

By the Committee on Education Pre-K - 12; and Senator Benacquisto

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

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

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

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88 and post an explanation of the transfer process in the  
89 student handbook or a similar publication; creating s.  
90 1003.5711, F.S.; providing that certain students who  
91 are deemed eligible for hospitalized program services  
92 are considered students with a disability; authorizing  
93 an individual education plan to be modified to  
94 accommodate such services; requiring the student to  
95 continue to receive educational instruction; requiring  
96 a school district to provide the student with a  
97 certified teacher or to partner with the Florida  
98 Virtual School for instructional services under  
99 certain circumstances; requiring the department to  
100 transfer funds for the student; requiring a children's  
101 hospital to provide adequate educational space for  
102 each student; requiring the hospital and school  
103 district to enter in an agreement; creating s.  
104 1004.6491, F.S.; establishing the Florida Institute  
105 for Charter School Innovation; specifying requirements  
106 for the institute; requiring an annual report to the  
107 Governor and the Legislature; requiring a report on  
108 the institute's annual financial audit to the Auditor  
109 General, the Board of Governors of the State  
110 University System, and the State Board of Education;  
111 amending s. 1006.15, F.S.; conforming provisions to  
112 changes made by the act; amending s. 1011.61, F.S.;  
113 revising the definition of the term "full-time  
114 student" for the purposes of the Florida Education  
115 Finance Program; creating s. 1011.6202, F.S.; creating  
116 the Charter School District Pilot Program; providing a

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

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146 effective date.

147  
148 Be It Enacted by the Legislature of the State of Florida:

149  
150 Section 1. Paragraph (a) of subsection (6) of section  
151 1002.20, Florida Statutes, is amended, and subsection (25) is  
152 added to that section, to read:

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

159 (6) EDUCATIONAL CHOICE.—

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

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175 These options may also include the public school choice options  
176 of the Opportunity Scholarship Program and the McKay  
177 Scholarships for Students with Disabilities Program.

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

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

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

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

197 (1)(2) Each district school board shall establish a public  
198 school parental choice policy that authorizes a parent to choose  
199 to enroll his or her child in and transport his or her child to  
200 any public school that has not reached capacity, including  
201 charter schools, in the district. This policy may offer  
202 ~~controlled open enrollment within the public schools which is in~~  
203 addition to the existing choice programs, such as virtual

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204 instruction programs, magnet schools, alternative schools,  
205 special programs, CAPE digital tools, CAPE industry  
206 certifications, advanced placement, collegiate high school  
207 programs, and dual enrollment.

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

212 (a) Adhere to federal desegregation requirements.

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

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

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

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

226 (f) Address the availability of transportation.

227 (g) Define the term "capacity" as determined by the school  
228 district. When determining the capacity of each school in the  
229 district, the school district shall incorporate the  
230 specifications, plans, elements, and commitments contained in  
231 the school district educational facilities plan and the long-  
232 term work programs required under s. 1013.35 in its



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233 determination.

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

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

250 1002.33 Charter schools.—

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

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

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

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

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

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

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

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

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

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291 cooperative at any time.

292 ~~8.6.~~ Contains additional information a sponsor may require,  
293 which shall be attached as an addendum to the charter school  
294 application described in this paragraph.

295 ~~9.7.~~ For the establishment of a virtual charter school,  
296 documents that the applicant has contracted with a provider of  
297 virtual instruction services pursuant to s. 1002.45(1)(d).

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

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320 kind. Before approving or denying any final application, the  
321 sponsor shall allow the applicant, upon receipt of written  
322 notification, at least 7 calendar days to make technical or  
323 nonsubstantive corrections and clarifications, including, but  
324 not limited to, corrections of grammatical, typographical, and  
325 like errors or missing signatures, if such errors are identified  
326 by the sponsor as cause to deny the final application.

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

336 2. In order to ensure fiscal responsibility, an application  
337 for a charter school shall include a full accounting of expected  
338 assets, a projection of expected sources and amounts of income,  
339 including income derived from projected student enrollments and  
340 from community support, and an expense projection that includes  
341 full accounting of the costs of operation, including start-up  
342 costs. To ensure continued financial responsibility, a charter  
343 school shall submit quarterly financial statements for the first  
344 year of operation which include a full accounting of the costs  
345 of operation and sources of income. If a school's financial  
346 statement indicates that the school is not financially viable,  
347 the school must also prepare and submit a plan that describes  
348 specific actions the school will take to become viable.

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

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

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

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

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

374 (IV) The applicant has made a material misrepresentation or  
375 false statement or concealed an essential or material fact  
376 during the application process; or

377 (V) The proposed charter school's educational program and

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378 financial management practices do not materially comply with the  
379 requirements of this section.

380

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

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

402 4. For budget projection purposes, the sponsor shall report  
403 to the Department of Education the approval or denial of a  
404 charter application within 10 calendar days after such approval  
405 or denial. In the event of approval, the report to the  
406 Department of Education shall include the final projected FTE

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407 for the approved charter school.

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

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

422 (c)1. An applicant may appeal any denial of that  
423 applicant's application or failure to act on an application to  
424 the State Board of Education within ~~no later than~~ 30 calendar  
425 days after receipt of the sponsor's decision or failure to act  
426 and shall notify the sponsor of its appeal. Any response of the  
427 sponsor shall be submitted to the State Board of Education  
428 within 30 calendar days after notification of the appeal. Upon  
429 receipt of notification from the State Board of Education that a  
430 charter school applicant is filing an appeal, the Commissioner  
431 of Education shall convene a meeting of the Charter School  
432 Appeal Commission to study and make recommendations to the State  
433 Board of Education regarding its pending decision about the  
434 appeal. The commission shall forward its recommendation to the  
435 state board at least 7 calendar days before the date on which

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436 the appeal is to be heard. An appeal regarding the denial of an  
437 application submitted by a high-performing charter school  
438 pursuant to s. 1002.331 shall be conducted by the State Board of  
439 Education in accordance with this paragraph, except that the  
440 commission shall not convene to make recommendations regarding  
441 the appeal. However, the Commissioner of Education shall review  
442 the appeal and make a recommendation to the state board.

