



798694

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/22/2015	.	
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The Committee on Appropriations (Benacquisto) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

1002.20 K-12 student and parent rights.—Parents of public
school students must receive accurate and timely information
regarding their child's academic progress and must be informed



798694

11 of ways they can help their child to succeed in school. K-12
12 students and their parents are afforded numerous statutory
13 rights including, but not limited to, the following:

14 (6) EDUCATIONAL CHOICE.—

15 (a) *Public school choices.*—Parents of public school
16 students may seek whatever public school choice options that are
17 applicable and available to students in their school districts.
18 These options may include controlled open enrollment, single-
19 gender programs, lab schools, virtual instruction programs,
20 charter schools, charter technical career centers, magnet
21 schools, alternative schools, special programs, auditory-oral
22 education programs, advanced placement, dual enrollment,
23 International Baccalaureate, International General Certificate
24 of Secondary Education (pre-AICE), Advanced International
25 Certificate of Education, CAPE digital tools, CAPE industry
26 certifications, collegiate high school programs, early
27 admissions, credit by examination or demonstration of
28 competency, the New World School of the Arts, the Florida School
29 for the Deaf and the Blind, and the Florida Virtual School.
30 These options may also include the public educational school
31 choice options of the Opportunity Scholarship Program and the
32 McKay Scholarships for Students with Disabilities Program.

33 (b) *Private educational school choices.*—Parents of public
34 school students may seek private educational school choice
35 options under certain programs.

36 1. Under the McKay Scholarships for Students with
37 Disabilities Program, the parent of a public school student with
38 a disability may request and receive a McKay Scholarship for the
39 student to attend a private school in accordance with s.



798694

40 1002.39.

41 2. Under the Florida Tax Credit Scholarship Program, the
42 parent of a student who qualifies for free or reduced-price
43 school lunch or who is currently placed, or during the previous
44 state fiscal year was placed, in foster care as defined in s.
45 39.01 may seek a scholarship from an eligible nonprofit
46 scholarship-funding organization in accordance with s. 1002.395.

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

51 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
52 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
53 have the right ~~are entitled~~ to an easy-to-read report card about
54 the school's grade designation or, if applicable under s.
55 1008.341, the school's improvement rating, and the school's
56 accountability report, including the school financial report as
57 required under s. 1010.215 and the school district's annual
58 financial report, including the expenditures on a per FTE basis
59 for the following fund types: general funds, special revenue
60 funds, debt service funds, and capital project fund. Fiduciary
61 funds, enterprise funds, and internal service funds may not be
62 included. At minimum, the total expenditures on a per FTE basis,
63 as reported in the school district's annual financial report,
64 must be included in the parent guide.

65 Section 2. Section 1002.31, Florida Statutes, is amended to
66 read:

67 1002.31 Controlled open enrollment; Public school parental
68 choice.—



798694

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

73 (2) As part of a district's controlled open enrollment, and
74 in addition to the existing choice programs provided in s.
75 1002.20(6)(a), each district school board shall allow a parent
76 to enroll his or her child in and transport his or her child to
77 any public school that has not reached capacity in the district.
78 However, a district may provide transportation to students at
79 the district's discretion. For purposes of continuity of
80 educational choice, the student may remain at the school chosen
81 by the parent until the student completes the highest grade
82 level at the school ~~may offer controlled open enrollment within~~
83 ~~the public schools which is in addition to the existing choice~~
84 ~~programs such as virtual instruction programs, magnet schools,~~
85 ~~alternative schools, special programs, advanced placement, and~~
86 ~~dual enrollment.~~

87 (3) Each district school board ~~offering controlled open~~
88 ~~enrollment shall adopt by rule and post on its website the~~
89 ~~process required to participate in controlled open enrollment.~~
90 The process ~~a controlled open enrollment plan which must:~~

91 (a) Adhere to federal desegregation requirements.

92 (b) Allow ~~Include an application process required to~~
93 ~~participate in controlled open enrollment that allows parents to~~
94 ~~declare school preferences, including placement of siblings~~
95 ~~within the same school.~~

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



798694

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

100 (e) Maintain socioeconomic, demographic, and racial
101 balance.

102 (f) Address the availability of transportation.

103 (g) Maintain existing academic eligibility criteria for
104 schools of choice, pursuant to s. 1002.20(6)(a).

105 (h) Identify schools that have not reached capacity, as
106 determined by the school district. When determining capacity of
107 each school in the district, the school district shall
108 incorporate the specifications, plans, elements, and commitments
109 contained in the school district educational facilities plan and
110 the long-term work programs required under s. 1013.35 in its
111 determination.

112 (i) Create a preference process for dependent children of
113 active duty military personnel for every county.

114 (j) Provide a preference for placement of students residing
115 in the school district.

116 (4) In accordance with the reporting requirements of s.
117 1011.62, each district school board shall annually report the
118 number of students exercising public school choice, by type of
119 choice attending the various types of public schools of choice
120 in the district, in accordance with including schools such as
121 virtual instruction programs, magnet schools, and public charter
122 schools, according to rules adopted by the State Board of
123 Education.

124 (5)(a) Beginning in the 2016-2017 school year, a parent may
125 enroll his or her child in and transport his or her child to any
126 public school that has not reached capacity in any school



798694

127 district in the state. The school district shall accept the
128 student, pursuant to that district's controlled open enrollment
129 participation process, and report the student for purposes of
130 the school district's funding pursuant to the Florida Education
131 Finance Program.

132 (b) If a parent chooses to enroll his or her child in a
133 school in another school district pursuant to paragraph (a), the
134 parent shall notify the district of residence and the district
135 of choice within 60 days beginning no earlier than March 1. For
136 purposes of continuity of educational choice, the student shall
137 remain at the school chosen by the parent until the student
138 completes the highest grade level at the school.

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

143 (7) Each district school board shall establish a transfer
144 process for a parent to request that his or her child be
145 transferred to another classroom teacher. This subsection does
146 not give a parent the right to choose a specific classroom
147 teacher. A school must grant or deny the transfer within 2 weeks
148 after receiving the request. If a request for transfer is
149 denied, the school shall notify the parent and specify the
150 reasons for the denial. An explanation of the transfer process
151 must be made available in the parent guide or a similar
152 publication.

153 Section 3. Paragraphs (a), (b), and (c) of subsection (6),
154 paragraphs (a), (b), and (d) of subsection (7), paragraphs (e),
155 (f), and (g) of subsection (8), paragraphs (g), (n), and (p) of



798694

156 subsection (9), paragraph (a) of subsection (10), subsection
157 (13), paragraphs (b) and (e) of subsection (17), subsection
158 (21), and paragraph (c) of subsection (26) of section 1002.33,
159 Florida Statutes, are amended, paragraphs (h) and (i) are added
160 to subsection (8) of that section, a new subsection (27) is
161 added to that section, and present subsections (27) and (28) are
162 redesignated as subsections (28) and (29), respectively, to
163 read:

164 1002.33 Charter schools.—

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

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

170 1. Demonstrates how the school will use the guiding
171 principles and meet the statutorily defined purpose of a charter
172 school.

173 2. Provides a detailed curriculum plan that illustrates how
174 students will be provided services to attain the Sunshine State
175 Standards.

176 3. Contains goals and objectives for improving student
177 learning and measuring that improvement. These goals and
178 objectives must indicate how much academic improvement students
179 are expected to show each year, how success will be evaluated,
180 and the specific results to be attained through instruction.

181 4. Describes the reading curriculum and differentiated
182 strategies that will be used for students reading at grade level
183 or higher and a separate curriculum and strategies for students
184 who are reading below grade level. A sponsor shall deny an



798694

185 application ~~a charter~~ if the school does not propose a reading
186 curriculum that is consistent with effective teaching strategies
187 that are grounded in scientifically based reading research, but
188 the sponsor may not require the school to implement any
189 curriculum adopted by the school district.

190 5. Contains an annual financial plan for each year
191 requested by the charter for operation of the school for up to 5
192 years. This plan must contain anticipated fund balances based on
193 revenue projections, a spending plan based on projected revenues
194 and expenses, and a description of controls that will safeguard
195 finances and projected enrollment trends.

196 6. Discloses the name of each applicant, governing board
197 member, and proposed management company or cooperative, if any;
198 the name and sponsor of any charter school currently operated or
199 previously operated by such parties; and the academic and
200 financial history of such charter schools, which the sponsor
201 shall consider in deciding to approve or deny the application.

202 7. Documents that the governing board is independent of any
203 management company or cooperative and may, at its sole
204 discretion, terminate a contract with the management company or
205 cooperative at any time.

206 ~~8.6.~~ Contains additional information a sponsor may require,
207 which shall be attached as an addendum to the charter school
208 application described in this paragraph.

