

By the Committees on Appropriations; and 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; authorizing parents of public school
5 students to seek private educational choice options
6 through the Florida Personal Learning Scholarship
7 Accounts Program under certain circumstances;
8 providing that a parent has the right to know certain
9 financial information; requiring the information to be
10 published in a parent guide; amending s. 1002.31,
11 F.S.; requiring each district school board to allow a
12 parent to enroll his or her child in and transport his
13 or her child to any public school that has not reached
14 capacity in the district; authorizing a school
15 district to provide transportation to such students at
16 the district's discretion; requiring the student to
17 remain at such school for a specified timeframe;
18 revising requirements for the controlled open
19 enrollment process; authorizing a parent to enroll his
20 or her child in and transport his or her child to any
21 public school that has not reached capacity in the
22 state; requiring each district school board to
23 establish a transfer process to another classroom
24 teacher; providing that a parent is not given the
25 right to choose a specific classroom teacher;
26 providing requirements for the transfer process;
27 amending s. 1002.33, F.S.; revising the required
28 contents of charter school applications; requiring a
29 charter school to submit quarterly financial

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

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59 certain number of meetings that are noticed, open, and
60 accessible to the public per school year; authorizing
61 a charter school that has not reached capacity to be
62 open to any student in the state; revising
63 requirements for the funding of charter schools;
64 prohibiting the district school board from delaying
65 payment to a charter school under specified
66 circumstances; requiring the Department of Education
67 to include a standard application form when providing
68 information to the public on how to form, operate, and
69 enroll in a charter school; prohibiting an employee of
70 a management company or cooperative from being a
71 member of a charter school governing board;
72 prohibiting specified conflicts of interests on the
73 part of members of the governing board of a charter
74 school or charter school cooperative organization;
75 amending s. 1002.331, F.S.; providing an exception to
76 the prohibition on a high-performing charter school
77 establishing more than one charter school in this
78 state under specified circumstances; conforming
79 provisions and a cross-reference to changes made by
80 the act; deleting obsolete provisions; creating s.
81 1003.3101, F.S.; requiring each district school board
82 to establish a classroom teacher transfer process for
83 parents, approve or deny a request within a certain
84 timeframe, and post an explanation of the transfer
85 process in the student handbook or a similar
86 publication; amending s. 1003.57, F.S.; revising
87 program requirements for exceptional students

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88 instruction; requiring each school district to enter
89 into an agreement with a hospital by a specified date;
90 creating s. 1004.6491, F.S.; establishing the Florida
91 Institute for Charter School Innovation; specifying
92 requirements for the institute; requiring an annual
93 report to the Governor and the Legislature; requiring
94 a report on the institute's annual financial audit to
95 the Auditor General, the Board of Governors of the
96 State University System, and the State Board of
97 Education; creating s. 1011.6202, F.S.; creating the
98 Principal Autonomy Pilot Program Initiative; providing
99 a procedure for a school district to participate in
100 the program; providing requirements for participating
101 school districts and schools; exempting participating
102 school districts from certain laws and rules;
103 requiring principals of participating schools to
104 complete a specific professional development program;
105 providing for the term of participation in the
106 program; providing for renewal or revocation of
107 authorization to participate in the program; providing
108 for reporting and rulemaking; amending s. 1011.64,
109 F.S.; providing that certain training may be included
110 in school district minimum classroom expenditure
111 requirements; amending s. 1011.69, F.S.; requiring
112 participating district school boards to allocate a
113 specified percentage of certain funds to participating
114 schools; amending s. 1012.28, F.S.; providing
115 additional authority and responsibilities of the
116 principal of a participating school in a charter

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117 school district; amending s. 1012.42, F.S.;

118 authorizing a parent who receives notification that a

119 teacher is teaching outside his or her field to

120 request that his or her child be transferred to

121 another classroom teacher within the school and grade

122 in which the child is currently enrolled; amending s.

123 1012.986, F.S.; specifying the contents of a specific

124 professional development program for certain school

125 principals; amending s. 1013.62, F.S.; revising

126 eligibility requirements for charter school capital

127 outlay funding; specifying the applicability of

128 certain reporting requirements to charter schools and

129 public schools; providing an effective date.

130

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

132

133 Section 1. Paragraphs (a) and (b) of subsection (6) and

134 subsection (16) of section 1002.20, Florida Statutes, are

135 amended to read:

136 1002.20 K-12 student and parent rights.—Parents of public

137 school students must receive accurate and timely information

138 regarding their child's academic progress and must be informed

139 of ways they can help their child to succeed in school. K-12

140 students and their parents are afforded numerous statutory

141 rights including, but not limited to, the following:

142 (6) EDUCATIONAL CHOICE.—

143 (a) *Public school choices*.—Parents of public school

144 students may seek whatever public school choice options that are

145 applicable and available to students in their school districts.

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146 These options may include controlled open enrollment, single-
147 gender programs, lab schools, virtual instruction programs,
148 charter schools, charter technical career centers, magnet
149 schools, alternative schools, special programs, auditory-oral
150 education programs, advanced placement, dual enrollment,
151 International Baccalaureate, International General Certificate
152 of Secondary Education (pre-AICE), Advanced International
153 Certificate of Education, CAPE digital tools, CAPE industry
154 certifications, collegiate high school programs, early
155 admissions, credit by examination or demonstration of
156 competency, the New World School of the Arts, the Florida School
157 for the Deaf and the Blind, and the Florida Virtual School.
158 These options may also include the public educational ~~school~~
159 choice options of the Opportunity Scholarship Program and the
160 McKay Scholarships for Students with Disabilities Program.

161 (b) *Private educational ~~school~~ choices.*—Parents of public
162 school students may seek private educational ~~school~~ choice
163 options under certain programs.

164 1. Under the McKay Scholarships for Students with
165 Disabilities Program, the parent of a public school student with
166 a disability may request and receive a McKay Scholarship for the
167 student to attend a private school in accordance with s.
168 1002.39.

169 2. Under the Florida Tax Credit Scholarship Program, the
170 parent of a student who qualifies for free or reduced-price
171 school lunch or who is currently placed, or during the previous
172 state fiscal year was placed, in foster care as defined in s.
173 39.01 may seek a scholarship from an eligible nonprofit
174 scholarship-funding organization in accordance with s. 1002.395.

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

179 (16) SCHOOL ACCOUNTABILITY AND SCHOOL IMPROVEMENT RATING
180 REPORTS; FISCAL TRANSPARENCY.—Parents of public school students
181 have the right ~~are entitled~~ to an easy-to-read report card about
182 the school's grade designation or, if applicable under s.
183 1008.341, the school's improvement rating, and the school's
184 accountability report, including the school financial report as
185 required under s. 1010.215 and the school district's annual
186 financial report, including the expenditures on a per FTE basis
187 for the following fund types: general funds, special revenue
188 funds, debt service funds, and capital project fund. Fiduciary
189 funds, enterprise funds, and internal service funds may not be
190 included. At minimum, the total expenditures on a per FTE basis,
191 as reported in the school district's annual financial report,
192 must be included in the parent guide.

193 Section 2. Section 1002.31, Florida Statutes, is amended to
194 read:

195 1002.31 Controlled open enrollment; Public school parental
196 choice.—

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

201 (2) As part of a district's controlled open enrollment, and
202 in addition to the existing choice programs provided in s.
203 1002.20(6)(a), each district school board shall allow a parent

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204 to enroll his or her child in and transport his or her child to
205 any public school that has not reached capacity in the district.
206 However, a district may provide transportation to students at
207 the district's discretion. For purposes of continuity of
208 educational choice, the student may remain at the school chosen
209 by the parent until the student completes the highest grade
210 level at the school ~~may offer controlled open enrollment within~~
211 ~~the public schools which is in addition to the existing choice~~
212 ~~programs such as virtual instruction programs, magnet schools,~~
213 ~~alternative schools, special programs, advanced placement, and~~
214 ~~dual enrollment.~~

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

219 (a) Adhere to federal desegregation requirements.

220 (b) Allow ~~Include an application process required to~~
221 ~~participate in controlled open enrollment that allows parents to~~
222 ~~declare school preferences, including placement of siblings~~
223 ~~within the same school.~~

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

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

228 (e) Maintain socioeconomic, demographic, and racial
229 balance.

230 (f) Address the availability of transportation.

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

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233 (h) Identify schools that have not reached capacity, as
234 determined by the school district. When determining capacity of
235 each school in the district, the school district shall
236 incorporate the specifications, plans, elements, and commitments
237 contained in the school district educational facilities plan and
238 the long-term work programs required under s. 1013.35 in its
239 determination.

