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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 01/22/2018 | . | |
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The Committee on Education (Passidomo) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (1) and (2), paragraph (a) of
subsection (4), paragraphs (b), (g), and (i) of subsection (5),
paragraph (a) of subsection (7), subsection (9), and paragraph
(b) of subsection (10) of section 1002.333, Florida Statutes,
are amended to read:

1002.333 Persistently low-performing schools.—



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11 (1) DEFINITIONS.—As used in this section, the term:
12 (a) “Hope operator” means an entity identified by the
13 department pursuant to subsection (2).
14 (b) “Persistently low-performing school” means a school
15 that has completed 2 school years of a district-managed
16 turnaround plan required under s. 1008.33(4) (a) and has not
17 improved its school grade to a “C” or higher, earned three
18 consecutive grades lower than a “C,” pursuant to s. 1008.34, and
19 a school that was closed pursuant to s. 1008.33(4) within 2
20 years after the submission of a notice of intent.
21 (c) “School of hope” means:
22 1. A charter school operated by a hope operator which
23 serves students from one or more persistently low-performing
24 schools, ~~is located in the attendance zone of a persistently~~
25 ~~low-performing school or within a 5-mile radius of such school,~~
26 ~~whichever is greater;~~ and is a Title I eligible school; or
27 2. A school operated by a hope operator pursuant to s.
28 1008.33(4) (b) 3.b. ~~s. 1008.33(4) (b) 3.~~
29 (2) HOPE OPERATOR.—A hope operator is a nonprofit
30 organization with tax exempt status under s. 501(c) (3) of the
31 Internal Revenue Code which ~~that~~ operates three or more charter
32 schools that serve students in grades K-12 in Florida or other
33 states with a record of serving students from low-income
34 families and is designated by the State Board of Education as a
35 hope operator based on a determination that:
36 (a) The past performance of the hope operator meets or
37 exceeds the following criteria:
38 1. The achievement of enrolled students exceeds the
39 district and state averages of the states in which the



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40 operator's schools operate;

41 2. The average college attendance rate at all schools
42 currently operated by the operator exceeds 80 percent, if such
43 data is available;

44 3. The percentage of students eligible for a free or
45 reduced price lunch under the National School Lunch Act enrolled
46 at all schools currently operated by the operator exceeds 70
47 percent;

48 4. The operator is in good standing with the authorizer in
49 each state in which it operates;

50 5. The audited financial statements of the operator are
51 free of material misstatements and going concern issues; and

52 6. Other outcome measures as determined by the State Board
53 of Education;

54 (b) The operator was awarded a United States Department of
55 Education Charter School Program Grant for Replication and
56 Expansion of High-Quality Charter Schools within the preceding 3
57 years before applying to be a hope operator;

58 (c) The operator receives funding through the National Fund
59 of the Charter School Growth Fund to accelerate the growth of
60 the nation's best charter schools; or

61 (d) The operator is selected by a district school board in
62 accordance with s. 1008.33.

63

64 An entity that meets the requirements of paragraph (b),
65 paragraph (c), or paragraph (d) before the adoption by the state
66 board of measurable criteria pursuant to paragraph (a) shall be
67 designated as a hope operator. After the adoption of the
68 measurable criteria, an entity, including a governing board that



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69 operates a school established pursuant to s. 1008.33(4)(b)3.b.
70 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
71 meets the criteria of paragraph (a).

72 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
73 seeking to open a school of hope must submit a notice of intent
74 to the school district in which a persistently low-performing
75 school has been identified by the State Board of Education
76 pursuant to subsection (10).

77 (a) The notice of intent must include all of the following:

78 1. An academic focus and plan.

79 2. A financial plan.

80 3. Goals and objectives for increasing student achievement
81 for the students from low-income families.

82 4. A completed or planned community outreach plan.

83 5. The organizational history of success in working with
84 students with similar demographics.

85 6. The grade levels to be served and enrollment
86 projections.

87 7. The specific proposed location or geographic area
88 proposed for the school and its proximity to the persistently
89 low-performing school or the plan to use the district-owned
90 facilities of the persistently low-performing school.

91 8. A staffing plan.

92 9. An operations plan specifying the operator's intent to
93 undertake the operations of the persistently low-performing
94 school in its entirety or through limited components of the
95 operations.

96 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
97 comprise the entirety of the performance-based agreement:



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98 ~~(b) The location or geographic area proposed for the school~~
99 ~~of hope and its proximity to the persistently low-performing~~
100 ~~school.~~

101 ~~(f)(g)~~ The grounds for termination, including failure to
102 meet the requirements for student performance established
103 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
104 fiscal management, or material violation of terms of the
105 agreement. The nonrenewal or termination of a performance-based
106 agreement must comply with the requirements of s. 1002.33(8).

107 ~~(h)(i)~~ A provision establishing the initial term as 5
108 years. The agreement must ~~shall~~ be renewed, upon the request of
109 the hope operator, unless the school fails to meet the
110 requirements for student performance established pursuant to
111 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
112 management or the school of hope materially violates the law or
113 the terms of the agreement.

114 (7) FACILITIES.—

115 (a)1. A school of hope that meets the definition under
116 subparagraph (1)(c)1. shall use facilities that comply with the
117 Florida Building Code, except for the State Requirements for
118 Educational Facilities. ~~A school of hope that uses school~~
119 ~~district facilities must comply with the State Requirements for~~
120 ~~Educational Facilities only if the school district and the hope~~
121 ~~operator have entered into a mutual management plan for the~~
122 ~~reasonable maintenance of such facilities. The mutual management~~
123 ~~plan shall contain a provision by which the district school~~
124 ~~board agrees to maintain the school facilities in the same~~
125 ~~manner as its other public schools within the district.~~

126 2. A school of hope that meets the definition under



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127 subparagraph (1)(c)2. and that receives funds from the hope
128 supplemental services allocation under s. 1011.62(16) shall use
129 the district-owned facilities of the persistently low-performing
130 school that the school of hope operates. A school of hope that
131 uses district-owned facilities must comply with the State
132 Requirements for Educational Facilities only if the school
133 district and the hope operator have entered into a mutual
134 management plan for the reasonable maintenance of the
135 facilities. The mutual management plan must contain a provision
136 specifying that the district school board agrees to maintain the
137 school facilities in the same manner as other public schools
138 within the district.