209 ~~9.7.~~ For the establishment of a virtual charter school,
210 documents that the applicant has contracted with a provider of
211 virtual instruction services pursuant to s. 1002.45(1)(d).

212 (b) A sponsor shall receive and review all applications for
213 a charter school using an evaluation instrument developed by the



798694

214 Department of Education. A sponsor shall receive and consider
215 charter school applications received on or before August 1 of
216 each calendar year for charter schools to be opened at the
217 beginning of the school district's next school year, or to be
218 opened at a time agreed to by the applicant and the sponsor. A
219 sponsor may not refuse to receive a charter school application
220 submitted before August 1 and may receive an application
221 submitted later than August 1 if it chooses. In order to
222 facilitate greater collaboration in the application process, an
223 applicant may submit a draft charter school application on or
224 before May 1 with an application fee of \$500. If a draft
225 application is timely submitted, the sponsor shall review and
226 provide feedback as to material deficiencies in the application
227 by July 1. The applicant shall then have until August 1 to
228 resubmit a revised and final application. The sponsor may
229 approve the draft application. Except as provided for a draft
230 application, a sponsor may not charge an applicant for a charter
231 any fee for the processing or consideration of an application,
232 and a sponsor may not base its consideration or approval of a
233 final application upon the promise of future payment of any
234 kind. Before approving or denying any final application, the
235 sponsor shall allow the applicant, upon receipt of written
236 notification, at least 7 calendar days to make technical or
237 nonsubstantive corrections and clarifications, including, but
238 not limited to, corrections of grammatical, typographical, and
239 like errors or missing signatures, if such errors are identified
240 by the sponsor as cause to deny the final application.

241 1. In order to facilitate an accurate budget projection
242 process, a sponsor shall be held harmless for FTE students who



798694

243 are not included in the FTE projection due to approval of
244 charter school applications after the FTE projection deadline.
245 In a further effort to facilitate an accurate budget projection,
246 within 15 calendar days after receipt of a charter school
247 application, a sponsor shall report to the Department of
248 Education the name of the applicant entity, the proposed charter
249 school location, and its projected FTE.

250 2. In order to ensure fiscal responsibility, an application
251 for a charter school shall include a full accounting of expected
252 assets, a projection of expected sources and amounts of income,
253 including income derived from projected student enrollments and
254 from community support, and an expense projection that includes
255 full accounting of the costs of operation, including start-up
256 costs.

257 3.a. A sponsor shall by a majority vote approve or deny an
258 application no later than 60 calendar days after the application
259 is received, unless the sponsor and the applicant mutually agree
260 in writing to temporarily postpone the vote to a specific date,
261 at which time the sponsor shall by a majority vote approve or
262 deny the application. If the sponsor fails to act on the
263 application, an applicant may appeal to the State Board of
264 Education as provided in paragraph (c). If an application is
265 denied, the sponsor shall, within 10 calendar days after such
266 denial, articulate in writing the specific reasons, based upon
267 good cause, supporting its denial of the charter application and
268 shall provide the letter of denial and supporting documentation
269 to the applicant and to the Department of Education.

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



798694

272 sponsor only if the sponsor demonstrates by clear and convincing
273 evidence that:

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

276 (II) The charter school proposed in the application does
277 not materially comply with the requirements in paragraphs
278 (9) (a) - (f);

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

282 (IV) The applicant has made a material misrepresentation or
283 false statement or concealed an essential or material fact
284 during the application process; or

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

288

289 Material noncompliance is a failure to follow requirements or a
290 violation of prohibitions applicable to charter school
291 applications, which failure is quantitatively or qualitatively
292 significant either individually or when aggregated with other
293 noncompliance. An applicant is considered to be replicating a
294 high-performing charter school if the proposed school is
295 substantially similar to at least one of the applicant's high-
296 performing charter schools and the organization or individuals
297 involved in the establishment and operation of the proposed
298 school are significantly involved in the operation of replicated
299 schools.

300 c. If the sponsor denies an application submitted by a



798694

301 high-performing charter school, the sponsor must, within 10
302 calendar days after such denial, state in writing the specific
303 reasons, based upon the criteria in sub-subparagraph b.,
304 supporting its denial of the application and must provide the
305 letter of denial and supporting documentation to the applicant
306 and to the Department of Education. The applicant may appeal the
307 sponsor's denial of the application ~~directly~~ to the State Board
308 of Education pursuant to paragraph (c) and must provide the
309 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

310 4. For budget projection purposes, the sponsor shall report
311 to the Department of Education the approval or denial of a
312 charter application within 10 calendar days after such approval
313 or denial. In the event of approval, the report to the
314 Department of Education shall include the final projected FTE
315 for the approved charter school.

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

320 6. A person, or an officer of an entity, who submits an
321 application pursuant to this subsection must undergo background
322 screening in the same manner as instructional and
323 noninstructional personnel hired or contracted to fill positions
324 in a charter school or as members of the governing board of a
325 charter school undergo background screening under s. 1012.32.
326 Notwithstanding any other provision of this subsection, a person
327 may not receive approval of a charter application until the
328 person's screening is completed and the results have been
329 submitted to, and reviewed by, the sponsor.



798694

330 (c)1. An applicant may appeal any denial of that
331 applicant's application or failure to act on an application to
332 the State Board of Education within ~~no later than~~ 30 calendar
333 days after receipt of the sponsor's decision or failure to act
334 and shall notify the sponsor of its appeal. Any response of the
335 sponsor shall be submitted to the State Board of Education
336 within 30 calendar days after notification of the appeal. Upon
337 receipt of notification from the State Board of Education that a
338 charter school applicant is filing an appeal, the Commissioner
339 of Education shall convene a meeting of the Charter School
340 Appeal Commission to study and make recommendations to the State
341 Board of Education regarding its pending decision about the
342 appeal. The commission shall forward its recommendation to the
343 state board at least 7 calendar days before the date on which
344 the appeal is to be heard. An appeal regarding the denial of an
345 application submitted by a high-performing charter school
346 pursuant to s. 1002.331 shall be conducted by the State Board of
347 Education in accordance with this paragraph, except that the
348 commission shall not convene to make recommendations regarding
349 the appeal. However, the Commissioner of Education shall review
350 the appeal and make a recommendation to the state board.

351 2. The Charter School Appeal Commission or, in the case of
352 an appeal regarding an application submitted by a high-
353 performing charter school, the State Board of Education may
354 reject an appeal submission for failure to comply with
355 procedural rules governing the appeals process. The rejection
356 shall describe the submission errors. The appellant shall have
357 15 calendar days after notice of rejection in which to resubmit
358 an appeal that meets the requirements set forth in State Board



798694

359 of Education rule. An appeal submitted subsequent to such
360 rejection is considered timely if the original appeal was filed
361 within 30 calendar days after receipt of notice of the specific
362 reasons for the sponsor's denial of the ~~charter~~ application.

363 3.a. The State Board of Education shall by majority vote
364 accept or reject the decision of the sponsor no later than 90
365 calendar days after an appeal is filed in accordance with State
366 Board of Education rule. The State Board of Education shall
367 remand the application to the sponsor with its written decision
368 that the sponsor approve or deny the application. The sponsor
369 shall implement the decision of the State Board of Education.
370 The decision of the State Board of Education is not subject to
371 the provisions of the Administrative Procedure Act, chapter 120.

372 b. If an appeal concerns an application submitted by a
373 high-performing charter school identified pursuant to s.
374 1002.331, the State Board of Education shall determine whether
375 the sponsor's denial of the application complies with the
376 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
377 ~~clear and convincing evidence, that:~~

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

380 ~~(II) The charter school proposed in the application does~~
381 ~~not materially comply with the requirements in paragraphs~~
382 ~~(9)(a)-(f);~~

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

386 ~~(IV) The applicant has made a material misrepresentation or~~
387 ~~false statement or concealed an essential or material fact~~



798694

388 ~~during the application process; or~~

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

392

393 The State Board of Education shall approve or reject the
394 sponsor's denial of an application no later than 90 calendar
395 days after an appeal is filed in accordance with State Board of
396 Education rule. The State Board of Education shall remand the
397 application to the sponsor with its written decision that the
398 sponsor approve or deny the application. The sponsor shall
399 implement the decision of the State Board of Education. The
400 decision of the State Board of Education is not subject to the
401 Administrative Procedure Act, chapter 120.

402 (7) CHARTER.—The major issues involving the operation of a
403 charter school shall be considered in advance and written into
404 the charter. The charter shall be signed by the governing board
405 of the charter school and the sponsor, following a public
406 hearing to ensure community input.

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

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

411 2. The focus of the curriculum, the instructional methods
412 to be used, any distinctive instructional techniques to be
413 employed, and identification and acquisition of appropriate
414 technologies needed to improve educational and administrative
415 performance which include a means for promoting safe, ethical,
416 and appropriate uses of technology which comply with legal and



798694

417 professional standards.

