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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
02/21/2018	.	
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The Committee on Education (Farmer) recommended the following:

1 **Senate Substitute for Amendment (826696) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Paragraph (b) of subsection (6) of section
7 1002.33, Florida Statutes, is amended to read:

8 1002.33 Charter schools.—

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

11 (b) A sponsor shall receive and review all applications for



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12 a charter school using the evaluation instrument developed by
13 the Department of Education. A sponsor shall receive and
14 consider charter school applications received on or before
15 August 1 of each calendar year for charter schools to be opened
16 at the beginning of the school district's next school year, or
17 to be opened at a time agreed to by the applicant and the
18 sponsor. A sponsor may not refuse to receive a charter school
19 application submitted before August 1 and may receive an
20 application submitted later than August 1 if it chooses.
21 Beginning in 2018 and thereafter, a sponsor shall receive and
22 consider charter school applications received on or before
23 February 1 of each calendar year for charter schools to be
24 opened 18 months later at the beginning of the school district's
25 school year, or to be opened at a time agreed to by the
26 applicant and the sponsor. A sponsor may not refuse to receive a
27 charter school application submitted before February 1 and may
28 receive an application submitted later than February 1 if it
29 chooses. A sponsor may not charge an applicant for a charter any
30 fee for the processing or consideration of an application, and a
31 sponsor may not base its consideration or approval of a final
32 application upon the promise of future payment of any kind.
33 Before approving or denying any application, the sponsor shall
34 allow the applicant, upon receipt of written notification, at
35 least 7 calendar days to make technical or nonsubstantive
36 corrections and clarifications, including, but not limited to,
37 corrections of grammatical, typographical, and like errors or
38 missing signatures, if such errors are identified by the sponsor
39 as cause to deny the final application.

40 1. In order to facilitate an accurate budget projection



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41 process, a sponsor shall be held harmless for FTE students who
42 are not included in the FTE projection due to approval of
43 charter school applications after the FTE projection deadline.
44 In a further effort to facilitate an accurate budget projection,
45 within 15 calendar days after receipt of a charter school
46 application, a sponsor shall report to the Department of
47 Education the name of the applicant entity, the proposed charter
48 school location, and its projected FTE.

49 2. In order to ensure fiscal responsibility, an application
50 for a charter school shall include a full accounting of expected
51 assets, a projection of expected sources and amounts of income,
52 including income derived from projected student enrollments and
53 from community support, and an expense projection that includes
54 full accounting of the costs of operation, including start-up
55 costs.

56 3.a. A sponsor shall by a majority vote approve or deny an
57 application no later than 90 calendar days after the application
58 is received, unless the sponsor and the applicant mutually agree
59 in writing to temporarily postpone the vote to a specific date,
60 at which time the sponsor shall by a majority vote approve or
61 deny the application. If the sponsor fails to act on the
62 application, an applicant may appeal to the State Board of
63 Education as provided in paragraph (c). If an application is
64 denied, the sponsor shall, within 10 calendar days after such
65 denial, articulate in writing the specific reasons, based upon
66 good cause, supporting its denial of the application and shall
67 provide the letter of denial and supporting documentation to the
68 applicant and to the Department of Education.

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



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70 school identified pursuant to s. 1002.331 or a high-performing
71 charter school system identified pursuant to s. 1002.332 may be
72 denied by the sponsor only if the sponsor demonstrates by clear
73 and convincing evidence that:

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

76 (II) The charter school proposed in the application does
77 not materially comply with the requirements in paragraphs
78 (9) (a) - (f);

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

82 (IV) The applicant has made a material misrepresentation or
83 false statement or concealed an essential or material fact
84 during the application process; or

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

88
89 Material noncompliance is a failure to follow requirements or a
90 violation of prohibitions applicable to charter school
91 applications, which failure is quantitatively or qualitatively
92 significant either individually or when aggregated with other
93 noncompliance. An applicant is considered to be replicating a
94 high-performing charter school if the proposed school is
95 substantially similar to at least one of the applicant's high-
96 performing charter schools and the organization or individuals
97 involved in the establishment and operation of the proposed
98 school are significantly involved in the operation of replicated



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99 schools.

100 c. If the sponsor denies an application submitted by a
101 high-performing charter school or a high-performing charter
102 school system, the sponsor must, within 10 calendar days after
103 such denial, state in writing the specific reasons, based upon
104 the criteria in sub-subparagraph b., supporting its denial of
105 the application and must provide the letter of denial and
106 supporting documentation to the applicant and to the Department
107 of Education. The applicant may appeal the sponsor's denial of
108 the application in accordance with paragraph (c).

109 4. For budget projection purposes, the sponsor shall report
110 to the Department of Education the approval or denial of an
111 application within 10 calendar days after such approval or
112 denial. In the event of approval, the report to the Department
113 of Education shall include the final projected FTE for the
114 approved charter school.

115 5. Upon approval of an application, the initial startup
116 shall commence with the beginning of the public school calendar
117 for the district in which the charter is granted. A charter
118 school may defer the opening of the school's operations for up
119 to 3 ~~2~~ years to provide time for adequate facility planning. The
120 charter school must provide written notice of such intent to the
121 sponsor and the parents of enrolled students at least 30
122 calendar days before the first day of school.

123 Section 2. Subsection (1) of section 1002.331, Florida
124 Statutes, is amended to read:

125 1002.331 High-performing charter schools.—

126 (1) A charter school is a high-performing charter school if
127 it:



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

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

135 (c) Did not receive a financial audit that revealed one or
136 more of the financial emergency conditions set forth in s.
137 218.503(1) in the most recent 3 fiscal years for which such
138 audits are available. However, this requirement is deemed met
139 for a charter school-in-the-workplace if there is a finding in
140 an audit that the school has the monetary resources available to
141 cover any reported deficiency or that the deficiency does not
142 result in a deteriorating financial condition pursuant to s.
143 1002.345(1)(a)3.

144
145 For purposes of determining initial eligibility, the
146 requirements of paragraphs (b) and (c) only apply to the most
147 recent 2 fiscal years if the charter school earns two
148 consecutive grades of "A." A virtual charter school established
149 under s. 1002.33 is not eligible for designation as a high-
150 performing charter school.

151 Section 3. Present subsections (11) and (12) of section
152 1002.333, Florida Statutes, are redesignated as subsections (12)
153 and (13), respectively, a new subsection (11) is added to that
154 section, and subsections (1) and (2), paragraph (a) of
155 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
156 paragraph (a) of subsection (7), subsection (9), and paragraph



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157 (b) of subsection (10) of that section are amended, to read:

158 1002.333 Persistently low-performing schools.—

159 (1) DEFINITIONS.—As used in this section, the term:

160 (a) "Hope operator" means an entity identified by the
161 department pursuant to subsection (2).