139
140 The local governing authority shall not adopt or impose any
141 local building requirements or site-development restrictions,
142 such as parking and site-size criteria, student enrollment, and
143 occupant load, that are addressed by and more stringent than
144 those found in the State Requirements for Educational Facilities
145 of the Florida Building Code. A local governing authority must
146 treat schools of hope equitably in comparison to similar
147 requirements, restrictions, and site planning processes imposed
148 upon public schools. The agency having jurisdiction for
149 inspection of a facility and issuance of a certificate of
150 occupancy or use shall be the local municipality or, if in an
151 unincorporated area, the county governing authority. If an
152 official or employee of the local governing authority refuses to
153 comply with this paragraph, the aggrieved school or entity has
154 an immediate right to bring an action in circuit court to
155 enforce its rights by injunction. An aggrieved party that



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156 receives injunctive relief may be awarded reasonable attorney
157 fees and court costs.

158 (9) FUNDING.—

159 (a) Schools of hope shall be funded in accordance with s.
160 1002.33(17).

161 (b) Schools of hope shall receive priority in the
162 department's Public Charter School Grant Program competitions.

163 (c) Schools of hope shall be considered charter schools for
164 purposes of s. 1013.62, except charter capital outlay may not be
165 used to purchase real property or for the construction of school
166 facilities.

167 (d) Schools of hope that meet the definition under s.
168 subparagraph (1)(c)1. are eligible to receive funds from the
169 Schools of Hope Program.

170 (e) Schools of hope that meet the definition under
171 subparagraph (1)(c)2. are eligible to receive funds from the
172 hope supplemental services allocation established under s.
173 1011.62(16).

174 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
175 is created within the Department of Education.

176 (b) A traditional public school that is required to submit
177 a plan for implementation pursuant to s. 1008.33(4) is eligible
178 to receive funding for services authorized up to \$2,000 per
179 full-time equivalent student from the hope supplemental services
180 allocation established under s. 1011.62(16) Schools of Hope
181 Program based upon the strength of the school's plan for
182 implementation and its focus on evidence-based interventions
183 that lead to student success by providing wrap-around services
184 that leverage community assets, improve school and community



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185 ~~collaboration, and develop family and community partnerships.~~
186 ~~Wrap-around services include, but are not limited to, tutorial~~
187 ~~and after school programs, student counseling, nutrition~~
188 ~~education, parental counseling, and adult education. Plans for~~
189 ~~implementation may also include models that develop a culture of~~
190 ~~attending college, high academic expectations, character~~
191 ~~development, dress codes, and an extended school day and school~~
192 ~~year. At a minimum, a plan for implementation must:~~

193 ~~1. Establish wrap-around services that develop family and~~
194 ~~community partnerships.~~

195 ~~2. Establish clearly defined and measurable high academic~~
196 ~~and character standards.~~

197 ~~3. Increase parental involvement and engagement in the~~
198 ~~child's education.~~

199 ~~4. Describe how the school district will identify, recruit,~~
200 ~~retain, and reward instructional personnel. The state board may~~
201 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
202 ~~requirements of s. 1012.34, to facilitate implementation of the~~
203 ~~plan.~~

204 ~~5. Identify a knowledge-rich curriculum that the school~~
205 ~~will use that focuses on developing a student's background~~
206 ~~knowledge.~~

207 ~~6. Provide professional development that focuses on~~
208 ~~academic rigor, direct instruction, and creating high academic~~
209 ~~and character standards.~~

210 Section 2. Section 1002.334, Florida Statutes, is created
211 to read:

212 1002.334 Franchise model schools.-

213 (1) As used in this section, the term "franchise model



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214 school" means a persistently low-performing school, as defined
215 in s. 1002.333(1)(b), which is led by a highly effective
216 principal in addition to the principal's currently assigned
217 school. If a franchise model school achieves a grade of "C" or
218 higher, the school may retain its status as a franchise model
219 school at the discretion of the school district.

220 (2) A school district that has one or more persistently
221 low-performing schools may use a franchise model school as a
222 school turnaround option pursuant to s. 1008.33(4)(b)4.

223 (3) A franchise model school principal:

224 (a) Must be rated as highly effective pursuant to s.
225 1012.34;

226 (b) May lead two or more schools, including a persistently
227 low-performing school or a school that was considered a
228 persistently low-performing school before becoming a franchise
229 model school;

230 (c) May allocate resources and personnel between the
231 schools under his or her administration; however, he or she must
232 expend hope supplemental services allocation funds, authorized
233 under s. 1011.62(16), at the franchise model school; and

234 (d) Is eligible to receive a Best and Brightest Principal
235 award under s. 1012.732.

236 Section 3. Subsection (3) of section 1002.395, Florida
237 Statutes, is amended to read:

238 1002.395 Florida Tax Credit Scholarship Program.—

239 (3) PROGRAM; SCHOLARSHIP ELIGIBILITY.—

240 (a) The Florida Tax Credit Scholarship Program is
241 established.