418 a. The charter shall ensure that reading is a primary focus
419 of the curriculum and that resources are provided to identify
420 and provide specialized instruction for students who are reading
421 below grade level. The curriculum and instructional strategies
422 for reading must be consistent with the Next Generation Sunshine
423 State Standards and grounded in scientifically based reading
424 research. For purposes of determining eligibility for the
425 research-based reading instruction allocation, the reading
426 curriculum and instructional strategies specified in the charter
427 satisfy the research-based reading plan requirement under s.
428 1011.62(9).

429 b. In order to provide students with access to diverse
430 instructional delivery models, to facilitate the integration of
431 technology within traditional classroom instruction, and to
432 provide students with the skills they need to compete in the
433 21st century economy, the Legislature encourages instructional
434 methods for blended learning courses consisting of both
435 traditional classroom and online instructional techniques.
436 Charter schools may implement blended learning courses which
437 combine traditional classroom instruction and virtual
438 instruction. Students in a blended learning course must be full-
439 time students of the charter school and receive the online
440 instruction in a classroom setting at the charter school.
441 Instructional personnel certified pursuant to s. 1012.55 who
442 provide virtual instruction for blended learning courses may be
443 employees of the charter school or may be under contract to
444 provide instructional services to charter school students. At a
445 minimum, such instructional personnel must hold an active state



798694

446 or school district adjunct certification under s. 1012.57 for
447 the subject area of the blended learning course. The funding and
448 performance accountability requirements for blended learning
449 courses are the same as those for traditional courses.

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

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

456 b. How these baseline rates will be compared to rates of
457 academic progress achieved by these same students while
458 attending the charter school.

459 c. To the extent possible, how these rates of progress will
460 be evaluated and compared with rates of progress of other
461 closely comparable student populations.

462

463 The district school board is required to provide academic
464 student performance data to charter schools for each of their
465 students coming from the district school system, as well as
466 rates of academic progress of comparable student populations in
467 the district school system.

468 4. The methods used to identify the educational strengths
469 and needs of students and how well educational goals and
470 performance standards are met by students attending the charter
471 school. The methods shall provide a means for the charter school
472 to ensure accountability to its constituents by analyzing
473 student performance data and by evaluating the effectiveness and
474 efficiency of its major educational programs. Students in



798694

475 charter schools shall, at a minimum, participate in the
476 statewide assessment program created under s. 1008.22.

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

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

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

484 8. The ways by which the school will achieve a
485 racial/ethnic balance reflective of the community it serves or
486 within the racial/ethnic range of other public schools in the
487 same school district.

488 9. The financial and administrative management of the
489 school, including a reasonable demonstration of the professional
490 experience or competence of those individuals or organizations
491 applying to operate the charter school or those hired or
492 retained to perform such professional services and the
493 description of clearly delineated responsibilities and the
494 policies and practices needed to effectively manage the charter
495 school. A description of internal audit procedures and
496 establishment of controls to ensure that financial resources are
497 properly managed must be included. Both public sector and
498 private sector professional experience shall be equally valid in
499 such a consideration. The charter must document that the
500 governing board is independent of any management company or
501 cooperative and may, at its sole discretion, terminate the
502 contract with the management company or cooperative at any time.

503 10. The asset and liability projections required in the



798694

504 application which are incorporated into the charter and shall be
505 compared with information provided in the annual report of the
506 charter school.

507 11. A description of procedures that identify various risks
508 and provide for a comprehensive approach to reduce the impact of
509 losses; plans to ensure the safety and security of students and
510 staff; plans to identify, minimize, and protect others from
511 violent or disruptive student behavior; and the manner in which
512 the school will be insured, including whether or not the school
513 will be required to have liability insurance, and, if so, the
514 terms and conditions thereof and the amounts of coverage.

515 ~~12. The term of the charter which shall provide for~~
516 ~~cancellation of the charter if insufficient progress has been~~
517 ~~made in attaining the student achievement objectives of the~~
518 ~~charter and if it is not likely that such objectives can be~~
519 ~~achieved before expiration of the charter.~~ The initial term of
520 the a charter is either shall be for 4 years or 5 years. ~~In~~
521 ~~order to facilitate access to long-term financial resources for~~
522 ~~charter school construction,~~ Charter schools that are operated
523 by a municipality or other public entity, as provided by law, or
524 a private, not-for-profit corporation granted 501(c)(3) status
525 by the Internal Revenue Service are eligible for up to a 15-year
526 charter, subject to approval by the district school board. A
527 charter lab school is also eligible for a charter for a term of
528 up to 15 years. ~~In addition, to facilitate access to long-term~~
529 ~~financial resources for charter school construction,~~ charter
530 schools that are operated by a private, not-for-profit, ~~s.~~
531 ~~501(c)(3) status corporation are eligible for up to a 15-year~~
532 ~~charter, subject to approval by the district school board.~~ Such



798694

533 long-term charters remain subject to annual review and may be
534 terminated during the term of the charter, but only according to
535 ~~the provisions set forth in~~ subsection (8) or paragraph (9)(n).

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

538 14.13. The facilities to be used and their location. The
539 sponsor shall ~~may not~~ require a charter school to have a
540 certificate of occupancy or a temporary certificate of occupancy
541 for such a facility no later than 30 ~~earlier than 15~~ calendar
542 days before the first day of school.

543 15.14. The qualifications to be required of the teachers
544 and the potential strategies used to recruit, hire, train, and
545 retain qualified staff to achieve best value.

546 16.15. The governance structure of the school, including
547 the status of the charter school as a public or private employer
548 as required in paragraph (12)(i).

549 17.16. A timetable for implementing the charter which
550 addresses the implementation of each element thereof and the
551 date by which the charter shall be awarded in order to meet this
552 timetable.

553 18.17. In the case of an existing public school that is
554 being converted to charter status, alternative arrangements for
555 current students who choose not to attend the charter school and
556 for current teachers who choose not to teach in the charter
557 school after conversion in accordance with the existing
558 collective bargaining agreement or district school board rule in
559 the absence of a collective bargaining agreement. However,
560 alternative arrangements shall not be required for current
561 teachers who choose not to teach in a charter lab school, except



798694

562 as authorized by the employment policies of the state university
563 which grants the charter to the lab school.

564 ~~19.18.~~ Full disclosure of the identity of all relatives
565 employed by the charter school who are related to the charter
566 school owner, president, chairperson of the governing board of
567 directors, superintendent, governing board member, principal,
568 assistant principal, or any other person employed by the charter
569 school who has equivalent decisionmaking authority. For the
570 purpose of this subparagraph, the term "relative" means father,
571 mother, son, daughter, brother, sister, uncle, aunt, first
572 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
573 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
574 stepfather, stepmother, stepson, stepdaughter, stepbrother,
575 stepsister, half brother, or half sister.

576 ~~20.19.~~ Implementation of the activities authorized under s.
577 1002.331 by the charter school when it satisfies the eligibility
578 requirements for a high-performing charter school. A high-
579 performing charter school shall notify its sponsor in writing by
580 March 1 if it intends to increase enrollment or expand grade
581 levels the following school year. The written notice shall
582 specify the amount of the enrollment increase and the grade
583 levels that will be added, as applicable.

584 (b)1. A charter may be renewed provided that a program
585 review demonstrates that the criteria in paragraph (a) have been
586 successfully accomplished and that none of the grounds for
587 nonrenewal established by paragraph (8) (a) has been documented.
588 ~~In order to facilitate long-term financing for charter school~~
589 ~~construction,~~ Charter schools operating for a minimum of 3 years
590 and demonstrating exemplary academic programming and fiscal



798694

591 management are eligible for a 15-year charter renewal. Such
592 long-term charter is subject to annual review and may be
593 terminated during the term of the charter.

594 2. The 15-year charter renewal that may be granted pursuant
595 to subparagraph 1. shall be granted to a charter school that has
596 received a school grade of "A" or "B" pursuant to s. 1008.34 in
597 3 of the past 4 years and is not in a state of financial
598 emergency or deficit position as defined by this section. Such
599 long-term charter is subject to annual review and may be
600 terminated during the term of the charter pursuant to subsection
601 (8).

