

1                   A bill to be entitled  
2           An act relating to education; amending s. 1002.33,  
3           F.S.; revising the criteria for denying high-  
4           performing charter school system applications;  
5           revising the requirements for the term of a charter;  
6           revising provisions for the modification of a charter;  
7           revising the student populations for which a charter  
8           school is authorized to limit the enrollment process;  
9           revising the process for resolving contractual  
10          disputes; amending s. 1002.331, F.S.; revising the  
11          criteria for designation as a high-performing charter  
12          school; revising the calculation used to determine  
13          facility capacity for such charter schools; revising  
14          the number of schools that may be established by a  
15          high-performing charter school; amending s. 1002.333,  
16          F.S.; providing for certain funds for the Schools of  
17          Hope Program to be carried forward for a specified  
18          number of years; amending s. 1011.62, F.S.; renaming  
19          the "supplemental academic instruction categorical  
20          fund" as the "supplemental academic instruction  
21          allocation"; requiring certain school districts to use  
22          the allocation for specified purposes; deleting an  
23          obsolete date; deleting a provision authorizing the  
24          Florida State University School to expend specified  
25          funds for certain purposes; revising provisions for

26 | the transfer of categorical funds; amending s.  
27 | 1011.6202, F.S.; renaming the "Principal Autonomy  
28 | Pilot Program" as the "Principal Autonomy Program";  
29 | providing that any school district may apply to  
30 | participate in the program; providing that a school  
31 | shall retain its exemption from specified laws under  
32 | specified circumstances; requiring a designated  
33 | leadership team at a participating school to complete  
34 | a certain turnaround program; deleting a provision  
35 | providing a specified amount of funds to a  
36 | participating school district that completes the  
37 | turnaround program; authorizing certain principals to  
38 | manage additional schools as part of a district  
39 | innovation academy or zone; providing requirements for  
40 | such zones; authorizing the principal to allocate  
41 | resources and personnel between the schools; deleting  
42 | reporting requirements; providing for funding;  
43 | revising the principal eligibility criteria for a  
44 | salary supplement through the program; amending s.  
45 | 1011.69, F.S.; authorizing certain high schools to  
46 | receive Title I funds; providing that a school  
47 | district may withhold Title I funds for specified  
48 | purposes; authorizing certain schools to use Title I  
49 | funds for specified purposes; providing an exception  
50 | for specified funds; amending s. 1011.71, F.S.;

51 prohibiting a school district from withholding charter  
52 school administrative fees under certain  
53 circumstances; creating s. 1011.79, F.S.; requiring  
54 the Department of Education to issue a competitive  
55 solicitation for a review of the Florida Price Level  
56 Index methodology; requiring subsequent reviews every  
57 10 years; requiring the department to provide the  
58 results of all reviews to the Legislature and the  
59 Executive Office of the Governor; amending s.  
60 1012.2315, F.S.; requiring school districts to  
61 negotiate a memorandum of understanding with certified  
62 collective bargaining units to address certain  
63 personnel issues; amending s. 1012.28, F.S.;  
64 conforming a provision to changes made by the act;  
65 amending s. 1012.32, F.S.; requiring a district school  
66 board to reimburse certain costs if it fails to notify  
67 a charter school of the eligibility status of certain  
68 persons; amending s. 1013.28, F.S.; requiring school  
69 districts to provide charter schools access to certain  
70 property on the same basis as public schools;  
71 prohibiting certain actions by a charter school  
72 without the written permission of the school district;  
73 amending s. 1013.385, F.S.; providing additional  
74 exceptions to certain building code regulations for  
75 school districts; amending s. 1013.62, F.S.; revising

76 requirements for charter school capital outlay  
77 funding; requiring each district to certify certain  
78 information to the department by October 1 each year;  
79 conforming provisions to changes made by the act;  
80 providing effective dates.

81  
82 Be It Enacted by the Legislature of the State of Florida:

83  
84 Section 1. Paragraph (b) of subsection (6), paragraphs  
85 (a), (d), and (e) of subsection (7), paragraph (n) of subsection  
86 (9), paragraph (e) of subsection (10), and paragraph (b) of  
87 subsection (20) of section 1002.33, Florida Statutes, are  
88 amended to read:

89 1002.33 Charter schools.—

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

92 (b) A sponsor shall receive and review all applications  
93 for a charter school using the evaluation instrument developed  
94 by the Department of Education. A sponsor shall receive and  
95 consider charter school applications received on or before  
96 August 1 of each calendar year for charter schools to be opened  
97 at the beginning of the school district's next school year, or  
98 to be opened at a time agreed to by the applicant and the  
99 sponsor. A sponsor may not refuse to receive a charter school  
100 application submitted before August 1 and may receive an

101 application submitted later than August 1 if it chooses.  
102 Beginning in 2018 and thereafter, a sponsor shall receive and  
103 consider charter school applications received on or before  
104 February 1 of each calendar year for charter schools to be  
105 opened 18 months later at the beginning of the school district's  
106 school year, or to be opened at a time agreed to by the  
107 applicant and the sponsor. A sponsor may not refuse to receive a  
108 charter school application submitted before February 1 and may  
109 receive an application submitted later than February 1 if it  
110 chooses. A sponsor may not charge an applicant for a charter any  
111 fee for the processing or consideration of an application, and a  
112 sponsor may not base its consideration or approval of a final  
113 application upon the promise of future payment of any kind.  
114 Before approving or denying any application, the sponsor shall  
115 allow the applicant, upon receipt of written notification, at  
116 least 7 calendar days to make technical or nonsubstantive  
117 corrections and clarifications, including, but not limited to,  
118 corrections of grammatical, typographical, and like errors or  
119 missing signatures, if such errors are identified by the sponsor  
120 as cause to deny the final application.

121 1. In order to facilitate an accurate budget projection  
122 process, a sponsor shall be held harmless for FTE students who  
123 are not included in the FTE projection due to approval of  
124 charter school applications after the FTE projection deadline.  
125 In a further effort to facilitate an accurate budget projection,

126 within 15 calendar days after receipt of a charter school  
127 application, a sponsor shall report to the Department of  
128 Education the name of the applicant entity, the proposed charter  
129 school location, and its projected FTE.

130 2. In order to ensure fiscal responsibility, an  
131 application for a charter school shall include a full accounting  
132 of expected assets, a projection of expected sources and amounts  
133 of income, including income derived from projected student  
134 enrollments and from community support, and an expense  
135 projection that includes full accounting of the costs of  
136 operation, including start-up costs.

137 3.a. A sponsor shall by a majority vote approve or deny an  
138 application no later than 90 calendar days after the application  
139 is received, unless the sponsor and the applicant mutually agree  
140 in writing to temporarily postpone the vote to a specific date,  
141 at which time the sponsor shall by a majority vote approve or  
142 deny the application. If the sponsor fails to act on the  
143 application, an applicant may appeal to the State Board of  
144 Education as provided in paragraph (c). If an application is  
145 denied, the sponsor shall, within 10 calendar days after such  
146 denial, articulate in writing the specific reasons, based upon  
147 good cause, supporting its denial of the application and shall  
148 provide the letter of denial and supporting documentation to the  
149 applicant and to the Department of Education.

150 b. An application submitted by a high-performing charter

151 school identified pursuant to s. 1002.331 or a high-performing  
152 charter school system identified pursuant to s. 1002.332 may be  
153 denied by the sponsor only if the sponsor demonstrates by clear  
154 and convincing evidence that:

155 (I) The application of a high-performing charter school  
156 does not materially comply with the requirements in paragraph  
157 (a) or, for a high-performing charter school system, the  
158 application does not materially comply with s. 1002.332(2)(b);

159 (II) The charter school proposed in the application does  
160 not materially comply with the requirements in paragraphs  
161 (9) (a) - (f);

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

165 (IV) The applicant has made a material misrepresentation  
166 or false statement or concealed an essential or material fact  
167 during the application process; or

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

171  
172 Material noncompliance is a failure to follow requirements or a  
173 violation of prohibitions applicable to charter school  
174 applications, which failure is quantitatively or qualitatively  
175 significant either individually or when aggregated with other

176 noncompliance. An applicant is considered to be replicating a  
177 high-performing charter school if the proposed school is  
178 substantially similar to at least one of the applicant's high-  
179 performing charter schools and the organization or individuals  
180 involved in the establishment and operation of the proposed  
181 school are significantly involved in the operation of replicated  
182 schools.

