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LEGISLATIVE ACTION

Senate

.

House

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Floor: WD/2R

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03/02/2018 04:22 PM

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Senator Simmons moved the following:

1 **Senate Amendment to Amendment (734058) (with directory and**
2 **title amendments)**

3
4 Delete lines 757 - 1009

5 and insert:

6 (9) CHARTER SCHOOL REQUIREMENTS.—

7 (n)1. The director and a representative of the governing
8 board of a charter school that has earned a grade of "D" or "F"
9 pursuant to s. 1008.34 shall appear before the sponsor to
10 present information concerning each contract component having
11 noted deficiencies. The director and a representative of the



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12 governing board shall submit to the sponsor for approval a
13 school improvement plan to raise student performance. Upon
14 approval by the sponsor, the charter school shall begin
15 implementation of the school improvement plan. The department
16 shall offer technical assistance and training to the charter
17 school and its governing board and establish guidelines for
18 developing, submitting, and approving such plans.

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

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

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

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

29 (IV) Voluntarily close the charter school.

30 b. The charter school must implement the corrective action
31 in the school year following receipt of a third consecutive
32 grade below a "C."

33 c. The sponsor may annually waive a corrective action if it
34 determines that the charter school is likely to improve a letter
35 grade if additional time is provided to implement the
36 intervention and support strategies prescribed by the school
37 improvement plan. Notwithstanding this sub-subparagraph, a
38 charter school that earns a second consecutive grade of "F" is
39 subject to subparagraph 3.

40 d. A charter school is no longer required to implement a



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41 corrective action if it improves to a "C" or higher. However,
42 the charter school must continue to implement strategies
43 identified in the school improvement plan. The sponsor must
44 annually review implementation of the school improvement plan to
45 monitor the school's continued improvement pursuant to
46 subparagraph 4.

47 e. A charter school implementing a corrective action that
48 does not improve to a "C" or higher after 2 full school years of
49 implementing the corrective action must select a different
50 corrective action. Implementation of the new corrective action
51 must begin in the school year following the implementation
52 period of the existing corrective action, unless the sponsor
53 determines that the charter school is likely to improve to a "C"
54 or higher if additional time is provided to implement the
55 existing corrective action. Notwithstanding this sub-
56 subparagraph, a charter school that earns a second consecutive
57 grade of "F" while implementing a corrective action is subject
58 to subparagraph 3.

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

62 a. The charter school is established to turn around the
63 performance of a district public school pursuant to s.
64 1008.33(4)(b)2. Such charter schools shall be governed by s.
65 1008.33;

66 b. The charter school serves a student population the
67 majority of which resides in a school zone served by a district
68 public school subject to s. 1008.33(4) and the charter school
69 earns at least a grade of "D" in its third year of operation.



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70 The exception provided under this sub-subparagraph does not
71 apply to a charter school in its fourth year of operation and
72 thereafter; or

73 c. The state board grants the charter school a waiver of
74 termination. The charter school must request the waiver within
75 15 days after the department's official release of school
76 grades. The state board may waive termination if the charter
77 school demonstrates that the Learning Gains of its students on
78 statewide assessments are comparable to or better than the
79 Learning Gains of similarly situated students enrolled in nearby
80 district public schools. The waiver is valid for 1 year and may
81 only be granted once. Charter schools that have been in
82 operation for more than 5 years are not eligible for a waiver
83 under this sub-subparagraph.

84
85 The sponsor shall notify the charter school's governing board,
86 the charter school principal, and the department in writing when
87 a charter contract is terminated under this subparagraph. ~~The~~
88 ~~letter of termination must meet the requirements of paragraph~~
89 ~~(8)(e).~~ A charter terminated under this subparagraph must follow
90 the procedures for dissolution and reversion of public funds
91 pursuant to paragraphs (8)(d)-(f) and (9)(o) ~~paragraphs (8)(e)-~~
92 ~~(g) and (9)(e).~~

93 4. The director and a representative of the governing board
94 of a graded charter school that has implemented a school
95 improvement plan under this paragraph shall appear before the
96 sponsor at least once a year to present information regarding
97 the progress of intervention and support strategies implemented
98 by the school pursuant to the school improvement plan and



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99 corrective actions, if applicable. The sponsor shall communicate
100 at the meeting, and in writing to the director, the services
101 provided to the school to help the school address its
102 deficiencies.

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

106 (10) ELIGIBLE STUDENTS.—

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

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

110 2. Students considered at risk of dropping out of school or
111 academic failure. Such students shall include exceptional
112 education students.

113 3. Students enrolling in a charter school-in-the-workplace
114 or charter school-in-a-municipality established pursuant to
115 subsection (15).