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

455 3.a. The State Board of Education shall by majority vote  
456 accept or reject the decision of the sponsor no later than 90  
457 calendar days after an appeal is filed in accordance with State  
458 Board of Education rule. The State Board of Education shall  
459 remand the application to the sponsor with its written decision  
460 that the sponsor approve or deny the application. The sponsor  
461 shall implement the decision of the State Board of Education.  
462 The decision of the State Board of Education is not subject to  
463 the provisions of the Administrative Procedure Act, chapter 120.

464 b. If an appeal concerns an application submitted by a



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

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

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

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

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

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

484

485 The State Board of Education shall approve or reject the  
486 sponsor's denial of an application no later than 90 calendar  
487 days after an appeal is filed in accordance with State Board of  
488 Education rule. The State Board of Education shall remand the  
489 application to the sponsor with its written decision that the  
490 sponsor approve or deny the application. The sponsor shall  
491 implement the decision of the State Board of Education. The  
492 decision of the State Board of Education is not subject to the  
493 Administrative Procedure Act, chapter 120.

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

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

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

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

510 a. The charter shall ensure that reading is a primary focus  
511 of the curriculum and that resources are provided to identify  
512 and provide specialized instruction for students who are reading  
513 below grade level. The curriculum and instructional strategies  
514 for reading must be consistent with the Next Generation Sunshine  
515 State Standards and grounded in scientifically based reading  
516 research. For purposes of determining eligibility for the  
517 research-based reading instruction allocation, the reading  
518 curriculum and instructional strategies specified in the charter  
519 satisfy the research-based reading plan requirement under s.  
520 1011.62(9).

521 b. In order to provide students with access to diverse  
522 instructional delivery models, to facilitate the integration of

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

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

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

548 b. How these baseline rates will be compared to rates of  
549 academic progress achieved by these same students while  
550 attending the charter school.

551 c. To the extent possible, how these rates of progress will

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552 be evaluated and compared with rates of progress of other  
553 closely comparable student populations.

554

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

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

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

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

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

576 8. The ways by which the school will achieve a  
577 racial/ethnic balance reflective of the community it serves or  
578 within the racial/ethnic range of other public schools in the  
579 same school district.

580 9. The financial and administrative management of the

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

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

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

607 12. The term of the charter which shall provide for  
608 cancellation of the charter if insufficient progress has been  
609 made in attaining the student achievement objectives of the

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

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

630 14.13. The facilities to be used and their location. The  
631 sponsor shall ~~may not~~ require a charter school to have a  
632 certificate of occupancy or a temporary certificate of occupancy  
633 for such a facility no later than 30 ~~earlier than 15~~ calendar  
634 days before the first day of school.

635 15.14. The qualifications to be required of the teachers  
636 and the potential strategies used to recruit, hire, train, and  
637 retain qualified staff to achieve best value.

638 16.15. The governance structure of the school, including

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

641 ~~17.16.~~ A timetable for implementing the charter which  
642 addresses the implementation of each element thereof and the  
643 date by which the charter shall be awarded in order to meet this  
644 timetable.

645 ~~18.17.~~ In the case of an existing public school that is  
646 being converted to charter status, alternative arrangements for  
647 current students who choose not to attend the charter school and  
648 for current teachers who choose not to teach in the charter  
649 school after conversion in accordance with the existing  
650 collective bargaining agreement or district school board rule in  
651 the absence of a collective bargaining agreement. However,  
652 alternative arrangements shall not be required for current  
653 teachers who choose not to teach in a charter lab school, except  
654 as authorized by the employment policies of the state university  
655 which grants the charter to the lab school.

656 ~~19.18.~~ Full disclosure of the identity of all relatives  
657 employed by the charter school who are related to the charter  
658 school owner, president, chairperson of the governing board of  
659 directors, superintendent, governing board member, principal,  
660 assistant principal, or any other person employed by the charter  
661 school who has equivalent decisionmaking authority. For the  
662 purpose of this subparagraph, the term "relative" means father,  
663 mother, son, daughter, brother, sister, uncle, aunt, first  
664 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
665 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
666 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
667 stepsister, half brother, or half sister.

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668       20.19. Implementation of the activities authorized under s.  
669 1002.331 by the charter school when it satisfies the eligibility  
670 requirements for a high-performing charter school. A high-  
671 performing charter school shall notify its sponsor in writing by  
672 March 1 if it intends to increase enrollment or expand grade  
673 levels the following school year. The written notice shall  
674 specify the amount of the enrollment increase and the grade  
675 levels that will be added, as applicable.

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

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

694       ~~(d)1. Each charter school's governing board must appoint a~~  
695 ~~representative to facilitate parental involvement, provide~~  
696 ~~access to information, assist parents and others with questions~~



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

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

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

720 (e) When a charter is not renewed or is terminated or when  
721 a charter school is closed voluntarily by the operator, the  
722 school shall be dissolved under the provisions of law under  
723 which the school was organized, and any unencumbered public  
724 funds, except for capital outlay funds and federal charter  
725 school program grant funds, from the charter school shall revert

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

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

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

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

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

769       (9) CHARTER SCHOOL REQUIREMENTS.—

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

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

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

783       2. Charter schools shall provide annual financial report

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

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

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

808 (n)1. The director and a representative of the governing  
809 board of a charter school that has earned a grade of "D" or "F"  
810 pursuant to s. 1008.34 shall appear before the sponsor to  
811 present information concerning each contract component having  
812 noted deficiencies. The director and a representative of the

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813 governing board shall submit to the sponsor for approval a  
814 school improvement plan to raise student performance. Upon  
815 approval by the sponsor, the charter school shall begin  
816 implementation of the school improvement plan. The department  
817 shall offer technical assistance and training to the charter  
818 school and its governing board and establish guidelines for  
819 developing, submitting, and approving such plans.

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

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

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

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

832 (IV) Voluntarily close the charter school.

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

838 c. The sponsor may annually waive a corrective action if it  
839 determines that the charter school is likely to improve a letter  
840 grade if additional time is provided to implement the  
841 intervention and support strategies prescribed by the school

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842 improvement plan. Notwithstanding this sub-subparagraph, a  
843 charter school that earns a second consecutive grade of "F" is  
844 subject to subparagraph 4.