602 ~~(d)1. Each charter school's governing board must appoint a~~
603 ~~representative to facilitate parental involvement, provide~~
604 ~~access to information, assist parents and others with questions~~
605 ~~and concerns, and resolve disputes. The representative must~~
606 ~~reside in the school district in which the charter school is~~
607 ~~located and may be a governing board member, charter school~~
608 ~~employee, or individual contracted to represent the governing~~
609 ~~board. If the governing board oversees multiple charter schools~~
610 ~~in the same school district, the governing board must appoint a~~
611 ~~separate individual representative for each charter school in~~
612 ~~the district. The representative's contact information must be~~
613 ~~provided annually in writing to parents and posted prominently~~
614 ~~on the charter school's website if a website is maintained by~~
615 ~~the school. The sponsor may not require that governing board~~
616 ~~members reside in the school district in which the charter~~
617 ~~school is located if the charter school complies with this~~
618 ~~paragraph.~~

619 ~~2. Each charter school's governing board must hold at least~~



798694

620 ~~two public meetings per school year in the school district. The~~
621 ~~meetings must be noticed, open, and accessible to the public,~~
622 ~~and attendees must be provided an opportunity to receive~~
623 ~~information and provide input regarding the charter school's~~
624 ~~operations. The appointed representative and charter school~~
625 ~~principal or director, or his or her equivalent, must be~~
626 ~~physically present at each meeting.~~

627 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.-

628 (e) When a charter is not renewed or is terminated or when
629 a charter school is closed voluntarily by the operator, the
630 school shall be dissolved under the provisions of law under
631 which the school was organized, and any unencumbered public
632 funds, except for capital outlay funds and federal charter
633 school program grant funds, from the charter school shall revert
634 to the sponsor. Capital outlay funds provided pursuant to s.
635 1013.62 and federal charter school program grant funds that are
636 unencumbered shall revert to the department to be redistributed
637 among eligible charter schools. In the event a charter school is
638 dissolved or is otherwise terminated, all district school board
639 property and improvements, furnishings, and equipment purchased
640 with public funds shall automatically revert to full ownership
641 by the district school board, subject to complete satisfaction
642 of any lawful liens or encumbrances. Any unencumbered public
643 funds from the charter school, district school board property
644 and improvements, furnishings, and equipment purchased with
645 public funds, or financial or other records pertaining to the
646 charter school, in the possession of any person, entity, or
647 holding company, other than the charter school, shall be held in
648 trust upon the district school board's request, until any appeal



798694

649 status is resolved.

650 (f) If a charter is not renewed or is terminated or a
651 charter school is closed voluntarily by the operator, the
652 charter school is responsible for all debts of the charter
653 school. The district may not assume the debt from any contract
654 made between the governing body of the school and a third party,
655 except for a debt that is previously detailed and agreed upon in
656 writing by both the district and the governing body of the
657 school and that may not reasonably be assumed to have been
658 satisfied by the district.

659 (g) If a charter is not renewed or is terminated, a student
660 who attended the school may apply to, and shall be enrolled in,
661 another public school. Normal application deadlines shall be
662 disregarded under such circumstances.

663 (h) The governing board of a charter school that closes
664 voluntarily shall notify the sponsor and the department in
665 writing within 7 calendar days of its decision to cease
666 operations. The notice must state the reasons for the closure
667 and acknowledge that the governing board agrees to follow the
668 procedures for dissolution and reversion of public funds
669 specified in this subsection and paragraph (9) (o).

670 (i) For a high-performing charter school that is having the
671 charter agreement renewed, the charter contract, as that
672 contract exists on the day the term of the contract is to
673 terminate, must be automatically renewed for the length of the
674 current term if the charter school governing board and sponsor
675 have not executed the renewal before the term of the charter
676 agreement is scheduled to expire.

677 (9) CHARTER SCHOOL REQUIREMENTS.—



798694

678 (g)1. In order to provide financial information that is
679 comparable to that reported for other public schools, charter
680 schools are to maintain all financial records that constitute
681 their accounting system:

682 a. In accordance with the accounts and codes prescribed in
683 the most recent issuance of the publication titled "Financial
684 and Program Cost Accounting and Reporting for Florida Schools";
685 or

686 b. At the discretion of the charter school's governing
687 board, a charter school may elect to follow generally accepted
688 accounting standards for not-for-profit organizations, but must
689 reformat this information for reporting according to this
690 paragraph.

691 2. Charter schools shall provide annual financial report
692 and program cost report information in the state-required
693 formats for inclusion in district reporting in compliance with
694 s. 1011.60(1). Charter schools that are operated by a
695 municipality or are a component unit of a parent nonprofit
696 organization may use the accounting system of the municipality
697 or the parent but must reformat this information for reporting
698 according to this paragraph.

699 3. A charter school shall, upon execution of the contract,
700 provide the sponsor with a concise, uniform, monthly financial
701 statement summary sheet that contains a balance sheet and a
702 statement of revenue, expenditures, and changes in fund balance.
703 The balance sheet and the statement of revenue, expenditures,
704 and changes in fund balance shall be in the governmental funds
705 format prescribed by the Governmental Accounting Standards
706 Board. A high-performing charter school pursuant to s. 1002.331



798694

707 may provide a quarterly financial statement in the same format
708 and requirements as the uniform monthly financial statement
709 summary sheet. The sponsor shall review each monthly financial
710 statement, to identify the existence of any conditions
711 identified in s. 1002.345(1)(a).

712 4. A charter school shall maintain and provide financial
713 information as required in this paragraph. The financial
714 statement required in subparagraph 3. must be in a form
715 prescribed by the Department of Education.

716 (n)1. The director and a representative of the governing
717 board of a charter school that has earned a grade of "D" or "F"
718 pursuant to s. 1008.34 shall appear before the sponsor to
719 present information concerning each contract component having
720 noted deficiencies. The director and a representative of the
721 governing board shall submit to the sponsor for approval a
722 school improvement plan to raise student performance. Upon
723 approval by the sponsor, the charter school shall begin
724 implementation of the school improvement plan. The department
725 shall offer technical assistance and training to the charter
726 school and its governing board and establish guidelines for
727 developing, submitting, and approving such plans.

728 2.a. If a charter school earns three consecutive grades of
729 "D," two consecutive grades of "D" followed by a grade of "F,"
730 or two nonconsecutive grades of "F" within a 3-year period, the
731 charter school governing board shall choose one of the following
732 corrective actions:

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



798694

736 (II) Contract with an outside entity that has a
737 demonstrated record of effectiveness to operate the school;
738 (III) Reorganize the school under a new director or
739 principal who is authorized to hire new staff; or
740 (IV) Voluntarily close the charter school.
741 b. The charter school must implement the corrective action
742 in the school year following receipt of a third consecutive
743 grade of "D," a grade of "F" following two consecutive grades of
744 "D," or a second nonconsecutive grade of "F" within a 3-year
745 period.
746 c. The sponsor may annually waive a corrective action if it
747 determines that the charter school is likely to improve a letter
748 grade if additional time is provided to implement the
749 intervention and support strategies prescribed by the school
750 improvement plan. Notwithstanding this sub-subparagraph, a
751 charter school that earns a second consecutive grade of "F" is
752 subject to subparagraph 4.
753 d. A charter school is no longer required to implement a
754 corrective action if it improves by at least one letter grade.
755 However, the charter school must continue to implement
756 strategies identified in the school improvement plan. The
757 sponsor must annually review implementation of the school
758 improvement plan to monitor the school's continued improvement
759 pursuant to subparagraph 5.
760 e. A charter school implementing a corrective action that
761 does not improve by at least one letter grade after 2 full
762 school years of implementing the corrective action must select a
763 different corrective action. Implementation of the new
764 corrective action must begin in the school year following the



798694

765 implementation period of the existing corrective action, unless
766 the sponsor determines that the charter school is likely to
767 improve a letter grade if additional time is provided to
768 implement the existing corrective action. Notwithstanding this
769 sub-subparagraph, a charter school that earns a second
770 consecutive grade of "F" while implementing a corrective action
771 is subject to subparagraph 4.

772 3. A charter school with a grade of "D" or "F" that
773 improves by at least one letter grade must continue to implement
774 the strategies identified in the school improvement plan. The
775 sponsor must annually review implementation of the school
776 improvement plan to monitor the school's continued improvement
777 pursuant to subparagraph 5.

778 4. A charter school's charter is automatically terminated
779 if the school earns two consecutive grades of "F" after all
780 school grade appeals are final ~~The sponsor shall terminate a~~
781 ~~charter if the charter school earns two consecutive grades of~~
782 ~~"F" unless:~~

783 a. The charter school is established to turn around the
784 performance of a district public school pursuant to s.
785 1008.33(4)(b)3. Such charter schools shall be governed by s.
786 1008.33;

787 b. The charter school serves a student population the
788 majority of which resides in a school zone served by a district
789 public school that earned a grade of "F" in the year before the
790 charter school opened and the charter school earns at least a
791 grade of "D" in its third year of operation. The exception
792 provided under this sub-subparagraph does not apply to a charter
793 school in its fourth year of operation and thereafter; or



798694

794 c. The state board grants the charter school a waiver of
795 termination. The charter school must request the waiver within
796 15 days after the department's official release of school
797 grades. The state board may waive termination if the charter
798 school demonstrates that the Learning Gains of its students on
799 statewide assessments are comparable to or better than the
800 Learning Gains of similarly situated students enrolled in nearby
801 district public schools. The waiver is valid for 1 year and may
802 only be granted once. Charter schools that have been in
803 operation for more than 5 years are not eligible for a waiver
804 under this sub-subparagraph.

