

By Senator Broxson

1-00608-17

20171362\_\_

1                   A bill to be entitled  
2       An act relating to K-12 education; amending s.  
3       1002.33, F.S.; removing a requirement that the  
4       Department of Education compare certain charter school  
5       student performance data to certain traditional public  
6       schools; removing notice requirements relating to such  
7       charter school performance data; removing a  
8       requirement that the State Board of Education adopt  
9       rules to administer such notice requirements; creating  
10      s. 1002.333, F.S.; defining terms; authorizing certain  
11      entities to apply to the State Board of Education for  
12      designation as a High-Impact Charter Network;  
13      requiring the state board to adopt rules; providing  
14      criteria for an initial and renewal designation;  
15      providing the period during which an initial  
16      designation is valid; authorizing entities designated  
17      as High-Impact Charter Networks to establish and  
18      operate charter schools under certain circumstances;  
19      authorizing entities with the designation to submit an  
20      application to establish and operate charter schools;  
21      providing that charter schools operated by designated  
22      entities are eligible to receive charter school  
23      capital outlay; requiring the department to give  
24      priority to certain charter schools applying for  
25      specified grants; requiring the governing board of an  
26      entity designated as a High-Impact Charter Network to  
27      be considered a local educational agency for receiving  
28      federal funds, under certain conditions; providing for  
29      rulemaking; amending s. 1007.35, F.S.; revising the

1-00608-17

20171362\_\_

30 exams each public high school is required to  
31 administer to all enrolled 10th grade students to  
32 include the preliminary ACT, rather than the ACT  
33 Aspire; amending s. 1008.34, F.S.; clarifying  
34 accountability requirements for collocated schools;  
35 providing an effective date.  
36

37 Be It Enacted by the Legislature of the State of Florida:  
38

39 Section 1. Paragraph (b) of subsection (21) of section  
40 1002.33, Florida Statutes, is amended to read:

41 1002.33 Charter schools.—

42 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

43 (b)1. The Department of Education shall report to each  
44 charter school receiving a school grade pursuant to s. 1008.34  
45 or a school improvement rating pursuant to s. 1008.341 the  
46 school's student assessment data.

47 2. The charter school shall report the information in  
48 subparagraph 1. to each parent of a student at the charter  
49 school, the parent of a child on a waiting list for the charter  
50 school, the district in which the charter school is located, and  
51 the governing board of the charter school. This paragraph does  
52 not abrogate the provisions of s. 1002.22, relating to student  
53 records, or the requirements of 20 U.S.C. s. 1232g, the Family  
54 Educational Rights and Privacy Act.

55 ~~3.a. Pursuant to this paragraph, the Department of~~  
56 ~~Education shall compare the charter school student performance~~  
57 ~~data for each charter school in subparagraph 1. with the student~~  
58 ~~performance data in traditional public schools in the district~~

1-00608-17

20171362\_\_

59 ~~in which the charter school is located and other charter schools~~  
60 ~~in the state. For alternative charter schools, the department~~  
61 ~~shall compare the student performance data described in this~~  
62 ~~paragraph with all alternative schools in the state. The~~  
63 ~~comparative data shall be provided by the following grade~~  
64 ~~groupings:~~

- 65 ~~(I) Grades 3 through 5;~~  
66 ~~(II) Grades 6 through 8; and~~  
67 ~~(III) Grades 9 through 11.~~

68 ~~b. Each charter school shall provide the information~~  
69 ~~specified in this paragraph on its Internet website and also~~  
70 ~~provide notice to the public at large in a manner provided by~~  
71 ~~the rules of the State Board of Education. The State Board of~~  
72 ~~Education shall adopt rules to administer the notice~~  
73 ~~requirements of this subparagraph pursuant to ss. 120.536(1) and~~  
74 ~~120.54. The website shall include, through links or actual~~  
75 ~~content, other information related to school performance.~~

76 Section 2. Section 1002.333, Florida Statutes, is created  
77 to read:

78 1002.333 High-Impact Charter Network.-

79 (1) As used in this section, the term:

80 (a) "Critical need area" means an area that is served by  
81 one or more nonalternative, traditional public schools that  
82 received a school grade of "D" or "F" pursuant to s. 1008.34 in  
83 4 of the last 5 years or whose school district is required to  
84 implement a turnaround option pursuant to s. 1008.33(4)(b).