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

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

864 3. A charter school with a grade of "D" or "F" that  
865 improves by at least one letter grade must continue to implement  
866 the strategies identified in the school improvement plan. The  
867 sponsor must annually review implementation of the school  
868 improvement plan to monitor the school's continued improvement  
869 pursuant to subparagraph 5.

870 4. A charter school's charter is automatically terminated

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871 if the school earns two consecutive grades of "F" after all  
872 school grade appeals are final ~~The sponsor shall terminate a~~  
873 ~~charter if the charter school earns two consecutive grades of~~  
874 ~~"F" unless:~~

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

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

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

897

898 The sponsor shall notify in writing the charter school's  
899 governing board, the charter school principal, and the

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900 department when a charter is terminated under this subparagraph.  
901 A charter terminated under this subparagraph is governed by the  
902 requirements of paragraphs (8) (e)-(g) and paragraph (o) of this  
903 subsection.

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

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

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

926 2. Each charter school's governing board shall appoint a  
927 representative to facilitate parental involvement, provide  
928 access to information, assist parents and others with questions



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

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

950 (10) ELIGIBLE STUDENTS.—

951 (a) A charter school shall be open to any student covered  
952 in an interdistrict agreement or residing in the school district  
953 in which the charter school is located; however, in the case of  
954 a charter lab school, the charter lab school shall be open to  
955 any student eligible to attend the lab school as provided in s.  
956 1002.32 or who resides in the school district in which the  
957 charter lab school is located. A charter school with space

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958 available must be open to any student in the state, pursuant to  
959 s. 1002.31(2). Any eligible student shall be allowed  
960 interdistrict transfer to attend a charter school when based on  
961 good cause. Good cause shall include, but is not limited to,  
962 geographic proximity to a charter school in a neighboring school  
963 district.

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

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

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987 actual weighted full-time equivalent students reported by the  
988 charter school during the full-time equivalent student survey  
989 periods designated by the Commissioner of Education.

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

1012 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1013 (a) The Department of Education shall provide information  
1014 to the public, directly and through sponsors, on how to form and  
1015 operate a charter school and how to enroll in a charter school

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1016 once it is created. This information shall include a standard  
1017 ~~model~~ application form, standard charter contract, standard  
1018 application evaluation instrument, and standard charter renewal  
1019 contract, which shall include the information specified in  
1020 subsection (7) and shall be developed by consulting and  
1021 negotiating with both school districts and charter schools  
1022 before implementation. The charter and charter renewal contracts  
1023 shall be used by charter school sponsors.

1024 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1025 (c) An employee of the charter school, or his or her  
1026 spouse, or an employee of a management company, cooperative, or  
1027 charter management organization, or his or her spouse, may not  
1028 be a member of the governing board of the charter school.

1029 (27) CONFLICTS OF INTEREST AND ETHICS.—An individual may  
1030 not serve as a member of a governing board of a charter school,  
1031 an education management corporation, or charter school  
1032 cooperative organization if he or she or an immediate family  
1033 member receives a pension or any compensation from the charter  
1034 school, or if the individual's partner is an owner or principal  
1035 with an entity or independent contractor with whom the charter  
1036 school does business or contracts, directly or indirectly, for  
1037 professional services, goods, or facilities. An individual may  
1038 not serve as a governing board member if an immediate family  
1039 member is an employee of the school. Members of the governing  
1040 board of a charter school may not be appointed, removed, or  
1041 replaced by an entity or component unit of an entity, which the  
1042 charter school has entered into any contract with.

1043 Section 4. Paragraph (e) of subsection (2), paragraph (b)  
1044 of subsection (3), and subsection (5) of section 1002.331,

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1045 Florida Statutes, are amended to read:

1046 1002.331 High-performing charter schools.—

1047 (2) A high-performing charter school is authorized to:

1048 (e) Receive a modification of its charter to a term of 15  
1049 years or a 15-year charter renewal. The charter may be modified  
1050 or renewed for a shorter term at the option of the high-  
1051 performing charter school. The charter must be consistent with  
1052 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is  
1053 subject to annual review by the sponsor, and may be terminated  
1054 during its term pursuant to s. 1002.33(8).

1055  
1056 A high-performing charter school shall notify its sponsor in  
1057 writing by March 1 if it intends to increase enrollment or  
1058 expand grade levels the following school year. The written  
1059 notice shall specify the amount of the enrollment increase and  
1060 the grade levels that will be added, as applicable. If a charter  
1061 school notifies the sponsor of its intent to expand, the sponsor  
1062 shall modify the charter within 90 days to include the new  
1063 enrollment maximum and may not make any other changes. The  
1064 sponsor may deny a request to increase the enrollment of a high-  
1065 performing charter school if the commissioner has declassified  
1066 the charter school as high-performing. If a high-performing  
1067 charter school requests to consolidate multiple charters, the  
1068 sponsor shall have 40 days after receipt of that request to  
1069 provide an initial draft charter to the charter school. The  
1070 sponsor and charter school shall have 50 days thereafter to  
1071 negotiate and notice the charter contract for final approval by  
1072 the sponsor.

1073 (3)

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1074 (b) A high-performing charter school may not establish more  
1075 than one charter school within the state under paragraph (a) in  
1076 any year. A subsequent application to establish a charter school  
1077 under paragraph (a) may not be submitted unless each charter  
1078 school established in this manner achieves high-performing  
1079 charter school status. The limits set forth in this paragraph do  
1080 not apply to charter schools established by a high-performing  
1081 charter school in the attendance zone of a school identified as  
1082 in need of intervention and support pursuant to s. 1008.33(3)(b)  
1083 or to meet needs for innovative choice options identified by the  
1084 district school board.

1085 (5) The Commissioner of Education, upon request by a  
1086 charter school, shall verify that the charter school meets the  
1087 criteria in subsection (1) and provide a letter to the charter  
1088 school and the sponsor stating that the charter school is a  
1089 high-performing charter school pursuant to this section. The  
1090 commissioner shall annually determine whether a high-performing  
1091 charter school under subsection (1) continues to meet the  
1092 criteria in that subsection. Such high-performing charter school  
1093 shall maintain its high-performing status unless the  
1094 commissioner determines that the charter school no longer meets  
1095 the criteria in subsection (1), at which time the commissioner  
1096 shall send a letter to the charter school and its sponsor  
1097 providing notification that the charter school has been  
1098 declassified ~~of its declassification~~ as a high-performing  
1099 charter school.

