

By the Committee on Education; and Senator Broxson

581-03949-17

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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. 1002.334, 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

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

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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 1002.334, Florida Statutes, is created
77 to read:

78 1002.334 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.

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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

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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.-

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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 PreACT ~~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 PreACT
154 ~~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 PreACT ~~ACT Aspire~~ for
161 all 10th grade students shall be contingent upon annual funding
162 in the General Appropriations Act.

163 (c) Public school districts must choose either the
164 PSAT/NMSQT or the PreACT ~~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 PreACT ~~ACT Aspire~~ administration, including, but not limited to:

171 1. Test administration dates and times.

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

174 3. The value of such tests in providing diagnostic feedback

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175 on student skills.

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

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

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

195 1008.34 School grading system; school report cards;
196 district grade.—

197 (3) DESIGNATION OF SCHOOL GRADES.—

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

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204 listed in subparagraphs (b)1. and 2., those components may not
205 be used in calculating the school's grade.

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

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

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

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233 each of its enrolled students.

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