162 (b) "Persistently low-performing school" means a school
163 that has completed 2 school years of a district-managed
164 turnaround plan required under s. 1008.33(4) (a) and has not
165 improved its school grade to a "C" or higher, earned three
166 consecutive grades lower than a "C," pursuant to s. 1008.34, and
167 a school that was closed pursuant to s. 1008.33(4) within 2
168 years after the submission of a notice of intent.

169 (c) "School of hope" means:

170 1. A charter school operated by a hope operator which
171 serves students from one or more persistently low-performing
172 schools~~+~~ is located in the attendance zone of a persistently
173 low-performing school ~~or within a 5-mile radius of such school,~~
174 ~~whichever is greater;~~ and is a Title I eligible school; or

175 2. A school operated by a hope operator pursuant to s.
176 1008.33(4) (b) 3.b. s. 1008.33(4) (b) 3.

177 (2) HOPE OPERATOR.—A hope operator is a nonprofit
178 organization with tax exempt status under s. 501(c) (3) of the
179 Internal Revenue Code which ~~that~~ operates three or more charter
180 schools that serve students in grades K-12 in Florida or other
181 states with a record of serving students from low-income
182 families and is designated by the State Board of Education as a
183 hope operator based on a determination that:

184 (a) The past performance of the hope operator meets or
185 exceeds the following criteria:



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186 1. The achievement of enrolled students exceeds the
187 district and state averages of the states in which the
188 operator's schools operate;

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

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

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

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

200 6. Other outcome measures as determined by the State Board
201 of Education;

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

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

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

211

212 An entity that meets the requirements of paragraph (b),
213 paragraph (c), or paragraph (d) before the adoption by the state
214 board of measurable criteria pursuant to paragraph (a) shall be



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215 designated as a hope operator. After the adoption of the
216 measurable criteria, an entity, including a governing board that
217 operates a school established pursuant to s. 1008.33(4)(b)3.b.
218 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
219 meets the criteria of paragraph (a).

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

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

226 1. An academic focus and plan.

227 2. A financial plan.

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

230 4. A completed or planned community outreach plan.

231 5. The organizational history of success in working with
232 students with similar demographics.

233 6. The grade levels to be served and enrollment
234 projections.

235 7. The specific proposed location or geographic area
236 proposed for the school and its proximity to the persistently
237 low-performing school or the plan to use the district-owned
238 facilities of the persistently low-performing school.

239 8. A staffing plan.

240 9. An operations plan specifying the operator's intent to
241 undertake the operations of the persistently low-performing
242 school in its entirety or through limited components of the
243 operations.



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

246 ~~(b) The location or geographic area proposed for the school~~
247 ~~of hope and its proximity to the persistently low performing~~
248 ~~school.~~

249 ~~(f)~~~~(g)~~ The grounds for termination, including failure to
250 meet the requirements for student performance established
251 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
252 fiscal management, or material violation of terms of the
253 agreement. The nonrenewal or termination of a performance-based
254 agreement must comply with the requirements of s. 1002.33(8).

255 ~~(h)~~~~(i)~~ A provision establishing the initial term as 5
256 years. The agreement must ~~shall~~ be renewed, upon the request of
257 the hope operator, unless the school fails to meet the
258 requirements for student performance established pursuant to
259 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
260 management or the school of hope materially violates the law or
261 the terms of the agreement.

262 (7) FACILITIES.—

263 (a)1. A school of hope that meets the definition under
264 subparagraph (1)(c)1. shall use facilities that comply with the
265 Florida Building Code, except for the State Requirements for
266 Educational Facilities. ~~A school of hope that uses school~~
267 ~~district facilities must comply with the State Requirements for~~
268 ~~Educational Facilities only if the school district and the hope~~
269 ~~operator have entered into a mutual management plan for the~~
270 ~~reasonable maintenance of such facilities. The mutual management~~
271 ~~plan shall contain a provision by which the district school~~
272 ~~board agrees to maintain the school facilities in the same~~



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273 ~~manner as its other public schools within the district.~~
274 2. A school of hope that meets the definition under
275 subparagraph (1)(c)2. and that receives funds from the hope
276 supplemental services allocation under s. 1011.62(16) shall use
277 the district-owned facilities of the persistently low-performing
278 school that the school of hope operates. A school of hope that
279 uses district-owned facilities must enter into a mutual
280 management plan with the school district for the reasonable
281 maintenance of the facilities. The mutual management plan must
282 contain a provision specifying that the district school board
283 agrees to maintain the school facilities in the same manner as
284 other public schools within the district.
285
286 The local governing authority shall not adopt or impose any
287 local building requirements or site-development restrictions,
288 such as parking and site-size criteria, student enrollment, and
289 occupant load, that are addressed by and more stringent than
290 those found in the State Requirements for Educational Facilities
291 of the Florida Building Code. A local governing authority must
292 treat schools of hope equitably in comparison to similar
293 requirements, restrictions, and site planning processes imposed
294 upon public schools. The agency having jurisdiction for
295 inspection of a facility and issuance of a certificate of
296 occupancy or use shall be the local municipality or, if in an
297 unincorporated area, the county governing authority. If an
298 official or employee of the local governing authority refuses to
299 comply with this paragraph, the aggrieved school or entity has
300 an immediate right to bring an action in circuit court to
301 enforce its rights by injunction. An aggrieved party that



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302 receives injunctive relief may be awarded reasonable attorney
303 fees and court costs.

304 (9) FUNDING.—

305 (a) Schools of hope shall be funded in accordance with s.
306 1002.33(17).

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

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

313 (d) Schools of hope that meet the definition under
314 subparagraph (1)(c)1. are eligible to receive funds from the
315 Schools of Hope Program.

316 (e) Schools of hope that meet the definition under
317 subparagraph (1)(c)2. are eligible to receive funds from the
318 hope supplemental services allocation established under s.
319 1011.62(16).

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

322 (b) A traditional public school that is required to submit
323 a plan for implementation pursuant to s. 1008.33(4) is eligible
324 to receive funding for services authorized up to \$2,000 per
325 full-time equivalent student from the hope supplemental services
326 allocation established under s. 1011.62(16). ~~Schools of Hope~~
327 ~~Program based upon the strength of the school's plan for~~
328 ~~implementation and its focus on evidence-based interventions~~
329 ~~that lead to student success by providing wrap-around services~~
330 ~~that leverage community assets, improve school and community~~



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331 ~~collaboration, and develop family and community partnerships.~~
332 ~~Wrap-around services include, but are not limited to, tutorial~~
333 ~~and after school programs, student counseling, nutrition~~
334 ~~education, parental counseling, and adult education. Plans for~~
335 ~~implementation may also include models that develop a culture of~~
336 ~~attending college, high academic expectations, character~~
337 ~~development, dress codes, and an extended school day and school~~
338 ~~year. At a minimum, a plan for implementation must:~~

339 ~~1. Establish wrap-around services that develop family and~~
340 ~~community partnerships.~~

341 ~~2. Establish clearly defined and measurable high academic~~
342 ~~and character standards.~~

343 ~~3. Increase parental involvement and engagement in the~~
344 ~~child's education.~~

345 ~~4. Describe how the school district will identify, recruit,~~
346 ~~retain, and reward instructional personnel. The state board may~~
347 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
348 ~~requirements of s. 1012.34, to facilitate implementation of the~~
349 ~~plan.~~

350 ~~5. Identify a knowledge-rich curriculum that the school~~
351 ~~will use that focuses on developing a student's background~~
352 ~~knowledge.~~

353 ~~6. Provide professional development that focuses on~~
354 ~~academic rigor, direct instruction, and creating high academic~~
355 ~~and character standards.~~

356 (11) SCHOOLS OF HOPE MANAGEMENT.—A hope operator or the
357 owner of a school of hope may not serve as the principal of any
358 school that he or she manages.