183 c. If the sponsor denies an application submitted by a  
184 high-performing charter school or a high-performing charter  
185 school system, the sponsor must, within 10 calendar days after  
186 such denial, state in writing the specific reasons, based upon  
187 the criteria in sub-subparagraph b., supporting its denial of  
188 the application and must provide the letter of denial and  
189 supporting documentation to the applicant and to the Department  
190 of Education. The applicant may appeal the sponsor's denial of  
191 the application in accordance with paragraph (c).

192 4. For budget projection purposes, the sponsor shall  
193 report to the Department of Education the approval or denial of  
194 an application within 10 calendar days after such approval or  
195 denial. In the event of approval, the report to the Department  
196 of Education shall include the final projected FTE for the  
197 approved charter school.

198 5. Upon approval of an application, the initial startup  
199 shall commence with the beginning of the public school calendar  
200 for the district in which the charter is granted. A charter



201 school may defer the opening of the school's operations for up  
202 to 3 ~~2~~ years to provide time for adequate facility planning. The  
203 charter school must provide written notice of such intent to the  
204 sponsor and the parents of enrolled students at least 30  
205 calendar days before the first day of school.

206 (7) CHARTER.—The terms and conditions for the operation of  
207 a charter school shall be set forth by the sponsor and the  
208 applicant in a written contractual agreement, called a charter.  
209 The sponsor and the governing board of the charter school shall  
210 use the standard charter contract pursuant to subsection (21),  
211 which shall incorporate the approved application and any addenda  
212 approved with the application. Any term or condition of a  
213 proposed charter contract that differs from the standard charter  
214 contract adopted by rule of the State Board of Education shall  
215 be presumed a limitation on charter school flexibility. The  
216 sponsor may not impose unreasonable rules or regulations that  
217 violate the intent of giving charter schools greater flexibility  
218 to meet educational goals. The charter shall be signed by the  
219 governing board of the charter school and the sponsor, following  
220 a public hearing to ensure community input.

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

- 223 1. The school's mission, the students to be served, and  
224 the ages and grades to be included.
- 225 2. The focus of the curriculum, the instructional methods

226 | to be used, any distinctive instructional techniques to be  
227 | employed, and identification and acquisition of appropriate  
228 | technologies needed to improve educational and administrative  
229 | performance which include a means for promoting safe, ethical,  
230 | and appropriate uses of technology which comply with legal and  
231 | professional standards.

232 |       a. The charter shall ensure that reading is a primary  
233 | focus of the curriculum and that resources are provided to  
234 | identify and provide specialized instruction for students who  
235 | are reading below grade level. The curriculum and instructional  
236 | strategies for reading must be consistent with the Next  
237 | Generation Sunshine State Standards and grounded in  
238 | scientifically based reading research.

239 |       b. In order to provide students with access to diverse  
240 | instructional delivery models, to facilitate the integration of  
241 | technology within traditional classroom instruction, and to  
242 | provide students with the skills they need to compete in the  
243 | 21st century economy, the Legislature encourages instructional  
244 | methods for blended learning courses consisting of both  
245 | traditional classroom and online instructional techniques.  
246 | Charter schools may implement blended learning courses which  
247 | combine traditional classroom instruction and virtual  
248 | instruction. Students in a blended learning course must be full-  
249 | time students of the charter school pursuant to s.  
250 | 1011.61(1)(a)1. Instructional personnel certified pursuant to s.

251 1012.55 who provide virtual instruction for blended learning  
252 courses may be employees of the charter school or may be under  
253 contract to provide instructional services to charter school  
254 students. At a minimum, such instructional personnel must hold  
255 an active state or school district adjunct certification under  
256 s. 1012.57 for the subject area of the blended learning course.  
257 The funding and performance accountability requirements for  
258 blended learning courses are the same as those for traditional  
259 courses.

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

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

266 b. How these baseline rates will be compared to rates of  
267 academic progress achieved by these same students while  
268 attending the charter school.

269 c. To the extent possible, how these rates of progress  
270 will be evaluated and compared with rates of progress of other  
271 closely comparable student populations.

272

273 The district school board is required to provide academic  
274 student performance data to charter schools for each of their  
275 students coming from the district school system, as well as

276 rates of academic progress of comparable student populations in  
277 the district school system.

278 4. The methods used to identify the educational strengths  
279 and needs of students and how well educational goals and  
280 performance standards are met by students attending the charter  
281 school. The methods shall provide a means for the charter school  
282 to ensure accountability to its constituents by analyzing  
283 student performance data and by evaluating the effectiveness and  
284 efficiency of its major educational programs. Students in  
285 charter schools shall, at a minimum, participate in the  
286 statewide assessment program created under s. 1008.22.

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

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

292 7. The admissions procedures and dismissal procedures,  
293 including the school's code of student conduct. Admission or  
294 dismissal must not be based on a student's academic performance.

295 8. The ways by which the school will achieve a  
296 racial/ethnic balance reflective of the community it serves or  
297 within the racial/ethnic range of other public schools in the  
298 same school district.

299 9. The financial and administrative management of the  
300 school, including a reasonable demonstration of the professional

301 | experience or competence of those individuals or organizations  
302 | applying to operate the charter school or those hired or  
303 | retained to perform such professional services and the  
304 | description of clearly delineated responsibilities and the  
305 | policies and practices needed to effectively manage the charter  
306 | school. A description of internal audit procedures and  
307 | establishment of controls to ensure that financial resources are  
308 | properly managed must be included. Both public sector and  
309 | private sector professional experience shall be equally valid in  
310 | such a consideration.

311 |       10. The asset and liability projections required in the  
312 | application which are incorporated into the charter and shall be  
313 | compared with information provided in the annual report of the  
314 | charter school.

315 |       11. A description of procedures that identify various  
316 | risks and provide for a comprehensive approach to reduce the  
317 | impact of losses; plans to ensure the safety and security of  
318 | students and staff; plans to identify, minimize, and protect  
319 | others from violent or disruptive student behavior; and the  
320 | manner in which the school will be insured, including whether or  
321 | not the school will be required to have liability insurance,  
322 | and, if so, the terms and conditions thereof and the amounts of  
323 | coverage.

324 |       12. The term of the charter which shall provide for  
325 | cancellation of the charter if insufficient progress has been

326 made in attaining the student achievement objectives of the  
327 charter and if it is not likely that such objectives can be  
328 achieved before expiration of the charter. The initial term of a  
329 charter shall be for ~~4~~ 5 years, excluding 2 planning years.  
330 In order to facilitate access to long-term financial resources  
331 for charter school construction, charter schools that are  
332 operated by a municipality or other public entity as provided by  
333 law are eligible for up to a 15-year charter, subject to  
334 approval by the district school board. A charter lab school is  
335 eligible for a charter for a term of up to 15 years. In  
336 addition, to facilitate access to long-term financial resources  
337 for charter school construction, charter schools that are  
338 operated by a private, not-for-profit, s. 501(c)(3) status  
339 corporation are eligible for up to a 15-year charter, subject to  
340 approval by the district school board. Such long-term charters  
341 remain subject to annual review and may be terminated during the  
342 term of the charter, but only according to the provisions set  
343 forth in subsection (8).

344 13. The facilities to be used and their location. The  
345 sponsor may not require a charter school to have a certificate  
346 of occupancy or a temporary certificate of occupancy for such a  
347 facility earlier than 15 calendar days before the first day of  
348 school.

349 14. The qualifications to be required of the teachers and  
350 the potential strategies used to recruit, hire, train, and

351 retain qualified staff to achieve best value.

352 15. The governance structure of the school, including the  
353 status of the charter school as a public or private employer as  
354 required in paragraph (12) (i).

355 16. A timetable for implementing the charter which  
356 addresses the implementation of each element thereof and the  
357 date by which the charter shall be awarded in order to meet this  
358 timetable.

359 17. In the case of an existing public school that is being  
360 converted to charter status, alternative arrangements for  
361 current students who choose not to attend the charter school and  
362 for current teachers who choose not to teach in the charter  
363 school after conversion in accordance with the existing  
364 collective bargaining agreement or district school board rule in  
365 the absence of a collective bargaining agreement. However,  
366 alternative arrangements shall not be required for current  
367 teachers who choose not to teach in a charter lab school, except  
368 as authorized by the employment policies of the state university  
369 which grants the charter to the lab school.