242 (b) A student is eligible for a Florida tax credit



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243 scholarship under this section if the student meets one or more
244 of the following criteria:

245 1. The student is on the direct certification list or the
246 student's household income level does not exceed 185 percent of
247 the federal poverty level; or

248 2. The student is currently placed, or during the previous
249 state fiscal year was placed, in foster care or in out-of-home
250 care as defined in s. 39.01. A student who initially receives a
251 scholarship based on eligibility under this subparagraph remains
252 eligible to participate until the student graduates from high
253 school or attains 21 years of age, whichever occurs first,
254 regardless of the student's household income level.

255 3. The student's household income level is greater than 185
256 percent of the federal poverty level but does not exceed 260
257 percent of the federal poverty level.

258 4. The student currently attends, or attended in the
259 previous academic year, a persistently low-performing school, as
260 defined in s. 1002.333(1)(b). A student who initially receives a
261 scholarship under this subparagraph remains eligible to
262 participate as long as his or her zoned school retains its
263 status as a persistently low-performing school.

264
265 A student who is eligible for a Florida tax credit scholarship
266 under subparagraphs (b)1.-3. shall be given priority for a
267 scholarship over a student who is eligible under subparagraph
268 (b)4. A student who initially receives a scholarship based on
269 eligibility under subparagraph (b)2. remains eligible to
270 participate until the student graduates from high school or
271 attains the age of 21 years, whichever occurs first, regardless



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272 ~~of the student's household income level.~~ A sibling of a student
273 who is participating in the scholarship program under this
274 subsection is eligible for a scholarship if the student resides
275 in the same household as the sibling.

276 Section 4. Section 1007.273, Florida Statutes, is amended
277 to read:

278 1007.273 Structured high school acceleration programs
279 ~~Collegiate high school program.~~

280 ~~(1)~~ Each Florida College System institution shall work with
281 each district school board in its designated service area to
282 establish one or more structured programs, including, but not
283 limited to, collegiate high school programs. As used in this
284 section, the term "structured program" means a structured high
285 school acceleration program.

286 ~~(1)(2)~~ PURPOSE.—At a minimum, structured collegiate high
287 ~~school~~ programs must include an option for public school
288 students in grade 11 or grade 12 participating in the structured
289 program, for at least 1 full school year, to earn CAPE industry
290 certifications pursuant to s. 1008.44, and to successfully
291 complete at least 30 credit hours through the dual enrollment
292 program under s. 1007.271. The structured program must
293 prioritize dual enrollment courses that are applicable toward
294 general education core courses or common prerequisite course
295 requirements under s. 1007.25 over dual enrollment courses
296 applicable as electives toward at least the first year of
297 college for an associate degree or baccalaureate degree while
298 enrolled in the structured program. A district school board may
299 not limit the number of eligible public school students who may
300 enroll in such structured programs.



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301 (2)-(3) REQUIRED STRUCTURED PROGRAM CONTRACTS.-
302 (a) Each district school board and its local Florida
303 College System institution shall execute a contract to establish
304 one or more structured collegiate high school programs at a
305 mutually agreed upon location or locations. Beginning with the
306 2015-2016 school year, If the local Florida College System
307 institution does not establish a structured program with a
308 district school board in its designated service area, another
309 Florida College System institution may execute a contract with
310 that district school board to establish the structured program.
311 The contract must be executed by January 1 of each school year
312 for implementation of the structured program during the next
313 school year. By August 1, 2018, a contract entered into before
314 January 1, 2018 for the 2018-2019 school year must be modified
315 to include the provisions of paragraph (b).
316 (b) The contract must:
317 1.(a) Identify the grade levels to be included in the
318 structured collegiate high school program; which must, at a
319 minimum, include grade 12.
320 2.(b) Describe the structured collegiate high school
321 program, including a list of the meta-major academic pathways
322 approved pursuant to s. 1008.30(4), which are available to
323 participating students through the partner Florida College
324 System institution or other eligible partner postsecondary
325 institutions; the delineation of courses that must, at a
326 minimum, include general education core courses and common
327 prerequisite course requirements pursuant to s. 1007.25; and
328 industry certifications offered, including online course
329 availability; the high school and college credits earned for



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330 each postsecondary course completed and industry certification
331 earned; student eligibility criteria; and the enrollment process
332 and relevant deadlines;~~;~~

333 3.(e) Describe the methods, medium, and process by which
334 students and their parents are annually informed about the
335 availability of the structured ~~collegiate high school~~ program,
336 the return on investment associated with participation in the
337 structured program, and the information described in
338 subparagraphs 1. and 2.; paragraphs (a) and (b).

339 4.(d) Identify the delivery methods for instruction and the
340 instructors for all courses;~~;~~

341 5.(e) Identify student advising services and progress
342 monitoring mechanisms;~~;~~

343 6.(f) Establish a program review and reporting mechanism
344 regarding student performance outcomes; ~~and.~~

345 7.(g) Describe the terms of funding arrangements to
346 implement the structured ~~collegiate high school~~ program pursuant
347 to paragraph (5) (a).

348 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

349 (a) ~~(4)~~ Each student participating in a structured
350 ~~collegiate high school~~ program must enter into a student
351 performance contract which must be signed by the student, the
352 parent, and a representative of the school district and the
353 applicable Florida College System institution, state university,
354 or other institution participating pursuant to subsection (4)
355 ~~(5)~~. The performance contract must, at a minimum, specify
356 ~~include~~ the schedule of courses, by semester, and industry
357 certifications to be taken by the student, if any; student
358 attendance requirements;~~;~~ and course grade requirements; and the



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359 applicability of such courses to an associate degree or a
360 baccalaureate degree.