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

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

244 (4) In accordance with the reporting requirements of s.
245 1011.62, each district school board shall annually report the
246 number of students exercising public school choice, by type of
247 choice attending the various types of public schools of choice
248 in the district, in accordance with including schools such as
249 virtual instruction programs, magnet schools, and public charter
250 schools, according to rules adopted by the State Board of
251 Education.

252 (5) (a) Beginning in the 2016-2017 school year, a parent may
253 enroll his or her child in and transport his or her child to any
254 public school that has not reached capacity in any school
255 district in the state. The school district shall accept the
256 student, pursuant to that district's controlled open enrollment
257 participation process, and report the student for purposes of
258 the school district's funding pursuant to the Florida Education
259 Finance Program.

260 (b) If a parent chooses to enroll his or her child in a
261 school in another school district pursuant to paragraph (a), the

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262 parent shall notify the district of residence and the district
263 of choice within 60 days beginning no earlier than March 1. For
264 purposes of continuity of educational choice, the student shall
265 remain at the school chosen by the parent until the student
266 completes the highest grade level at the school.

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

271 (7) Each district school board shall establish a transfer
272 process for a parent to request that his or her child be
273 transferred to another classroom teacher. This subsection does
274 not give a parent the right to choose a specific classroom
275 teacher. A school must grant or deny the transfer within 2 weeks
276 after receiving the request. If a request for transfer is
277 denied, the school shall notify the parent and specify the
278 reasons for the denial. An explanation of the transfer process
279 must be made available in the parent guide or a similar
280 publication.

281 Section 3. Paragraphs (a), (b), and (c) of subsection (6),
282 paragraphs (a), (b), and (d) of subsection (7), paragraphs (e),
283 (f), and (g) of subsection (8), paragraphs (g), (n), and (p) of
284 subsection (9), paragraph (a) of subsection (10), subsection
285 (13), paragraphs (b) and (e) of subsection (17), paragraph (a)
286 of subsection (21), and paragraph (c) of subsection (26) of
287 section 1002.33, Florida Statutes, are amended, paragraphs (h)
288 and (i) are added to subsection (8) of that section, a new
289 subsection (27) is added to that section, and present
290 subsections (27) and (28) are redesignated as subsections (28)

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291 and (29), respectively, to read:

292 1002.33 Charter schools.—

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

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

298 1. Demonstrates how the school will use the guiding
299 principles and meet the statutorily defined purpose of a charter
300 school.

301 2. Provides a detailed curriculum plan that illustrates how
302 students will be provided services to attain the Sunshine State
303 Standards.

304 3. Contains goals and objectives for improving student
305 learning and measuring that improvement. These goals and
306 objectives must indicate how much academic improvement students
307 are expected to show each year, how success will be evaluated,
308 and the specific results to be attained through instruction.

309 4. Describes the reading curriculum and differentiated
310 strategies that will be used for students reading at grade level
311 or higher and a separate curriculum and strategies for students
312 who are reading below grade level. A sponsor shall deny an
313 application ~~a charter~~ if the school does not propose a reading
314 curriculum that is consistent with effective teaching strategies
315 that are grounded in scientifically based reading research, but
316 the sponsor may not require the school to implement any
317 curriculum adopted by the school district.

318 5. Contains an annual financial plan for each year
319 requested by the charter for operation of the school for up to 5

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320 years. This plan must contain anticipated fund balances based on
321 revenue projections, a spending plan based on projected revenues
322 and expenses, and a description of controls that will safeguard
323 finances and projected enrollment trends.

324 6. Discloses the name of each applicant, governing board
325 member, and proposed management company or cooperative, if any;
326 the name and sponsor of any charter school currently operated or
327 previously operated by such parties; and the academic and
328 financial history of such charter schools, which the sponsor
329 shall consider in deciding to approve or deny the application.

330 7. Documents that the governing board is independent of any
331 management company or cooperative and may, at its sole
332 discretion, terminate a contract with the management company or
333 cooperative at any time.

334 ~~8.6.~~ Contains additional information a sponsor may require,
335 which shall be attached as an addendum to the charter school
336 application described in this paragraph.

337 ~~9.7.~~ For the establishment of a virtual charter school,
338 documents that the applicant has contracted with a provider of
339 virtual instruction services pursuant to s. 1002.45(1)(d).

340 (b) A sponsor shall receive and review all applications for
341 a charter school using an evaluation instrument developed by the
342 Department of Education. A sponsor shall receive and consider
343 charter school applications received on or before August 1 of
344 each calendar year for charter schools to be opened at the
345 beginning of the school district's next school year, or to be
346 opened at a time agreed to by the applicant and the sponsor. A
347 sponsor may not refuse to receive a charter school application
348 submitted before August 1 and may receive an application

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349 submitted later than August 1 if it chooses. In order to
350 facilitate greater collaboration in the application process, an
351 applicant may submit a draft charter school application on or
352 before May 1 with an application fee of \$500. If a draft
353 application is timely submitted, the sponsor shall review and
354 provide feedback as to material deficiencies in the application
355 by July 1. The applicant shall then have until August 1 to
356 resubmit a revised and final application. The sponsor may
357 approve the draft application. Except as provided for a draft
358 application, a sponsor may not charge an applicant for a charter
359 any fee for the processing or consideration of an application,
360 and a sponsor may not base its consideration or approval of a
361 final application upon the promise of future payment of any
362 kind. Before approving or denying any final application, the
363 sponsor shall allow the applicant, upon receipt of written
364 notification, at least 7 calendar days to make technical or
365 nonsubstantive corrections and clarifications, including, but
366 not limited to, corrections of grammatical, typographical, and
367 like errors or missing signatures, if such errors are identified
368 by the sponsor as cause to deny the final application.

369 1. In order to facilitate an accurate budget projection
370 process, a sponsor shall be held harmless for FTE students who
371 are not included in the FTE projection due to approval of
372 charter school applications after the FTE projection deadline.
373 In a further effort to facilitate an accurate budget projection,
374 within 15 calendar days after receipt of a charter school
375 application, a sponsor shall report to the Department of
376 Education the name of the applicant entity, the proposed charter
377 school location, and its projected FTE.

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378 2. In order to ensure fiscal responsibility, an application
379 for a charter school shall include a full accounting of expected
380 assets, a projection of expected sources and amounts of income,
381 including income derived from projected student enrollments and
382 from community support, and an expense projection that includes
383 full accounting of the costs of operation, including start-up
384 costs.

385 3.a. A sponsor shall by a majority vote approve or deny an
386 application no later than 60 calendar days after the application
387 is received, unless the sponsor and the applicant mutually agree
388 in writing to temporarily postpone the vote to a specific date,
389 at which time the sponsor shall by a majority vote approve or
390 deny the application. If the sponsor fails to act on the
391 application, an applicant may appeal to the State Board of
392 Education as provided in paragraph (c). If an application is
393 denied, the sponsor shall, within 10 calendar days after such
394 denial, articulate in writing the specific reasons, based upon
395 good cause, supporting its denial of the charter application and
396 shall provide the letter of denial and supporting documentation
397 to the applicant and to the Department of Education.

398 b. An application submitted by a high-performing charter
399 school identified pursuant to s. 1002.331 may be denied by the
400 sponsor only if the sponsor demonstrates by clear and convincing
401 evidence that:

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

404 (II) The charter school proposed in the application does
405 not materially comply with the requirements in paragraphs
406 (9) (a) - (f);

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

410 (IV) The applicant has made a material misrepresentation or
411 false statement or concealed an essential or material fact
412 during the application process; or

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

416

417 Material noncompliance is a failure to follow requirements or a
418 violation of prohibitions applicable to charter school
419 applications, which failure is quantitatively or qualitatively
420 significant either individually or when aggregated with other
421 noncompliance. An applicant is considered to be replicating a
422 high-performing charter school if the proposed school is
423 substantially similar to at least one of the applicant's high-
424 performing charter schools and the organization or individuals
425 involved in the establishment and operation of the proposed
426 school are significantly involved in the operation of replicated
427 schools.

428 c. If the sponsor denies an application submitted by a
429 high-performing charter school, the sponsor must, within 10
430 calendar days after such denial, state in writing the specific
431 reasons, based upon the criteria in sub-subparagraph b.,
432 supporting its denial of the application and must provide the
433 letter of denial and supporting documentation to the applicant
434 and to the Department of Education. The applicant may appeal the
435 sponsor's denial of the application ~~directly~~ to the State Board

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436 of Education pursuant to paragraph (c) and must provide the
437 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

438 4. For budget projection purposes, the sponsor shall report
439 to the Department of Education the approval or denial of a
440 charter application within 10 calendar days after such approval
441 or denial. In the event of approval, the report to the
442 Department of Education shall include the final projected FTE
443 for the approved charter school.