370 18. Full disclosure of the identity of all relatives  
371 employed by the charter school who are related to the charter  
372 school owner, president, chairperson of the governing board of  
373 directors, superintendent, governing board member, principal,  
374 assistant principal, or any other person employed by the charter  
375 school who has equivalent decisionmaking authority. For the

376 | purpose of this subparagraph, the term "relative" means father,  
377 | mother, son, daughter, brother, sister, uncle, aunt, first  
378 | cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
379 | law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
380 | stepfather, stepmother, stepson, stepdaughter, stepbrother,  
381 | stepsister, half brother, or half sister.

382 |       19. Implementation of the activities authorized under s.  
383 | 1002.331 by the charter school when it satisfies the eligibility  
384 | requirements for a high-performing charter school. A high-  
385 | performing charter school shall notify its sponsor in writing by  
386 | March 1 if it intends to increase enrollment or expand grade  
387 | levels the following school year. The written notice shall  
388 | specify the amount of the enrollment increase and the grade  
389 | levels that will be added, as applicable.

390 |       (d) A charter may be modified during its initial term or  
391 | any renewal term upon the recommendation of the sponsor or the  
392 | charter school's governing board and the approval of both  
393 | parties to the agreement. Modification during any term may  
394 | include, but is not limited to, consolidation of multiple  
395 | charters into a single charter if the charters are operated  
396 | under the same governing board ~~and physically located on the~~  
397 | ~~same campus~~, regardless of the renewal cycle. A charter school  
398 | that is not subject to a school improvement plan and that closes  
399 | as part of a consolidation shall be reported by the school  
400 | district as a consolidation.



401 (e) A charter may be terminated by a charter school's  
402 governing board through voluntary closure. The decision to cease  
403 operations must be determined at a public meeting. The governing  
404 board shall notify the parents and sponsor of the public meeting  
405 in writing before the public meeting. The governing board must  
406 notify the sponsor, parents of enrolled students, and the  
407 department in writing within 24 hours after the public meeting  
408 of its determination. The notice shall state the charter  
409 school's intent to continue operations or the reason for the  
410 closure and acknowledge that the governing board agrees to  
411 follow the procedures for dissolution and reversion of public  
412 funds pursuant to paragraphs (8) (d)-(f) and (9) (o) ~~paragraphs~~  
413 ~~(8) (e)-(g) and (9) (o)~~.

414 (9) CHARTER SCHOOL REQUIREMENTS.—

415 (n)1. The director and a representative of the governing  
416 board of a charter school that has earned a grade of "D" or "F"  
417 pursuant to s. 1008.34 shall appear before the sponsor to  
418 present information concerning each contract component having  
419 noted deficiencies. The director and a representative of the  
420 governing board shall submit to the sponsor for approval a  
421 school improvement plan to raise student performance. Upon  
422 approval by the sponsor, the charter school shall begin  
423 implementation of the school improvement plan. The department  
424 shall offer technical assistance and training to the charter  
425 school and its governing board and establish guidelines for

426 developing, submitting, and approving such plans.

427 2.a. If a charter school earns three consecutive grades  
428 below a "C," the charter school governing board shall choose one  
429 of the following corrective actions:

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

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

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

437 (IV) Voluntarily close the charter school.

438 b. The charter school must implement the corrective action  
439 in the school year following receipt of a third consecutive  
440 grade below a "C."

441 c. The sponsor may annually waive a corrective action if  
442 it determines that the charter school is likely to improve a  
443 letter grade if additional time is provided to implement the  
444 intervention and support strategies prescribed by the school  
445 improvement plan. Notwithstanding this sub-subparagraph, a  
446 charter school that earns a second consecutive grade of "F" is  
447 subject to subparagraph 3.

448 d. A charter school is no longer required to implement a  
449 corrective action if it improves to a "C" or higher. However,  
450 the charter school must continue to implement strategies

451 identified in the school improvement plan. The sponsor must  
452 annually review implementation of the school improvement plan to  
453 monitor the school's continued improvement pursuant to  
454 subparagraph 4.

455 e. A charter school implementing a corrective action that  
456 does not improve to a "C" or higher after 2 full school years of  
457 implementing the corrective action must select a different  
458 corrective action. Implementation of the new corrective action  
459 must begin in the school year following the implementation  
460 period of the existing corrective action, unless the sponsor  
461 determines that the charter school is likely to improve to a "C"  
462 or higher if additional time is provided to implement the  
463 existing corrective action. Notwithstanding this sub-  
464 subparagraph, a charter school that earns a second consecutive  
465 grade of "F" while implementing a corrective action is subject  
466 to subparagraph 3.

467 3. A charter school's charter contract is automatically  
468 terminated if the school earns two consecutive grades of "F"  
469 after all school grade appeals are final unless:

470 a. The charter school is established to turn around the  
471 performance of a district public school pursuant to s.  
472 1008.33(4)(b)2. Such charter schools shall be governed by s.  
473 1008.33;

474 b. The charter school serves a student population the  
475 majority of which resides in a school zone served by a district

476 public school subject to s. 1008.33(4) and the charter school  
477 earns at least a grade of "D" in its third year of operation.  
478 The exception provided under this sub-subparagraph does not  
479 apply to a charter school in its fourth year of operation and  
480 thereafter; or

481 c. The state board grants the charter school a waiver of  
482 termination. The charter school must request the waiver within  
483 15 days after the department's official release of school  
484 grades. The state board may waive termination if the charter  
485 school demonstrates that the Learning Gains of its students on  
486 statewide assessments are comparable to or better than the  
487 Learning Gains of similarly situated students enrolled in nearby  
488 district public schools. The waiver is valid for 1 year and may  
489 only be granted once. Charter schools that have been in  
490 operation for more than 5 years are not eligible for a waiver  
491 under this sub-subparagraph.

492  
493 The sponsor shall notify the charter school's governing board,  
494 the charter school principal, and the department in writing when  
495 a charter contract is terminated under this subparagraph. ~~The~~  
496 ~~letter of termination must meet the requirements of paragraph~~  
497 ~~(8)(e).~~ A charter terminated under this subparagraph must follow  
498 the procedures for dissolution and reversion of public funds  
499 pursuant to paragraphs (8)(d)-(f) and (9)(o) ~~paragraphs (8)(e)-~~  
500 ~~(g) and (9)(o).~~

501           4. The director and a representative of the governing  
502 board of a graded charter school that has implemented a school  
503 improvement plan under this paragraph shall appear before the  
504 sponsor at least once a year to present information regarding  
505 the progress of intervention and support strategies implemented  
506 by the school pursuant to the school improvement plan and  
507 corrective actions, if applicable. The sponsor shall communicate  
508 at the meeting, and in writing to the director, the services  
509 provided to the school to help the school address its  
510 deficiencies.

511           5. Notwithstanding any provision of this paragraph except  
512 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter  
513 at any time pursuant to subsection (8).

514           (10) ELIGIBLE STUDENTS.—

515           (e) A charter school may limit the enrollment process only  
516 to target the following student populations:

517           1. Students within specific age groups or grade levels.

518           2. Students considered at risk of dropping out of school  
519 or academic failure. Such students shall include exceptional  
520 education students.

521           3. Students enrolling in a charter school-in-the-workplace  
522 or charter school-in-a-municipality established pursuant to  
523 subsection (15).

524           4. Students residing within a reasonable distance of the  
525 charter school, as described in paragraph (20)(c). Such students

526 shall be subject to a random lottery and to the racial/ethnic  
527 balance provisions described in subparagraph (7)(a)8. or any  
528 federal provisions that require a school to achieve a  
529 racial/ethnic balance reflective of the community it serves or  
530 within the racial/ethnic range of other public schools in the  
531 same school district.

532 5. Students who meet reasonable academic, artistic, or  
533 other eligibility standards established by the charter school  
534 and included in the charter school application and charter or,  
535 in the case of existing charter schools, standards that are  
536 consistent with the school's mission and purpose. Such standards  
537 shall be in accordance with current state law and practice in  
538 public schools and may not discriminate against otherwise  
539 qualified individuals.

540 6. Students articulating from one charter school to  
541 another pursuant to an articulation agreement between the  
542 charter schools that has been approved by the sponsor.

543 7. Students living in a development in which a business  
544 entity provides the school facility and related property having  
545 an appraised value of at least \$5 ~~\$10~~ million to be used as a  
546 charter school to mitigate the educational impact created by the  
547 development of new residential dwelling units ~~for the~~  
548 ~~development~~. Students living in the development shall be  
549 entitled to no more than 50 percent of the student stations in  
550 the charter school. The students who are eligible for enrollment

551 are subject to a random lottery, the racial/ethnic balance  
552 provisions, or any federal provisions, as described in  
553 subparagraph 4. The remainder of the student stations shall be  
554 filled in accordance with subparagraph 4.