361 (b) By September 1 of each school year, each district
362 school board must notify each student enrolled in grades 9, 10,
363 11, and 12 in a public school within the school district about
364 the structured program, including, but not limited to:

365 1. The method for earning college credit through
366 participation in the structured program. The notification must
367 include website links to the dual enrollment course equivalency
368 list approved by the State Board of Education; the common degree
369 program prerequisite requirements published by the Articulation
370 Coordinating Committee pursuant to s. 1007.01(3)(f); the
371 industry certification articulation agreements adopted by the
372 State Board of Education in rule; and the approved meta-major
373 academic pathways of the partner Florida College System
374 institution and other eligible partner postsecondary
375 institutions participating pursuant to subsection (4); and

376 2. The estimated cost savings to students and their
377 families resulting from students successfully completing 30
378 credit hours applicable toward general education core courses or
379 common prerequisite course requirements before graduating from
380 high school versus the cost of earning such credit hours after
381 graduating from high school.

382 (4)(5) AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
383 to executing a contract with the local Florida College System
384 institution under this section, a district school board may
385 execute a contract to establish a structured ~~collegiate high~~
386 ~~school~~ program with a state university or an institution that is
387 eligible to participate in the William L. Boyd, IV, Florida



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388 Resident Access Grant Program, that is a nonprofit independent
389 college or university located and chartered in this state, and
390 that is accredited by the Commission on Colleges of the Southern
391 Association of Colleges and Schools to grant baccalaureate
392 degrees. Such university or institution must meet the
393 requirements specified under subsections (2) ~~(3)~~ and (3) ~~(4)~~. A
394 charter school may execute a contract directly with the local
395 Florida College System institution or another institution as
396 authorized under this section to establish a structured program
397 at a mutually agreed upon location.

398 (5) FUNDING.—

399 (a) ~~(6)~~ The structured collegiate high school program shall
400 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
401 of Education shall enforce compliance with this section by
402 withholding the transfer of funds for the school districts ~~and~~
403 ~~the Florida College System institutions~~ in accordance with s.
404 1008.32. Annually, by December 31, the State Board of Education
405 shall enforce compliance with this section by withholding the
406 transfer of funds for the Florida College System institutions in
407 accordance with s. 1001.602.

408 (b) A student who enrolls in the structured program and
409 successfully completes at least 30 college credit hours during a
410 school year through the dual enrollment program under s.
411 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
412 student who enrolls in the structured program and successfully
413 completes an additional 30 college credit hours during a school
414 year, resulting in at least 60 college credit hours through the
415 dual enrollment program under s. 1007.271 applicable toward
416 fulfilling the requirements for an associate in arts degree or



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417 an associate in science degree or a baccalaureate degree
418 pursuant to the student performance contract under subsection
419 (3), before graduating from high school, generates an additional
420 0.5 FTE bonus. Each district school board that is a contractual
421 partner with a Florida College System institution or other
422 eligible postsecondary institution shall report to the
423 commissioner the total FTE bonus for each structured program for
424 the students from that school district. The total FTE bonus
425 shall be added to each school district's total weighted FTE for
426 funding in the subsequent fiscal year.

427 (c) For any industry certification a student attains under
428 this section, the FTE bonus shall be calculated and awarded in
429 accordance with s. 1011.62(1)(o).

430 (6) REPORTING REQUIREMENTS.-

431 (a) By September 1 of each school year, each district
432 school superintendent shall report to the commissioner, at a
433 minimum, the following information on each structured program
434 administered during the prior school year:

435 1. The number of students in public schools within the
436 school district who enrolled in the structured program, and the
437 partnering postsecondary institutions pursuant to subsections
438 (2) and (4);

439 2. The total and average number of dual enrollment courses
440 completed, high school and college credits earned, standard high
441 school diplomas and associate and baccalaureate degrees awarded,
442 and the number of industry certifications attained, if any, by
443 the students who enrolled in the structured program;

444 3. The projected student enrollment in the structured
445 program during the next school year; and



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446 4. Any barriers to executing contracts to establish one or
447 more structured programs.

448 (b) By November 30 of each school year, the commissioner
449 must report to the Governor, the President of the Senate, and
450 the Speaker of the House of Representatives the status of
451 structured programs, including, at a minimum, a summary of
452 student enrollment and completion information pursuant to this
453 subsection; barriers, if any, to establishing such programs; and
454 recommendations for expanding access to such programs statewide.

455 Section 5. Paragraph (c) of subsection (3) and subsection
456 (4) of section 1008.33, Florida Statutes, are amended to read:

457 1008.33 Authority to enforce public school improvement.—

458 (3)

459 (c) The state board shall adopt by rule a differentiated
460 matrix of intervention and support strategies for assisting
461 traditional public schools identified under this section and
462 rules for implementing s. 1002.33(9)(n), relating to charter
463 schools.

464 1. The intervention and support strategies must address
465 efforts to improve student performance through one or more of
466 the following strategies: ~~and may include~~

467 a. Improvement planning;

468 b. Leadership quality improvement;

469 c. Educator quality improvement;

470 d. Professional development;

471 e. Curriculum review, pacing, and alignment across grade
472 levels to improve background knowledge in social studies,
473 science, and the arts; and

474 f. The use of continuous improvement and monitoring plans



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475 and processes.

476 2. In addition, The state board may prescribe reporting
477 requirements to review and monitor the progress of the schools.
478 The rule must define the intervention and support strategies for
479 school improvement for schools earning a grade of "D" or "F" and
480 the roles for the district and department.