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

448 6. A person, or an officer of an entity, who submits an
449 application pursuant to this subsection must undergo background
450 screening in the same manner as instructional and
451 noninstructional personnel hired or contracted to fill positions
452 in a charter school or as members of the governing board of a
453 charter school undergo background screening under s. 1012.32.
454 Notwithstanding any other provision of this subsection, a person
455 may not receive approval of a charter application until the
456 person's screening is completed and the results have been
457 submitted to, and reviewed by, the sponsor.

458 (c)1. An applicant may appeal any denial of that
459 applicant's application or failure to act on an application to
460 the State Board of Education within ~~no later than~~ 30 calendar
461 days after receipt of the sponsor's decision or failure to act
462 and shall notify the sponsor of its appeal. Any response of the
463 sponsor shall be submitted to the State Board of Education
464 within 30 calendar days after notification of the appeal. Upon

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465 receipt of notification from the State Board of Education that a
466 charter school applicant is filing an appeal, the Commissioner
467 of Education shall convene a meeting of the Charter School
468 Appeal Commission to study and make recommendations to the State
469 Board of Education regarding its pending decision about the
470 appeal. The commission shall forward its recommendation to the
471 state board at least 7 calendar days before the date on which
472 the appeal is to be heard. An appeal regarding the denial of an
473 application submitted by a high-performing charter school
474 pursuant to s. 1002.331 shall be conducted by the State Board of
475 Education in accordance with this paragraph, except that the
476 commission shall not convene to make recommendations regarding
477 the appeal. However, the Commissioner of Education shall review
478 the appeal and make a recommendation to the state board.

479 2. The Charter School Appeal Commission or, in the case of
480 an appeal regarding an application submitted by a high-
481 performing charter school, the State Board of Education may
482 reject an appeal submission for failure to comply with
483 procedural rules governing the appeals process. The rejection
484 shall describe the submission errors. The appellant shall have
485 15 calendar days after notice of rejection in which to resubmit
486 an appeal that meets the requirements set forth in State Board
487 of Education rule. An appeal submitted subsequent to such
488 rejection is considered timely if the original appeal was filed
489 within 30 calendar days after receipt of notice of the specific
490 reasons for the sponsor's denial of the ~~charter~~ application.

491 3.a. The State Board of Education shall by majority vote
492 accept or reject the decision of the sponsor no later than 90
493 calendar days after an appeal is filed in accordance with State

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494 Board of Education rule. The State Board of Education shall
495 remand the application to the sponsor with its written decision
496 that the sponsor approve or deny the application. The sponsor
497 shall implement the decision of the State Board of Education.
498 The decision of the State Board of Education is not subject to
499 the provisions of the Administrative Procedure Act, chapter 120.

500 b. If an appeal concerns an application submitted by a
501 high-performing charter school identified pursuant to s.
502 1002.331, the State Board of Education shall determine whether
503 the sponsor's denial of the application complies with the
504 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
505 ~~clear and convincing evidence, that:~~

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

508 ~~(II) The charter school proposed in the application does~~
509 ~~not materially comply with the requirements in paragraphs~~
510 ~~(9)(a)-(f);~~

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

514 ~~(IV) The applicant has made a material misrepresentation or~~
515 ~~false statement or concealed an essential or material fact~~
516 ~~during the application process; or~~

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

520

521 The State Board of Education shall approve or reject the
522 sponsor's denial of an application no later than 90 calendar

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523 days after an appeal is filed in accordance with State Board of
524 Education rule. The State Board of Education shall remand the
525 application to the sponsor with its written decision that the
526 sponsor approve or deny the application. The sponsor shall
527 implement the decision of the State Board of Education. The
528 decision of the State Board of Education is not subject to the
529 Administrative Procedure Act, chapter 120.

530 (7) CHARTER.—The major issues involving the operation of a
531 charter school shall be considered in advance and written into
532 the charter. The charter shall be signed by the governing board
533 of the charter school and the sponsor, following a public
534 hearing to ensure community input.

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

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

539 2. The focus of the curriculum, the instructional methods
540 to be used, any distinctive instructional techniques to be
541 employed, and identification and acquisition of appropriate
542 technologies needed to improve educational and administrative
543 performance which include a means for promoting safe, ethical,
544 and appropriate uses of technology which comply with legal and
545 professional standards.

546 a. The charter shall ensure that reading is a primary focus
547 of the curriculum and that resources are provided to identify
548 and provide specialized instruction for students who are reading
549 below grade level. The curriculum and instructional strategies
550 for reading must be consistent with the Next Generation Sunshine
551 State Standards and grounded in scientifically based reading

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552 research. For purposes of determining eligibility for the
553 research-based reading instruction allocation, the reading
554 curriculum and instructional strategies specified in the charter
555 satisfy the research-based reading plan requirement under s.
556 1011.62(9).

557 b. In order to provide students with access to diverse
558 instructional delivery models, to facilitate the integration of
559 technology within traditional classroom instruction, and to
560 provide students with the skills they need to compete in the
561 21st century economy, the Legislature encourages instructional
562 methods for blended learning courses consisting of both
563 traditional classroom and online instructional techniques.
564 Charter schools may implement blended learning courses which
565 combine traditional classroom instruction and virtual
566 instruction. Students in a blended learning course must be full-
567 time students of the charter school and receive the online
568 instruction in a classroom setting at the charter school.
569 Instructional personnel certified pursuant to s. 1012.55 who
570 provide virtual instruction for blended learning courses may be
571 employees of the charter school or may be under contract to
572 provide instructional services to charter school students. At a
573 minimum, such instructional personnel must hold an active state
574 or school district adjunct certification under s. 1012.57 for
575 the subject area of the blended learning course. The funding and
576 performance accountability requirements for blended learning
577 courses are the same as those for traditional courses.

578 3. The current incoming baseline standard of student
579 academic achievement, the outcomes to be achieved, and the
580 method of measurement that will be used. The criteria listed in

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581 this subparagraph shall include a detailed description of:

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

584 b. How these baseline rates will be compared to rates of
585 academic progress achieved by these same students while
586 attending the charter school.

587 c. To the extent possible, how these rates of progress will
588 be evaluated and compared with rates of progress of other
589 closely comparable student populations.

590

591 The district school board is required to provide academic
592 student performance data to charter schools for each of their
593 students coming from the district school system, as well as
594 rates of academic progress of comparable student populations in
595 the district school system.

596 4. The methods used to identify the educational strengths
597 and needs of students and how well educational goals and
598 performance standards are met by students attending the charter
599 school. The methods shall provide a means for the charter school
600 to ensure accountability to its constituents by analyzing
601 student performance data and by evaluating the effectiveness and
602 efficiency of its major educational programs. Students in
603 charter schools shall, at a minimum, participate in the
604 statewide assessment program created under s. 1008.22.

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

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

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

612 8. The ways by which the school will achieve a
613 racial/ethnic balance reflective of the community it serves or
614 within the racial/ethnic range of other public schools in the
615 same school district.

616 9. The financial and administrative management of the
617 school, including a reasonable demonstration of the professional
618 experience or competence of those individuals or organizations
619 applying to operate the charter school or those hired or
620 retained to perform such professional services and the
621 description of clearly delineated responsibilities and the
622 policies and practices needed to effectively manage the charter
623 school. A description of internal audit procedures and
624 establishment of controls to ensure that financial resources are
625 properly managed must be included. Both public sector and
626 private sector professional experience shall be equally valid in
627 such a consideration. The charter must document that the
628 governing board is independent of any management company or
629 cooperative and may, at its sole discretion, terminate the
630 contract with the management company or cooperative at any time.

631 10. The asset and liability projections required in the
632 application which are incorporated into the charter and shall be
633 compared with information provided in the annual report of the
634 charter school.

635 11. A description of procedures that identify various risks
636 and provide for a comprehensive approach to reduce the impact of
637 losses; plans to ensure the safety and security of students and
638 staff; plans to identify, minimize, and protect others from

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639 violent or disruptive student behavior; and the manner in which
640 the school will be insured, including whether or not the school
641 will be required to have liability insurance, and, if so, the
642 terms and conditions thereof and the amounts of coverage.