555 (20) SERVICES.—

556 (b) If goods and services are made available to the  
557 charter school through the contract with the school district,  
558 they shall be provided to the charter school at a rate no  
559 greater than the district's actual cost unless mutually agreed  
560 upon by the charter school and the sponsor in a contract  
561 negotiated separately from the charter. When mediation has  
562 failed to resolve disputes over contracted services or  
563 contractual matters not included in the charter, an appeal may  
564 be made to an administrative law judge appointed by the Division  
565 of Administrative Hearings. The administrative law judge has  
566 final order authority to rule on the dispute. The administrative  
567 law judge shall award the prevailing party reasonable attorney  
568 fees and costs incurred during the mediation process,  
569 administrative proceeding, and any appeals, to be paid by the  
570 party whom the administrative law judge rules against ~~for a~~  
571 ~~dispute resolution hearing before the Charter School Appeal~~  
572 ~~Commission.~~ To maximize the use of state funds, school districts  
573 shall allow charter schools to participate in the sponsor's bulk  
574 purchasing program if applicable.

575 Section 2. Subsection (1), paragraph (a) of subsection

576 (2), and paragraph (b) of subsection (3) of section 1002.331,  
577 Florida Statutes, are amended to read:

578 1002.331 High-performing charter schools.-

579 (1) A charter school is a high-performing charter school  
580 if it:

581 (a) Received at least two school grades of "A" and no  
582 school grade below "B," pursuant to s. 1008.34, during each of  
583 the previous 3 school years or received at least two consecutive  
584 school grades of "A" in the most recent 2 school years.

585 (b) Received an unqualified opinion on each annual  
586 financial audit required under s. 218.39 in the most recent 3  
587 fiscal years for which such audits are available.

588 (c) Did not receive a financial audit that revealed one or  
589 more of the financial emergency conditions set forth in s.  
590 218.503(1) in the most recent 3 fiscal years for which such  
591 audits are available. However, this requirement is deemed met  
592 for a charter school-in-the-workplace if there is a finding in  
593 an audit that the school has the monetary resources available to  
594 cover any reported deficiency or that the deficiency does not  
595 result in a deteriorating financial condition pursuant to s.  
596 1002.345(1)(a)3.

597  
598 For purposes of determining initial eligibility, the  
599 requirements of paragraphs (b) and (c) only apply for the most  
600 recent 2 fiscal years if the charter school earns two



601 consecutive grades of "A." A virtual charter school established  
602 under s. 1002.33 is not eligible for designation as a high-  
603 performing charter school.

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

605 (a) Increase its student enrollment once per school year  
606 to more than the capacity identified in the charter, but student  
607 enrollment may not exceed the ~~current facility~~ capacity of the  
608 facility at the time the enrollment increase will take effect.  
609 Facility capacity for purposes of grade level expansion shall  
610 include any improvements to an existing facility or any new  
611 facility in which a majority of the students of the high-  
612 performing charter school will enroll.

613  
614 A high-performing charter school shall notify its sponsor in  
615 writing by March 1 if it intends to increase enrollment or  
616 expand grade levels the following school year. The written  
617 notice shall specify the amount of the enrollment increase and  
618 the grade levels that will be added, as applicable. If a charter  
619 school notifies the sponsor of its intent to expand, the sponsor  
620 shall modify the charter within 90 days to include the new  
621 enrollment maximum and may not make any other changes. The  
622 sponsor may deny a request to increase the enrollment of a high-  
623 performing charter school if the commissioner has declassified  
624 the charter school as high-performing. If a high-performing  
625 charter school requests to consolidate multiple charters, the

626 sponsor shall have 40 days after receipt of that request to  
627 provide an initial draft charter to the charter school. The  
628 sponsor and charter school shall have 50 days thereafter to  
629 negotiate and notice the charter contract for final approval by  
630 the sponsor.

631 (3)

632 (b) A high-performing charter school may not establish  
633 more than two ~~one~~ charter schools ~~school~~ within the state under  
634 paragraph (a) in any year. A subsequent application to establish  
635 a charter school under paragraph (a) may not be submitted unless  
636 each charter school established in this manner achieves high-  
637 performing charter school status. However, a high-performing  
638 charter school may establish more than one charter school within  
639 the state under paragraph (a) in any year if it operates in the  
640 area of a persistently low-performing school and serves students  
641 from that school.

642 Section 3. Paragraph (d) is added to subsection (10) of  
643 section 1002.333, Florida Statutes, to read:

644 1002.333 Persistently low-performing schools.—

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

647 (d) Notwithstanding s. 216.301 and pursuant to s. 216.351,  
648 funds allocated for the purpose of this subsection which are not  
649 disbursed by June 30 of the fiscal year in which the funds are  
650 allocated may be carried forward for up to 5 years after the

651 effective date of the original appropriation.

652 Section 4. Paragraph (f) of subsection (1) and paragraph  
653 (b) of subsection (6) of section 1011.62, Florida Statutes, are  
654 amended to read:

655 1011.62 Funds for operation of schools.—If the annual  
656 allocation from the Florida Education Finance Program to each  
657 district for operation of schools is not determined in the  
658 annual appropriations act or the substantive bill implementing  
659 the annual appropriations act, it shall be determined as  
660 follows:

661 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
662 OPERATION.—The following procedure shall be followed in  
663 determining the annual allocation to each district for  
664 operation:

665 (f) Supplemental academic instruction allocation~~+~~  
666 ~~category~~ fund.—

667 1. There is created the supplemental academic instruction  
668 allocation ~~a category~~ fund to provide supplemental academic  
669 instruction to students in kindergarten through grade 12. ~~This~~  
670 ~~paragraph may be cited as the "Supplemental Academic Instruction~~  
671 ~~Category Fund."~~

672 2. The supplemental academic instruction allocation shall  
673 be provided annually in the Florida Education Finance Program as  
674 specified in the General Appropriations Act. These funds are  
675 ~~category~~ fund is in addition to the funds appropriated on the

676 basis of FTE student membership in the Florida Education Finance  
677 Program and shall be included in the total potential funds of  
678 each district. Beginning with the 2018-2019 fiscal year, ~~These~~  
679 ~~funds shall be used to provide supplemental academic instruction~~  
680 ~~to students enrolled in the K-12 program.~~ each school district  
681 that has a school earning a grade of "D" or "F" pursuant to s.  
682 1008.34 must use that school's portion of the supplemental  
683 academic instruction allocation to implement intervention and  
684 support strategies for school improvement pursuant to s. 1008.33  
685 and for salary incentives pursuant to s. 1012.2315(3) or salary  
686 supplements pursuant to s. 1012.22(1)(c)5.c. that are provided  
687 through a memorandum of understanding between the collective  
688 bargaining agent and the school board that addresses the  
689 selection, placement, and expectations of instructional  
690 personnel and school administrators. For all other schools, the  
691 school district's use of the supplemental academic instruction  
692 allocation ~~one or more of the 300 lowest-performing elementary~~  
693 ~~schools based on the state reading assessment for the prior year~~  
694 ~~shall use these funds, together with the funds provided in the~~  
695 ~~district's research-based reading instruction allocation and~~  
696 ~~other available funds, to provide an additional hour of~~  
697 ~~instruction beyond the normal school day for each day of the~~  
698 ~~entire school year for intensive reading instruction for the~~  
699 ~~students in each of these schools. This additional hour of~~  
700 ~~instruction must be provided by teachers or reading specialists~~

701 ~~who have demonstrated effectiveness in teaching reading or by a~~  
702 ~~K-5 mentoring reading program that is supervised by a teacher~~  
703 ~~who is effective at teaching reading. Students enrolled in these~~  
704 ~~schools who have level 5 assessment scores may participate in~~  
705 ~~the additional hour of instruction on an optional basis.~~  
706 ~~Exceptional student education centers shall not be included in~~  
707 ~~the 300 schools. The designation of the 300 lowest performing~~  
708 ~~elementary schools must be based on the state reading assessment~~  
709 ~~for the prior year. After this requirement has been met,~~  
710 ~~supplemental instruction strategies may include, but is are not~~  
711 ~~limited to, the use of a modified curriculum, reading~~  
712 ~~instruction, after-school instruction, tutoring, mentoring, a~~  
713 ~~reduction in class size, extended school year, intensive skills~~  
714 ~~development in summer school, dropout prevention intervention~~  
715 ~~services as provided in s. 1003.52 and dropout prevention and~~  
716 ~~academic intervention programs as provided in s. 1003.53(1)(a),~~  
717 ~~(b), and (c), and other methods of improving student~~  
718 ~~achievement. Supplemental academic instruction may be provided~~  
719 ~~to a student in any manner and at any time during or beyond the~~  
720 ~~regular 180-day term identified by the school as being the most~~  
721 ~~effective and efficient way to best help that student progress~~  
722 ~~from grade to grade and to graduate.~~