481 (4) (a) The state board shall apply intensive intervention
482 and support strategies tailored to the needs of schools earning
483 two consecutive grades of "D" or a grade of "F." In the first
484 full school year after a school initially earns two consecutive
485 grades of "D" or a grade of "F," the school district must
486 immediately implement intervention and support strategies
487 prescribed in rule under paragraph (3) (c) and, by September 1,
488 provide the department with the memorandum of understanding
489 negotiated pursuant to s. 1001.42(21) and, by October 1, a
490 district-managed turnaround plan for approval by the state
491 board. The district-managed turnaround plan may include a
492 proposal for the district to implement an extended school day, a
493 summer program, or a combination of an extended school day and
494 summer program. Upon approval by the state board, the school
495 district must implement the plan for the remainder of the school
496 year and continue the plan for 1 full school year. The state
497 board may allow a school an additional year of implementation
498 before the school must implement a turnaround option required
499 under paragraph (b) if it determines that the school is likely
500 to improve to a grade of "C" or higher after the first full
501 school year of implementation.

502 (b) Unless an additional year of implementation is provided
503 pursuant to paragraph (a), a school that has completed 2 school



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504 years of a district-managed turnaround plan required under
505 paragraph (a) and has not improved its school grade to a "C" or
506 higher, pursuant to s. 1008.34, ~~earns three consecutive grades~~
507 ~~below a "C"~~ must implement one of the following options:

508 1. Reassign students to another school and monitor the
509 progress of each reassigned student. ~~†~~

510 2. Close the school and reopen the school as one or more
511 charter schools, each with a governing board that has a
512 demonstrated record of effectiveness. Such charter schools are
513 eligible for funding from the hope supplemental services
514 allocation established under s. 1011.62(16). ~~†~~ ~~or~~

515 3. Contract with an outside entity that has a demonstrated
516 record of effectiveness to operate the school. An outside entity
517 may include:

518 a. A district-managed charter school in which all
519 instructional personnel are not employees of the school
520 district, but are employees of an independent governing board
521 composed of members who did not participate in the review or
522 approval of the charter. A district-managed charter school is
523 eligible for funding from the hope supplemental services
524 allocation established in s. 1011.62(16); or

525 b. A hope operator that submits to a school district a
526 notice of intent of a performance-based agreement pursuant to s.
527 1002.333. A school of hope established pursuant to this sub-
528 subparagraph is eligible for funding from the hope supplemental
529 services allocation for up to 5 years, beginning in the school
530 year in which the school of hope is established, if the school
531 of hope:

532 (I) Is established at the district-owned facilities of the



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533 persistently low-performing school;

534 (II) Gives priority enrollment to students who are enrolled
535 in, or are eligible to attend and are living in the attendance
536 area of, the persistently low-performing school that the school
537 of hope operates, consistent with the enrollment lottery
538 exemption provided under s. 1002.333(5) (c); and

539 (III) Meets the requirements of its performance-based
540 agreement pursuant to s. 1002.333.

541 4. Implement a franchise model school in which a highly
542 effective principal, pursuant to s. 1012.34, leads the
543 persistently low-performing school in addition to the
544 principal's currently assigned school. The franchise model
545 school principal may allocate resources and personnel between
546 the schools he or she leads. The persistently low-performing
547 school is eligible for funding from the hope supplemental
548 services allocation established under s. 1011.62(16).

549 (c) Implementation of the turnaround option is no longer
550 required if the school improves to a grade of "C" or higher.

551 (d) If a school ~~earning two consecutive grades of "D" or a~~
552 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
553 2 ~~full~~ school years of implementing the turnaround option
554 selected by the school district under paragraph (b), the school
555 district must implement another turnaround option.

556 Implementation of the turnaround option must begin the school
557 year following the implementation period of the existing
558 turnaround option, unless the state board determines that the
559 school is likely to improve to a grade of "C" or higher if
560 additional time is provided to implement the existing turnaround
561 option.



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562 Section 6. Present subsections (16) and (17) of section
563 1011.62, Florida Statutes, are redesignated as subsections (18)
564 and (19), respectively, new subsections (16) and (17) are added
565 to that section, and paragraph (a) of subsection (4) and
566 subsection (14) of that section are amended, to read:

567 1011.62 Funds for operation of schools.—If the annual
568 allocation from the Florida Education Finance Program to each
569 district for operation of schools is not determined in the
570 annual appropriations act or the substantive bill implementing
571 the annual appropriations act, it shall be determined as
572 follows:

573 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
574 Legislature shall prescribe the aggregate required local effort
575 for all school districts collectively as an item in the General
576 Appropriations Act for each fiscal year. The amount that each
577 district shall provide annually toward the cost of the Florida
578 Education Finance Program for kindergarten through grade 12
579 programs shall be calculated as follows:

580 (a) *Estimated taxable value calculations.*—

581 1.a. Not later than 2 working days before July 19, the
582 Department of Revenue shall certify to the Commissioner of
583 Education its most recent estimate of the taxable value for
584 school purposes in each school district and the total for all
585 school districts in the state for the current calendar year
586 based on the latest available data obtained from the local
587 property appraisers. The value certified shall be the taxable
588 value for school purposes for that year, and no further
589 adjustments shall be made, except those made pursuant to
590 paragraphs (c) and (d), or an assessment roll change required by



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591 final judicial decisions as specified in paragraph (18) (b)
592 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
593 shall compute a millage rate, rounded to the next highest one
594 one-thousandth of a mill, which, when applied to 96 percent of
595 the estimated state total taxable value for school purposes,
596 would generate the prescribed aggregate required local effort
597 for that year for all districts. The Commissioner of Education
598 shall certify to each district school board the millage rate,
599 computed as prescribed in this subparagraph, as the minimum
600 millage rate necessary to provide the district required local
601 effort for that year.

602 b. The General Appropriations Act shall direct the
603 computation of the statewide adjusted aggregate amount for
604 required local effort for all school districts collectively from
605 ad valorem taxes to ensure that no school district's revenue
606 from required local effort millage will produce more than 90
607 percent of the district's total Florida Education Finance
608 Program calculation as calculated and adopted by the
609 Legislature, and the adjustment of the required local effort
610 millage rate of each district that produces more than 90 percent
611 of its total Florida Education Finance Program entitlement to a
612 level that will produce only 90 percent of its total Florida
613 Education Finance Program entitlement in the July calculation.