116 4. Students residing within a reasonable distance of the
117 charter school, as described in paragraph (20)(c). Such students
118 shall be subject to a random lottery and to the racial/ethnic
119 balance provisions described in subparagraph (7)(a)8. or any
120 federal provisions that require a school to achieve a
121 racial/ethnic balance reflective of the community it serves or
122 within the racial/ethnic range of other public schools in the
123 same school district.

124 5. Students who meet reasonable academic, artistic, or
125 other eligibility standards established by the charter school
126 and included in the charter school application and charter or,
127 in the case of existing charter schools, standards that are



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128 consistent with the school's mission and purpose. Such standards
129 shall be in accordance with current state law and practice in
130 public schools and may not discriminate against otherwise
131 qualified individuals.

132 6. Students articulating from one charter school to another
133 pursuant to an articulation agreement between the charter
134 schools that has been approved by the sponsor.

135 7. Students living in a development in which a business
136 entity provides the school facility and related property having
137 an appraised value of at least \$5 ~~10~~ million to be used as a
138 charter school to mitigate the educational impact created by ~~for~~
139 the development of new residential dwelling units. Students
140 living in the development shall be entitled to no more than 50
141 percent of the student stations in the charter school. The
142 students who are eligible for enrollment are subject to a random
143 lottery, the racial/ethnic balance provisions, or any federal
144 provisions, as described in subparagraph 4. The remainder of the
145 student stations shall be filled in accordance with subparagraph
146 4.

147 (20) SERVICES.—

148 (a)1. A sponsor shall provide certain administrative and
149 educational services to charter schools. These services shall
150 include contract management services; full-time equivalent and
151 data reporting services; exceptional student education
152 administration services; services related to eligibility and
153 reporting duties required to ensure that school lunch services
154 under the National School Lunch Program, consistent with the
155 needs of the charter school, are provided by the school district
156 at the request of the charter school, that any funds due to the



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157 charter school under the National School Lunch Program be paid
158 to the charter school as soon as the charter school begins
159 serving food under the National School Lunch Program, and that
160 the charter school is paid at the same time and in the same
161 manner under the National School Lunch Program as other public
162 schools serviced by the sponsor or the school district; test
163 administration services, including payment of the costs of
164 state-required or district-required student assessments;
165 processing of teacher certificate data services; and information
166 services, including equal access to student information systems
167 that are used by public schools in the district in which the
168 charter school is located. Student performance data for each
169 student in a charter school, including, but not limited to, FCAT
170 scores, standardized test scores, previous public school student
171 report cards, and student performance measures, shall be
172 provided by the sponsor to a charter school in the same manner
173 provided to other public schools in the district.

174 2. A sponsor may withhold an administrative fee for the
175 provision of such services which shall be a percentage of the
176 available funds defined in paragraph (17) (b) calculated based on
177 weighted full-time equivalent students. If the charter school
178 serves 75 percent or more exceptional education students as
179 defined in s. 1003.01(3), the percentage shall be calculated
180 based on unweighted full-time equivalent students. The
181 administrative fee shall be calculated as follows:

182 a. Up to 5 percent for:

183 (I) Enrollment of up to and including 250 students in a
184 charter school as defined in this section.

185 (II) Enrollment of up to and including 500 students within



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186 a charter school system which meets all of the following:

187 (A) Includes conversion charter schools and nonconversion
188 charter schools.

189 (B) Has all of its schools located in the same county.

190 (C) Has a total enrollment exceeding the total enrollment
191 of at least one school district in the state.

192 (D) Has the same governing board for all of its schools.

193 (E) Does not contract with a for-profit service provider
194 for management of school operations.

195 (III) Enrollment of up to and including 250 students in a
196 virtual charter school.

197 b. Up to 2 percent for enrollment of up to and including
198 250 students in a high-performing charter school as defined in
199 s. 1002.331.

200 3. A sponsor may not charge charter schools any additional
201 fees or surcharges for administrative and educational services
202 in addition to the maximum percentage of administrative fees
203 withheld pursuant to this paragraph.

204 4. A sponsor shall provide to the department by September
205 15 of each year the total amount of funding withheld from
206 charter schools pursuant to this subsection for the prior fiscal
207 year. The department must include the information in the report
208 required under sub-sub-subparagraph (5)(b)1.k.III.

209
210 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

211 And the directory clause is amended as follows:

212 Delete lines 414 - 416

213 and insert:

214 paragraph (a) of subsection (8), paragraph (n) of subsection



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215 (9), paragraph (e) of subsection (10), and paragraph (a) of
216 subsection (20) of that

217

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

219 And the title is amended as follows:

220 Delete lines 4735 - 4736

221 and insert:

222 charter; requiring a sponsor to provide