723 3. ~~Categorical funds for supplemental academic instruction~~  
724 ~~shall be provided annually in the Florida Education Finance~~  
725 ~~Program as specified in the General Appropriations Act. These~~

726 ~~funds shall be provided as a supplement to the funds~~  
727 ~~appropriated for the basic funding level and shall be included~~  
728 ~~in the total funds of each district. The supplemental academic~~  
729 ~~instruction allocation shall consist of a base amount that has a~~  
730 ~~workload adjustment based on changes in unweighted FTE. ~~In~~~~  
731 ~~addition, districts that have elementary schools included in the~~  
732 ~~300 lowest performing schools designation shall be allocated~~  
733 ~~additional funds to assist those districts in providing~~  
734 ~~intensive reading instruction to students in those schools. The~~  
735 ~~amount provided shall be based on each district's level of per-~~  
736 ~~student funding in the reading instruction allocation and the~~  
737 ~~supplemental academic instruction categorical fund and on the~~  
738 ~~total FTE for each of the schools. The supplemental academic~~  
739 ~~instruction allocation categorical funding shall be recalculated~~  
740 ~~during the fiscal year following an updated designation of the~~  
741 ~~300 lowest performing elementary schools and shall be based on~~  
742 ~~actual student membership from the FTE surveys. Upon~~  
743 ~~recalculation of funding for the supplemental academic~~  
744 ~~instruction allocation categorical fund, if the total allocation~~  
745 ~~is greater than the amount provided in the General~~  
746 ~~Appropriations Act, the allocation shall be prorated to the~~  
747 ~~level provided to support the appropriation, based on each~~  
748 ~~district's share of the total.~~

749 4. ~~Effective with the 1999-2000 fiscal year, Funding on~~  
750 ~~the basis of FTE membership beyond the 180-day regular term~~

751 shall be provided in the FEFP only for students enrolled in  
752 juvenile justice education programs or in education programs for  
753 juveniles placed in secure facilities or programs under s.  
754 985.19. Funding for instruction beyond the regular 180-day  
755 school year for all other K-12 students shall be provided  
756 through the supplemental academic instruction allocation and  
757 other state, federal, and local fund sources with ample  
758 flexibility for schools to provide supplemental instruction to  
759 assist students in progressing from grade to grade and  
760 graduating.

761 ~~5. The Florida State University School, as a lab school,~~  
762 ~~is authorized to expend from its FEFP or Lottery Enhancement~~  
763 ~~Trust Fund allocation the cost to the student of remediation in~~  
764 ~~reading, writing, or mathematics for any graduate who requires~~  
765 ~~remediation at a postsecondary educational institution.~~

766 ~~6. Beginning in the 1999-2000 school year, dropout~~  
767 ~~prevention programs as defined in ss. 1003.52, 1003.53(1)(a),~~  
768 ~~(b), and (c), and 1003.54 shall be included in group 1 programs~~  
769 ~~under subparagraph (d)3.~~

770 (6) CATEGORICAL FUNDS.—

771 (b) If a district school board finds and declares in a  
772 resolution adopted at a regular meeting of the school board that  
773 the funds received for any of the following categorical  
774 appropriations are urgently needed to maintain school board  
775 specified academic classroom instruction or improve school

776 safety, the school board may consider and approve an amendment  
777 to the school district operating budget transferring the  
778 identified amount of the categorical funds to the appropriate  
779 account for expenditure:

780 1. Funds for student transportation.

781 ~~2. Funds for safe schools.~~

782 ~~3. Funds for supplemental academic instruction if the~~  
783 ~~required additional hour of instruction beyond the normal school~~  
784 ~~day for each day of the entire school year has been provided for~~  
785 ~~the students in each low-performing elementary school in the~~  
786 ~~district pursuant to paragraph (1) (f).~~

787 2.4. Funds for research-based reading instruction if the  
788 required additional hour of instruction beyond the normal school  
789 day for each day of the entire school year has been provided for  
790 the students in each low-performing elementary school in the  
791 district pursuant to paragraph (9) (a).

792 3.5. Funds for instructional materials if all  
793 instructional material purchases necessary to provide updated  
794 materials that are aligned with applicable state standards and  
795 course descriptions and that meet statutory requirements of  
796 content and learning have been completed for that fiscal year,  
797 but no sooner than March 1. Funds available after March 1 may be  
798 used to purchase hardware for student instruction.

799 Section 5. Section 1011.6202, Florida Statutes, is amended  
800 to read:



801           1011.6202 Principal Autonomy ~~Pilot~~ Program Initiative.—The  
802 Principal Autonomy ~~Pilot~~ Program Initiative is created within  
803 the Department of Education. The purpose of the ~~pilot~~ program is  
804 to provide a ~~the~~ highly effective principal of a participating  
805 school with increased autonomy and authority to operate his or  
806 her school, as well as other schools, in a way that produces  
807 significant improvements in student achievement and school  
808 management while complying with constitutional requirements. The  
809 State Board of Education may, upon approval of a principal  
810 autonomy proposal, enter into a performance contract with the ~~up~~  
811 ~~to seven~~ district school board boards for participation in the  
812 ~~pilot~~ program.

813           (1) PARTICIPATING SCHOOL DISTRICTS.—Beginning with the  
814 2018-2019 school year, contingent upon available funds, and on a  
815 first-come, first-served basis, a ~~The~~ district school board  
816 ~~boards in Broward, Duval, Jefferson, Madison, Palm Beach,~~  
817 ~~Pinellas, and Seminole Counties~~ may submit, no later than  
818 December 1, to the state board for approval a principal autonomy  
819 proposal that exchanges statutory and rule exemptions for an  
820 agreement to meet performance goals established in the proposal.  
821 If approved by the state board, the ~~each of these~~ school  
822 district is ~~districts shall be~~ eligible to participate in the  
823 ~~pilot~~ program for 3 years. ~~At the end of the 3 years, the~~  
824 ~~performance of all participating schools in the school district~~  
825 ~~shall be evaluated.~~

826 (2) PRINCIPAL AUTONOMY PROPOSAL.—

827 (a) To participate in the ~~pilot~~ program, a school district  
828 must:

829 1. Identify three schools that received at least two  
830 school grades of "D" or "F" pursuant to s. 1008.34 during the  
831 previous 3 school years.

832 2. Identify three principals who have earned a highly  
833 effective rating on the prior year's performance evaluation  
834 pursuant to s. 1012.34, one of whom shall be assigned to each of  
835 the participating schools.

836 3. Describe the current financial and administrative  
837 management of each participating school; identify the areas in  
838 which each school principal will have increased fiscal and  
839 administrative autonomy, including the authority and  
840 responsibilities provided in s. 1012.28(8); and identify the  
841 areas in which each participating school will continue to follow  
842 district school board fiscal and administrative policies.

843 4. Explain the methods used to identify the educational  
844 strengths and needs of the participating school's students and  
845 identify how student achievement can be improved.

846 5. Establish performance goals for student achievement, as  
847 defined in s. 1008.34(1), and explain how the increased autonomy  
848 of principals will help participating schools improve student  
849 achievement and school management.

850 6. Provide each participating school's mission and a

851 description of its student population.

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

855 (c) A district school board must submit its principal  
856 autonomy proposal to the state board for approval by December 1  
857 in order to begin participation in the subsequent school year.  
858 By February 28 of the school year in which the proposal is  
859 submitted, the state board shall notify the district school  
860 board in writing whether the proposal is approved.

861 (3) EXEMPTION FROM LAWS.—

862 (a) With the exception of those laws listed in paragraph  
863 (b), a participating school or a school operated by a principal  
864 pursuant to subsection (5) is exempt from the provisions of  
865 chapters 1000-1013 and rules of the state board that implement  
866 those exempt provisions.