805
806 The sponsor shall notify in writing the charter school's
807 governing board, the charter school principal, and the
808 department when a charter is terminated under this subparagraph.
809 A charter terminated under this subparagraph is governed by the
810 requirements of paragraphs (8) (e)-(g) and paragraph (o) of this
811 subsection.

812 5. The director and a representative of the governing board
813 of a graded charter school that has implemented a school
814 improvement plan under this paragraph shall appear before the
815 sponsor at least once a year to present information regarding
816 the progress of intervention and support strategies implemented
817 by the school pursuant to the school improvement plan and
818 corrective actions, if applicable. The sponsor shall communicate
819 at the meeting, and in writing to the director, the services
820 provided to the school to help the school address its
821 deficiencies.

822 6. Notwithstanding any provision of this paragraph except



798694

823 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
824 at any time pursuant to subsection (8).

825 (p)1. Each charter school shall maintain a website that
826 enables the public to obtain information regarding the school;
827 the school's academic performance; the names of the governing
828 board members; the programs at the school; any management
829 companies, cooperatives, service providers, or education
830 management corporations associated with the school; the school's
831 annual budget and its annual independent fiscal audit; the
832 school's grade pursuant to s. 1008.34; and, on a quarterly
833 basis, the minutes of governing board meetings.

834 2. Each charter school's governing board shall appoint a
835 representative to facilitate parental involvement, provide
836 access to information, assist parents and others with questions
837 and concerns, and resolve disputes. The representative must
838 reside in the school district in which the charter school is
839 located and may be a governing board member, charter school
840 employee, or individual contracted to represent the governing
841 board. If the governing board oversees multiple charter schools
842 in the same school district, the governing board must appoint a
843 separate individual representative for each charter school in
844 the district. The representative's contact information must be
845 provided annually, in writing, to parents and posted prominently
846 on the charter school's website. The sponsor may not require
847 that governing board members reside in the school district in
848 which the charter school is located if the charter school
849 complies with this paragraph.

850 3. Each charter school's governing board must hold at least
851 two public meetings per school year in the school district where



798694

852 the charter school is located. The meetings must be noticed,
853 open, and accessible to the public, and attendees must be
854 provided an opportunity to receive information and provide input
855 regarding the charter school's operations. The appointed
856 representative and charter school principal or director, or his
857 or her equivalent, must be physically present at each meeting.

858 (10) ELIGIBLE STUDENTS.—

859 (a) A charter school shall be open to any student covered
860 in an interdistrict agreement or residing in the school district
861 in which the charter school is located; however, in the case of
862 a charter lab school, the charter lab school shall be open to
863 any student eligible to attend the lab school as provided in s.
864 1002.32 or who resides in the school district in which the
865 charter lab school is located. Any eligible student shall be
866 allowed interdistrict transfer to attend a charter school when
867 based on good cause. Good cause shall include, but is not
868 limited to, geographic proximity to a charter school in a
869 neighboring school district. A charter school that has not
870 reached capacity, as provided in s. 1002.31(3) (h), may be open
871 to any student in the state.

872 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may enter

873 into cooperative agreements to form charter school cooperative
874 organizations that may provide ~~the following~~ services to further
875 educational, operational, and administrative initiatives in
876 which the participating charter schools share common interests;
877 ~~charter school planning and development, direct instructional~~
878 ~~services, and contracts with charter school governing boards to~~
879 ~~provide personnel administrative services, payroll services,~~
880 ~~human resource management, evaluation and assessment services,~~



798694

881 ~~teacher preparation, and professional development.~~

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

887 (b) The basis for the agreement for funding students
888 enrolled in a charter school shall be the sum of the school
889 district's operating funds from the Florida Education Finance
890 Program as provided in s. 1011.62 and the General Appropriations
891 Act, including gross state and local funds, discretionary
892 lottery funds, and funds from the school district's current
893 operating discretionary millage levy; divided by total funded
894 weighted full-time equivalent students in the school district;
895 multiplied by the weighted full-time equivalent students for the
896 charter school. Charter schools whose students or programs meet
897 the eligibility criteria in law are entitled to their
898 proportionate share of categorical program funds included in the
899 total funds available in the Florida Education Finance Program
900 by the Legislature, including transportation, the research-based
901 reading allocation, and the Florida digital classrooms
902 allocation. Total funding for each charter school shall be
903 recalculated during the year to reflect the revised calculations
904 under the Florida Education Finance Program by the state and the
905 actual weighted full-time equivalent students reported by the
906 charter school during the full-time equivalent student survey
907 periods designated by the Commissioner of Education.

908 (e) District school boards shall make timely and efficient
909 payment and reimbursement to charter schools, including



798694

910 processing paperwork required to access special state and
911 federal funding for which they may be eligible. The district
912 school board may distribute funds to a charter school for up to
913 3 months based on the projected full-time equivalent student
914 membership of the charter school. Thereafter, the results of
915 full-time equivalent student membership surveys shall be used in
916 adjusting the amount of funds distributed monthly to the charter
917 school for the remainder of the fiscal year. The payment shall
918 be issued no later than 10 working days after the district
919 school board receives a distribution of state or federal funds.
920 If a warrant for payment is not issued within 10 working days
921 after receipt of funding by the district school board, the
922 school district shall pay to the charter school, in addition to
923 the amount of the scheduled disbursement, interest at a rate of
924 1 percent per month calculated on a daily basis on the unpaid
925 balance from the expiration of the 10 working days until such
926 time as the warrant is issued. The district school board may not
927 delay payment to a charter school of any portion of the funds
928 provided in paragraph (b) based on the timing of receipt of
929 local funds by the district school board.

930 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

931 (a) The Department of Education shall provide information
932 to the public, directly and through sponsors, on how to form and
933 operate a charter school and how to enroll in a charter school
934 once it is created. This information shall include a standard
935 ~~model~~ application form, standard charter contract, standard
936 application evaluation instrument, and standard charter renewal
937 contract, which shall include the information specified in
938 subsection (7) and shall be developed by consulting and



798694

939 negotiating with both school districts and charter schools
940 before implementation. The charter and charter renewal contracts
941 shall be used by charter school sponsors.

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

943 (c) An employee of the charter school, or his or her
944 spouse, or an employee of a management company, cooperative, or
945 charter management organization, or his or her spouse, may not
946 be a member of the governing board of the charter school.

947 (27) CONFLICTS OF INTEREST AND ETHICS.—An individual may
948 not serve as a member of a governing board of a charter school,
949 an education management corporation, or charter school
950 cooperative organization if he or she or an immediate family
951 member receives a pension or any compensation from the charter
952 school, or if the individual's partner is an owner or principal
953 with an entity or independent contractor with whom the charter
954 school does business or contracts, directly or indirectly, for
955 professional services, goods, or facilities. An individual may
956 not serve as a governing board member if an immediate family
957 member is an employee of the school. Members of the governing
958 board of a charter school may not be appointed, removed, or
959 replaced by an entity or component unit of an entity with which
960 the charter school has entered into any contract.

961 Section 4. Paragraph (e) of subsection (2), paragraph (b)
962 of subsection (3), and subsections (4) through (6) of section
963 1002.331, Florida Statutes, are amended to read:

964 1002.331 High-performing charter schools.—

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

966 (e) Receive a modification of its charter to a term of 15
967 years or a 15-year charter renewal. The charter may be modified



798694

968 or renewed for a shorter term at the option of the high-
969 performing charter school. The charter must be consistent with
970 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is
971 subject to annual review by the sponsor, and may be terminated
972 during its term pursuant to s. 1002.33(8).

973
974 A high-performing charter school shall notify its sponsor in
975 writing by May 1 ~~March 1~~ if it intends to increase enrollment or
976 expand grade levels the following school year. The written
977 notice shall specify the amount of the enrollment increase and
978 the grade levels that will be added, as applicable. If a charter
979 school notifies the sponsor of its intent to expand, the sponsor
980 shall modify the charter within 90 days to include the new
981 enrollment maximum and may not make any other changes. The
982 sponsor may deny a request to increase the enrollment of a high-
983 performing charter school if the commissioner has declassified
984 the charter school as high-performing. If a high-performing
985 charter school requests to consolidate multiple charters, the
986 sponsor shall have 40 days after receipt of that request to
987 provide an initial draft charter to the charter school. The
988 sponsor and charter school shall have 50 days thereafter to
989 negotiate and notice the charter contract for final approval by
990 the sponsor.