1100 Section 5. Present subsection (2) of section 1002.332,  
1101 Florida Statutes, is redesignated as subsection (3), and a new  
1102 subsection (2) is added to that section, to read:

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1103 1002.332 High-performing charter school system.—  
1104 (2) An entity that successfully operates a system of  
1105 charter schools outside the state may apply to the State Board  
1106 of Education for status as a high-performing charter school  
1107 system. The state board shall adopt rules prescribing a process  
1108 for determining whether the entity meets the requirements of  
1109 this subsection by reviewing student demographic and performance  
1110 data and fiscal accountability of all schools operated by the  
1111 entity. To the extent practicable, the state board shall develop  
1112 a rubric for the approval of such entities which aligns with the  
1113 priorities of the federal Charter Schools Program Grants for  
1114 Replication and Expansion of High-Quality Charter Schools in the  
1115 Federal Register, Volume 76, No. 133. An entity classified as a  
1116 high-performing charter school system pursuant to this  
1117 subsection may submit an application in the same manner as  
1118 specified in s. 1002.331(3) to establish and operate a new  
1119 charter school in this state. For the first 3 school years of  
1120 operation, each charter school established by such an entity  
1121 shall receive a reduction in administrative fees as authorized  
1122 under s. 1002.33(20)(a)3.

1123 Section 6. Paragraph (c) of subsection (1) of section  
1124 1002.451, Florida Statutes, is amended to read:

1125 1002.451 District innovation school of technology program.—

1126 (1) DISTRICT INNOVATION SCHOOL OF TECHNOLOGY.—

1127 (c) An innovation school of technology must be open to any  
1128 student covered in an interdistrict agreement or residing in the  
1129 school district in which the innovation school of technology is  
1130 located. An innovation school of technology shall enroll an  
1131 eligible student who submits a timely application if the number

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1132 of applications does not exceed the capacity of a program,  
1133 class, grade level, or building. If the number of applications  
1134 exceeds capacity, all applicants shall have an equal chance of  
1135 being admitted through a public random selection process.

1136 However, a district may give enrollment preference to students  
1137 who identify the innovation school of technology as the  
1138 student's preferred choice pursuant to the district's public  
1139 school parental choice ~~controlled open enrollment~~ plan.

1140 Section 7. Section 1003.3101, Florida Statutes, is created  
1141 to read:

1142 1003.3101 Additional school choice options.—Each district  
1143 school board shall establish a transfer process for a parent to  
1144 request his or her child be transferred to another classroom  
1145 teacher. A school must grant or deny the transfer within 2 weeks  
1146 after receiving a request. If a request for transfer is denied,  
1147 the school shall notify the parent and specify the reasons for a  
1148 denial. An explanation of the transfer process must be made  
1149 available in the student handbook or a similar publication.

1150 Section 8. Section 1003.5711, Florida Statutes, is created  
1151 to read:

1152 1003.5711 Instruction for students receiving hospitalized  
1153 program services.—

1154 (1) A public school student in prekindergarten through  
1155 grade 12 who is deemed eligible for hospitalized program  
1156 services in this state is considered a student with a  
1157 disability.

1158 (a) If the student has an individual education plan (IEP),  
1159 the IEP must be followed, but upon request of the student's  
1160 parent, the IEP may be modified to accommodate the student's use



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1161 of hospitalized program services in a children's hospital  
1162 pursuant to this section.

1163 (b) The student's IEP may be modified to reduce the  
1164 student's course load to core courses identified in s.  
1165 1002.20(19)(a). The student may be excused or exempted from  
1166 physical education classes or instruction based on the IEP or  
1167 orders from the student's medical doctor. The student's IEP may  
1168 allow the student to receive instruction beyond the normal  
1169 school hours, school day, or school year of the school district.

1170 (2) A student who is admitted to a children's hospital for  
1171 hospitalized program services must continue to receive  
1172 educational instruction.

1173 (a) If a student is expected to be absent from school and  
1174 admitted to the children's hospital for hospitalized program  
1175 services for at least 15 consecutive days, no later than the  
1176 fifth day of the student's hospital stay, the school district in  
1177 which the student is or was most recently enrolled may choose to  
1178 provide a certified teacher to the children's hospital to  
1179 provide instruction to the student. If that school district  
1180 declines to provide a certified teacher, the school district in  
1181 which the children's hospital is located must provide a  
1182 certified teacher to provide the student with instruction, or  
1183 must partner with the Florida Virtual School for instructional  
1184 services as authorized in this section. Such school district  
1185 shall also provide the student's instructional materials and  
1186 other necessary educational support and services identified in  
1187 the IEP.

1188 (b) A student in prekindergarten through grade 6 shall be  
1189 taught in person by the certified teacher. A student in grades 7

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

1196 (3) If a school district other than the one in which the  
1197 student was previously enrolled provides the hospitalized  
1198 program services, the Department of Education must transfer the  
1199 funds from the school district in which the student was  
1200 previously enrolled to the school district in which the  
1201 children's hospital providing hospitalized program services is  
1202 located. This transfer shall occur no later than each subsequent  
1203 quarterly FEFP payment.

1204 (4) The children's hospital providing the hospitalized  
1205 program services is responsible for providing adequate  
1206 educational space for each student, but is not required to  
1207 comply with chapter 1013. The hospital and applicable school  
1208 district must enter into an agreement to implement this section.  
1209 The agreement may be student-specific or address all students as  
1210 necessary.

1211 (5) The intent of this section is to supplement existing  
1212 laws, rules, and regulations concerning hospitalized students  
1213 that use hospitalized program services at a children's hospital.

1214 Section 9. Section 1004.6491, Florida Statutes, is created  
1215 to read:

1216 1004.6491 Florida Institute for Charter School Innovation.-

1217 (1) There is established the Florida Institute for Charter  
1218 School Innovation within the Florida State University. The

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1219 purpose of the institute is to advance charter school  
1220 accountability, quality, and innovation; provide support and  
1221 technical assistance to charter school applicants; connect  
1222 aspiring teachers to opportunities to experience teaching in  
1223 schools of choice; and conduct research and develop and promote  
1224 best practices for charter school authorization, financing,  
1225 management, operations, and instructional practices.