359 Section 4. Section 1002.334, Florida Statutes, is created



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360 to read:

361 1002.334 Franchise model schools.-

362 (1) As used in this section, the term "franchise model
363 school" means a persistently low-performing school, as defined
364 in s. 1002.333(1)(b), which is led by a highly effective
365 principal in addition to the principal's currently assigned
366 school. If a franchise model school achieves a grade of "C" or
367 higher, the school may retain its status as a franchise model
368 school at the discretion of the school district.

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

372 (3) A franchise model school principal:

373 (a) Must be rated as highly effective pursuant to s.
374 1012.34;

375 (b) May lead two or more schools, including a persistently
376 low-performing school or a school that was considered a
377 persistently low-performing school before becoming a franchise
378 model school;

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

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

385 Section 5. Section 1007.273, Florida Statutes, is amended
386 to read:

387 1007.273 Structured high school acceleration programs
388 Collegiate high school program.-



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389 ~~(1)~~ Each Florida College System institution shall work with
390 each district school board in its designated service area to
391 establish one or more structured programs, including, but not
392 limited to, collegiate high school programs. As used in this
393 section, the term "structured program" means a structured high
394 school acceleration program.

395 ~~(1)~~~~(2)~~ PURPOSE.—At a minimum, structured ~~collegiate high~~
396 ~~school~~ programs must include an option for public school
397 students in grade 11 or grade 12 participating in the structured
398 program, for at least 1 full school year, to earn CAPE industry
399 certifications pursuant to s. 1008.44, and to successfully
400 complete at least 30 credit hours through the dual enrollment
401 program under s. 1007.271. The structured program must
402 prioritize dual enrollment courses that are applicable toward
403 general education core courses or common prerequisite course
404 requirements under s. 1007.25 over dual enrollment courses
405 applicable as electives toward at least the first year of
406 college for an associate degree or baccalaureate degree while
407 enrolled in the structured program. A district school board may
408 not limit the number of eligible public school students who may
409 enroll in such structured programs.

410 ~~(2)~~~~(3)~~ REQUIRED STRUCTURED PROGRAM CONTRACTS.—

411 ~~(a)~~ Each district school board and its local Florida
412 College System institution shall execute a contract to establish
413 one or more structured ~~collegiate high school~~ programs at a
414 mutually agreed upon location or locations. ~~Beginning with the~~
415 ~~2015-2016 school year,~~ If the local Florida College System
416 institution does not establish a structured program with a
417 district school board in its designated service area, another



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418 Florida College System institution may execute a contract with
419 that district school board to establish the structured program.
420 The contract must be executed by January 1 of each school year
421 for implementation of the structured program during the next
422 school year. By August 1, 2018, a contract entered into before
423 January 1, 2018, for the 2018-2019 school year must be modified
424 to include the provisions of paragraph (b).

425 (b) The contract must:

426 1.(a) Identify the grade levels to be included in the
427 structured ~~collegiate high school~~ program; which must, at a
428 minimum, include grade 12.

429 2.(b) Describe the structured ~~collegiate high school~~
430 program, including a list of the meta-major academic pathways
431 approved pursuant to s. 1008.30(4), which are available to
432 participating students through the partner Florida College
433 System institution or other eligible partner postsecondary
434 institutions; the delineation of courses that must, at a
435 minimum, include general education core courses and common
436 prerequisite course requirements pursuant to s. 1007.25; and
437 industry certifications offered, including online course
438 availability; the high school and college credits earned for
439 each postsecondary course completed and industry certification
440 earned; student eligibility criteria; and the enrollment process
441 and relevant deadlines;:-

442 3.(e) Describe the methods, medium, and process by which
443 students and their parents are annually informed about the
444 availability of the structured ~~collegiate high school~~ program,
445 the return on investment associated with participation in the
446 structured program, and the information described in



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447 subparagraphs 1. and 2.; paragraphs (a) and (b).

448 4.(d) Identify the delivery methods for instruction and the
449 instructors for all courses;;

450 5.(e) Identify student advising services and progress
451 monitoring mechanisms;;

452 6.(f) Establish a program review and reporting mechanism
453 regarding student performance outcomes; and.

454 7.(g) Describe the terms of funding arrangements to
455 implement the structured college high school program pursuant
456 to paragraph (5) (a).

457 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.-

458 (a)(4) Each student participating in a structured
459 college high school program must enter into a student
460 performance contract which must be signed by the student, the
461 parent, and a representative of the school district and the
462 applicable Florida College System institution, state university,
463 or other institution participating pursuant to subsection (4)
464 (5). The performance contract must, at a minimum, specify
465 include the schedule of courses, by semester, and industry
466 certifications to be taken by the student, if any; student
467 attendance requirements;; and course grade requirements; and the
468 applicability of such courses to an associate degree or a
469 baccalaureate degree.

470 (b) By September 1 of each school year, each district
471 school board must notify each student enrolled in grades 9, 10,
472 11, and 12 in a public school within the school district about
473 the structured program, including, but not limited to:

474 1. The method for earning college credit through
475 participation in the structured program. The notification must



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476 include website links to the dual enrollment course equivalency
477 list approved by the State Board of Education; the common degree
478 program prerequisite requirements published by the Articulation
479 Coordinating Committee pursuant to s. 1007.01(3)(f); the
480 industry certification articulation agreements adopted by the
481 State Board of Education in rule; and the approved meta-major
482 academic pathways of the partner Florida College System
483 institution and other eligible partner postsecondary
484 institutions participating pursuant to subsection (4); and

485 2. The estimated cost savings to students and their
486 families resulting from students successfully completing 30
487 credit hours applicable toward general education core courses or
488 common prerequisite course requirements before graduating from
489 high school versus the cost of earning such credit hours after
490 graduating from high school.