643 ~~12. The term of the charter which shall provide for~~
644 ~~cancellation of the charter if insufficient progress has been~~
645 ~~made in attaining the student achievement objectives of the~~
646 ~~charter and if it is not likely that such objectives can be~~
647 ~~achieved before expiration of the charter. The initial term of~~
648 ~~the a charter is either shall be for 4 years or 5 years. In~~
649 ~~order to facilitate access to long term financial resources for~~
650 ~~charter school construction, Charter schools that are operated~~
651 ~~by a municipality or other public entity, as provided by law, or~~
652 ~~a private, not-for-profit corporation granted 501(c)(3) status~~
653 ~~by the Internal Revenue Service are eligible for up to a 15-year~~
654 ~~charter, subject to approval by the district school board. A~~
655 ~~charter lab school is also eligible for a charter for a term of~~
656 ~~up to 15 years. In addition, to facilitate access to long term~~
657 ~~financial resources for charter school construction, charter~~
658 ~~schools that are operated by a private, not-for-profit, s.~~
659 ~~501(c)(3) status corporation are eligible for up to a 15-year~~
660 ~~charter, subject to approval by the district school board. Such~~
661 ~~long-term charters remain subject to annual review and may be~~
662 ~~terminated during the term of the charter, but only according to~~
663 ~~the provisions set forth in subsection (8) or paragraph (9)(n).~~

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

666 14.13. The facilities to be used and their location. The
667 sponsor shall ~~may not~~ require a charter school to have a

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668 certificate of occupancy or a temporary certificate of occupancy
669 for such a facility no later than 30 ~~earlier than 15~~ calendar
670 days before the first day of school.

671 15.14. The qualifications to be required of the teachers
672 and the potential strategies used to recruit, hire, train, and
673 retain qualified staff to achieve best value.

674 16.15. The governance structure of the school, including
675 the status of the charter school as a public or private employer
676 as required in paragraph (12) (i).

677 17.16. A timetable for implementing the charter which
678 addresses the implementation of each element thereof and the
679 date by which the charter shall be awarded in order to meet this
680 timetable.

681 18.17. In the case of an existing public school that is
682 being converted to charter status, alternative arrangements for
683 current students who choose not to attend the charter school and
684 for current teachers who choose not to teach in the charter
685 school after conversion in accordance with the existing
686 collective bargaining agreement or district school board rule in
687 the absence of a collective bargaining agreement. However,
688 alternative arrangements shall not be required for current
689 teachers who choose not to teach in a charter lab school, except
690 as authorized by the employment policies of the state university
691 which grants the charter to the lab school.

692 19.18. Full disclosure of the identity of all relatives
693 employed by the charter school who are related to the charter
694 school owner, president, chairperson of the governing board of
695 directors, superintendent, governing board member, principal,
696 assistant principal, or any other person employed by the charter

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697 school who has equivalent decisionmaking authority. For the
698 purpose of this subparagraph, the term "relative" means father,
699 mother, son, daughter, brother, sister, uncle, aunt, first
700 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
701 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
702 stepfather, stepmother, stepson, stepdaughter, stepbrother,
703 stepsister, half brother, or half sister.

704 20.19. Implementation of the activities authorized under s.
705 1002.331 by the charter school when it satisfies the eligibility
706 requirements for a high-performing charter school. A high-
707 performing charter school shall notify its sponsor in writing by
708 March 1 if it intends to increase enrollment or expand grade
709 levels the following school year. The written notice shall
710 specify the amount of the enrollment increase and the grade
711 levels that will be added, as applicable.

712 (b)1. A charter may be renewed provided that a program
713 review demonstrates that the criteria in paragraph (a) have been
714 successfully accomplished and that none of the grounds for
715 nonrenewal established by paragraph (8) (a) has been documented.
716 ~~In order to facilitate long-term financing for charter school~~
717 ~~construction,~~ Charter schools operating for a minimum of 3 years
718 and demonstrating exemplary academic programming and fiscal
719 management are eligible for a 15-year charter renewal. Such
720 long-term charter is subject to annual review and may be
721 terminated during the term of the charter.

722 2. The 15-year charter renewal that may be granted pursuant
723 to subparagraph 1. shall be granted to a charter school that has
724 received a school grade of "A" or "B" pursuant to s. 1008.34 in
725 3 of the past 4 years and is not in a state of financial

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726 emergency or deficit position as defined by this section. Such
727 long-term charter is subject to annual review and may be
728 terminated during the term of the charter pursuant to subsection
729 (8).

730 ~~(d)1. Each charter school's governing board must appoint a~~
731 ~~representative to facilitate parental involvement, provide~~
732 ~~access to information, assist parents and others with questions~~
733 ~~and concerns, and resolve disputes. The representative must~~
734 ~~reside in the school district in which the charter school is~~
735 ~~located and may be a governing board member, charter school~~
736 ~~employee, or individual contracted to represent the governing~~
737 ~~board. If the governing board oversees multiple charter schools~~
738 ~~in the same school district, the governing board must appoint a~~
739 ~~separate individual representative for each charter school in~~
740 ~~the district. The representative's contact information must be~~
741 ~~provided annually in writing to parents and posted prominently~~
742 ~~on the charter school's website if a website is maintained by~~
743 ~~the school. The sponsor may not require that governing board~~
744 ~~members reside in the school district in which the charter~~
745 ~~school is located if the charter school complies with this~~
746 ~~paragraph.~~

747 ~~2. Each charter school's governing board must hold at least~~
748 ~~two public meetings per school year in the school district. The~~
749 ~~meetings must be noticed, open, and accessible to the public,~~
750 ~~and attendees must be provided an opportunity to receive~~
751 ~~information and provide input regarding the charter school's~~
752 ~~operations. The appointed representative and charter school~~
753 ~~principal or director, or his or her equivalent, must be~~
754 ~~physically present at each meeting.~~

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

756 (e) When a charter is not renewed or is terminated or when
757 a charter school is closed voluntarily by the operator, the
758 school shall be dissolved under the provisions of law under
759 which the school was organized, and any unencumbered public
760 funds, except for capital outlay funds and federal charter
761 school program grant funds, from the charter school shall revert
762 to the sponsor. Capital outlay funds provided pursuant to s.
763 1013.62 and federal charter school program grant funds that are
764 unencumbered shall revert to the department to be redistributed
765 among eligible charter schools. In the event a charter school is
766 dissolved or is otherwise terminated, all district school board
767 property and improvements, furnishings, and equipment purchased
768 with public funds shall automatically revert to full ownership
769 by the district school board, subject to complete satisfaction
770 of any lawful liens or encumbrances. Any unencumbered public
771 funds from the charter school, district school board property
772 and improvements, furnishings, and equipment purchased with
773 public funds, or financial or other records pertaining to the
774 charter school, in the possession of any person, entity, or
775 holding company, other than the charter school, shall be held in
776 trust upon the district school board's request, until any appeal
777 status is resolved.

778 (f) If a charter is not renewed or is terminated or a
779 charter school is closed voluntarily by the operator, the
780 charter school is responsible for all debts of the charter
781 school. The district may not assume the debt from any contract
782 made between the governing body of the school and a third party,
783 except for a debt that is previously detailed and agreed upon in

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784 writing by both the district and the governing body of the
785 school and that may not reasonably be assumed to have been
786 satisfied by the district.

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

791 (h) The governing board of a charter school that closes
792 voluntarily shall notify the sponsor and the department in
793 writing within 7 calendar days of its decision to cease
794 operations. The notice must state the reasons for the closure
795 and acknowledge that the governing board agrees to follow the
796 procedures for dissolution and reversion of public funds
797 specified in this subsection and paragraph (9) (o).

798 (i) For a high-performing charter school that is having the
799 charter agreement renewed, the charter contract, as that
800 contract exists on the day the term of the contract is to
801 terminate, must be automatically renewed for the length of the
802 current term if the charter school governing board and sponsor
803 have not executed the renewal before the term of the charter
804 agreement is scheduled to expire.

805 (9) CHARTER SCHOOL REQUIREMENTS.—

806 (g)1. In order to provide financial information that is
807 comparable to that reported for other public schools, charter
808 schools are to maintain all financial records that constitute
809 their accounting system:

810 a. In accordance with the accounts and codes prescribed in
811 the most recent issuance of the publication titled "Financial
812 and Program Cost Accounting and Reporting for Florida Schools";

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813 or

814 b. At the discretion of the charter school's governing
815 board, a charter school may elect to follow generally accepted
816 accounting standards for not-for-profit organizations, but must
817 reformat this information for reporting according to this
818 paragraph.