867 (b) A participating school or a school operated by a  
868 principal pursuant to subsection (5) shall comply with the  
869 provisions of chapters 1000-1013, and rules of the state board  
870 that implement those provisions, pertaining to the following:

871 1. Those laws relating to the election and compensation of  
872 district school board members, the election or appointment and  
873 compensation of district school superintendents, public meetings  
874 and public records requirements, financial disclosure, and  
875 conflicts of interest.

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

878           3. Those laws relating to the provision of services to  
879 students with disabilities.

880           4. Those laws relating to civil rights, including s.  
881 1000.05, relating to discrimination.

882           5. Those laws relating to student health, safety, and  
883 welfare.

884           6. Section 1001.42(4)(f), relating to the uniform opening  
885 date for public schools.

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

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

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

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

897           11. Section 1012.34, relating to personnel evaluation  
898 procedures and criteria.

899           12. Those laws pertaining to educational facilities,  
900 including chapter 1013, except that s. 1013.20, relating to

901 covered walkways for relocatables, and s. 1013.21, relating to  
902 the use of relocatable facilities exceeding 20 years of age, are  
903 eligible for exemption.

904 13. Those laws pertaining to participating school  
905 districts, including this section and ss. 1011.69(2) and  
906 1012.28(8).

907 (c) A school shall remain exempt, as provided in this  
908 subsection, beyond the term of the program so long as the school  
909 receives no grade lower than a "B."

910 (4) PROFESSIONAL DEVELOPMENT.—Each participating school  
911 district shall require that the principal of each participating  
912 school and a designated leadership team selected by the  
913 principal of the participating school,~~a three-member leadership~~  
914 ~~team from each participating school, and district personnel~~  
915 ~~working with each participating school~~ complete a nationally  
916 recognized school turnaround program which focuses on improving  
917 leadership, instructional infrastructure, talent management, and  
918 differentiated support and accountability. The required  
919 personnel must enroll in the nationally recognized school  
920 turnaround program upon acceptance into the ~~pilot~~ program. ~~Each~~  
921 ~~participating school district shall receive \$100,000 from the~~  
922 ~~department for participation in the nationally recognized school~~  
923 ~~turnaround program.~~

924 (5) DISTRICT INNOVATION ACADEMIES AND ZONES.—To encourage  
925 further innovation and expand the reach of highly effective

926 principals trained through the program, district school boards  
927 may authorize principals to manage multiple schools within a  
928 zone. A zone may include the school at which the principal is  
929 assigned, persistently low-performing schools, feeder pattern  
930 schools, or a group of schools identified by the school  
931 district. The principal may allocate resources and personnel  
932 between the schools in his or her zone.

933 (6)-(5) TERM OF PARTICIPATION.—The state board shall  
934 authorize a school district to participate in the ~~pilot~~ program  
935 for a period of 3 years commencing with approval of the  
936 principal autonomy proposal. ~~Authorization to participate in the~~  
937 ~~pilot program may be renewed upon action of the state board.~~ The  
938 state board may revoke authorization to participate in the ~~pilot~~  
939 program if the school district fails to meet the requirements of  
940 this section during the 3-year period.

941 ~~(6) REPORTING.~~ ~~Each participating school district shall~~  
942 ~~submit an annual report to the state board. The state board~~  
943 ~~shall annually report on the implementation of the Principal~~  
944 ~~Autonomy Pilot Program Initiative. Upon completion of the pilot~~  
945 ~~program's first 3-year term, the Commissioner of Education shall~~  
946 ~~submit to the President of the Senate and the Speaker of the~~  
947 ~~House of Representatives by December 1 a full evaluation of the~~  
948 ~~effectiveness of the pilot program.~~

949 (7) FUNDING.—Subject to an annual appropriation, The  
950 Legislature shall provide an appropriation to the department

951 shall fund ~~for~~ the costs of the ~~pilot~~ program to include the,  
952 ~~including~~ administrative ~~costs~~ and enrollment costs for the  
953 nationally recognized school turnaround program required in  
954 subsection (4), and an ~~additional~~ amount not to exceed ~~of~~  
955 \$10,000 for each participating principal in each participating  
956 district as an annual salary supplement for 3 years, ~~a fund for~~  
957 ~~the principal's school to be used at the principal's discretion,~~  
958 ~~or both, as determined by the district.~~ To be eligible for a  
959 salary supplement under this subsection, a participating  
960 principal must:

961 (a) Be rated "highly effective" as determined by the  
962 principal's performance evaluation under s. 1012.34;

963 (b) Be transferred to a school that earned a grade of "F"  
964 or two ~~three~~ consecutive grades of "D" pursuant to s. 1008.34,  
965 or manage, pursuant to subsection (5), a persistently low-  
966 performing school, and be provided additional authority and  
967 responsibilities pursuant to s. 1012.28(8); and

968 (c) Have implemented a turnaround option under s. 1008.33  
969 ~~s. 1008.33(4)~~ at a school as the school's principal. The  
970 turnaround option must have resulted in the school improving by  
971 at least one letter grade while he or she was serving as the  
972 school's principal.

973 (8) RULEMAKING.—The State Board of Education shall adopt  
974 rules to administer this section.

975 Section 6. Subsection (5) of section 1011.69, Florida

976 Statutes, is amended to read:

977 1011.69 Equity in School-Level Funding Act.—

978 (5) After providing Title I, Part A, Basic funds to  
 979 schools above the 75 percent poverty threshold, which may  
 980 include high schools above the 50 percent threshold as permitted  
 981 by federal law, school districts shall provide any remaining  
 982 Title I, Part A, Basic funds directly to all eligible schools as  
 983 provided in this subsection. For purposes of this subsection, an  
 984 eligible school is a school that is eligible to receive Title I  
 985 funds, including a charter school. The threshold for identifying  
 986 eligible schools may not exceed the threshold established by a  
 987 school district for the 2016-2017 school year or the statewide  
 988 percentage of economically disadvantaged students, as determined  
 989 annually.

990 (a) Prior to the allocation of Title I funds to eligible  
 991 schools, a school district may withhold funds only as follows:

992 1. One percent for parent involvement, in addition to the  
 993 one percent the district must reserve under federal law for  
 994 allocations to eligible schools for parent involvement;

995 2. A necessary and reasonable amount for administration,  
 996 which includes the district's indirect cost rate, not to exceed  
 997 a total of 10 ~~8~~ percent; ~~and~~

998 3. A reasonable and necessary amount to provide:

999 a. Homeless programs;

1000 b. Delinquent and neglected programs;



1001 c. Prekindergarten programs and activities;  
 1002 d. Private school equitable services; ~~and~~  
 1003 e. Transportation for foster care children to their school  
 1004 of origin or choice programs; ~~and~~—

1005 4. A necessary and reasonable amount, not to exceed 1  
 1006 percent, for eligible schools to provide educational services in  
 1007 accordance with the approved Title I plan.

1008 (b) All remaining Title I funds shall be distributed to  
 1009 all eligible schools in accordance with federal law and  
 1010 regulation. An eligible school may use funds under this  
 1011 subsection to participate in discretionary educational services  
 1012 provided by the school district. Any funds provided by an  
 1013 eligible school to participate in discretionary educational  
 1014 services provided by the school district are not subject to the  
 1015 requirements of this subsection.

1016 (c) Any funds carried forward by the school district are  
 1017 not subject to the requirements of this subsection.

1018 Section 7. Subsection (2) of section 1011.71, Florida  
 1019 Statutes, is amended to read:

1020 1011.71 District school tax.—

1021 (2) In addition to the maximum millage levy as provided in  
 1022 subsection (1), each school board may levy not more than 1.5  
 1023 mills against the taxable value for school purposes for charter  
 1024 schools pursuant to s. 1013.62(1) and (3) ~~s. 1013.62(3)~~ and for  
 1025 district schools to fund:

1026 (a) New construction and remodeling projects, as set forth  
 1027 in s. 1013.64(6)(b), ~~s. 1013.64(3)(d) and (6)(b) and included in~~  
 1028 ~~the district's educational plant survey pursuant to s. 1013.31,~~  
 1029 without regard to prioritization, sites and site improvement or  
 1030 expansion to new sites, existing sites, auxiliary facilities,  
 1031 athletic facilities, or ancillary facilities.

1032 (b) Maintenance, renovation, and repair of existing school  
 1033 plants or of leased facilities to correct deficiencies pursuant  
 1034 to s. 1013.15(2).

1035 (c) The purchase, lease-purchase, or lease of school  
 1036 buses.