1226 (2) The institute shall:

1227 (a) Conduct research to inform both policy and practice  
1228 related to charter school accountability, financing, management,  
1229 operations, and instructional practices.

1230 (b) Partner with state-approved teacher preparation  
1231 programs in this state to provide opportunities for aspiring  
1232 teachers to experience teaching in schools of choice.

1233 (c) Provide technical assistance and support to charter  
1234 school applicants with innovative charter school concepts.

1235 (3) The President of the Florida State University shall  
1236 appoint a director of the institute. The director is responsible  
1237 for overall management of the institute and for developing and  
1238 executing the work of the institute consistent with this  
1239 section. The director may engage individuals in other state  
1240 universities with accredited colleges of education to  
1241 participate in the institute.

1242 (4) By each October 1, the institute shall provide a  
1243 written report to the Governor, the President of the Senate, and  
1244 the Speaker of the House of Representatives which outlines its  
1245 activities in the preceding year, reports significant research  
1246 findings, details expenditures of state funds, and provides  
1247 specific recommendations for improving the institute's ability

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1248 to fulfil its mission and for changes to statewide charter  
 1249 school policy.

1250 (5) Within 180 days after completion of the institute's  
 1251 fiscal year, the institute shall provide to the Auditor General,  
 1252 the Board of Governors of the State University System, and the  
 1253 State Board of Education a report on the results of an annual  
 1254 financial audit conducted by an independent certified public  
 1255 accountant in accordance with s. 11.45.

1256 Section 10. Paragraphs (c), (d), and (e) of subsection (3)  
 1257 of section 1006.15, Florida Statutes, are amended to read:

1258 1006.15 Student standards for participation in  
 1259 interscholastic and intrascholastic extracurricular student  
 1260 activities; regulation.—

1261 (3)

1262 (c) An individual home education student is eligible to  
 1263 participate at the public school to which the student would be  
 1264 assigned according to district school board attendance area  
 1265 policies or which the student could choose to attend pursuant to  
 1266 public school parental choice ~~district or interdistrict~~  
 1267 ~~controlled open enrollment~~ provisions, or may develop an  
 1268 agreement to participate at a private school, in the  
 1269 interscholastic extracurricular activities of that school,  
 1270 provided the following conditions are met:

1271 1. The home education student must meet the requirements of  
 1272 the home education program pursuant to s. 1002.41.

1273 2. During the period of participation at a school, the home  
 1274 education student must demonstrate educational progress as  
 1275 required in paragraph (b) in all subjects taken in the home  
 1276 education program by a method of evaluation agreed upon by the

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1277 parent and the school principal which may include: review of the  
1278 student's work by a certified teacher chosen by the parent;  
1279 grades earned through correspondence; grades earned in courses  
1280 taken at a Florida College System institution, university, or  
1281 trade school; standardized test scores above the 35th  
1282 percentile; or any other method designated in s. 1002.41.

1283 3. The home education student must meet the same residency  
1284 requirements as other students in the school at which he or she  
1285 participates.

1286 4. The home education student must meet the same standards  
1287 of acceptance, behavior, and performance as required of other  
1288 students in extracurricular activities.

1289 5. The student must register with the school his or her  
1290 intent to participate in interscholastic extracurricular  
1291 activities as a representative of the school before the  
1292 beginning date of the season for the activity in which he or she  
1293 wishes to participate. A home education student must be able to  
1294 participate in curricular activities if that is a requirement  
1295 for an extracurricular activity.

1296 6. A student who transfers from a home education program to  
1297 a public school before or during the first grading period of the  
1298 school year is academically eligible to participate in  
1299 interscholastic extracurricular activities during the first  
1300 grading period provided the student has a successful evaluation  
1301 from the previous school year, pursuant to subparagraph 2.

1302 7. Any public school or private school student who has been  
1303 unable to maintain academic eligibility for participation in  
1304 interscholastic extracurricular activities is ineligible to  
1305 participate in such activities as a home education student until

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1306 the student has successfully completed one grading period in  
1307 home education pursuant to subparagraph 2. to become eligible to  
1308 participate as a home education student.

1309 (d) An individual charter school student pursuant to s.  
1310 1002.33 is eligible to participate at the public school to which  
1311 the student would be assigned according to district school board  
1312 attendance area policies or which the student could choose to  
1313 attend, pursuant to district or interdistrict public school  
1314 parental choice ~~controlled open enrollment~~ provisions, in any  
1315 interscholastic extracurricular activity of that school, unless  
1316 such activity is provided by the student's charter school, if  
1317 the following conditions are met:

1318 1. The charter school student must meet the requirements of  
1319 the charter school education program as determined by the  
1320 charter school governing board.

1321 2. During the period of participation at a school, the  
1322 charter school student must demonstrate educational progress as  
1323 required in paragraph (b).

1324 3. The charter school student must meet the same residency  
1325 requirements as other students in the school at which he or she  
1326 participates.

1327 4. The charter school student must meet the same standards  
1328 of acceptance, behavior, and performance that are required of  
1329 other students in extracurricular activities.

1330 5. The charter school student must register with the school  
1331 his or her intent to participate in interscholastic  
1332 extracurricular activities as a representative of the school  
1333 before the beginning date of the season for the activity in  
1334 which he or she wishes to participate. A charter school student

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1335 must be able to participate in curricular activities if that is  
1336 a requirement for an extracurricular activity.

1337         6. A student who transfers from a charter school program to  
1338 a traditional public school before or during the first grading  
1339 period of the school year is academically eligible to  
1340 participate in interscholastic extracurricular activities during  
1341 the first grading period if the student has a successful  
1342 evaluation from the previous school year, pursuant to  
1343 subparagraph 2.

1344         7. Any public school or private school student who has been  
1345 unable to maintain academic eligibility for participation in  
1346 interscholastic extracurricular activities is ineligible to  
1347 participate in such activities as a charter school student until  
1348 the student has successfully completed one grading period in a  
1349 charter school pursuant to subparagraph 2. to become eligible to  
1350 participate as a charter school student.