614 2. On the same date as the certification in sub-
615 subparagraph 1.a., the Department of Revenue shall certify to
616 the Commissioner of Education for each district:

617 a. Each year for which the property appraiser has certified
618 the taxable value pursuant to s. 193.122(2) or (3), if
619 applicable, since the prior certification under sub-subparagraph



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620 1.a.

621 b. For each year identified in sub-subparagraph a., the
622 taxable value certified by the appraiser pursuant to s.
623 193.122(2) or (3), if applicable, since the prior certification
624 under sub-subparagraph 1.a. This is the certification that
625 reflects all final administrative actions of the value
626 adjustment board.

627 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
628 annually in the General Appropriations Act determine a
629 percentage increase in funds per K-12 unweighted FTE as a
630 minimum guarantee to each school district. The guarantee shall
631 be calculated from prior year base funding per unweighted FTE
632 student which shall include the adjusted FTE dollars as provided
633 in subsection (18) ~~(16)~~, quality guarantee funds, and actual
634 nonvoted discretionary local effort from taxes. From the base
635 funding per unweighted FTE, the increase shall be calculated for
636 the current year. The current year funds from which the
637 guarantee shall be determined shall include the adjusted FTE
638 dollars as provided in subsection (18) ~~(16)~~ and potential
639 nonvoted discretionary local effort from taxes. A comparison of
640 current year funds per unweighted FTE to prior year funds per
641 unweighted FTE shall be computed. For those school districts
642 which have less than the legislatively assigned percentage
643 increase, funds shall be provided to guarantee the assigned
644 percentage increase in funds per unweighted FTE student. Should
645 appropriated funds be less than the sum of this calculated
646 amount for all districts, the commissioner shall prorate each
647 district's allocation. This provision shall be implemented to
648 the extent specifically funded.



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649 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
650 supplemental services allocation is created to provide district-
651 managed turnaround schools, as required under s. 1008.33(4)(a),
652 charter schools authorized under s. 1008.33(4)(b)2., district-
653 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
654 schools of hope authorized under s. 1008.33(4)(b)3.b., and
655 franchise model schools as authorized under s. 1008.33(4)(b)4.,
656 with funds to offer services designed to improve the overall
657 academic and community welfare of the schools' students and
658 their families.

659 (a) Services funded by the allocation may include, but are
660 not limited to, tutorial and after-school programs, student
661 counseling, nutrition education, and parental counseling. In
662 addition, services may also include models that develop a
663 culture that encourages students to complete high school and to
664 attend college or career training, set high academic
665 expectations, inspire character development, and include an
666 extended school day and school year.

667 (b) Prior to distribution of the allocation, a school
668 district, for a district turnaround school and persistently low-
669 performing schools that use a franchise model; a hope operator,
670 for a school of hope; or the charter school governing board for
671 a charter school, as applicable, shall develop and submit a plan
672 for implementation to its respective governing body for approval
673 no later than August 1 of the fiscal year.

674 (c) At a minimum, the plans required under paragraph (b)
675 must:

676 1. Establish comprehensive support services that develop
677 family and community partnerships;



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678 2. Establish clearly defined and measurable high academic
679 and character standards;

680 3. Increase parental involvement and engagement in the
681 child's education;

682 4. Describe how instructional personnel will be identified,
683 recruited, retained, and rewarded;

684 5. Provide professional development that focuses on
685 academic rigor, direct instruction, and creating high academic
686 and character standards; and

687 6. Provide focused instruction to improve student academic
688 proficiency, which may include additional instruction time
689 beyond the normal school day or school year.

690 (d) Each school district and hope operator shall submit
691 approved plans to the commissioner by September 1 of each fiscal
692 year.

693 (e) For the 2018-2019 fiscal year, a school that is
694 selected to receive funding in the 2017-2018 fiscal year
695 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
696 district-managed turnaround school required under s.
697 1008.33(4)(a), charter school authorized under s.
698 1008.33(4)(b)2., district-managed charter school authorized
699 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
700 1008.33(4)(b)3.b., and franchise model school authorized under
701 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
702 the school's unweighted FTE, up to \$2,000 per FTE or as provided
703 in the General Appropriations Act.

704 (f) For the 2019-2020 fiscal year and thereafter, each
705 school district's allocation shall be based on the unweighted
706 FTE student enrollment at the eligible schools and a per-FTE



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707 funding amount of up to \$2,000 per FTE or as provided in the
708 General Appropriations Act. If the calculated funds for
709 unweighted FTE student enrollment at the eligible schools exceed
710 the per-FTE funds appropriated, the allocation of funds to each
711 school district must be prorated based on each school district's
712 share of the total unweighted FTE student enrollment for the
713 eligible schools.

714 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
715 assistance allocation is created to provide supplemental funding
716 to assist school districts in establishing or expanding
717 comprehensive school-based mental health programs that increase
718 awareness of mental health issues among children and school-age
719 youth; train educators and other school staff in detecting and
720 responding to mental health issues; and connect children, youth,
721 and families who may experience behavioral health issues with
722 appropriate services. These funds may be allocated annually in
723 the General Appropriations Act to each eligible school district
724 and developmental research school based on each entity's
725 proportionate share of Florida Education Finance Program base
726 funding. The district funding allocation must include a minimum
727 amount as specified in the General Appropriations Act. Upon
728 submission and approval of a plan that includes the elements
729 specified in paragraph (b), charter schools are also entitled to
730 a proportionate share of district funding for this program. The
731 allocated funds may not supplant funds that are provided for
732 this purpose from other operating funds and may not be used to
733 increase salaries or provide bonuses.