819 2. Charter schools shall provide annual financial report
820 and program cost report information in the state-required
821 formats for inclusion in district reporting in compliance with
822 s. 1011.60(1). Charter schools that are operated by a
823 municipality or are a component unit of a parent nonprofit
824 organization may use the accounting system of the municipality
825 or the parent but must reformat this information for reporting
826 according to this paragraph.

827 3. A charter school shall, upon execution of the contract,
828 provide the sponsor with a concise, uniform, monthly financial
829 statement summary sheet that contains a balance sheet and a
830 statement of revenue, expenditures, and changes in fund balance.
831 The balance sheet and the statement of revenue, expenditures,
832 and changes in fund balance shall be in the governmental funds
833 format prescribed by the Governmental Accounting Standards
834 Board. A high-performing charter school pursuant to s. 1002.331
835 may provide a quarterly financial statement in the same format
836 and requirements as the uniform monthly financial statement
837 summary sheet. The sponsor shall review each monthly financial
838 statement, to identify the existence of any conditions
839 identified in s. 1002.345(1)(a).

840 4. A charter school shall maintain and provide financial
841 information as required in this paragraph. The financial

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842 statement required in subparagraph 3. must be in a form
843 prescribed by the Department of Education.

844 (n)1. The director and a representative of the governing
845 board of a charter school that has earned a grade of "D" or "F"
846 pursuant to s. 1008.34 shall appear before the sponsor to
847 present information concerning each contract component having
848 noted deficiencies. The director and a representative of the
849 governing board shall submit to the sponsor for approval a
850 school improvement plan to raise student performance. Upon
851 approval by the sponsor, the charter school shall begin
852 implementation of the school improvement plan. The department
853 shall offer technical assistance and training to the charter
854 school and its governing board and establish guidelines for
855 developing, submitting, and approving such plans.

856 2.a. If a charter school earns three consecutive grades of
857 "D," two consecutive grades of "D" followed by a grade of "F,"
858 or two nonconsecutive grades of "F" within a 3-year period, the
859 charter school governing board shall choose one of the following
860 corrective actions:

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

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

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

868 (IV) Voluntarily close the charter school.

869 b. The charter school must implement the corrective action
870 in the school year following receipt of a third consecutive

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871 grade of "D," a grade of "F" following two consecutive grades of
872 "D," or a second nonconsecutive grade of "F" within a 3-year
873 period.

874 c. The sponsor may annually waive a corrective action if it
875 determines that the charter school is likely to improve a letter
876 grade if additional time is provided to implement the
877 intervention and support strategies prescribed by the school
878 improvement plan. Notwithstanding this sub-subparagraph, a
879 charter school that earns a second consecutive grade of "F" is
880 subject to subparagraph 4.

881 d. A charter school is no longer required to implement a
882 corrective action if it improves by at least one letter grade.
883 However, the charter school must continue to implement
884 strategies identified in the school improvement plan. The
885 sponsor must annually review implementation of the school
886 improvement plan to monitor the school's continued improvement
887 pursuant to subparagraph 5.

888 e. A charter school implementing a corrective action that
889 does not improve by at least one letter grade after 2 full
890 school years of implementing the corrective action must select a
891 different corrective action. Implementation of the new
892 corrective action must begin in the school year following the
893 implementation period of the existing corrective action, unless
894 the sponsor determines that the charter school is likely to
895 improve a letter grade if additional time is provided to
896 implement the existing corrective action. Notwithstanding this
897 sub-subparagraph, a charter school that earns a second
898 consecutive grade of "F" while implementing a corrective action
899 is subject to subparagraph 4.

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900 3. A charter school with a grade of "D" or "F" that
901 improves by at least one letter grade must continue to implement
902 the strategies identified in the school improvement plan. The
903 sponsor must annually review implementation of the school
904 improvement plan to monitor the school's continued improvement
905 pursuant to subparagraph 5.

906 4. A charter school's charter is automatically terminated
907 if the school earns two consecutive grades of "F" after all
908 school grade appeals are final ~~The sponsor shall terminate a~~
909 ~~charter if the charter school earns two consecutive grades of~~
910 ~~"F" unless:~~

911 a. The charter school is established to turn around the
912 performance of a district public school pursuant to s.
913 1008.33(4)(b)3. Such charter schools shall be governed by s.
914 1008.33;

915 b. The charter school serves a student population the
916 majority of which resides in a school zone served by a district
917 public school that earned a grade of "F" in the year before the
918 charter school opened and the charter school earns at least a
919 grade of "D" in its third year of operation. The exception
920 provided under this sub-subparagraph does not apply to a charter
921 school in its fourth year of operation and thereafter; or

922 c. The state board grants the charter school a waiver of
923 termination. The charter school must request the waiver within
924 15 days after the department's official release of school
925 grades. The state board may waive termination if the charter
926 school demonstrates that the Learning Gains of its students on
927 statewide assessments are comparable to or better than the
928 Learning Gains of similarly situated students enrolled in nearby

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929 district public schools. The waiver is valid for 1 year and may
930 only be granted once. Charter schools that have been in
931 operation for more than 5 years are not eligible for a waiver
932 under this sub-subparagraph.

933

934 The sponsor shall notify in writing the charter school's
935 governing board, the charter school principal, and the
936 department when a charter is terminated under this subparagraph.

937 A charter terminated under this subparagraph is governed by the
938 requirements of paragraphs (8) (e)-(g) and paragraph (o) of this
939 subsection.

940 5. The director and a representative of the governing board
941 of a graded charter school that has implemented a school
942 improvement plan under this paragraph shall appear before the
943 sponsor at least once a year to present information regarding
944 the progress of intervention and support strategies implemented
945 by the school pursuant to the school improvement plan and
946 corrective actions, if applicable. The sponsor shall communicate
947 at the meeting, and in writing to the director, the services
948 provided to the school to help the school address its
949 deficiencies.

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

953 (p)1. Each charter school shall maintain a website that
954 enables the public to obtain information regarding the school;
955 the school's academic performance; the names of the governing
956 board members; the programs at the school; any management
957 companies, cooperatives, service providers, or education

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958 management corporations associated with the school; the school's
959 annual budget and its annual independent fiscal audit; the
960 school's grade pursuant to s. 1008.34; and, on a quarterly
961 basis, the minutes of governing board meetings.

962 2. Each charter school's governing board shall appoint a
963 representative to facilitate parental involvement, provide
964 access to information, assist parents and others with questions
965 and concerns, and resolve disputes. The representative must
966 reside in the school district in which the charter school is
967 located and may be a governing board member, charter school
968 employee, or individual contracted to represent the governing
969 board. If the governing board oversees multiple charter schools
970 in the same school district, the governing board must appoint a
971 separate individual representative for each charter school in
972 the district. The representative's contact information must be
973 provided annually, in writing, to parents and posted prominently
974 on the charter school's website. The sponsor may not require
975 that governing board members reside in the school district in
976 which the charter school is located if the charter school
977 complies with this paragraph.

978 3. Each charter school's governing board must hold at least
979 two public meetings per school year in the school district where
980 the charter school is located. The meetings must be noticed,
981 open, and accessible to the public, and attendees must be
982 provided an opportunity to receive information and provide input
983 regarding the charter school's operations. The appointed
984 representative and charter school principal or director, or his
985 or her equivalent, must be physically present at each meeting.

986 (10) ELIGIBLE STUDENTS.—

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987 (a) A charter school shall be open to any student covered
988 in an interdistrict agreement or residing in the school district
989 in which the charter school is located; however, in the case of
990 a charter lab school, the charter lab school shall be open to
991 any student eligible to attend the lab school as provided in s.
992 1002.32 or who resides in the school district in which the
993 charter lab school is located. Any eligible student shall be
994 allowed interdistrict transfer to attend a charter school when
995 based on good cause. Good cause shall include, but is not
996 limited to, geographic proximity to a charter school in a
997 neighboring school district. A charter school that has not
998 reached capacity, as provided in s. 1002.31(3) (h), may be open
999 to any student in the state.

1000 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may enter
1001 into cooperative agreements to form charter school cooperative
1002 organizations that may provide ~~the following~~ services to further
1003 educational, operational, and administrative initiatives in
1004 which the participating charter schools share common interests;
1005 ~~charter school planning and development, direct instructional~~
1006 ~~services, and contracts with charter school governing boards to~~
1007 ~~provide personnel administrative services, payroll services,~~
1008 ~~human resource management, evaluation and assessment services,~~
1009 ~~teacher preparation, and professional development.~~

1010 (17) FUNDING.—Students enrolled in a charter school,
1011 regardless of the sponsorship, shall be funded as if they are in
1012 a basic program or a special program, the same as students
1013 enrolled in other public schools in the school district. Funding
1014 for a charter lab school shall be as provided in s. 1002.32.