1351         (e) A student of the Florida Virtual School full-time  
1352 program may participate in any interscholastic extracurricular  
1353 activity at the public school to which the student would be  
1354 assigned according to district school board attendance area  
1355 policies or which the student could choose to attend, pursuant  
1356 to district or interdistrict public school parental choice  
1357 ~~controlled open enrollment~~ policies, if the student:

1358             1. During the period of participation in the  
1359 interscholastic extracurricular activity, meets the requirements  
1360 in paragraph (a).

1361             2. Meets any additional requirements as determined by the  
1362 board of trustees of the Florida Virtual School.

1363             3. Meets the same residency requirements as other students

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1364 in the school at which he or she participates.

1365 4. Meets the same standards of acceptance, behavior, and  
1366 performance that are required of other students in  
1367 extracurricular activities.

1368 5. Registers his or her intent to participate in  
1369 interscholastic extracurricular activities with the school  
1370 before the beginning date of the season for the activity in  
1371 which he or she wishes to participate. A Florida Virtual School  
1372 student must be able to participate in curricular activities if  
1373 that is a requirement for an extracurricular activity.

1374 Section 11. Subsection (1) of section 1011.61, Florida  
1375 Statutes, is amended to read:

1376 1011.61 Definitions.—Notwithstanding the provisions of s.  
1377 1000.21, the following terms are defined as follows for the  
1378 purposes of the Florida Education Finance Program:

1379 (1) A "full-time equivalent student" in each program of the  
1380 district is defined in terms of full-time students and part-time  
1381 students as follows:

1382 (a) A "full-time student" is one student on the membership  
1383 roll of one school program or a combination of school programs  
1384 listed in s. 1011.62(1)(c) for the school year or the equivalent  
1385 for:

1386 1. Instruction in a standard school, comprising not less  
1387 than 900 net hours for a student in or at the grade level of 4  
1388 through 12, or not less than 720 net hours for a student in or  
1389 at the grade level of kindergarten through grade 3 or in an  
1390 authorized prekindergarten exceptional program;

1391 2. Instruction in an alternative charter school that is  
1392 operating with two or more instructional sessions per day, when



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1393 combined, comprising not less than the equivalent of 810 net  
1394 hours per student per school year and using instructional  
1395 calendars that may extend beyond 180 days, as authorized in the  
1396 charter contract that is approved by the district school board;

1397 3. Instruction in a ~~double-session school or a school~~  
1398 utilizing an experimental school calendar approved by the  
1399 Department of Education, comprising not less than the equivalent  
1400 of 810 net hours in grades 4 through 12 or not less than 630 net  
1401 hours in kindergarten through grade 3; or

1402 ~~4.3.~~ Instruction comprising the appropriate number of net  
1403 hours set forth in subparagraph 1. or subparagraph 2. for  
1404 students who, within the past year, have moved with their  
1405 parents for the purpose of engaging in the farm labor or fish  
1406 industries, if a plan furnishing such an extended school day or  
1407 week, or a combination thereof, has been approved by the  
1408 commissioner. Such plan may be approved to accommodate the needs  
1409 of migrant students only or may serve all students in schools  
1410 having a high percentage of migrant students. The plan described  
1411 in this subparagraph is optional for any school district and is  
1412 not mandated by the state.

1413 (b) A "part-time student" is a student on the active  
1414 membership roll of a school program or combination of school  
1415 programs listed in s. 1011.62(1)(c) who is less than a full-time  
1416 student.

1417 (c)1. A "full-time equivalent student" is:

1418 a. A full-time student in any one of the programs listed in  
1419 s. 1011.62(1)(c); or

1420 b. A combination of full-time or part-time students in any  
1421 one of the programs listed in s. 1011.62(1)(c) which is the

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1422 equivalent of one full-time student based on the following  
1423 calculations:

1424 (I) A full-time student in a combination of programs listed  
1425 in s. 1011.62(1)(c) shall be a fraction of a full-time  
1426 equivalent membership in each special program equal to the  
1427 number of net hours per school year for which he or she is a  
1428 member, divided by the appropriate number of hours set forth in  
1429 subparagraph (a)1. or subparagraph (a)2. The difference between  
1430 that fraction or sum of fractions and the maximum value as set  
1431 forth in subsection (4) for each full-time student is presumed  
1432 to be the balance of the student's time not spent in a special  
1433 program and shall be recorded as time in the appropriate basic  
1434 program.

1435 (II) A prekindergarten student with a disability shall meet  
1436 the requirements specified for kindergarten students.

1437 (III) A full-time equivalent student for students in  
1438 kindergarten through grade 12 in a full-time virtual instruction  
1439 program under s. 1002.45 or a virtual charter school under s.  
1440 1002.33 shall consist of six full-credit completions or the  
1441 prescribed level of content that counts toward promotion to the  
1442 next grade in programs listed in s. 1011.62(1)(c). Credit  
1443 completions may be a combination of full-credit courses or half-  
1444 credit courses. Beginning in the 2016-2017 fiscal year, the  
1445 reported full-time equivalent students and associated funding of  
1446 students enrolled in courses requiring passage of an end-of-  
1447 course assessment under s. 1003.4282 to earn a standard high  
1448 school diploma shall be adjusted if the student does not pass  
1449 the end-of-course assessment. However, no adjustment shall be  
1450 made for a student who enrolls in a segmented remedial course

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1451 delivered online.

1452 (IV) A full-time equivalent student for students in  
1453 kindergarten through grade 12 in a part-time virtual instruction  
1454 program under s. 1002.45 shall consist of six full-credit  
1455 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
1456 Credit completions may be a combination of full-credit courses  
1457 or half-credit courses. Beginning in the 2016-2017 fiscal year,  
1458 the reported full-time equivalent students and associated  
1459 funding of students enrolled in courses requiring passage of an  
1460 end-of-course assessment under s. 1003.4282 to earn a standard  
1461 high school diploma shall be adjusted if the student does not  
1462 pass the end-of-course assessment. However, no adjustment shall  
1463 be made for a student who enrolls in a segmented remedial course  
1464 delivered online.