734 (a) Prior to the distribution of the allocation:
735 1. The district must annually develop and submit a detailed



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736 plan outlining the local program and planned expenditures to the
737 district school board for approval.

738 2. A charter school must annually develop and submit a
739 detailed plan outlining the local program and planned
740 expenditures of the funds in the plan to its governing body for
741 approval. After the plan is approved by the governing body, it
742 must be provided to its school district for submission to the
743 commissioner.

744 (b) The plans required under paragraph (a) must include, at
745 a minimum, all of the following elements:

746 1. A collaborative effort or partnership between the school
747 district and at least one local community program or agency
748 involved in mental health to provide or to improve prevention,
749 diagnosis, and treatment services for students;

750 2. Programs to assist students in dealing with bullying,
751 trauma, and violence;

752 3. Strategies or programs to reduce the likelihood of at-
753 risk students developing social, emotional, or behavioral health
754 problems or substance use disorders;

755 4. Strategies to improve the early identification of
756 social, emotional, or behavioral problems or substance use
757 disorders and to improve the provision of early intervention
758 services;

759 5. Strategies to enhance the availability of school-based
760 crisis intervention services and appropriate referrals for
761 students in need of mental health services; and

762 6. Training opportunities for school personnel in the
763 techniques and supports needed to identify students who have
764 trauma histories and who have or are at risk of having a mental



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765 illness, and in the use of referral mechanisms that effectively
766 link such students to appropriate treatment and intervention
767 services in the school and in the community.

768 (c) The districts shall submit approved plans to the
769 commissioner by August 1 of each fiscal year.

770 (d) Beginning September 30, 2019, and by each September 30
771 thereafter, each entity that receives an allocation under this
772 subsection shall submit to the commissioner in a format
773 prescribed by the department a final report on its program
774 outcomes and its expenditures for each element of the program.

775 Section 7. Subsection (5) of section 1011.71, Florida
776 Statutes, is amended to read:

777 1011.71 District school tax.—

778 (5) ~~Effective July 1, 2008,~~ A school district may expend,
779 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
780 unweighted full-time equivalent student from the revenue
781 generated by the millage levy authorized by subsection (2) to
782 fund, in addition to expenditures authorized in paragraphs
783 (2) (a)-(j), expenses for the following:

784 (a) The purchase, lease-purchase, or lease of driver's
785 education vehicles; motor vehicles used for the maintenance or
786 operation of plants and equipment; security vehicles; or
787 vehicles used in storing or distributing materials and
788 equipment.

789 (b) Payment of the cost of premiums, as defined in s.
790 627.403, for property and casualty insurance necessary to insure
791 school district educational and ancillary plants. As used in
792 this paragraph, casualty insurance has the same meaning as in s.
793 624.605 (1) (d), (f), (g), (h), and (m). Operating revenues that



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794 are made available through the payment of property and casualty
795 insurance premiums from revenues generated under this subsection
796 may be expended only for nonrecurring operational expenditures
797 of the school district.

798 Section 8. Subsections (2), (3), and (4) of section
799 1012.732, Florida Statutes, are amended to read:

800 1012.732 The Florida Best and Brightest Principal
801 Scholarship Program.—

802 (2) There is created the Florida Best and Brightest
803 Principal Scholarship Program to be administered by the
804 Department of Education. The program shall provide categorical
805 funding for scholarships to be awarded to school principals, as
806 defined in s. 1012.01(3)(c)1., who are serving as a franchise
807 model school principal or who have recruited and retained a high
808 percentage of best and brightest teachers.

809 (3)(a) A school principal identified pursuant to s.
810 1012.731(4)(c) is eligible to receive a scholarship under this
811 section if he or she has served as school principal at his or
812 her school for at least 2 consecutive school years including the
813 current school year and his or her school has a ratio of best
814 and brightest teachers to other classroom teachers that is at
815 the 80th percentile or higher for schools within the same grade
816 group, statewide, including elementary schools, middle schools,
817 high schools, and schools with a combination of grade levels.

818 (b) A principal of a franchise model school, as defined in
819 s. 1002.334, is eligible to receive a scholarship under this
820 section.

821 (4) Annually, by February 1, the department shall identify
822 eligible school principals and disburse funds to each school



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823 district for each eligible school principal to receive a
824 scholarship.

825 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
826 franchise model school principal who is every eligible under
827 paragraph (3) (b) of this section.

828 (b) A scholarship of \$5,000 must be awarded to each school
829 principal assigned to a Title I school and a scholarship of
830 \$4,000 to each every eligible school principal who is not
831 assigned to a Title I school and who is eligible under paragraph
832 (3) (a).

833 Section 9. Paragraph (b) of subsection (1) and subsection
834 (3) of section 1013.62, Florida Statutes, are amended to read:
835 1013.62 Charter schools capital outlay funding.—

836 (1) Charter school capital outlay funding shall consist of
837 revenue resulting from the discretionary millage authorized in
838 s. 1011.71(2) and state funds when such funds are appropriated
839 in the General Appropriations Act.

840 (b) A charter school is not eligible to receive capital
841 outlay funds if:

842 1. It was created by the conversion of a public school and
843 operates in facilities provided by the charter school's sponsor
844 for a nominal fee, or at no charge, or if it is directly or
845 indirectly operated by the school district; ~~or.~~

846 2. The chair of the governing board and the chief
847 administrative officer of the charter school do not annually
848 certify under oath that the funds will be used solely and
849 exclusively for constructing, renovating, or improving charter
850 school facilities that are:

851 a. Owned by a school district, a political subdivision of



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852 the state, a municipality, a Florida College System institution,
853 or a state university; or

854 b. Owned by an organization that is qualified as an exempt
855 organization under s. 501(c)(3) of the Internal Revenue Code
856 whose articles of incorporation specify that, upon the
857 organization's dissolution, the subject property will be
858 transferred to a school district, a political subdivision of the
859 state, a municipality, a Florida College System institution, or
860 a state university.