1015 (b) The basis for the agreement for funding students

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1016 enrolled in a charter school shall be the sum of the school
1017 district's operating funds from the Florida Education Finance
1018 Program as provided in s. 1011.62 and the General Appropriations
1019 Act, including gross state and local funds, discretionary
1020 lottery funds, and funds from the school district's current
1021 operating discretionary millage levy; divided by total funded
1022 weighted full-time equivalent students in the school district;
1023 multiplied by the weighted full-time equivalent students for the
1024 charter school. Charter schools whose students or programs meet
1025 the eligibility criteria in law are entitled to their
1026 proportionate share of categorical program funds included in the
1027 total funds available in the Florida Education Finance Program
1028 by the Legislature, including transportation, the research-based
1029 reading allocation, and the Florida digital classrooms
1030 allocation. Total funding for each charter school shall be
1031 recalculated during the year to reflect the revised calculations
1032 under the Florida Education Finance Program by the state and the
1033 actual weighted full-time equivalent students reported by the
1034 charter school during the full-time equivalent student survey
1035 periods designated by the Commissioner of Education.

1036 (e) District school boards shall make timely and efficient
1037 payment and reimbursement to charter schools, including
1038 processing paperwork required to access special state and
1039 federal funding for which they may be eligible. The district
1040 school board may distribute funds to a charter school for up to
1041 3 months based on the projected full-time equivalent student
1042 membership of the charter school. Thereafter, the results of
1043 full-time equivalent student membership surveys shall be used in
1044 adjusting the amount of funds distributed monthly to the charter

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1045 school for the remainder of the fiscal year. The payment shall
1046 be issued no later than 10 working days after the district
1047 school board receives a distribution of state or federal funds.
1048 If a warrant for payment is not issued within 10 working days
1049 after receipt of funding by the district school board, the
1050 school district shall pay to the charter school, in addition to
1051 the amount of the scheduled disbursement, interest at a rate of
1052 1 percent per month calculated on a daily basis on the unpaid
1053 balance from the expiration of the 10 working days until such
1054 time as the warrant is issued. The district school board may not
1055 delay payment to a charter school of any portion of the funds
1056 provided in paragraph (b) based on the timing of receipt of
1057 local funds by the district school board.

1058 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1059 (a) The Department of Education shall provide information
1060 to the public, directly and through sponsors, on how to form and
1061 operate a charter school and how to enroll in a charter school
1062 once it is created. This information shall include a standard
1063 ~~model~~ application form, standard charter contract, standard
1064 application evaluation instrument, and standard charter renewal
1065 contract, which shall include the information specified in
1066 subsection (7) and shall be developed by consulting and
1067 negotiating with both school districts and charter schools
1068 before implementation. The charter and charter renewal contracts
1069 shall be used by charter school sponsors.

1070 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

1071 (c) An employee of the charter school, or his or her
1072 spouse, or an employee of a management company, cooperative, or
1073 charter management organization, or his or her spouse, may not

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1074 be a member of the governing board of the charter school.

1075 (27) CONFLICTS OF INTEREST AND ETHICS.—An individual may
1076 not serve as a member of a governing board of a charter school,
1077 an education management corporation, or charter school
1078 cooperative organization if he or she or an immediate family
1079 member receives a pension or any compensation from the charter
1080 school, or if the individual's partner is an owner or principal
1081 with an entity or independent contractor with whom the charter
1082 school does business or contracts, directly or indirectly, for
1083 professional services, goods, or facilities. An individual may
1084 not serve as a governing board member if an immediate family
1085 member is an employee of the school. Members of the governing
1086 board of a charter school may not be appointed, removed, or
1087 replaced by an entity or component unit of an entity with which
1088 the charter school has entered into any contract.

1089 Section 4. Paragraph (e) of subsection (2), paragraph (b)
1090 of subsection (3), and subsections (4) through (6) of section
1091 1002.331, Florida Statutes, are amended to read:

1092 1002.331 High-performing charter schools.—

1093 (2) A high-performing charter school is authorized to:

1094 (e) Receive a modification of its charter to a term of 15
1095 years or a 15-year charter renewal. The charter may be modified
1096 or renewed for a shorter term at the option of the high-
1097 performing charter school. The charter must be consistent with
1098 s. 1002.33(7)(a)20. ~~s. 1002.33(7)(a)19.~~ and (10)(h) and (i), is
1099 subject to annual review by the sponsor, and may be terminated
1100 during its term pursuant to s. 1002.33(8).

1101
1102 A high-performing charter school shall notify its sponsor in

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1103 writing by May 1 ~~March 1~~ if it intends to increase enrollment or
1104 expand grade levels the following school year. The written
1105 notice shall specify the amount of the enrollment increase and
1106 the grade levels that will be added, as applicable. If a charter
1107 school notifies the sponsor of its intent to expand, the sponsor
1108 shall modify the charter within 90 days to include the new
1109 enrollment maximum and may not make any other changes. The
1110 sponsor may deny a request to increase the enrollment of a high-
1111 performing charter school if the commissioner has declassified
1112 the charter school as high-performing. If a high-performing
1113 charter school requests to consolidate multiple charters, the
1114 sponsor shall have 40 days after receipt of that request to
1115 provide an initial draft charter to the charter school. The
1116 sponsor and charter school shall have 50 days thereafter to
1117 negotiate and notice the charter contract for final approval by
1118 the sponsor.

1119 (3)

1120 (b) A high-performing charter school may not establish more
1121 than one charter school within the state under paragraph (a) in
1122 any year. A subsequent application to establish a charter school
1123 under paragraph (a) may not be submitted unless each charter
1124 school established in this manner achieves high-performing
1125 charter school status. The limits set forth in this paragraph do
1126 not apply to charter schools established by a high-performing
1127 charter school in the attendance zone of a school identified as
1128 in need of intervention and support pursuant to s. 1008.33(3)(b)
1129 or to meet needs for innovative choice options identified by the
1130 district school board.

1131 ~~(4) A high-performing charter school may not increase~~

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1132 ~~enrollment or expand grade levels following any school year in~~
1133 ~~which it receives a school grade of "C" or below. If the charter~~
1134 ~~school receives a school grade of "C" or below in any 2 years~~
1135 ~~during the term of the charter awarded under subsection (2), the~~
1136 ~~term of the charter may be modified by the sponsor and the~~
1137 ~~charter school loses its high-performing charter school status~~
1138 ~~until it regains that status under subsection (1).~~

1139 ~~(4)~~(5) The Commissioner of Education, upon request by a
1140 charter school, shall verify that the charter school meets the
1141 criteria in subsection (1) and provide a letter to the charter
1142 school and the sponsor stating that the charter school is a
1143 high-performing charter school pursuant to this section. The
1144 commissioner shall annually determine whether a high-performing
1145 charter school under subsection (1) continues to meet the
1146 criteria in that subsection. Such high-performing charter school
1147 shall maintain its high-performing status unless the
1148 commissioner determines that the charter school no longer meets
1149 the criteria in subsection (1), at which time the commissioner
1150 shall send a letter to the charter school and its sponsor
1151 providing notification that the charter school has been
1152 declassified ~~of its declassification~~ as a high-performing
1153 charter school.

1154 ~~(5)~~(6) A high-performing charter school replicated under
1155 this section may not be replicated as a virtual charter school.

1156 Section 5. Section 1003.3101, Florida Statutes, is created
1157 to read:

1158 1003.3101 Additional school choice options.—Each district
1159 school board shall establish a transfer process for a parent to
1160 request his or her child be transferred to another classroom

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1161 teacher. A school must grant or deny the transfer within 2 weeks
1162 after receiving a request. If a request for transfer is denied,
1163 the school shall notify the parent and specify the reasons for a
1164 denial. An explanation of the transfer process must be made
1165 available in the student handbook or a similar publication.

1166 Section 6. Paragraph (b) of subsection (1) of section
1167 1003.57, Florida Statutes, is amended to read:

1168 1003.57 Exceptional students instruction.—

1169 (1)

1170 (b) Each district school board shall provide for an
1171 appropriate program of special instruction, facilities, and
1172 services for exceptional students as prescribed by the State
1173 Board of Education as acceptable. Each district program must,
1174 including provisions that:

1175 1. ~~The district school board~~ Provide the necessary
1176 professional services for diagnosis and evaluation of
1177 exceptional students. At least once every 3 years, the district
1178 school board must submit to the department its proposed
1179 procedures for the provision of special instruction and services
1180 for exceptional students.