85 (b) "Entity" means a nonprofit organization with tax-exempt  
86 status under s. 501(c)(3) of the Internal Revenue Code which is  
87 authorized by law to operate a public charter school.

1-00608-17

20171362\_\_

88       (2) An entity that successfully operates a system of  
89 charter schools which primarily serves educationally  
90 disadvantaged students who are eligible for free or reduced-  
91 price school lunches under the National School Lunch Act may  
92 apply to the State Board of Education for designation as a High-  
93 Impact Charter Network. The state board shall adopt rules  
94 prescribing a review process for determining whether the entity  
95 meets the requirements for the designation as a High-Impact  
96 Charter Network under this section. The review process:

97       (a) Must include student demographic information and a  
98 review of all schools currently and previously operated by the  
99 entity, including school-level financial performances and  
100 schoolwide and subgroup performance on all statewide assessments  
101 for the most recent 3 years as compared to all students in other  
102 schools at the same grade level and as compared with other  
103 schools serving similar demographics of students.

104       (b) May include student performance on nationally norm-  
105 referenced tests, attendance and retention rates, graduation  
106 rates, college attendance rates, college persistence rates, and  
107 other outcome measures as determined by the state board.

108       (3) The initial High-Impact Charter Network status  
109 designation is valid for up to 4 years. If an entity seeks  
110 status renewal, the state board shall review the academic and  
111 financial performance of the charter schools established in  
112 critical need areas consistent with the process described in  
113 subsection (2).

114       (4) An entity that is designated as a High-Impact Charter  
115 Network pursuant to this section may submit an application to a  
116 district school board pursuant to s. 1002.33 to establish and

1-00608-17

20171362\_\_

117 operate charter schools in critical need areas or, under s.  
118 1008.33(4)(b)3., charter schools as turnaround options for  
119 schools that earn a grade of "F" in the school district.  
120 Notwithstanding s. 1013.62(1)(a), a charter school operated by a  
121 High-Impact Charter Network in a critical need area is eligible  
122 to receive charter school capital outlay.

123 (5) The department shall give priority to charter schools  
124 operated by a High-Impact Charter Network in the department's  
125 Florida Public Charter Schools Grant Program competitions. Such  
126 priority treatment may be provided only for a new charter school  
127 that will operate in a critical need area.

128 (6) Notwithstanding the criteria in s. 1002.33(25), the  
129 governing board of an entity designated as a High-Impact Charter  
130 Network shall be designated as a local educational agency for  
131 the purposes of receiving federal funds if the governing board  
132 has adopted and filed a resolution with its sponsoring district  
133 school board and the department. The resolution must contain  
134 provisions indicating that the governing board accepts the full  
135 responsibility for all local educational agency requirements and  
136 that the charter schools for which the governing board will  
137 perform local education agency responsibilities are all located  
138 in the same county.

139 (7) The State Board of Education shall adopt rules to  
140 administer this section.

141 Section 3. Subsection (5), paragraph (j) of subsection (6),  
142 and paragraph (a) of subsection (8) of section 1007.35, Florida  
143 Statutes, are amended to read:

144 1007.35 Florida Partnership for Minority and  
145 Underrepresented Student Achievement.-

1-00608-17

20171362\_\_

146 (5) Each public high school, including, but not limited to,  
147 schools and alternative sites and centers of the Department of  
148 Juvenile Justice, shall provide for the administration of the  
149 Preliminary SAT/National Merit Scholarship Qualifying Test  
150 (PSAT/NMSQT), or the preliminary ACT Aspire to all enrolled 10th  
151 grade students. However, a written notice shall be provided to  
152 each parent which must ~~that shall~~ include the opportunity to  
153 exempt his or her child from taking the PSAT/NMSQT or the  
154 preliminary ACT Aspire.