491 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
492 to executing a contract with the local Florida College System
493 institution under this section, a district school board may
494 execute a contract to establish a structured ~~collegiate high~~
495 ~~school~~ program with a state university or an institution that is
496 eligible to participate in the William L. Boyd, IV, Florida
497 Resident Access Grant Program, that is a nonprofit independent
498 college or university located and chartered in this state, and
499 that is accredited by the Commission on Colleges of the Southern
500 Association of Colleges and Schools to grant baccalaureate
501 degrees. Such university or institution must meet the
502 requirements specified under subsections (2) ~~(3)~~ and (3) ~~(4)~~. A
503 charter school may execute a contract directly with the local
504 Florida College System institution or another institution as



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505 authorized under this section to establish a structured program
506 at a mutually agreed upon location.

507 (5) FUNDING.—

508 (a) ~~(6)~~ The structured collegiate high school program shall
509 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
510 of Education shall enforce compliance with this section by
511 withholding the transfer of funds for the school districts ~~and~~
512 ~~the Florida College System institutions~~ in accordance with s.
513 1008.32. ~~Annually, by December 31, the State Board of Education~~
514 shall enforce compliance with this section by withholding the
515 transfer of funds for the Florida College System institutions in
516 accordance with s. 1008.32.

517 (b) A student who enrolls in the structured program and
518 successfully completes at least 30 college credit hours during a
519 school year through the dual enrollment program under s.
520 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
521 student who enrolls in the structured program and successfully
522 completes an additional 30 college credit hours during a school
523 year, resulting in at least 60 college credit hours through the
524 dual enrollment program under s. 1007.271 applicable toward
525 fulfilling the requirements for an associate in arts degree or
526 an associate in science degree or a baccalaureate degree
527 pursuant to the student performance contract under subsection
528 (3), before graduating from high school, generates an additional
529 0.5 FTE bonus. Each district school board that is a contractual
530 partner with a Florida College System institution or other
531 eligible postsecondary institution shall report to the
532 commissioner the total FTE bonus for each structured program for
533 the students from that school district. The total FTE bonus



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534 shall be added to each school district's total weighted FTE for
535 funding in the subsequent fiscal year.

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

539 (6) REPORTING REQUIREMENTS.-

540 (a) By September 1 of each school year, each district
541 school superintendent shall report to the commissioner, at a
542 minimum, the following information on each structured program
543 administered during the prior school year:

544 1. The number of students in public schools within the
545 school district who enrolled in the structured program, and the
546 partnering postsecondary institutions pursuant to subsections
547 (2) and (4);

548 2. The total and average number of dual enrollment courses
549 completed, high school and college credits earned, standard high
550 school diplomas and associate and baccalaureate degrees awarded,
551 and the number of industry certifications attained, if any, by
552 the students who enrolled in the structured program;

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

555 4. Any barriers to executing contracts to establish one or
556 more structured programs.

557 (b) By November 30 of each school year, the commissioner
558 must report to the Governor, the President of the Senate, and
559 the Speaker of the House of Representatives the status of
560 structured programs, including, at a minimum, a summary of
561 student enrollment and completion information pursuant to this
562 subsection; barriers, if any, to establishing such programs; and



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563 recommendations for expanding access to such programs statewide.

564 Section 6. Paragraph (c) of subsection (3) and subsection
565 (4) of section 1008.33, Florida Statutes, are amended to read:

566 1008.33 Authority to enforce public school improvement.—

567 (3)

568 (c) The state board shall adopt by rule a differentiated
569 matrix of intervention and support strategies for assisting
570 traditional public schools identified under this section and
571 rules for implementing s. 1002.33(9)(n), relating to charter
572 schools.

573 1. The intervention and support strategies must address
574 efforts to improve student performance through one or more of
575 the following strategies: and may include

576 a. Improvement planning;

577 b. Leadership quality improvement;

578 c. Educator quality improvement;

579 d. Professional development;

580 e. Curriculum review, pacing, and alignment across grade
581 levels to improve background knowledge in social studies,
582 science, and the arts; and

583 f. The use of continuous improvement and monitoring plans
584 and processes.

585 2. In addition, The state board may prescribe reporting
586 requirements to review and monitor the progress of the schools.
587 The rule must define the intervention and support strategies for
588 school improvement for schools earning a grade of "D" or "F" and
589 the roles for the district and department.

590 (4)(a) The state board shall apply intensive intervention
591 and support strategies tailored to the needs of schools earning



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592 two consecutive grades of "D" or a grade of "F." In the first
593 full school year after a school initially earns two consecutive
594 grades of "D" or a grade of "F," the school district must
595 immediately implement intervention and support strategies
596 prescribed in rule under paragraph (3)(c) and, by September 1,
597 provide the department with the memorandum of understanding
598 negotiated pursuant to s. 1001.42(21) and, by October 1, a
599 district-managed turnaround plan for approval by the state
600 board. The district-managed turnaround plan may include a
601 proposal for the district to implement an extended school day, a
602 summer program, or a combination of an extended school day and
603 summer program. Upon approval by the state board, the school
604 district must implement the plan for the remainder of the school
605 year and continue the plan for 1 full school year. The state
606 board may allow a school an additional year of implementation
607 before the school must implement a turnaround option required
608 under paragraph (b) if it determines that the school is likely
609 to improve to a grade of "C" or higher after the first full
610 school year of implementation.

611 (b) Unless an additional year of implementation is provided
612 pursuant to paragraph (a), a school that has completed 2 school
613 years of a district-managed turnaround plan required under
614 paragraph (a) and has not improved its school grade to a "C" or
615 higher, pursuant to s. 1008.34, ~~earns three consecutive grades~~
616 ~~below a "C"~~ must implement one of the following options:

617 1. Reassign students to another school and monitor the
618 progress of each reassigned student.†

619 2. Close the school and reopen the school as one or more
620 charter schools, each with a governing board that has a



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621 demonstrated record of effectiveness. Such charter schools are
622 eligible for funding from the hope supplemental services
623 allocation established under s. 1011.62(16). ~~or~~

624 3. Contract with an outside entity that has a demonstrated
625 record of effectiveness to operate the school. An outside entity
626 may include:

627 a. A district-managed charter school in which all
628 instructional personnel are not employees of the school
629 district, but are employees of an independent governing board
630 composed of members who did not participate in the review or
631 approval of the charter. A district-managed charter school is
632 eligible for funding from the hope supplemental services
633 allocation established in s. 1011.62(16); or

634 b. A hope operator that submits to a school district a
635 notice of intent of a performance-based agreement pursuant to s.
636 1002.333. A school of hope established pursuant to this sub-
637 subparagraph is eligible for funding from the hope supplemental
638 services allocation for up to 5 years, beginning in the school
639 year in which the school of hope is established, if the school
640 of hope:

641 (I) Is established at the district-owned facilities of the
642 persistently low-performing school;

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

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



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650 4. Implement a franchise model school in which a highly
651 effective principal, pursuant to s. 1012.34, leads the
652 persistently low-performing school in addition to the
653 principal's currently assigned school. The franchise model
654 school principal may allocate resources and personnel between
655 the schools he or she leads. The persistently low-performing
656 school is eligible for funding from the hope supplemental
657 services allocation established under s. 1011.62(16).