1037 (d) The purchase, lease-purchase, or lease of new and  
 1038 replacement equipment; computer and device hardware and  
 1039 operating system software necessary for gaining access to or  
 1040 enhancing the use of electronic and digital instructional  
 1041 content and resources; and enterprise resource software  
 1042 applications that are classified as capital assets in accordance  
 1043 with definitions of the Governmental Accounting Standards Board,  
 1044 have a useful life of at least 5 years, and are used to support  
 1045 districtwide administration or state-mandated reporting  
 1046 requirements. Enterprise resource software may be acquired by  
 1047 annual license fees, maintenance fees, or lease agreements.

1048 (e) Payments for educational facilities and sites due  
 1049 under a lease-purchase agreement entered into by a district  
 1050 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not

1051 exceeding, in the aggregate, an amount equal to three-fourths of  
1052 the proceeds from the millage levied by a district school board  
1053 pursuant to this subsection. The three-fourths limit is waived  
1054 for lease-purchase agreements entered into before June 30, 2009,  
1055 by a district school board pursuant to this paragraph. If  
1056 payments under lease-purchase agreements in the aggregate,  
1057 including lease-purchase agreements entered into before June 30,  
1058 2009, exceed three-fourths of the proceeds from the millage  
1059 levied pursuant to this subsection, the district school board  
1060 may not withhold the administrative fees authorized by s.  
1061 1002.33(20) from any charter school operating in the school  
1062 district.

1063 (f) Payment of loans approved pursuant to ss. 1011.14 and  
1064 1011.15.

1065 (g) Payment of costs directly related to complying with  
1066 state and federal environmental statutes, rules, and regulations  
1067 governing school facilities.

1068 (h) Payment of costs of leasing relocatable educational  
1069 facilities, of renting or leasing educational facilities and  
1070 sites pursuant to s. 1013.15(2), or of renting or leasing  
1071 buildings or space within existing buildings pursuant to s.  
1072 1013.15(4).

1073 (i) Payment of the cost of school buses when a school  
1074 district contracts with a private entity to provide student  
1075 transportation services if the district meets the requirements

1076 of this paragraph.

1077 1. The district's contract must require that the private  
1078 entity purchase, lease-purchase, or lease, and operate and  
1079 maintain, one or more school buses of a specific type and size  
1080 that meet the requirements of s. 1006.25.

1081 2. Each such school bus must be used for the daily  
1082 transportation of public school students in the manner required  
1083 by the school district.

1084 3. Annual payment for each such school bus may not exceed  
1085 10 percent of the purchase price of the state pool bid.

1086 4. The proposed expenditure of the funds for this purpose  
1087 must have been included in the district school board's notice of  
1088 proposed tax for school capital outlay as provided in s.  
1089 200.065(10).

1090 (j) Payment of the cost of the opening day collection for  
1091 the library media center of a new school.

1092 (k) Payout of sick leave and annual leave accrued as of  
1093 June 30, 2017, by individuals who are no longer employed by a  
1094 school district that transfers to a charter school operator all  
1095 day-to-day classroom instruction responsibility for all full-  
1096 time equivalent students funded under s. 1011.62. This paragraph  
1097 expires July 1, 2018.

1098 Section 8. Effective upon this act becoming a law, section  
1099 1011.79, Florida Statutes, is created to read:

1100 1011.79 Florida Price Level Index methodology review.—

1101 Subject to an appropriation, the Department of Education shall  
1102 conduct a review of the methodology used to calculate and  
1103 determine the Florida Price Level Index for purposes of  
1104 calculating the district cost differential pursuant to s.  
1105 1011.62. The Department of Education shall issue a competitive  
1106 solicitation to contract with an independent third-party  
1107 consulting firm to conduct the initial review during the 2018-  
1108 2019 fiscal year and a subsequent review once every 10 years  
1109 thereafter. By June 30 of the fiscal year in which a review is  
1110 conducted, the Department of Education shall provide the results  
1111 of all reviews to the Legislature and the Executive Office of  
1112 the Governor.

1113 Section 9. Subsection (4) of section 1012.2315, Florida  
1114 Statutes, is amended to read:

1115 1012.2315 Assignment of teachers.—

1116 (4) COLLECTIVE BARGAINING.—

1117 (a) Notwithstanding provisions of chapter 447 relating to  
1118 district school board collective bargaining, collective  
1119 bargaining provisions may not preclude a school district from  
1120 providing incentives to high-quality teachers and assigning such  
1121 teachers to low-performing schools.

1122 (b) Before the start of the 2019-2020 school year, each  
1123 school district and the certified collective bargaining unit for  
1124 instructional personnel shall negotiate a memorandum of  
1125 understanding that addresses the selection, placement, and

1126 expectations of instructional personnel and provides school  
1127 principals with the autonomy described in s. 1012.28(8).

1128 Section 10. Paragraph (c) of subsection (8) of section  
1129 1012.28, Florida Statutes, is amended to read:

1130 1012.28 Public school personnel; duties of school  
1131 principals.—

1132 (8) The principal of a school participating in the  
1133 Principal Autonomy Pilot Program Initiative under s. 1011.6202  
1134 has the following additional authority and responsibilities:

1135 (c) To annually provide to the district school  
1136 superintendent and the district school board a budget for the  
1137 operation of the participating school that identifies how funds  
1138 provided pursuant to s. 1011.69(2) are allocated. ~~The school~~  
1139 ~~district shall include the budget in the annual report provided~~  
1140 ~~to the State Board of Education pursuant to s. 1011.6202(6).~~

1141 Section 11. Subsection (2) of section 1012.32, Florida  
1142 Statutes, is amended to read:

1143 1012.32 Qualifications of personnel.—

1144 (2) (a) Instructional and noninstructional personnel who  
1145 are hired or contracted to fill positions that require direct  
1146 contact with students in any district school system or  
1147 university lab school must, upon employment or engagement to  
1148 provide services, undergo background screening as required under  
1149 s. 1012.465 or s. 1012.56, whichever is applicable.

1150 (b) Instructional and noninstructional personnel who are

1151 hired or contracted to fill positions in any charter school and  
1152 members of the governing board of any charter school, in  
1153 compliance with s. 1002.33(12)(g), must, upon employment,  
1154 engagement of services, or appointment, undergo background  
1155 screening as required under s. 1012.465 or s. 1012.56, whichever  
1156 is applicable, by filing with the district school board for the  
1157 school district in which the charter school is located a  
1158 complete set of fingerprints taken by an authorized law  
1159 enforcement agency or an employee of the school or school  
1160 district who is trained to take fingerprints.

1161 (c) Instructional and noninstructional personnel who are  
1162 hired or contracted to fill positions that require direct  
1163 contact with students in an alternative school that operates  
1164 under contract with a district school system must, upon  
1165 employment or engagement to provide services, undergo background  
1166 screening as required under s. 1012.465 or s. 1012.56, whichever  
1167 is applicable, by filing with the district school board for the  
1168 school district to which the alternative school is under  
1169 contract a complete set of fingerprints taken by an authorized  
1170 law enforcement agency or an employee of the school or school  
1171 district who is trained to take fingerprints.

1172 (d) Student teachers and persons participating in a field  
1173 experience pursuant to s. 1004.04(5) or s. 1004.85 in any  
1174 district school system, lab school, or charter school must, upon  
1175 engagement to provide services, undergo background screening as

1176 required under s. 1012.56.

1177

1178 Fingerprints shall be submitted to the Department of Law  
1179 Enforcement for statewide criminal and juvenile records checks  
1180 and to the Federal Bureau of Investigation for federal criminal  
1181 records checks. A person subject to this subsection who is found  
1182 ineligible for employment under s. 1012.315, or otherwise found  
1183 through background screening to have been convicted of any crime  
1184 involving moral turpitude as defined by rule of the State Board  
1185 of Education, shall not be employed, engaged to provide  
1186 services, or serve in any position that requires direct contact  
1187 with students. Probationary persons subject to this subsection  
1188 terminated because of their criminal record have the right to  
1189 appeal such decisions. The cost of the background screening may  
1190 be borne by the district school board, the charter school, the  
1191 employee, the contractor, or a person subject to this  
1192 subsection. If the district school board does not notify the  
1193 charter school of the eligibility of governing board members and  
1194 instructional and noninstructional personnel within 14 days  
1195 after the submission of the fingerprints, it shall reimburse the  
1196 cost of background screening.