1181 2. ~~The district school board~~ Provide the special
1182 instruction, classes, and services, either within the district
1183 school system, in cooperation with other district school
1184 systems, or through contractual arrangements with approved
1185 private schools or community facilities that meet standards
1186 established by the commissioner.

1187 3. ~~The district school board~~ Annually provide information
1188 describing the Florida School for the Deaf and the Blind and all
1189 other programs and methods of instruction available to the

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1190 parent of a sensory-impaired student.

1191 4. Provide instruction to homebound or hospitalized
1192 students in accordance with this section and rules adopted by
1193 the state board, which must establish, at a minimum, the
1194 following:

1195 a. Criteria for the eligibility of K-12 homebound or
1196 hospitalized students for specially designed instruction.

1197 b. Procedures for determining student eligibility.

1198 c. A list of appropriate methods for providing instruction
1199 to homebound or hospitalized students.

1200 d. Requirements for initiating instructional services for a
1201 homebound or hospitalized student once the student is determined
1202 to be eligible. An eligible student receiving treatment in a
1203 children's specialty hospital licensed under part I of chapter
1204 395 must be provided educational instruction from the school
1205 district in which the hospital is located until the school
1206 district enters into an agreement with the school district in
1207 which the student resides. The department shall develop a
1208 standard agreement for use by school districts to provide
1209 seamless educational instruction to students who transition
1210 between school districts while receiving treatment in specialty
1211 hospitals for children.

1212
1213 No later than August 15, 2015, each school district in which a
1214 children's specialty hospital licensed under part I of chapter
1215 395 is located shall enter into an agreement with the hospital
1216 to establish a process by which the hospital must notify the
1217 school district of any student who may be eligible for
1218 educational instruction consistent with this subparagraph and

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1219 the timelines for determining such eligibility and providing
1220 such instruction ~~The district school board, once every 3 years,~~
1221 ~~submit to the department its proposed procedures for the~~
1222 ~~provision of special instruction and services for exceptional~~
1223 ~~students.~~

1224 Section 7. Section 1004.6491, Florida Statutes, is created
1225 to read:

1226 1004.6491 Florida Institute for Charter School Innovation.—

1227 (1) There is established the Florida Institute for Charter
1228 School Innovation within the Florida State University. The
1229 purpose of the institute is to advance charter school
1230 accountability, quality, and innovation; provide support and
1231 technical assistance to charter school applicants; connect
1232 aspiring teachers to opportunities to experience teaching in
1233 schools of choice; and conduct research and develop and promote
1234 best practices for charter school authorization, financing,
1235 management, operations, and instructional practices.

1236 (2) The institute shall:

1237 (a) Conduct research to inform both policy and practice
1238 related to charter school accountability, financing, management,
1239 operations, and instructional practices.

1240 (b) Partner with state-approved teacher preparation
1241 programs in this state to provide opportunities for aspiring
1242 teachers to experience teaching in schools of choice.

1243 (c) Provide technical assistance and support to charter
1244 school applicants with innovative charter school concepts.

1245 (3) The President of the Florida State University shall
1246 appoint a director of the institute. The director is responsible
1247 for overall management of the institute and for developing and

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1248 executing the work of the institute consistent with this
1249 section. The director may engage individuals in other state
1250 universities with accredited colleges of education to
1251 participate in the institute.

1252 (4) By each October 1, the institute shall provide a
1253 written report to the Governor, the President of the Senate, and
1254 the Speaker of the House of Representatives which outlines its
1255 activities in the preceding year, reports significant research
1256 findings, details expenditures of state funds, and provides
1257 specific recommendations for improving the institute's ability
1258 to fulfil its mission and for changes to statewide charter
1259 school policy.

1260 (5) Within 180 days after completion of the institute's
1261 fiscal year, the institute shall provide to the Auditor General,
1262 the Board of Governors of the State University System, and the
1263 State Board of Education a report on the results of an annual
1264 financial audit conducted by an independent certified public
1265 accountant in accordance with s. 11.45.

1266 Section 8. Section 1011.6202, Florida Statutes, is created
1267 to read:

1268 1011.6202 Principal Autonomy Pilot Program Initiative.—The
1269 Principal Autonomy Pilot Program Initiative is created within
1270 the Department of Education. The purpose of the pilot program is
1271 to provide the principal of a participating school with
1272 increased autonomy and authority to operate his or her school in
1273 a way that produces significant improvements in student
1274 achievement and school management while complying with
1275 constitutional requirements. The State Board of Education may,
1276 upon approval of a principal autonomy proposal, enter into a

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1277 performance contract with up to six district school boards for
1278 participation in the program.

1279 (1) PARTICIPATING SCHOOL DISTRICTS.—A Florida district
1280 school board may submit to the state board for approval a
1281 principal autonomy proposal that exchanges statutory and rule
1282 exemptions for an agreement to meet performance goals
1283 established in the proposal. If approved by the state board, the
1284 school district shall be eligible to participate in the program
1285 for 3 years. At the end of the 3 years, the performance of all
1286 participating schools in the school district shall be evaluated.

1287 (2) PRINCIPAL AUTONOMY PROPOSAL.—

1288 (a) To participate in the program, a school district must:

1289 1. Identify three middle or high schools whose principals
1290 will have fiscal and administrative autonomy.

1291 2. Describe the current financial and administrative
1292 management of each participating school; identify the areas in
1293 which each school principal will have increased fiscal and
1294 administrative autonomy, including the authority and
1295 responsibilities provided in s. 1012.28(8); and identify the
1296 areas in which each participating school will continue to follow
1297 district school board fiscal and administrative policies.

1298 3. Explain the methods used to identify the educational
1299 strengths and needs of the participating school's students and
1300 identify how student achievement can be improved.

1301 4. Establish performance goals for student achievement, as
1302 defined in s. 1008.34(1), and explain how the increased autonomy
1303 of principals will help participating schools improve student
1304 achievement and school management.

1305 5. Provide each participating school's mission and a

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1306 description of its student population.

1307 (b) The state board shall establish criteria, which must
1308 include the criteria listed in paragraph (a), for the approval
1309 of a principal autonomy proposal.

1310 (c) A district school board must submit its principal
1311 autonomy proposal to the state board for approval by December 1
1312 in order to begin participation in the subsequent school year.
1313 By February 28 of the school year in which the proposal is
1314 submitted, the state board shall notify the district school
1315 board in writing whether the proposal is approved.

1316 (3) EXEMPTION FROM LAWS.—

1317 (a) With the exception of those laws listed in paragraph
1318 (b), a participating school district is exempt from the
1319 provisions of chapters 1000-1013 and rules of the state board
1320 which implement those exempt provisions.

1321 (b) A participating school district shall comply with the
1322 provisions of chapters 1000-1013, and rules of the state board
1323 which implement those provisions, pertaining to the following:

1324 1. Those laws relating to the election and compensation of
1325 district school board members, the election or appointment and
1326 compensation of district school superintendents, public meetings
1327 and public records requirements, financial disclosure, and
1328 conflicts of interest.

1329 2. Those laws relating to the student assessment program
1330 and school grading system, including chapter 1008.

1331 3. Those laws relating to the provision of services to
1332 students with disabilities.

1333 4. Those laws relating to civil rights, including s.
1334 1000.05, relating to discrimination.

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1335 5. Those laws relating to student health, safety, and
1336 welfare.

1337 6. Section 1001.42(4)(f), relating to the uniform opening
1338 and closing date for public schools.

1339 7. Section 1003.03, governing maximum class size, except
1340 that the calculation for compliance pursuant to s. 1003.03 is
1341 the average at the school level for a participating school.

1342 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
1343 compensation and salary schedules.

1344 9. Section 1012.33(5), relating to workforce reductions for
1345 annual contracts for instructional personnel. This subparagraph
1346 does not apply to at-will employees.

1347 10. Section 1012.335, relating to annual contracts for
1348 instructional personnel hired on or after July 1, 2011. This
1349 subparagraph does not apply to at-will employees.

1350 11. Section 1012.34, relating to personnel evaluation
1351 procedures and criteria.

1352 12. Those laws pertaining to educational facilities,
1353 including chapter 1013, except that s. 1013.20, relating to
1354 covered walkways for relocatables, and s. 1013.21, relating to
1355 the use of relocatable facilities exceeding 20 years of age, are
1356 eligible for exemption.

1357 13. Those laws pertaining to participating school
1358 districts, including this section and ss. 1011.64(2)(b),
1359 1011.69(2), 1012.28(8), and 1012.986(1)(e).