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

660 (d) If a school ~~earning two consecutive grades of "D" or a~~
661 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
662 2 ~~full~~ school years of implementing the turnaround option
663 selected by the school district under paragraph (b), the school
664 district must implement another turnaround option.
665 Implementation of the turnaround option must begin the school
666 year following the implementation period of the existing
667 turnaround option, unless the state board determines that the
668 school is likely to improve to a grade of "C" or higher if
669 additional time is provided to implement the existing turnaround
670 option.

671 Section 7. Present subsections (16) and (17) of section
672 1011.62, Florida Statutes, are redesignated as subsections (19)
673 and (20), respectively, new subsections (16) and (17) and
674 subsection (18) are added to that section, and paragraph (a) of
675 subsection (4) and subsection (14) of that section are amended,
676 to read:

677 1011.62 Funds for operation of schools.—If the annual
678 allocation from the Florida Education Finance Program to each



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679 district for operation of schools is not determined in the
680 annual appropriations act or the substantive bill implementing
681 the annual appropriations act, it shall be determined as
682 follows:

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

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

691 1.a. Not later than 2 working days before July 19, the
692 Department of Revenue shall certify to the Commissioner of
693 Education its most recent estimate of the taxable value for
694 school purposes in each school district and the total for all
695 school districts in the state for the current calendar year
696 based on the latest available data obtained from the local
697 property appraisers. The value certified shall be the taxable
698 value for school purposes for that year, and no further
699 adjustments shall be made, except those made pursuant to
700 paragraphs (c) and (d), or an assessment roll change required by
701 final judicial decisions as specified in paragraph (19) (b)
702 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
703 shall compute a millage rate, rounded to the next highest one
704 one-thousandth of a mill, which, when applied to 96 percent of
705 the estimated state total taxable value for school purposes,
706 would generate the prescribed aggregate required local effort
707 for that year for all districts. The Commissioner of Education



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708 shall certify to each district school board the millage rate,
709 computed as prescribed in this subparagraph, as the minimum
710 millage rate necessary to provide the district required local
711 effort for that year.

712 b. The General Appropriations Act shall direct the
713 computation of the statewide adjusted aggregate amount for
714 required local effort for all school districts collectively from
715 ad valorem taxes to ensure that no school district's revenue
716 from required local effort millage will produce more than 90
717 percent of the district's total Florida Education Finance
718 Program calculation as calculated and adopted by the
719 Legislature, and the adjustment of the required local effort
720 millage rate of each district that produces more than 90 percent
721 of its total Florida Education Finance Program entitlement to a
722 level that will produce only 90 percent of its total Florida
723 Education Finance Program entitlement in the July calculation.

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

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

731 b. For each year identified in sub-subparagraph a., the
732 taxable value certified by the appraiser pursuant to s.
733 193.122(2) or (3), if applicable, since the prior certification
734 under sub-subparagraph 1.a. This is the certification that
735 reflects all final administrative actions of the value
736 adjustment board.



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737 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
738 annually in the General Appropriations Act determine a
739 percentage increase in funds per K-12 unweighted FTE as a
740 minimum guarantee to each school district. The guarantee shall
741 be calculated from prior year base funding per unweighted FTE
742 student which shall include the adjusted FTE dollars as provided
743 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
744 nonvoted discretionary local effort from taxes. From the base
745 funding per unweighted FTE, the increase shall be calculated for
746 the current year. The current year funds from which the
747 guarantee shall be determined shall include the adjusted FTE
748 dollars as provided in subsection (19) ~~(16)~~ and potential
749 nonvoted discretionary local effort from taxes. A comparison of
750 current year funds per unweighted FTE to prior year funds per
751 unweighted FTE shall be computed. For those school districts
752 which have less than the legislatively assigned percentage
753 increase, funds shall be provided to guarantee the assigned
754 percentage increase in funds per unweighted FTE student. Should
755 appropriated funds be less than the sum of this calculated
756 amount for all districts, the commissioner shall prorate each
757 district's allocation. This provision shall be implemented to
758 the extent specifically funded.

759 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.—The hope
760 supplemental services allocation is created to provide district-
761 managed turnaround schools, as required under s. 1008.33(4)(a),
762 charter schools authorized under s. 1008.33(4)(b)2., district-
763 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
764 schools of hope authorized under s. 1008.33(4)(b)3.b., and
765 franchise model schools as authorized under s. 1008.33(4)(b)4.,



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766 with funds to offer services designed to improve the overall
767 academic and community welfare of the schools' students and
768 their families.

769 (a) Services funded by the allocation may include, but are
770 not limited to, tutorial and after-school programs, student
771 counseling, nutrition education, and parental counseling. In
772 addition, services may also include models that develop a
773 culture that encourages students to complete high school and to
774 attend college or career training, set high academic
775 expectations, inspire character development, and include an
776 extended school day and school year.

777 (b) Prior to distribution of the allocation, a school
778 district, for a district turnaround school and persistently low-
779 performing schools that use a franchise model; a hope operator,
780 for a school of hope; or the charter school governing board for
781 a charter school, as applicable, shall develop and submit a plan
782 for implementation to its respective governing body for approval
783 no later than August 1 of the fiscal year.

784 (c) At a minimum, the plans required under paragraph (b)
785 must:

786 1. Establish comprehensive support services that develop
787 family and community partnerships;

788 2. Establish clearly defined and measurable high academic
789 and character standards;

790 3. Increase parental involvement and engagement in the
791 child's education;

792 4. Describe how instructional personnel will be identified,
793 recruited, retained, and rewarded;

794 5. Provide professional development that focuses on



795 academic rigor, direct instruction, and creating high academic
796 and character standards; and

797 6. Provide focused instruction to improve student academic
798 proficiency, which may include additional instruction time
799 beyond the normal school day or school year.

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

803 (e) For the 2018-2019 fiscal year, a school that is
804 selected to receive funding in the 2017-2018 fiscal year
805 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
806 district-managed turnaround school required under s.
807 1008.33(4)(a), charter school authorized under s.
808 1008.33(4)(b)2., district-managed charter school authorized
809 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
810 1008.33(4)(b)3.b., and franchise model school authorized under
811 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
812 the school's unweighted FTE, up to \$2,000 per FTE or as provided
813 in the General Appropriations Act.

814 (f) For the 2019-2020 fiscal year and thereafter, each
815 school district's allocation shall be based on the unweighted
816 FTE student enrollment at the eligible schools and a per-FTE
817 funding amount of up to \$2,000 per FTE or as provided in the
818 General Appropriations Act. If the calculated funds for
819 unweighted FTE student enrollment at the eligible schools exceed
820 the per-FTE funds appropriated, the allocation of funds to each
821 school district must be prorated based on each school district's
822 share of the total unweighted FTE student enrollment for the
823 eligible schools.