1197 Section 12. Paragraph (a) of subsection (2) of section  
1198 1013.28, Florida Statutes, is amended to read:

1199 1013.28 Disposal of property.—

1200 (2) TANGIBLE PERSONAL PROPERTY.—



1201 (a) Tangible personal property that has been properly  
 1202 classified as surplus by a district school board or Florida  
 1203 College System institution board of trustees shall be disposed  
 1204 of in accordance with the procedure established by chapter 274.  
 1205 However, the provisions of chapter 274 shall not be applicable  
 1206 to a motor vehicle used in driver education to which title is  
 1207 obtained for a token amount from an automobile dealer or  
 1208 manufacturer. In such cases, the disposal of the vehicle shall  
 1209 be as prescribed in the contractual agreement between the  
 1210 automotive agency or manufacturer and the board. Tangible  
 1211 personal property that has been properly classified as surplus,  
 1212 marked for disposal, or otherwise unused by a district school  
 1213 board shall be provided for a charter school's use on the same  
 1214 basis as it is made available to other public schools in the  
 1215 district. A charter school receiving property from the school  
 1216 district may not sell or dispose of such property without the  
 1217 written permission of the school district.

1218 Section 13. Paragraph (e) is added to subsection (2) of  
 1219 section 1013.385, Florida Statutes, to read:

1220 1013.385 School district construction flexibility.—

1221 (2) A resolution adopted under this section may propose  
 1222 implementation of exceptions to requirements of the uniform  
 1223 statewide building code for the planning and construction of  
 1224 public educational and ancillary plants adopted pursuant to ss.  
 1225 553.73 and 1013.37 relating to:

1226 (e) Any other provisions that limit the ability of a  
 1227 school to operate in a facility on the same basis as a charter  
 1228 school pursuant to s. 1002.33(18) so long as the regional  
 1229 planning council determines that there is sufficient shelter  
 1230 capacity within the school district as documented in the  
 1231 Statewide Emergency Shelter Plan.

1232 Section 14. Subsections (1), (3), and (5) of section  
 1233 1013.62, Florida Statutes, are amended to read:

1234 1013.62 Charter schools capital outlay funding.—

1235 (1) For the 2018-2019 fiscal year, charter school capital  
 1236 outlay funding shall consist of ~~revenue resulting from the~~  
 1237 ~~discretionary millage authorized in s. 1011.71(2) and state~~  
 1238 ~~funds when such funds are~~ appropriated in the 2018-2019 General  
 1239 Appropriations Act. Beginning in fiscal year 2019-2020, charter  
 1240 school capital outlay funding shall consist of state funds when  
 1241 such funds are appropriated in the General Appropriations Act  
 1242 and revenue resulting from the discretionary millage authorized  
 1243 in s. 1011.71(2) if the amount of state funds appropriated for  
 1244 charter school capital outlay in any fiscal year is less than  
 1245 the average charter school capital outlay funds per unweighted  
 1246 full-time equivalent student for the 2018-2019 fiscal year,  
 1247 multiplied by the estimated number of charter school students  
 1248 for the applicable fiscal year, and adjusted by changes in the  
 1249 Consumer Price Index issued by the United States Department of  
 1250 Labor from the previous fiscal year. Nothing in this subsection

1251 prohibits a school district from distributing to charter schools  
 1252 funds resulting from the discretionary millage authorized in s.  
 1253 1011.71(2).

1254 (a) To be eligible to receive capital outlay funds, a  
 1255 charter school must:

1256 1.a. Have been in operation for 2 or more years;

1257 b. Be governed by a governing board established in the  
 1258 state for 2 or more years which operates both charter schools  
 1259 and conversion charter schools within the state;

1260 c. Be an expanded feeder chain of a charter school within  
 1261 the same school district that is currently receiving charter  
 1262 school capital outlay funds;

1263 d. Have been accredited by a regional accrediting  
 1264 association as defined by State Board of Education rule; or

1265 e. Serve students in facilities that are provided by a  
 1266 business partner for a charter school-in-the-workplace pursuant  
 1267 to s. 1002.33(15) (b).

1268 2. Have an annual audit that does not reveal any of the  
 1269 financial emergency conditions provided in s. 218.503(1) for the  
 1270 most recent fiscal year for which such audit results are  
 1271 available.

1272 3. Have satisfactory student achievement based on state  
 1273 accountability standards applicable to the charter school.

1274 4. Have received final approval from its sponsor pursuant  
 1275 to s. 1002.33 for operation during that fiscal year.

1276           5. Serve students in facilities that are not provided by  
1277 the charter school's sponsor.

1278           (b) A charter school is not eligible to receive capital  
1279 outlay funds if it was created by the conversion of a public  
1280 school and operates in facilities provided by the charter  
1281 school's sponsor for a nominal fee, or at no charge, or if it is  
1282 directly or indirectly operated by the school district.

1283           (3) If the school board levies the discretionary millage  
1284 authorized in s. 1011.71(2), and the state funds appropriated  
1285 for charter school capital outlay in any fiscal year are less  
1286 than the average charter school capital outlay funds per  
1287 unweighted full-time equivalent student for the 2018-2019 fiscal  
1288 year, multiplied by the estimated number of charter school  
1289 students for the applicable fiscal year, and adjusted by changes  
1290 in the Consumer Price Index issued by the United States  
1291 Department of Labor from the previous fiscal year, the  
1292 department shall use the following calculation methodology to  
1293 determine the amount of revenue that a school district must  
1294 distribute to each eligible charter school:

1295           (a) Reduce the total discretionary millage revenue by the  
1296 school district's annual debt service obligation incurred as of  
1297 March 1, 2017, which has not been subsequently retired, and any  
1298 amount of participation requirement pursuant to s.  
1299 1013.64(2)(a)8. that is being satisfied by revenues raised by  
1300 the discretionary millage.

1301 (b) Divide the school district's adjusted discretionary  
1302 millage revenue by the district's total capital outlay full-time  
1303 equivalent membership and the total number of unweighted full-  
1304 time equivalent students of each eligible charter school to  
1305 determine a capital outlay allocation per full-time equivalent  
1306 student.

1307 (c) Multiply the capital outlay allocation per full-time  
1308 equivalent student by the total number of full-time equivalent  
1309 students of each eligible charter school to determine the  
1310 capital outlay allocation for each charter school.

1311 (d) If applicable, reduce the capital outlay allocation  
1312 identified in paragraph (c) by the total amount of state funds  
1313 allocated to each eligible charter school in subsection (2) to  
1314 determine the maximum calculated capital outlay allocation.

1315 (e) School districts shall distribute capital outlay funds  
1316 to charter schools no later than February 1 of each year, as  
1317 required by this subsection, based on the amount of funds  
1318 received by the district school board, ~~beginning on February 1,~~  
1319 2018, for the 2017-2018 fiscal year. School districts shall  
1320 distribute any remaining capital outlay funds, as required by  
1321 this subsection, upon the receipt of such funds until the total  
1322 amount calculated pursuant to this subsection is distributed.

1323  
1324 By October 1 of each year, each school district shall certify to  
1325 the department the amount of debt service and participation

1326 requirement that complies with the requirement of paragraph (a)  
1327 and can be reduced from the total discretionary millage revenue.  
1328 The Auditor General shall verify compliance with the  
1329 requirements of paragraph (a) and s. 1011.71(2)(e) during  
1330 scheduled operational audits of school districts.

1331 (5) If a charter school is nonrenewed or terminated, any  
1332 unencumbered funds and all equipment and property purchased with  
1333 district public funds shall revert to the ownership of the  
1334 district school board, as provided for in s. 1002.33(8)(d) and  
1335 (e) ~~s. 1002.33(8)(e) and (f)~~. In the case of a charter lab  
1336 school, any unencumbered funds and all equipment and property  
1337 purchased with university public funds shall revert to the  
1338 ownership of the state university that issued the charter. The  
1339 reversion of such equipment, property, and furnishings shall  
1340 focus on recoverable assets, but not on intangible or  
1341 irrecoverable costs such as rental or leasing fees, normal  
1342 maintenance, and limited renovations. The reversion of all  
1343 property secured with public funds is subject to the complete  
1344 satisfaction of all lawful liens or encumbrances. If there are  
1345 additional local issues such as the shared use of facilities or  
1346 partial ownership of facilities or property, these issues shall  
1347 be agreed to in the charter contract prior to the expenditure of  
1348 funds.

1349 Section 15. Except as otherwise expressly provided in this  
1350 act and except for this section, which shall take effect upon

1351 | this act becoming a law, this act shall take effect July 1,  
1352 | 2018.