991 (3)

992 (b) A high-performing charter school may not establish more
993 than one charter school within the state under paragraph (a) in
994 any year. A subsequent application to establish a charter school
995 under paragraph (a) may not be submitted unless each charter
996 school established in this manner achieves high-performing



798694

997 charter school status. The limits set forth in this paragraph do
998 not apply to charter schools established by a high-performing
999 charter school in the attendance zone of a school identified as
1000 in need of intervention and support pursuant to s. 1008.33(3) (b)
1001 or to meet needs for innovative choice options identified by the
1002 district school board.

1003 ~~(4) A high-performing charter school may not increase~~
1004 ~~enrollment or expand grade levels following any school year in~~
1005 ~~which it receives a school grade of "C" or below. If the charter~~
1006 ~~school receives a school grade of "C" or below in any 2 years~~
1007 ~~during the term of the charter awarded under subsection (2), the~~
1008 ~~term of the charter may be modified by the sponsor and the~~
1009 ~~charter school loses its high-performing charter school status~~
1010 ~~until it regains that status under subsection (1).~~

1011 (4)~~(5)~~ The Commissioner of Education, upon request by a
1012 charter school, shall verify that the charter school meets the
1013 criteria in subsection (1) and provide a letter to the charter
1014 school and the sponsor stating that the charter school is a
1015 high-performing charter school pursuant to this section. The
1016 commissioner shall annually determine whether a high-performing
1017 charter school under subsection (1) continues to meet the
1018 criteria in that subsection. Such high-performing charter school
1019 shall maintain its high-performing status unless the
1020 commissioner determines that the charter school no longer meets
1021 the criteria in subsection (1), at which time the commissioner
1022 shall send a letter to the charter school and its sponsor
1023 providing notification that the charter school has been
1024 declassified ~~of its declassification~~ as a high-performing
1025 charter school.



798694

1026 ~~(5)-(6)~~ A high-performing charter school replicated under
1027 this section may not be replicated as a virtual charter school.

1028 Section 5. Section 1003.3101, Florida Statutes, is created
1029 to read:

1030 1003.3101 Additional school choice options.—Each district
1031 school board shall establish a transfer process for a parent to
1032 request his or her child be transferred to another classroom
1033 teacher. A school must grant or deny the transfer within 2 weeks
1034 after receiving a request. If a request for transfer is denied,
1035 the school shall notify the parent and specify the reasons for a
1036 denial. An explanation of the transfer process must be made
1037 available in the student handbook or a similar publication.

1038 Section 6. Paragraph (b) of subsection (1) of section
1039 1003.57, Florida Statutes, is amended to read:

1040 1003.57 Exceptional students instruction.—

1041 (1)

1042 (b) Each district school board shall provide for an
1043 appropriate program of special instruction, facilities, and
1044 services for exceptional students as prescribed by the State
1045 Board of Education as acceptable. Each district program must,
1046 including provisions that:

1047 1. ~~The district school board~~ Provide the necessary
1048 professional services for diagnosis and evaluation of
1049 exceptional students. At least once every 3 years, the district
1050 school board must submit to the department its proposed
1051 procedures for the provision of special instruction and services
1052 for exceptional students.

1053 2. ~~The district school board~~ Provide the special
1054 instruction, classes, and services, either within the district



798694

1055 school system, in cooperation with other district school
1056 systems, or through contractual arrangements with approved
1057 private schools or community facilities that meet standards
1058 established by the commissioner.

1059 3. ~~The district school board~~ Annually provide information
1060 describing the Florida School for the Deaf and the Blind and all
1061 other programs and methods of instruction available to the
1062 parent of a sensory-impaired student.

1063 4. Provide instruction to homebound or hospitalized
1064 students in accordance with this section and rules adopted by
1065 the state board, which must establish, at a minimum, the
1066 following:

1067 a. Criteria for the eligibility of K-12 homebound or
1068 hospitalized students for specially designed instruction.

1069 b. Procedures for determining student eligibility.

1070 c. A list of appropriate methods for providing instruction
1071 to homebound or hospitalized students.

1072 d. Requirements for initiating instructional services for a
1073 homebound or hospitalized student once the student is determined
1074 to be eligible. An eligible student receiving treatment in a
1075 children's specialty hospital licensed under part I of chapter
1076 395 must be provided educational instruction from the school
1077 district in which the hospital is located until the school
1078 district enters into an agreement with the school district in
1079 which the student resides. The department shall develop a
1080 standard agreement for use by school districts to provide
1081 seamless educational instruction to students who transition
1082 between school districts while receiving treatment in specialty
1083 hospitals for children.



798694

1084
1085 No later than August 15, 2015, each school district in which a
1086 children's specialty hospital licensed under part I of chapter
1087 395 is located shall enter into an agreement with the hospital
1088 to establish a process by which the hospital must notify the
1089 school district of any student who may be eligible for
1090 educational instruction consistent with this subparagraph and
1091 the timelines for determining such eligibility and providing
1092 such instruction ~~The district school board, once every 3 years,~~
1093 ~~submit to the department its proposed procedures for the~~
1094 ~~provision of special instruction and services for exceptional~~
1095 ~~students.~~

1096 Section 7. Section 1004.6491, Florida Statutes, is created
1097 to read:

1098 1004.6491 Florida Institute for Charter School Innovation.—

1099 (1) There is established the Florida Institute for Charter
1100 School Innovation within the Florida State University. The
1101 purpose of the institute is to advance charter school
1102 accountability, quality, and innovation; provide support and
1103 technical assistance to charter school applicants; connect
1104 aspiring teachers to opportunities to experience teaching in
1105 schools of choice; and conduct research and develop and promote
1106 best practices for charter school authorization, financing,
1107 management, operations, and instructional practices.

1108 (2) The institute shall:

1109 (a) Conduct research to inform both policy and practice
1110 related to charter school accountability, financing, management,
1111 operations, and instructional practices.

1112 (b) Partner with state-approved teacher preparation



798694

1113 programs in this state to provide opportunities for aspiring
1114 teachers to experience teaching in schools of choice.

1115 (c) Provide technical assistance and support to charter
1116 school applicants with innovative charter school concepts.

1117 (3) The President of the Florida State University shall
1118 appoint a director of the institute. The director is responsible
1119 for overall management of the institute and for developing and
1120 executing the work of the institute consistent with this
1121 section. The director may engage individuals in other state
1122 universities with accredited colleges of education to
1123 participate in the institute.

1124 (4) By each October 1, the institute shall provide a
1125 written report to the Governor, the President of the Senate, and
1126 the Speaker of the House of Representatives which outlines its
1127 activities in the preceding year, reports significant research
1128 findings, details expenditures of state funds, and provides
1129 specific recommendations for improving the institute's ability
1130 to fulfil its mission and for changes to statewide charter
1131 school policy.

1132 (5) Within 180 days after completion of the institute's
1133 fiscal year, the institute shall provide to the Auditor General,
1134 the Board of Governors of the State University System, and the
1135 State Board of Education a report on the results of an annual
1136 financial audit conducted by an independent certified public
1137 accountant in accordance with s. 11.45.

1138 Section 8. Section 1011.6202, Florida Statutes, is created
1139 to read:

1140 1011.6202 Principal Autonomy Pilot Program Initiative.—The
1141 Principal Autonomy Pilot Program Initiative is created within



798694

1142 the Department of Education. The purpose of the pilot program is
1143 to provide the principal of a participating school with
1144 increased autonomy and authority to operate his or her school in
1145 a way that produces significant improvements in student
1146 achievement and school management while complying with
1147 constitutional requirements. The State Board of Education may,
1148 upon approval of a principal autonomy proposal, enter into a
1149 performance contract with up to six district school boards for
1150 participation in the program.

1151 (1) PARTICIPATING SCHOOL DISTRICTS.—A Florida district
1152 school board may submit to the state board for approval a
1153 principal autonomy proposal that exchanges statutory and rule
1154 exemptions for an agreement to meet performance goals
1155 established in the proposal. If approved by the state board, the
1156 school district shall be eligible to participate in the program
1157 for 3 years. At the end of the 3 years, the performance of all
1158 participating schools in the school district shall be evaluated.

1159 (2) PRINCIPAL AUTONOMY PROPOSAL.—

1160 (a) To participate in the program, a school district must:

1161 1. Identify three middle or high schools whose principals
1162 will have fiscal and administrative autonomy.

1163 2. Describe the current financial and administrative
1164 management of each participating school; identify the areas in
1165 which each school principal will have increased fiscal and
1166 administrative autonomy, including the authority and
1167 responsibilities provided in s. 1012.28(8); and identify the
1168 areas in which each participating school will continue to follow
1169 district school board fiscal and administrative policies.