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824 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
825 assistance allocation is created to provide supplemental funding
826 to assist school districts in establishing or expanding
827 comprehensive school-based mental health programs that increase
828 awareness of mental health issues among children and school-age
829 youth; train educators and other school staff in detecting and
830 responding to mental health issues; and connect children, youth,
831 and families who may experience behavioral health issues with
832 appropriate services. These funds may be allocated annually in
833 the General Appropriations Act to each eligible school district
834 and developmental research school based on each entity's
835 proportionate share of Florida Education Finance Program base
836 funding. The district funding allocation must include a minimum
837 amount as specified in the General Appropriations Act. Upon
838 submission and approval of a plan that includes the elements
839 specified in paragraph (b), charter schools are also entitled to
840 a proportionate share of district funding for this program. The
841 allocated funds may not supplant funds that are provided for
842 this purpose from other operating funds and may not be used to
843 increase salaries or provide bonuses.

844 (a) Prior to the distribution of the allocation:

845 1. The district must annually develop and submit a detailed
846 plan outlining the local program and planned expenditures to the
847 district school board for approval.

848 2. A charter school must annually develop and submit a
849 detailed plan outlining the local program and planned
850 expenditures of the funds in the plan to its governing body for
851 approval. After the plan is approved by the governing body, it
852 must be provided to its school district for submission to the



853 commissioner.

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

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

860 2. Programs to assist students in dealing with bullying,
861 trauma, and violence;

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

865 4. Strategies to improve the early identification of
866 social, emotional, or behavioral problems or substance use
867 disorders and to improve the provision of early intervention
868 services;

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

872 6. Training opportunities for school personnel in the
873 techniques and supports needed to identify students who have
874 trauma histories and who have or are at risk of having a mental
875 illness, and in the use of referral mechanisms that effectively
876 link such students to appropriate treatment and intervention
877 services in the school and in the community.

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

880 (d) Beginning September 30, 2019, and by each September 30
881 thereafter, each entity that receives an allocation under this



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882 subsection shall submit to the commissioner, in a format
883 prescribed by the department, a final report on its program
884 outcomes and its expenditures for each element of the program.

885 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
886 provide an annual funding compression allocation in the General
887 Appropriations Act. The allocation is created to provide
888 additional funding to school districts and developmental
889 research schools whose total funds per FTE in the prior year
890 were less than the statewide average. Using the most recent
891 prior year FEFP calculation for each eligible school district,
892 the total funds per FTE shall be subtracted from the state
893 average funds per FTE, not including any adjustments made
894 pursuant to paragraph (19) (b). The resulting funds per FTE
895 difference, or a portion thereof, as designated in the General
896 Appropriations Act, shall then be multiplied by the school
897 district's total unweighted FTE to provide the allocation. If
898 the calculated funds are greater than the amount included in the
899 General Appropriations Act, they must be prorated to the
900 appropriation amount based on each participating school
901 district's share.

902 Section 8. Subsection (5) of section 1011.69, Florida
903 Statutes, is amended to read:

904 1011.69 Equity in School-Level Funding Act.—

905 (5) After providing Title I, Part A, Basic funds to schools
906 above the 75 percent poverty threshold, which may include high
907 schools above the 50 percent threshold as allowed by federal
908 law, school districts shall provide any remaining Title I, Part
909 A, Basic funds directly to all eligible schools as provided in
910 this subsection. For purposes of this subsection, an eligible



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911 school is a school that is eligible to receive Title I funds,
912 including a charter school. The threshold for identifying
913 eligible schools may not exceed the threshold established by a
914 school district for the 2016-2017 school year or the statewide
915 percentage of economically disadvantaged students, as determined
916 annually.

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

919 1. One percent for parent involvement, in addition to the
920 one percent the district must reserve under federal law for
921 allocations to eligible schools for parent involvement;

922 2. A necessary and reasonable amount for administration;¹⁷

923 ~~3. which includes~~ The district's approved indirect cost
924 rate, ~~not to exceed a total of 8 percent; and~~

925 ~~4.3.~~ A reasonable and necessary amount to provide:

926 a. Homeless programs;

927 b. Delinquent and neglected programs;

928 c. Prekindergarten programs and activities;

929 d. Private school equitable services; and

930 e. Transportation for foster care children to their school
931 of origin or choice programs; ~~and.~~

932 5. A necessary and reasonable amount for eligible schools
933 to provide:

934 a. Extended learning opportunities, such as summer school,
935 before-school and after-school programs, and additional class
936 periods of instruction during the school day; and

937 b. Supplemental academic and enrichment services, staff
938 development, and planning and curriculum, as well as wrap-around
939 services.



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940 (b) All remaining Title I funds shall be distributed to all
941 eligible schools in accordance with federal law and regulation.
942 To maximize the efficient use of resources, school districts may
943 allow eligible schools, not including charter schools, to An
944 eligible school may use funds under this subsection for
945 district-level to participate in discretionary educational
946 services provided by the school district.

947 Section 9. Subsection (5) of section 1011.71, Florida
948 Statutes, is amended to read:

949 1011.71 District school tax.—

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

956 (a) The purchase, lease-purchase, or lease of driver's
957 education vehicles; motor vehicles used for the maintenance or
958 operation of plants and equipment; security vehicles; or
959 vehicles used in storing or distributing materials and
960 equipment.

961 (b) Payment of the cost of premiums, as defined in s.
962 627.403, for property and casualty insurance necessary to insure
963 school district educational and ancillary plants. As used in
964 this paragraph, casualty insurance has the same meaning as in s.
965 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that
966 are made available through the payment of property and casualty
967 insurance premiums from revenues generated under this subsection
968 may be expended only for nonrecurring operational expenditures



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969 of the school district.

970 Section 10. Paragraph (c) of subsection (3) of section
971 1012.731, Florida Statutes, is amended to read:

972 1012.731 The Florida Best and Brightest Teacher Scholarship
973 Program.—

974 (3)

975 ~~(c) Notwithstanding the requirements of this subsection,~~
976 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
977 ~~classroom teacher who:~~

978 ~~1. Was evaluated as highly effective pursuant to s. 1012.34~~
979 ~~in the school year immediately preceding the year in which the~~
980 ~~scholarship will be awarded shall receive a scholarship of~~
981 ~~\$1200, including a classroom teacher who received an award~~
982 ~~pursuant to paragraph (a).~~

983 ~~2. Was evaluated as effective pursuant to s. 1012.34 in the~~
984 ~~school year immediately preceding the year in which the~~
985 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
986 ~~number of eligible classroom teachers under this subparagraph~~
987 ~~exceeds the total allocation, the department shall prorate the~~
988 ~~per-teacher scholarship amount.~~

989
990 ~~This paragraph expires July 1, 2020.~~

991 Section 11. Subsections (2), (3), and (4) of section
992 1012.732, Florida Statutes, are amended to read:

993 1012.732 The Florida Best and Brightest Principal
994 Scholarship Program.—

995 (2) There is created the Florida Best and Brightest
996 Principal Scholarship Program to be administered by the
997 Department of Education. The program shall provide categorical



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998 funding for scholarships to be awarded to school principals, as
999 defined in s. 1012.01(3)(c)1., who are serving as a franchise
1000 model school principal or who have recruited and retained a high
1001 percentage of best and brightest teachers.

