           1. Managing instructional personnel, including developing a  
1740 high-performing instructional leadership team.

1741           2. Public school budgeting, financial management, and human  
1742 resources policies and procedures.

1743           3. Best practices for the effective exercise of increased  
1744 budgetary and staffing flexibility to improve student  
1745 achievement and operational efficiency.

1746           Section 17. Paragraph (a) of subsection (1) of section  
1747 1013.62, Florida Statutes, is amended to read:

1748           1013.62 Charter schools capital outlay funding.-

1749           (1) In each year in which funds are appropriated for  
1750 charter school capital outlay purposes, the Commissioner of  
1751 Education shall allocate the funds among eligible charter  
1752 schools.

1753           (a) To be eligible for a funding allocation, a charter  
1754 school must:

1755           1.a. Have been in operation for 3 or more years;

1756           b. Be governed by a governing board established in the  
1757 state for 3 or more years which operates both charter schools  
1758 and conversion charter schools within the state;

1759           c. Be an expanded feeder chain of a charter school within  
1760 the same school district that is currently receiving charter  
1761 school capital outlay funds;

1762           d. Have been accredited by the Commission on Schools of the  
1763 Southern Association of Colleges and Schools; or

1764           e. Serve students in facilities that are provided by a  
1765 business partner for a charter school-in-the-workplace pursuant  
1766 to s. 1002.33(15) (b) .

1767           2. Have an annual audit that does not reveal any of the



346014

581-02428-15

1768 financial emergency conditions provided in s. 218.503(1) for the  
1769 most recent fiscal year for which such audit results are  
1770 available ~~stability for future operation as a charter school.~~

1771 3. Have satisfactory student achievement based on state  
1772 accountability standards applicable to the charter school.

1773 4. Have received final approval from its sponsor pursuant  
1774 to s. 1002.33 for operation during that fiscal year.

1775 5. Serve students in facilities that are not provided by  
1776 the charter school's sponsor.

1777 Section 18. Notwithstanding any other provision of law,  
1778 student reporting requirements related to withdrawals,  
1779 suspensions, expulsions, and other related instances where  
1780 students are no longer enrolled in a school, must be the same  
1781 for public schools, including charter schools. Thus, charter  
1782 school reporting requirements for these instances apply to all  
1783 public schools, and public school reporting requirements apply  
1784 to all charter schools.

1785 Section 19. This act shall take effect July 1, 2015.