861 (3) If the school board levies the discretionary millage
862 authorized in s. 1011.71(2), the department shall use the
863 following calculation methodology to determine the amount of
864 revenue that a school district must distribute to each eligible
865 charter school:

866 (a) Reduce the total discretionary millage revenue by the
867 school district's annual debt service obligation incurred as of
868 March 1, 2017, and any amount of participation requirement
869 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
870 revenues raised by the discretionary millage.

871 (b) Divide the school district's adjusted discretionary
872 millage revenue by the district's total capital outlay full-time
873 equivalent membership and the total number of unweighted full-
874 time equivalent students of each eligible charter school to
875 determine a capital outlay allocation per full-time equivalent
876 student.

877 (c) Multiply the capital outlay allocation per full-time
878 equivalent student by the total number of full-time equivalent
879 students for all ~~of each~~ eligible charter schools within the
880 district ~~school~~ to determine the total charter school capital



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881 outlay allocation for each district ~~charter school~~.

882 (d) If applicable, reduce the capital outlay allocation
883 identified in paragraph (c) by the total amount of state funds
884 allocated pursuant to subsection (2) to all ~~each~~ eligible
885 charter schools within a district ~~school in subsection (2)~~ to
886 determine the net total ~~maximum~~ calculated capital outlay
887 allocation from local funds. If state funds are not allocated
888 pursuant to subsection (2), the amount determined in paragraph
889 (c) is equal to the net total calculated capital outlay
890 allocation from local funds for each district.

891 (e) For each charter school within each district, the net
892 capital outlay amount from local funds shall be calculated in
893 the same manner as the state funds in paragraphs (2) (a)-(d),
894 except that the base charter school per weighted FTE allocation
895 amount shall be determined by dividing the net total capital
896 outlay amount from local funds by the total weighted FTE for all
897 eligible charter schools within the district. The per weighted
898 FTE allocation amount from local funds shall be multiplied by
899 the weighted FTE for each charter school to determine each
900 charter school's capital outlay allocation from local funds.

901 ~~(f)~~ School districts shall distribute capital outlay
902 funds to charter schools no later than February 1 of each year,
903 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

904 Section 10. This act shall take effect July 1, 2018.

905
906 ===== T I T L E A M E N D M E N T =====

907 And the title is amended as follows:

908 Delete everything before the enacting clause
909 and insert:



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910 A bill to be entitled
911 An act relating to K-12 education enhancements;
912 amending s. 1002.333, F.S.; redefining the terms
913 "persistently low-performing school" and "school of
914 hope"; revising the contents of a school of hope
915 notice of intent and performance-based agreement;
916 revising school of hope facility requirements;
917 specifying that certain schools of hope are eligible
918 to receive hope supplemental service allocation funds;
919 requiring the State Board of Education to provide
920 awards to all eligible schools that meet certain
921 requirements; conforming cross-references; creating s.
922 1002.334, F.S.; defining the term "franchise model
923 school"; authorizing specified schools to use a
924 franchise model school as a turnaround option;
925 specifying requirements for a franchise model school
926 principal; amending s. 1002.395, F.S.; revising
927 student eligibility criteria for the Florida Tax
928 Credit Scholarship Program; specifying priority levels
929 for the scholarships; amending s. 1007.273, F.S.;
930 defining the term "structured program"; providing
931 additional options for students participating in a
932 structured program; prohibiting a district school
933 board from limiting the number of public school
934 students who may participate in a structured program;
935 revising contract requirements; requiring each
936 district school board to annually notify students in
937 certain grades of certain information about the
938 structured program, by a specified date; revising



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939 provisions relating to funding; requiring the state
940 board to enforce compliance with certain provisions by
941 a specified date each year; providing reporting
942 requirements; amending s. 1008.33, F.S.; revising the
943 turnaround options available for certain schools;
944 amending s. 1011.62, F.S.; creating the hope
945 supplemental services allocation; providing the
946 purpose of the allocation; specifying the services
947 that may be funded by the allocation; providing that
948 implementation plans may include certain models;
949 providing requirements for implementation plans;
950 providing for the allocation of funds in specified
951 fiscal years; creating the mental health assistance
952 allocation; providing the purpose of the allocation;
953 providing for the annual allocation of such funds on a
954 specified basis; prohibiting the use of allocated
955 funds to supplant funds provided from other operating
956 funds, to increase salaries, or to provide bonuses;
957 providing requirements for school districts and
958 charter schools; providing that required plans must
959 include certain elements; requiring school districts
960 to annually submit approved plans to the Commissioner
961 of Education by a specified date; requiring that
962 entities that receive such allocations annually submit
963 a final report on program outcomes and specific
964 expenditures to the commissioner by a specified date;
965 amending s. 1011.71, F.S.; increasing the amount that
966 a school district may expend from a specified millage
967 levy for certain expenses; amending s. 1012.732, F.S.;



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968 specifying that a franchise model school principal is
969 eligible to receive a Florida Best and Brightest
970 Principal scholarship; requiring specified awards for
971 eligible principals; amending s. 1013.62, F.S.;
972 prohibiting a charter school from being eligible for
973 capital outlay funds unless the chair of the governing
974 board and the chief administrative officer of the
975 charter school annually certify certain information;
976 revising the Department of Education's calculation
977 methodology for a school district's distribution of
978 discretionary millage to its eligible charter schools;
979 providing an effective date.