1002 (3)(a) A school principal identified pursuant to s.
1003 1012.731(4)(c) is eligible to receive a scholarship under this
1004 section if he or she has served as school principal at his or
1005 her school for at least 2 consecutive school years including the
1006 current school year and his or her school has a ratio of best
1007 and brightest teachers to other classroom teachers that is at
1008 the 80th percentile or higher for schools within the same grade
1009 group, statewide, including elementary schools, middle schools,
1010 high schools, and schools with a combination of grade levels.

1011 (b) A principal of a franchise model school, as defined in
1012 s. 1002.334, is eligible to receive a scholarship under this
1013 section.

1014 (4) Annually, by February 1, the department shall identify
1015 eligible school principals and disburse funds to each school
1016 district for each eligible school principal to receive a
1017 scholarship.

1018 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
1019 franchise model school principal who is every eligible under
1020 paragraph (3)(b).

1021 (b) A scholarship of \$5,000 must be awarded to each school
1022 principal assigned to a Title I school and a scholarship of
1023 \$4,000 to each every eligible school principal who is not
1024 assigned to a Title I school and who is eligible under paragraph
1025 (3)(a).

1026 Section 12. Present paragraphs (a) through (d) of



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1027 subsection (1) of section 1013.31, Florida Statutes, are
1028 redesignated as paragraphs (b) through (e), respectively, and a
1029 new paragraph (a) is added to that subsection, to read:

1030 1013.31 Educational plant survey; localized need
1031 assessment; PECO project funding.—

1032 (1) At least every 5 years, each board shall arrange for an
1033 educational plant survey, to aid in formulating plans for
1034 housing the educational program and student population, faculty,
1035 administrators, staff, and auxiliary and ancillary services of
1036 the district or campus, including consideration of the local
1037 comprehensive plan. The Department of Education shall document
1038 the need for additional career and adult education programs and
1039 the continuation of existing programs before facility
1040 construction or renovation related to career or adult education
1041 may be included in the educational plant survey of a school
1042 district or Florida College System institution that delivers
1043 career or adult education programs. Information used by the
1044 Department of Education to establish facility needs must
1045 include, but need not be limited to, labor market data, needs
1046 analysis, and information submitted by the school district or
1047 Florida College System institution.

1048 (a) Educational plant survey and localized need assessment
1049 for capital outlay purposes.—A district may only use funds from
1050 the following sources for educational, auxiliary, and ancillary
1051 plant capital outlay purposes without needing a survey
1052 recommendation:

1053 1. The local capital outlay improvement fund, consisting of
1054 funds that come from and are a part of the district's basic
1055 operating budget;



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1056 2. If a board decides to build an educational, auxiliary,
1057 or ancillary facility without a survey recommendation and the
1058 taxpayers approve a bond referendum, the voted bond referendum;

1059 3. One-half cent sales surtax revenue;

1060 4. One cent local governmental surtax revenue;

1061 5. Impact fees; and

1062 6. Private gifts or donations.

1063 Section 13. Paragraph (e) is added to subsection (2) of
1064 section 1013.385, Florida Statutes, to read:

1065 1013.385 School district construction flexibility.—

1066 (2) A resolution adopted under this section may propose
1067 implementation of exceptions to requirements of the uniform
1068 statewide building code for the planning and construction of
1069 public educational and ancillary plants adopted pursuant to ss.
1070 553.73 and 1013.37 relating to:

1071 (e) Any other provisions that limit the ability of a school
1072 to operate in a facility on the same basis as a charter school
1073 pursuant to s. 1002.33(18) if the regional planning council
1074 determines that there is sufficient shelter capacity within the
1075 school district as documented in the Statewide Emergency Shelter
1076 Plan.

1077 Section 14. Subsection (3) of section 1013.62, Florida
1078 Statutes, is amended, and paragraph (c) is added to subsection
1079 (1) of that section, to read:

1080 1013.62 Charter schools capital outlay funding.—

1081 (1) Charter school capital outlay funding shall consist of
1082 revenue resulting from the discretionary millage authorized in
1083 s. 1011.71(2) and state funds when such funds are appropriated
1084 in the General Appropriations Act.



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1085 (c) It is the intent of the Legislature that the public
1086 interest be protected by prohibiting personal financial
1087 enrichment by owners, operators, managers, real estate
1088 developers, and other affiliated parties of charter schools.
1089 Therefore, a charter school is not eligible for a funding
1090 allocation unless the chair of the governing board and the chief
1091 administrative officer of the charter school annually certify
1092 under oath that the funds will be used solely and exclusively
1093 for constructing, renovating, or improving charter school
1094 facilities that are:

1095 1. Owned by a school district, a political subdivision of
1096 the state, a municipality, a Florida College System institution,
1097 or a state university;

1098 2. Owned by an organization that is qualified as an exempt
1099 organization under s. 501(c)(3) of the Internal Revenue Code
1100 whose articles of incorporation specify that, upon the
1101 organization's dissolution, the subject property will be
1102 transferred to a school district, a political subdivision of the
1103 state, a municipality, a Florida College System institution, or
1104 a state university; or

1105 3. Owned by and leased, at a fair market value in the
1106 school district in which the charter school is located, from a
1107 person or entity that is not an affiliated party of the charter
1108 school. For the purposes of this subparagraph, the term
1109 "affiliated party of the charter school" means the applicant for
1110 the charter school pursuant to s. 1002.33; the governing board
1111 of the charter school or a member of the governing board; the
1112 charter school owner; the charter school principal; an employee
1113 of the charter school; an independent contractor of the charter



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1114 school or the governing board of the charter school; a relative,
1115 as defined in s. 1002.33(24)(a)2., of a charter school governing
1116 board member, a charter school owner, a charter school
1117 principal, a charter school employee, or an independent
1118 contractor of a charter school or charter school governing
1119 board; a subsidiary corporation, a service corporation, an
1120 affiliated corporation, a parent corporation, a limited
1121 liability company, a limited partnership, a trust, a
1122 partnership, or a related party that, individually or through
1123 one or more entities, shares common ownership or control and
1124 directly or indirectly manages, administers, controls, or
1125 oversees the operation of the charter school; or any person or
1126 entity, individually or through one or more entities that share
1127 common ownership, which directly or indirectly manages,
1128 administers, controls, or oversees the operation of any of the
1129 foregoing.