1170 3. Explain the methods used to identify the educational



798694

1171 strengths and needs of the participating school's students and
1172 identify how student achievement can be improved.

1173 4. Establish performance goals for student achievement, as
1174 defined in s. 1008.34(1), and explain how the increased autonomy
1175 of principals will help participating schools improve student
1176 achievement and school management.

1177 5. Provide each participating school's mission and a
1178 description of its student population.

1179 (b) The state board shall establish criteria, which must
1180 include the criteria listed in paragraph (a), for the approval
1181 of a principal autonomy proposal.

1182 (c) A district school board must submit its principal
1183 autonomy proposal to the state board for approval by December 1
1184 in order to begin participation in the subsequent school year.
1185 By February 28 of the school year in which the proposal is
1186 submitted, the state board shall notify the district school
1187 board in writing whether the proposal is approved.

1188 (3) EXEMPTION FROM LAWS.—

1189 (a) With the exception of those laws listed in paragraph
1190 (b), a participating school district is exempt from the
1191 provisions of chapters 1000-1013 and rules of the state board
1192 which implement those exempt provisions.

1193 (b) A participating school district shall comply with the
1194 provisions of chapters 1000-1013, and rules of the state board
1195 which implement those provisions, pertaining to the following:

1196 1. Those laws relating to the election and compensation of
1197 district school board members, the election or appointment and
1198 compensation of district school superintendents, public meetings
1199 and public records requirements, financial disclosure, and



798694

1200 conflicts of interest.
1201 2. Those laws relating to the student assessment program
1202 and school grading system, including chapter 1008.
1203 3. Those laws relating to the provision of services to
1204 students with disabilities.
1205 4. Those laws relating to civil rights, including s.
1206 1000.05, relating to discrimination.
1207 5. Those laws relating to student health, safety, and
1208 welfare.
1209 6. Section 1001.42(4)(f), relating to the uniform opening
1210 and closing date for public schools.
1211 7. Section 1003.03, governing maximum class size, except
1212 that the calculation for compliance pursuant to s. 1003.03 is
1213 the average at the school level for a participating school.
1214 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1215 compensation and salary schedules.
1216 9. Section 1012.33(5), relating to workforce reductions for
1217 annual contracts for instructional personnel. This subparagraph
1218 does not apply to at-will employees.
1219 10. Section 1012.335, relating to annual contracts for
1220 instructional personnel hired on or after July 1, 2011. This
1221 subparagraph does not apply to at-will employees.
1222 11. Section 1012.34, relating to personnel evaluation
1223 procedures and criteria.
1224 12. Those laws pertaining to educational facilities,
1225 including chapter 1013, except that s. 1013.20, relating to
1226 covered walkways for relocatables, and s. 1013.21, relating to
1227 the use of relocatable facilities exceeding 20 years of age, are
1228 eligible for exemption.



798694

1229 13. Those laws pertaining to participating school
1230 districts, including this section and ss. 1011.64(2)(b),
1231 1011.69(2), 1012.28(8), and 1012.986(1)(e).

1232 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
1233 district shall require that the principal of each participating
1234 school complete professional development provided through the
1235 William Cecil Golden Professional Development Program for School
1236 Leaders under s. 1012.986. The professional development must be
1237 completed before a school may participate in the Principal
1238 Autonomy Pilot Program Initiative.

1239 (5) TERM OF PARTICIPATION.—The state board shall authorize
1240 a school district to participate in the program for a period of
1241 3 years commencing with approval of the principal autonomy
1242 proposal. Authorization to participate in the program may be
1243 renewed upon action of the state board. The state board may
1244 revoke authorization to participate in the program if the school
1245 district fails to meet the requirements of this section during
1246 the 3-year period.

1247 (6) REPORTING.—Each participating school district shall
1248 submit an annual report to the state board. The state board
1249 shall annually report on the implementation of the Principal
1250 Autonomy Pilot Program Initiative. Upon completion of the
1251 program's first 3-year term, the Commissioner of Education shall
1252 submit to the President of the Senate and the Speaker of the
1253 House of Representatives by December 1 a full evaluation of the
1254 effectiveness of the program.

1255 (7) RULEMAKING.—The State Board of Education shall adopt
1256 rules to administer this section.

1257 Section 9. Paragraph (b) of subsection (2) of section



798694

1258 1011.64, Florida Statutes, is amended to read:

1259 1011.64 School district minimum classroom expenditure
1260 requirements.—

1261 (2) For the purpose of implementing the provisions of this
1262 section, the Legislature shall prescribe minimum academic
1263 performance standards and minimum classroom expenditure
1264 requirements for districts not meeting such minimum academic
1265 performance standards in the General Appropriations Act.

1266 (b) School district minimum classroom expenditure
1267 requirements shall be calculated pursuant to subsection (3) and
1268 may include training pursuant to s. 1012.986(1)(e).

1269 Section 10. Subsection (2) of section 1011.69, Florida
1270 Statutes, is amended to read:

1271 1011.69 Equity in School-Level Funding Act.—

1272 (2) Beginning in the 2003-2004 fiscal year, district school
1273 boards shall allocate to schools within the district an average
1274 of 90 percent of the funds generated by all schools and
1275 guarantee that each school receives at least 80 percent, except
1276 that a school participating in the Principal Autonomy Pilot
1277 Program Initiative under s. 1011.6202 is guaranteed to receive
1278 at least 90 percent, of the funds generated by that school based
1279 upon the Florida Education Finance Program as provided in s.
1280 1011.62 and the General Appropriations Act, including gross
1281 state and local funds, discretionary lottery funds, and funds
1282 from the school district's current operating discretionary
1283 millage levy. Total funding for each school shall be
1284 recalculated during the year to reflect the revised calculations
1285 under the Florida Education Finance Program by the state and the
1286 actual weighted full-time equivalent students reported by the



798694

1287 school during the full-time equivalent student survey periods
1288 designated by the Commissioner of Education. If the district
1289 school board is providing programs or services to students
1290 funded by federal funds, any eligible students enrolled in the
1291 schools in the district shall be provided federal funds.

1292 Section 11. Subsection (8) is added to section 1012.28,
1293 Florida Statutes, to read:

1294 1012.28 Public school personnel; duties of school
1295 principals.—

1296 (8) The principal of a participating school in a
1297 participating school district approved under s. 1011.6202 has
1298 the following additional authority and responsibilities:

1299 (a) In addition to the authority provided in subsection
1300 (6), the authority to select qualified instructional personnel
1301 for placement or to refuse to accept the placement or transfer
1302 of instructional personnel by the district school
1303 superintendent. Placement of instructional personnel at a
1304 participating school in a participating school district does not
1305 affect the employee's status as a school district employee.

1306 (b) The authority to deploy financial resources to school
1307 programs at the principal's discretion to help improve student
1308 achievement, as defined in s. 1008.34(1), and meet performance
1309 goals identified in the principal autonomy proposal submitted
1310 pursuant to s. 1011.6202.

1311 (c) The responsibility to annually provide to the district
1312 school superintendent and the district school board a budget for
1313 the operation of the participating school which identifies how
1314 funds provided pursuant to s. 1011.69(2) are allocated. The
1315 school district shall include the budget in the annual report



798694

1316 provided to the State Board of Education pursuant to s.
1317 1011.6202(6).

1318 Section 12. Subsection (2) of section 1012.42, Florida
1319 Statutes, is amended to read:

1320 1012.42 Teacher teaching out-of-field.—

1321 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district
1322 school system is assigned teaching duties in a class dealing
1323 with subject matter that is outside the field in which the
1324 teacher is certified, outside the field that was the applicant's
1325 minor field of study, or outside the field in which the
1326 applicant has demonstrated sufficient subject area expertise, as
1327 determined by district school board policy in the subject area
1328 to be taught, the parents of all students in the class shall be
1329 notified in writing of such assignment. A parent who receives
1330 this notification may, after the October student membership
1331 survey, request that his or her child be transferred to another
1332 classroom teacher within the school and grade in which the child
1333 is currently enrolled. If space is available in a classroom
1334 taught by an in-field teacher, the school district shall grant
1335 the parent's request and transfer the student to the in-field
1336 classroom teacher within a reasonable period, not to exceed 2
1337 weeks. An explanation of the transfer process must be made
1338 available in the student handbook or a similar publication. This
1339 does not provide a parent the right to choose a specific
1340 teacher.