155 (a) Test results will provide each high school with a  
156 database of student assessment data which certified school  
157 counselors will use to identify students who are prepared or who  
158 need additional work to be prepared to enroll and be successful  
159 in AP courses or other advanced high school courses.

160 (b) Funding for the PSAT/NMSQT or the preliminary ACT  
161 ~~Aspire~~ for all 10th grade students shall be contingent upon  
162 annual funding in the General Appropriations Act.

163 (c) Public school districts must choose either the  
164 PSAT/NMSQT or the preliminary ACT Aspire for districtwide  
165 administration.

166 (6) The partnership shall:

167 (j) Provide information to students, parents, teachers,  
168 counselors, administrators, districts, Florida College System  
169 institutions, and state universities regarding PSAT/NMSQT or the  
170 preliminary ACT Aspire administration, including, but not  
171 limited to:

172 1. Test administration dates and times.

173 2. That participation in the PSAT/NMSQT or the preliminary  
174 ~~ACT Aspire~~ is open to all 10th grade students.

1-00608-17

20171362\_\_

175           3. The value of such tests in providing diagnostic feedback  
176 on student skills.

177           4. The value of student scores in predicting the  
178 probability of success on AP or other advanced course  
179 examinations.

180           (8) (a) By September 30 of each year, the partnership shall  
181 submit to the department a report that contains an evaluation of  
182 the effectiveness of the delivered services and activities.  
183 Activities and services must be evaluated on their effectiveness  
184 at raising student achievement and increasing the number of AP  
185 or other advanced course examinations in low-performing middle  
186 and high schools. Other indicators that must be addressed in the  
187 evaluation report include the number of middle and high school  
188 teachers trained; the effectiveness of the training; measures of  
189 postsecondary readiness of the students affected by the program;  
190 levels of participation in 10th grade PSAT/NMSQT or the  
191 preliminary ACT ~~Aspire~~ testing; and measures of student, parent,  
192 and teacher awareness of and satisfaction with the services of  
193 the partnership.

194           Section 4. Paragraph (a) of subsection (3) of section  
195 1008.34, Florida Statutes, is amended to read:

196           1008.34 School grading system; school report cards;  
197 district grade.—

198           (3) DESIGNATION OF SCHOOL GRADES.—

199           (a) Each school must assess at least 95 percent of its  
200 eligible students, except as provided under s. 1008.341 for  
201 alternative schools. Each school shall receive a school grade  
202 based on the school's performance on the components listed in  
203 subparagraphs (b)1. and 2. If a school does not have at least 10

1-00608-17

20171362\_\_

204 students with complete data for one or more of the components  
205 listed in subparagraphs (b)1. and 2., those components may not  
206 be used in calculating the school's grade.

207 1. An alternative school may choose to receive a school  
208 grade under this section or a school improvement rating under s.  
209 1008.341. For charter schools that meet the definition of an  
210 alternative school pursuant to State Board of Education rule,  
211 the decision to receive a school grade is the decision of the  
212 charter school governing board.

213 2. A school that serves any combination of students in  
214 kindergarten through grade 3 that does not receive a school  
215 grade because its students are not tested and included in the  
216 school grading system shall receive the school grade designation  
217 of a K-3 feeder pattern school identified by the Department of  
218 Education and verified by the school district. A school feeder  
219 pattern exists if at least 60 percent of the students in the  
220 school serving a combination of students in kindergarten through  
221 grade 3 are scheduled to be assigned to the graded school.

222 3. If a collocated school does not earn a school grade or  
223 school improvement rating for the performance of its students,  
224 the student performance data of all schools operating at the  
225 same facility must be aggregated to develop a school grade, or a  
226 school improvement rating if all schools at the site are  
227 eligible for a school improvement rating and do not elect to be  
228 graded, which ~~that~~ will be assigned to all schools at that  
229 location. A collocated school is a school that has its own  
230 unique master school identification number, provides for the  
231 education of each of its enrolled students, and operates at the  
232 same facility as another school that has its own unique master

1-00608-17

20171362\_\_

233 school identification number and provides for the education of  
234 each of its enrolled students.

235 Section 5. This act shall take effect July 1, 2017.