1130 (3) If the school board levies the discretionary millage
1131 authorized in s. 1011.71(2), the department shall use the
1132 following calculation methodology to determine the amount of
1133 revenue that a school district must distribute to each eligible
1134 charter school:

1135 (a) Reduce the total discretionary millage revenue by the
1136 school district's annual debt service obligation incurred as of
1137 March 1, 2017, and any amount of participation requirement
1138 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
1139 revenues raised by the discretionary millage.

1140 (b) Divide the school district's adjusted discretionary
1141 millage revenue by the district's total capital outlay full-time
1142 equivalent membership and the total number of unweighted full-



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1143 time equivalent students of each eligible charter school to
1144 determine a capital outlay allocation per full-time equivalent
1145 student.

1146 (c) Multiply the capital outlay allocation per full-time
1147 equivalent student by the total number of full-time equivalent
1148 students for all of each eligible charter schools within the
1149 district school to determine the total charter school capital
1150 outlay allocation for each district charter school.

1151 (d) If applicable, reduce the capital outlay allocation
1152 identified in paragraph (c) by the total amount of state funds
1153 allocated pursuant to subsection (2) to all each eligible
1154 charter schools within a district school in subsection (2) to
1155 determine the net total maximum calculated capital outlay
1156 allocation from local funds. If state funds are not allocated
1157 pursuant to subsection (2), the amount determined in paragraph
1158 (c) is equal to the net total calculated capital outlay
1159 allocation from local funds for each district.

1160 (e) For each charter school within each district, the net
1161 capital outlay amount from local funds shall be calculated in
1162 the same manner as the state funds in paragraphs (2) (a)-(d),
1163 except that the base charter school per weighted FTE allocation
1164 amount shall be determined by dividing the net total capital
1165 outlay amount from local funds by the total weighted FTE for all
1166 eligible charter schools within the district. The per weighted
1167 FTE allocation amount from local funds shall be multiplied by
1168 the weighted FTE for each charter school to determine each
1169 charter school's capital outlay allocation from local funds.

1170 (f) ~~(e)~~ School districts shall distribute capital outlay
1171 funds to charter schools no later than February 1 of each year.



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1172 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

1173 Section 15. This act shall take effect July 1, 2018.

1174

1175 ===== T I T L E A M E N D M E N T =====

1176 And the title is amended as follows:

1177 Delete everything before the enacting clause

1178 and insert:

1179 A bill to be entitled

1180 An act relating to K-12 education; amending s.

1181 1002.33, F.S.; extending the period of time for which

1182 a charter school may defer its opening for specified

1183 reasons; amending s. 1002.331, F.S.; revising the

1184 requirements for a charter school to be considered a

1185 high-performing charter school; amending s. 1002.333,

1186 F.S.; redefining the terms "persistently low-

1187 performing school" and "school of hope"; revising the

1188 contents of a school of hope notice of intent and

1189 performance-based agreement; revising school of hope

1190 facility requirements; specifying that certain schools

1191 of hope are eligible to receive hope supplemental

1192 service allocation funds; requiring the State Board of

1193 Education to provide awards to all eligible schools

1194 that meet certain requirements; prohibiting a school

1195 of hope operator or owner from serving as the

1196 principal of a school of hope that he or she manages;

1197 conforming cross-references; creating s. 1002.334,

1198 F.S.; defining the term "franchise model school";

1199 authorizing specified schools to use a franchise model

1200 school as a turnaround option; specifying requirements



1201 for a franchise model school principal; amending s.
1202 1007.273, F.S.; defining the term "structured
1203 program"; providing additional options for students
1204 participating in a structured program; prohibiting a
1205 district school board from limiting the number of
1206 public school students who may participate in a
1207 structured program; revising contract requirements;
1208 requiring each district school board to annually
1209 notify students in certain grades of certain
1210 information about the structured program, by a
1211 specified date; revising provisions relating to
1212 funding; requiring the state board to enforce
1213 compliance with certain provisions by a specified date
1214 each year; providing reporting requirements; amending
1215 s. 1008.33, F.S.; revising the turnaround options
1216 available for certain schools; amending s. 1011.62,
1217 F.S.; creating the hope supplemental services
1218 allocation; providing the purpose of the allocation;
1219 specifying the services that may be funded by the
1220 allocation; providing that implementation plans may
1221 include certain models; providing requirements for
1222 implementation plans; providing for the allocation of
1223 funds in specified fiscal years; creating the mental
1224 health assistance allocation; providing the purpose of
1225 the allocation; providing for the annual allocation of
1226 such funds on a specified basis; prohibiting the use
1227 of allocated funds to supplant funds provided from
1228 other operating funds, to increase salaries, or to
1229 provide bonuses; providing requirements for school



1230 districts and charter schools; providing that required
1231 plans must include certain elements; requiring school
1232 districts to annually submit approved plans to the
1233 Commissioner of Education by a specified date;
1234 requiring that entities that receive such allocations
1235 annually submit a final report on program outcomes and
1236 specific expenditures to the commissioner by a
1237 specified date; creating the funding compression
1238 allocation; providing the purpose of the allocation;
1239 authorizing funding for the annual allocation for
1240 specified purposes; providing the calculation for the
1241 allocation; amending s. 1011.69, F.S.; revising the
1242 types of funds school districts may withhold before
1243 allocating certain Title I funds to eligible schools;
1244 authorizing school districts to use such funds for
1245 specified purposes; amending s. 1011.71, F.S.;
1246 increasing the amount that a school district may
1247 expend from a specified millage levy for certain
1248 expenses; amending s. 1012.731, F.S.; deleting Florida
1249 Best and Brightest Teacher Scholarship Program
1250 scholarship awards authorized for specific school
1251 years; amending s. 1012.732, F.S.; specifying that a
1252 franchise model school principal is eligible to
1253 receive a Florida Best and Brightest Principal
1254 scholarship; requiring specified awards for eligible
1255 principals; amending s. 1013.31, F.S.; authorizing a
1256 district to use certain sources of funds for
1257 educational, auxiliary, and ancillary plant capital
1258 outlay purposes without needing a survey



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1259 recommendation; amending s. 1013.385, F.S.; providing
1260 additional exceptions to certain building code
1261 regulations for school districts; amending s. 1013.62,
1262 F.S.; providing legislative intent; prohibiting a
1263 charter school from being eligible for capital outlay
1264 funds unless the chair of the governing board and the
1265 chief administrative officer of the charter school
1266 annually certify certain information; defining the
1267 term "affiliated party of the charter school";
1268 revising the Department of Education's calculation
1269 methodology for a school district's distribution of
1270 discretionary millage to its eligible charter schools;
1271 providing an effective date.