1341 Section 13. Paragraph (e) is added to subsection (1) of
1342 section 1012.986, Florida Statutes, to read:

1343 1012.986 William Cecil Golden Professional Development
1344 Program for School Leaders.—



798694

1345 (1) There is established the William Cecil Golden
1346 Professional Development Program for School Leaders to provide
1347 high standards and sustained support for principals as
1348 instructional leaders. The program shall consist of a
1349 collaborative network of state and national professional
1350 leadership organizations to respond to instructional leadership
1351 needs throughout the state. The network shall support the human-
1352 resource development needs of principals, principal leadership
1353 teams, and candidates for principal leadership positions using
1354 the framework of leadership standards adopted by the State Board
1355 of Education, the Southern Regional Education Board, and the
1356 National Staff Development Council. The goal of the network
1357 leadership program is to:

1358 (e) For principals of schools participating in the
1359 Principal Autonomy Pilot Program Initiative under s. 1011.6202,
1360 provide training on the following:

1361 1. Managing instructional personnel, including developing a
1362 high-performing instructional leadership team.

1363 2. Public school budgeting, financial management, and human
1364 resources policies and procedures.

1365 3. Best practices for the effective exercise of increased
1366 budgetary and staffing flexibility to improve student
1367 achievement and operational efficiency.

1368 Section 14. Paragraph (a) of subsection (1) of section
1369 1013.62, Florida Statutes, is amended to read:

1370 1013.62 Charter schools capital outlay funding.—

1371 (1) In each year in which funds are appropriated for
1372 charter school capital outlay purposes, the Commissioner of
1373 Education shall allocate the funds among eligible charter



798694

1374 schools.

1375 (a) To be eligible for a funding allocation, a charter
1376 school must:

1377 1.a. Have been in operation for 3 or more years;

1378 b. Be governed by a governing board established in the
1379 state for 3 or more years which operates both charter schools
1380 and conversion charter schools within the state;

1381 c. Be an expanded feeder chain of a charter school within
1382 the same school district that is currently receiving charter
1383 school capital outlay funds;

1384 d. Have been accredited by the Commission on Schools of the
1385 Southern Association of Colleges and Schools; or

1386 e. Serve students in facilities that are provided by a
1387 business partner for a charter school-in-the-workplace pursuant
1388 to s. 1002.33(15)(b).

1389 2. Have an annual audit that does not reveal any of the
1390 financial emergency conditions provided in s. 218.503(1) for the
1391 most recent fiscal year for which such audit results are
1392 available ~~stability for future operation as a charter school.~~

1393 3. Have satisfactory student achievement based on state
1394 accountability standards applicable to the charter school.

1395 4. Have received final approval from its sponsor pursuant
1396 to s. 1002.33 for operation during that fiscal year.

1397 5. Serve students in facilities that are not provided by
1398 the charter school's sponsor.

1399 Section 15. Notwithstanding any other provision of law,
1400 student reporting requirements related to withdrawals,
1401 suspensions, expulsions, and other related instances where
1402 students are no longer enrolled in a school must be the same for



798694

1403 public schools, including charter schools. Thus, charter school
1404 reporting requirements for these instances apply to all public
1405 schools, and public school reporting requirements apply to all
1406 charter schools.

1407 Section 16. This act shall take effect July 1, 2015.

1408
1409 ===== T I T L E A M E N D M E N T =====

1410 And the title is amended as follows:

1411 Delete everything before the enacting clause
1412 and insert:

1413 A bill to be entitled
1414 An act relating to student choice; amending s.
1415 1002.20, F.S.; conforming a provision to changes made
1416 by the act; authorizing parents of public school
1417 students to seek private educational choice options
1418 through the Florida Personal Learning Scholarship
1419 Accounts Program under certain circumstances;
1420 providing that a parent has the right to know certain
1421 financial information; requiring the information to be
1422 published in a parent guide; amending s. 1002.31,
1423 F.S.; requiring each district school board to allow a
1424 parent to enroll his or her child in and transport his
1425 or her child to any public school that has not reached
1426 capacity in the district; authorizing a school
1427 district to provide transportation to such students at
1428 the district's discretion; requiring the student to
1429 remain at such school for a specified timeframe;
1430 revising requirements for the controlled open
1431 enrollment process; authorizing a parent to enroll his



798694

1432 or her child in and transport his or her child to any
1433 public school that has not reached capacity in the
1434 state; requiring each district school board to
1435 establish a transfer process to another classroom
1436 teacher; providing that a parent is not given the
1437 right to choose a specific classroom teacher;
1438 providing requirements for the transfer process;
1439 amending s. 1002.33, F.S.; revising required contents
1440 of charter school applications; requiring a charter
1441 school to submit quarterly financial statements for
1442 the first year of operation with specified information
1443 included; requiring a charter school to submit a plan
1444 to become financially viable under certain
1445 circumstances; conforming provisions regarding the
1446 appeal process for denial of a high-performing charter
1447 school application; specifying that the reading
1448 curriculum and instructional strategies in a charter
1449 school's charter satisfy the research-based reading
1450 plan requirement and that charter schools are eligible
1451 for the research-based reading allocation; requiring a
1452 person or officer of an entity who submits a charter
1453 school application to undergo background screening;
1454 prohibiting a sponsor from approving a charter school
1455 application until completion, receipt, and review of
1456 the results of such screening; requiring a charter to
1457 document that the governing board is independent of a
1458 management company or cooperative; revising charter
1459 provisions relating to long-term charters and charter
1460 terminations; revising the deadline by which a charter



798694

1461 school must have a certificate of occupancy or
1462 temporary certificate of occupancy; revising
1463 conditions for nonrenewal or termination of a charter;
1464 requiring the sponsor to review monthly financial
1465 statements; requiring the sponsor to notify specified
1466 parties of a charter's termination under certain
1467 circumstances; requiring a charter school's governing
1468 board to appoint a representative to provide
1469 information and assistance to parents; requiring the
1470 governing board to hold a certain number of meetings
1471 that are noticed, open, and accessible to the public
1472 per school year; authorizing a charter school that has
1473 not reached capacity to be open to any student in the
1474 state; revising requirements for the funding of
1475 charter schools; prohibiting the district school board
1476 from delaying payment to a charter school under
1477 specified circumstances; requiring the Department of
1478 Education to include a standard application form when
1479 providing information to the public on how to form,
1480 operate, and enroll in a charter school; prohibiting
1481 an employee of a management company or cooperative
1482 from being a member of a charter school governing
1483 board; prohibiting specified conflicts of interests on
1484 the part of members of the governing board of a
1485 charter school or charter school cooperative
1486 organization; amending s. 1002.331, F.S.; providing an
1487 exception to the prohibition on a high-performing
1488 charter school establishing more than one charter
1489 school in this state under specified circumstances;



798694

1490 conforming provisions and a cross-reference to changes
1491 made by the act; deleting obsolete provisions;
1492 creating s. 1003.3101, F.S.; requiring each district
1493 school board to establish a classroom teacher transfer
1494 process for parents, approve or deny a request within
1495 a certain timeframe, and post an explanation of the
1496 transfer process in the student handbook or a similar
1497 publication; amending s. 1003.57, F.S.; revising
1498 program requirements for exceptional students
1499 instruction; requiring each school district to enter
1500 into an agreement with a hospital by a specified date;
1501 creating s. 1004.6491, F.S.; establishing the Florida
1502 Institute for Charter School Innovation; specifying
1503 requirements for the institute; requiring an annual
1504 report to the Governor and the Legislature; requiring
1505 a report on the institute's annual financial audit to
1506 the Auditor General, the Board of Governors of the
1507 State University System, and the State Board of
1508 Education; creating s. 1011.6202, F.S.; creating the
1509 Principal Autonomy Pilot Program Initiative; providing
1510 a procedure for a school district to participate in
1511 the program; providing requirements for participating
1512 school districts and schools; exempting participating
1513 school districts from certain laws and rules;
1514 requiring principals of participating schools to
1515 complete a specific professional development program;
1516 providing for the term of participation in the
1517 program; providing for renewal or revocation of
1518 authorization to participate in the program; providing



798694

1519 for reporting and rulemaking; amending s. 1011.64,
1520 F.S.; providing that certain training may be included
1521 in school district minimum classroom expenditure
1522 requirements; amending s. 1011.69, F.S.; requiring
1523 participating district school boards to allocate a
1524 specified percentage of certain funds to participating
1525 schools; amending s. 1012.28, F.S.; providing
1526 additional authority and responsibilities of the
1527 principal of a participating school in a charter
1528 school district; amending s. 1012.42, F.S.;
1529 authorizing a parent who receives notification that a
1530 teacher is teaching outside his or her field to
1531 request that his or her child be transferred to
1532 another classroom teacher within the school and grade
1533 in which the child is currently enrolled; amending s.
1534 1012.986, F.S.; specifying the contents of a specific
1535 professional development program for certain school
1536 principals; amending s. 1013.62, F.S.; revising
1537 eligibility requirements for charter school capital
1538 outlay funding; specifying applicability of certain
1539 reporting requirements to charter schools and public
1540 schools; providing an effective date.