1465 (V) A Florida Virtual School full-time equivalent student  
1466 shall consist of six full-credit completions or the prescribed  
1467 level of content that counts toward promotion to the next grade  
1468 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
1469 participating in kindergarten through grade 12 part-time virtual  
1470 instruction and the programs listed in s. 1011.62(1)(c) for  
1471 students participating in kindergarten through grade 12 full-  
1472 time virtual instruction. Credit completions may be a  
1473 combination of full-credit courses or half-credit courses.  
1474 Beginning in the 2016-2017 fiscal year, the reported full-time  
1475 equivalent students and associated funding of students enrolled  
1476 in courses requiring passage of an end-of-course assessment  
1477 under s. 1003.4282 to earn a standard high school diploma shall  
1478 be adjusted if the student does not pass the end-of-course  
1479 assessment. However, no adjustment shall be made for a student

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1480 who enrolls in a segmented remedial course delivered online.

1481 (VI) Each successfully completed full-credit course earned  
1482 through an online course delivered by a district other than the  
1483 one in which the student resides shall be calculated as 1/6 FTE.

1484 (VII) A full-time equivalent student for courses requiring  
1485 passage of a statewide, standardized end-of-course assessment  
1486 under s. 1003.4282 to earn a standard high school diploma shall  
1487 be defined and reported based on the number of instructional  
1488 hours as provided in this subsection until the 2016-2017 fiscal  
1489 year. Beginning in the 2016-2017 fiscal year, the FTE for the  
1490 course shall be assessment-based and shall be equal to 1/6 FTE.  
1491 The reported FTE shall be adjusted if the student does not pass  
1492 the end-of-course assessment. However, no adjustment shall be  
1493 made for a student who enrolls in a segmented remedial course  
1494 delivered online.

1495 (VIII) For students enrolled in a school district as a  
1496 full-time student, the district may report 1/6 FTE for each  
1497 student who passes a statewide, standardized end-of-course  
1498 assessment without being enrolled in the corresponding course.

1499 2. A student in membership in a program scheduled for more  
1500 or less than 180 school days or the equivalent on an hourly  
1501 basis as specified by rules of the State Board of Education is a  
1502 fraction of a full-time equivalent membership equal to the  
1503 number of instructional hours in membership divided by the  
1504 appropriate number of hours set forth in subparagraph (a)1. ;  
1505 however, for the purposes of this subparagraph, membership in  
1506 programs scheduled for more than 180 days is limited to students  
1507 enrolled in:

1508 a. Juvenile justice education programs.

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1509 b. The Florida Virtual School.

1510 c. Virtual instruction programs and virtual charter schools  
1511 for the purpose of course completion and credit recovery  
1512 pursuant to ss. 1002.45 and 1003.498. Course completion applies  
1513 only to a student who is reported during the second or third  
1514 membership surveys and who does not complete a virtual education  
1515 course by the end of the regular school year. The course must be  
1516 completed no later than the deadline for amending the final  
1517 student enrollment survey for that year. Credit recovery applies  
1518 only to a student who has unsuccessfully completed a traditional  
1519 or virtual education course during the regular school year and  
1520 must re-take the course in order to be eligible to graduate with  
1521 the student's class.

1522  
1523 The full-time equivalent student enrollment calculated under  
1524 this subsection is subject to the requirements in subsection  
1525 (4).

1526  
1527 The department shall determine and implement an equitable method  
1528 of equivalent funding for experimental schools and for schools  
1529 operating under emergency conditions, which schools have been  
1530 approved by the department to operate for less than the minimum  
1531 school day.

1532 Section 12. Section 1011.6202, Florida Statutes, is created  
1533 to read:

1534 1011.6202 Charter School District Pilot Program.—The  
1535 Charter School District Pilot Program is created within the  
1536 Department of Education. The purpose of the pilot program is to  
1537 provide the principal of a participating school with increased

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1538 autonomy and authority to operate his or her school in a way  
1539 that produces significant improvements in student achievement  
1540 and school management while complying with constitutional  
1541 requirements. The State Board of Education may, upon approval of  
1542 a charter proposal, enter into a performance contract with up to  
1543 six district school boards to establish such districts as  
1544 charter school districts.

1545 (1) CHARTER SCHOOL DISTRICT.—A charter school district is a  
1546 school district in the state that has submitted, and the state  
1547 board has approved, a charter proposal that exchanges statutory  
1548 and rule exemption for an agreement to meet performance goals  
1549 established in the charter proposal. A charter school district  
1550 shall be chartered for 3 years. At the end of the 3 years, the  
1551 performance of all participating schools in the charter school  
1552 district shall be evaluated.

1553 (2) CHARTER PROPOSAL.—

1554 (a) The proposal to become a charter school district must:  
1555 1. Identify three middle or high schools whose principals  
1556 will have fiscal and administrative autonomy.

1557 2. Describe the current financial and administrative  
1558 management of each participating school; identify the areas in  
1559 which each school principal will have increased fiscal and  
1560 administrative autonomy, including the authority and  
1561 responsibilities provided in s. 1012.28(8); and identify the  
1562 areas in which each participating school will continue to follow  
1563 district school board fiscal and administrative policies.

1564 3. Explain the methods used to identify the educational  
1565 strengths and needs of the participating school's students and  
1566 identify how student achievement can be improved.

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1567 4. Establish performance goals for student achievement, as  
1568 defined in s. 1008.34(1), and explain how increased principal  
1569 autonomy will help participating schools improve student  
1570 achievement and school management.

1571 5. Provide each participating school's mission and a  
1572 description of its student population.

1573 (b) The state board shall establish criteria, which must  
1574 include the criteria listed in paragraph (a), for the approval  
1575 of a school district charter proposal.

1576 (c) A school district must submit the charter proposal to  
1577 the state board for approval by December 1 in order to begin  
1578 participation in the subsequent school year. By February 28 of  
1579 the school year in which the proposal is submitted, the state  
1580 board shall notify the district school board in writing whether  
1581 the charter proposal has been approved.

1582 (3) EXEMPTION FROM LAWS.—

1583 (a) With the exception of those laws listed in paragraph  
1584 (b), a charter school district is exempt from the provisions in  
1585 chapters 1000-1013, including s. 1001.42(4)(f), relating to the  
1586 opening date for schools, and rules of the state board that  
1587 implement these exempt provisions.