1360 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
1361 district shall require that the principal of each participating
1362 school complete professional development provided through the
1363 William Cecil Golden Professional Development Program for School

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1364 Leaders under s. 1012.986. The professional development must be
1365 completed before a school may participate in the Principal
1366 Autonomy Pilot Program Initiative.

1367 (5) TERM OF PARTICIPATION.—The state board shall authorize
1368 a school district to participate in the program for a period of
1369 3 years commencing with approval of the principal autonomy
1370 proposal. Authorization to participate in the program may be
1371 renewed upon action of the state board. The state board may
1372 revoke authorization to participate in the program if the school
1373 district fails to meet the requirements of this section during
1374 the 3-year period.

1375 (6) REPORTING.—Each participating school district shall
1376 submit an annual report to the state board. The state board
1377 shall annually report on the implementation of the Principal
1378 Autonomy Pilot Program Initiative. Upon completion of the
1379 program's first 3-year term, the Commissioner of Education shall
1380 submit to the President of the Senate and the Speaker of the
1381 House of Representatives by December 1 a full evaluation of the
1382 effectiveness of the program.

1383 (7) RULEMAKING.—The State Board of Education shall adopt
1384 rules to administer this section.

1385 Section 9. Paragraph (b) of subsection (2) of section
1386 1011.64, Florida Statutes, is amended to read:

1387 1011.64 School district minimum classroom expenditure
1388 requirements.—

1389 (2) For the purpose of implementing the provisions of this
1390 section, the Legislature shall prescribe minimum academic
1391 performance standards and minimum classroom expenditure
1392 requirements for districts not meeting such minimum academic

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1393 performance standards in the General Appropriations Act.

1394 (b) School district minimum classroom expenditure
1395 requirements shall be calculated pursuant to subsection (3) and
1396 may include training pursuant to s. 1012.986(1)(e).

1397 Section 10. Subsection (2) of section 1011.69, Florida
1398 Statutes, is amended to read:

1399 1011.69 Equity in School-Level Funding Act.—

1400 (2) Beginning in the 2003-2004 fiscal year, district school
1401 boards shall allocate to schools within the district an average
1402 of 90 percent of the funds generated by all schools and
1403 guarantee that each school receives at least 80 percent, except
1404 that a school participating in the Principal Autonomy Pilot
1405 Program Initiative under s. 1011.6202 is guaranteed to receive
1406 at least 90 percent, of the funds generated by that school based
1407 upon the Florida Education Finance Program as provided in s.
1408 1011.62 and the General Appropriations Act, including gross
1409 state and local funds, discretionary lottery funds, and funds
1410 from the school district's current operating discretionary
1411 millage levy. Total funding for each school shall be
1412 recalculated during the year to reflect the revised calculations
1413 under the Florida Education Finance Program by the state and the
1414 actual weighted full-time equivalent students reported by the
1415 school during the full-time equivalent student survey periods
1416 designated by the Commissioner of Education. If the district
1417 school board is providing programs or services to students
1418 funded by federal funds, any eligible students enrolled in the
1419 schools in the district shall be provided federal funds.

1420 Section 11. Subsection (8) is added to section 1012.28,
1421 Florida Statutes, to read:

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1422 1012.28 Public school personnel; duties of school
1423 principals.-

1424 (8) The principal of a participating school in a
1425 participating school district approved under s. 1011.6202 has
1426 the following additional authority and responsibilities:

1427 (a) In addition to the authority provided in subsection
1428 (6), the authority to select qualified instructional personnel
1429 for placement or to refuse to accept the placement or transfer
1430 of instructional personnel by the district school
1431 superintendent. Placement of instructional personnel at a
1432 participating school in a participating school district does not
1433 affect the employee's status as a school district employee.

1434 (b) The authority to deploy financial resources to school
1435 programs at the principal's discretion to help improve student
1436 achievement, as defined in s. 1008.34(1), and meet performance
1437 goals identified in the principal autonomy proposal submitted
1438 pursuant to s. 1011.6202.

1439 (c) The responsibility to annually provide to the district
1440 school superintendent and the district school board a budget for
1441 the operation of the participating school which identifies how
1442 funds provided pursuant to s. 1011.69(2) are allocated. The
1443 school district shall include the budget in the annual report
1444 provided to the State Board of Education pursuant to s.
1445 1011.6202(6).

1446 Section 12. Subsection (2) of section 1012.42, Florida
1447 Statutes, is amended to read:

1448 1012.42 Teacher teaching out-of-field.-

1449 (2) NOTIFICATION REQUIREMENTS.-When a teacher in a district
1450 school system is assigned teaching duties in a class dealing

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1451 with subject matter that is outside the field in which the
1452 teacher is certified, outside the field that was the applicant's
1453 minor field of study, or outside the field in which the
1454 applicant has demonstrated sufficient subject area expertise, as
1455 determined by district school board policy in the subject area
1456 to be taught, the parents of all students in the class shall be
1457 notified in writing of such assignment. A parent who receives
1458 this notification may, after the October student membership
1459 survey, request that his or her child be transferred to another
1460 classroom teacher within the school and grade in which the child
1461 is currently enrolled. If space is available in a classroom
1462 taught by an in-field teacher, the school district shall grant
1463 the parent's request and transfer the student to the in-field
1464 classroom teacher within a reasonable period, not to exceed 2
1465 weeks. An explanation of the transfer process must be made
1466 available in the student handbook or a similar publication. This
1467 does not provide a parent the right to choose a specific
1468 teacher.

1469 Section 13. Paragraph (e) is added to subsection (1) of
1470 section 1012.986, Florida Statutes, to read:

1471 1012.986 William Cecil Golden Professional Development
1472 Program for School Leaders.-

1473 (1) There is established the William Cecil Golden
1474 Professional Development Program for School Leaders to provide
1475 high standards and sustained support for principals as
1476 instructional leaders. The program shall consist of a
1477 collaborative network of state and national professional
1478 leadership organizations to respond to instructional leadership
1479 needs throughout the state. The network shall support the human-

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1480 resource development needs of principals, principal leadership
1481 teams, and candidates for principal leadership positions using
1482 the framework of leadership standards adopted by the State Board
1483 of Education, the Southern Regional Education Board, and the
1484 National Staff Development Council. The goal of the network
1485 leadership program is to:

1486 (e) For principals of schools participating in the
1487 Principal Autonomy Pilot Program Initiative under s. 1011.6202,
1488 provide training on the following:

1489 1. Managing instructional personnel, including developing a
1490 high-performing instructional leadership team.

1491 2. Public school budgeting, financial management, and human
1492 resources policies and procedures.

1493 3. Best practices for the effective exercise of increased
1494 budgetary and staffing flexibility to improve student
1495 achievement and operational efficiency.

1496 Section 14. Paragraph (a) of subsection (1) of section
1497 1013.62, Florida Statutes, is amended to read:

1498 1013.62 Charter schools capital outlay funding.—

1499 (1) In each year in which funds are appropriated for
1500 charter school capital outlay purposes, the Commissioner of
1501 Education shall allocate the funds among eligible charter
1502 schools.

1503 (a) To be eligible for a funding allocation, a charter
1504 school must:

1505 1.a. Have been in operation for 3 or more years;

1506 b. Be governed by a governing board established in the
1507 state for 3 or more years which operates both charter schools
1508 and conversion charter schools within the state;

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1509 c. Be an expanded feeder chain of a charter school within
1510 the same school district that is currently receiving charter
1511 school capital outlay funds;

1512 d. Have been accredited by the Commission on Schools of the
1513 Southern Association of Colleges and Schools; or

1514 e. Serve students in facilities that are provided by a
1515 business partner for a charter school-in-the-workplace pursuant
1516 to s. 1002.33(15) (b) .

1517 2. Have an annual audit that does not reveal any of the
1518 financial emergency conditions provided in s. 218.503(1) for the
1519 most recent fiscal year for which such audit results are
1520 available ~~stability for future operation as a charter school.~~

1521 3. Have satisfactory student achievement based on state
1522 accountability standards applicable to the charter school.

1523 4. Have received final approval from its sponsor pursuant
1524 to s. 1002.33 for operation during that fiscal year.

1525 5. Serve students in facilities that are not provided by
1526 the charter school's sponsor.

1527 Section 15. Notwithstanding any other provision of law,
1528 student reporting requirements related to withdrawals,
1529 suspensions, expulsions, and other related instances where
1530 students are no longer enrolled in a school must be the same for
1531 public schools, including charter schools. Thus, charter school
1532 reporting requirements for these instances apply to all public
1533 schools, and public school reporting requirements apply to all
1534 charter schools.

1535 Section 16. This act shall take effect July 1, 2015.