1588 (b) A charter school district shall comply with the  
1589 provisions in chapters 1000-1013, and rules of the state board  
1590 that implement these provisions, pertaining to the following:

1591 1. Those laws relating to the election of district school  
1592 board members, public meetings and public records requirements,  
1593 financial disclosure, and conflicts of interest.

1594 2. Those laws relating to the student assessment program  
1595 and school grading system, including chapter 1008.

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1596       3. Those laws relating to the provision of services to  
1597 students with disabilities.

1598       4. Those laws relating to civil rights, including s.  
1599 1000.05, relating to discrimination.

1600       5. Those laws relating to student health, safety, and  
1601 welfare.

1602       6. Those laws relating to the election and compensation of  
1603 district school board members and the election or appointment  
1604 and compensation of district school superintendents.

1605       7. Section 1003.03, governing maximum class size, except  
1606 that the calculation for compliance pursuant to s. 1003.03 is  
1607 the average at the school level.

1608       8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
1609 compensation and salary schedules.

1610       9. Section 1012.33(5), relating to workforce reductions for  
1611 annual contracts for instructional personnel. This subparagraph  
1612 does not apply to at-will employees.

1613       10. Section 1012.335, relating to annual contracts for  
1614 instructional personnel hired on or after July 1, 2011. This  
1615 subparagraph does not apply to at-will employees.

1616       11. Section 1012.34, relating to personnel evaluation  
1617 procedures and criteria.

1618       12. Those laws pertaining to educational facilities,  
1619 including chapter 1013, except that s. 1013.20, relating to  
1620 covered walkways for relocatables, and s. 1013.21, relating to  
1621 the use of relocatable facilities exceeding 20 years of age, are  
1622 eligible for exemption.

1623       13. Those laws pertaining to charter school districts,  
1624 including this section.



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1625       (4) PROFESSIONAL DEVELOPMENT.—Each charter school district  
1626 shall require the principal of each participating school to  
1627 complete the professional development provided through the  
1628 William Cecil Golden Professional Development Program for School  
1629 Leaders under s. 1012.986. The professional development must be  
1630 completed before a school may participate in the Charter School  
1631 District Pilot Program.

1632       (5) TERM OF CHARTER.—The state board shall authorize a  
1633 charter school district's charter for a period of 3 years  
1634 commencing with award of the charter. The charter may be renewed  
1635 upon action of the state board. The state board may revoke a  
1636 charter if the charter school district fails to meet the  
1637 requirements of this section during the 3-year period.

1638       (6) REPORTING.—Each charter school district shall submit an  
1639 annual report to the state board. The state board shall annually  
1640 report on the implementation of the Charter School District  
1641 Pilot Program. Upon completion of the program's first 3-year  
1642 term, the Commissioner of Education shall submit to the  
1643 President of the Senate and the Speaker of the House of  
1644 Representatives by December 1 a full evaluation of the  
1645 effectiveness of the program.

1646       (7) RULEMAKING.—The State Board of Education shall adopt  
1647 rules to administer this section.

1648       Section 13. Subsection (2) of section 1011.69, Florida  
1649 Statutes, is amended to read:

1650       1011.69 Equity in School-Level Funding Act.—

1651       (2) Beginning in the 2003-2004 fiscal year, district school  
1652 boards shall allocate to schools within the district an average  
1653 of 90 percent of the funds generated by all schools and

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

1671 Section 14. Subsection (8) is added to section 1012.28,  
1672 Florida Statutes, to read:

1673 1012.28 Public school personnel; duties of school  
1674 principals.-

1675 (8) The principal of a participating school in a charter  
1676 school district approved under s. 1011.6202 has the following  
1677 additional authority and responsibilities:

1678 (a) In addition to the authority provided in subsection  
1679 (6), the authority to select qualified instructional personnel  
1680 for placement or to refuse to accept the placement or transfer  
1681 of instructional personnel by the district school  
1682 superintendent. Placement of instructional personnel at a

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1683 participating school in a charter school district does not  
1684 affect the employee's status as a school district employee.

1685 (b) The authority to deploy financial resources to school  
1686 programs at the principal's discretion to help improve student  
1687 achievement, as defined in s. 1008.34(1), and meet performance  
1688 goals identified in the charter proposal submitted pursuant to  
1689 s. 1011.6202.

1690 (c) To annually provide to the district school  
1691 superintendent and the district school board a budget for the  
1692 operation of the participating school that identifies how funds  
1693 provided pursuant to s. 1011.69(2) are allocated. The school  
1694 district shall include the budget in the annual report provided  
1695 to the State Board of Education pursuant to s. 1011.6202(6).

1696 Section 15. Subsection (2) of section 1012.42, Florida  
1697 Statutes, is amended to read:

1698 1012.42 Teacher teaching out-of-field.—

1699 (2) NOTIFICATION REQUIREMENTS.—When a teacher in a district  
1700 school system is assigned teaching duties in a class dealing  
1701 with subject matter that is outside the field in which the  
1702 teacher is certified, outside the field that was the applicant's  
1703 minor field of study, or outside the field in which the  
1704 applicant has demonstrated sufficient subject area expertise, as  
1705 determined by district school board policy in the subject area  
1706 to be taught, the parents of all students in the class shall be  
1707 notified in writing of such assignment. A parent that receives  
1708 this notification may, after the October student membership  
1709 survey, request that his or her child be transferred to another  
1710 classroom teacher within the school and grade in which the child  
1711 is currently enrolled. If space is available in a classroom

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1712 taught by an in-field teacher, the school district shall grant  
1713 the parent's request and transfer the student to the in-field  
1714 classroom teacher within a reasonable period of time, not to  
1715 exceed 2 weeks. An explanation of the transfer process must be  
1716 made available in the student handbook or a similar publication.  
1717 This does not provide a parent the right to choose a specific  
1718 teacher.

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

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

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

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

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

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

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

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

1748       1013.62 Charter schools capital outlay funding.-

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

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

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

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

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

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

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

1767       2. Have an annual audit that does not reveal any of the  
1768 financial emergency conditions provided in s. 218.503(1) for the  
1769 most recent fiscal year for which such audit results are

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1770 ~~available stability for future operation as a charter school.~~

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

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

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

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

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