

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; authorizing state universities and
4 Florida College System institutions to sponsor charter
5 schools under certain circumstances; revising the
6 contents of an annual report charter school sponsors
7 must provide to the Department of Education; revising
8 the date by which the department must post a specified
9 annual report; revising provisions relating to Florida
10 College System institutions operating charter schools;
11 requiring the board of trustees of a state university
12 or Florida College System institution that is
13 sponsoring a charter school to serve as the local
14 educational agency for such school; requiring the
15 department to develop a sponsor evaluation framework;
16 providing requirements for the framework; deleting
17 obsolete language; providing a calculation for the
18 operational funding for a charter school sponsored by
19 a state university or Florida College System
20 institution; requiring the department to develop a
21 tool for state universities and Florida College System
22 institutions for specified purposes; providing that
23 such funding must be appropriated to the charter
24 school; providing for capital outlay funding for such
25 schools; conforming provisions to changes made by the

26 act; amending s. 1003.493, F.S.; authorizing a career
 27 and professional academy to be offered by a charter
 28 school; providing an effective date.

30 Be It Enacted by the Legislature of the State of Florida:

31
 32 Section 1. Paragraph (c) of subsection (2), subsection
 33 (5), paragraph (b) of subsection (6), paragraphs (a) and (d) of
 34 subsection (7), paragraphs (d) and (e) of subsection (8),
 35 paragraphs (g) and (n) of subsection (9), paragraph (e) of
 36 subsection (10), subsection (14), paragraph (c) of subsection
 37 (15), subsection (17), paragraph (e) of subsection (18),
 38 subsections (20) and (21), paragraph (a) of subsection (25), and
 39 subsection (28) of section 1002.33, Florida Statutes, are
 40 amended to read:

41 1002.33 Charter schools.—

42 (2) GUIDING PRINCIPLES; PURPOSE.—

43 (c) Charter schools may fulfill the following purposes:

- 44 1. Create innovative measurement tools.
- 45 2. Provide rigorous competition within the public school
 46 system ~~district~~ to stimulate continual improvement in all public
 47 schools.
- 48 3. Expand the capacity of the public school system.
- 49 4. Mitigate the educational impact created by the
 50 development of new residential dwelling units.

51 5. Create new professional opportunities for teachers,
52 including ownership of the learning program at the school site.

53 (5) SPONSOR; DUTIES.—

54 (a) Sponsoring entities.—

55 1. A district school board may sponsor a charter school in
56 the county over which the district school board has
57 jurisdiction.

58 2. A state university may grant a charter to a lab school
59 created under s. 1002.32 and shall be considered to be the
60 school's sponsor. Such school shall be considered a charter lab
61 school.

62 3. Because needs relating to educational capacity,
63 workforce qualifications, and career education opportunities are
64 constantly changing and extend beyond school district
65 boundaries:

66 a. A state university may, upon approval by the Department
67 of Education, sponsor a charter school to meet regional
68 education or workforce demands by serving students from multiple
69 school districts.

70 b. A Florida College System institution may, upon approval
71 by the Department of Education, sponsor a charter school in any
72 county within its service area to meet workforce demands and may
73 offer postsecondary programs leading to industry certifications
74 to eligible charter school students. A charter school
75 established under subparagraph (b)4. is not eligible to be

76 | sponsored by a Florida College System institution until its
77 | existing charter with the school district expires as provided
78 | under subsection (7).

79 | (b) Sponsor duties.—

80 | 1.a. The sponsor shall monitor and review the charter
81 | school in its progress toward the goals established in the
82 | charter.

83 | b. The sponsor shall monitor the revenues and expenditures
84 | of the charter school and perform the duties provided in s.
85 | 1002.345.

86 | c. The sponsor may approve a charter for a charter school
87 | before the applicant has identified space, equipment, or
88 | personnel, if the applicant indicates approval is necessary for
89 | it to raise working funds.

90 | d. The sponsor shall not apply its policies to a charter
91 | school unless mutually agreed to by both the sponsor and the
92 | charter school. If the sponsor subsequently amends any agreed-
93 | upon sponsor policy, the version of the policy in effect at the
94 | time of the execution of the charter, or any subsequent
95 | modification thereof, shall remain in effect and the sponsor may
96 | not hold the charter school responsible for any provision of a
97 | newly revised policy until the revised policy is mutually agreed
98 | upon.

99 | e. The sponsor shall ensure that the charter is innovative
100 | and consistent with the state education goals established by s.

101 1000.03(5).

102 f. The sponsor shall ensure that the charter school
 103 participates in the state's education accountability system. If
 104 a charter school falls short of performance measures included in
 105 the approved charter, the sponsor shall report such shortcomings
 106 to the Department of Education.

107 g. The sponsor shall not be liable for civil damages under
 108 state law for personal injury, property damage, or death
 109 resulting from an act or omission of an officer, employee,
 110 agent, or governing body of the charter school.

111 h. The sponsor shall not be liable for civil damages under
 112 state law for any employment actions taken by an officer,
 113 employee, agent, or governing body of the charter school.

114 i. The sponsor's duties to monitor the charter school
 115 shall not constitute the basis for a private cause of action.

116 j. The sponsor shall not impose additional reporting
 117 requirements on a charter school without providing reasonable
 118 and specific justification in writing to the charter school.

119 k. The sponsor shall submit an annual report to the
 120 Department of Education in a web-based format to be determined
 121 by the department.

122 (I) The report shall include the following information:

123 ~~(A) The number of draft applications received on or before~~
 124 ~~May 1 and each applicant's contact information.~~

125 (A) ~~(B)~~ The number of ~~final~~ applications received on or

126 before February ~~August~~ 1 and each applicant's contact
127 information.

128 ~~(B)-(C)~~ The date each application was approved, denied, or
129 withdrawn.

130 ~~(C)-(D)~~ The date each final contract was executed.

131 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
132 ~~and each year thereafter,~~ the sponsor shall submit to the
133 department the information for the applications submitted the
134 previous year.

135 (III) The department shall compile an annual report, by
136 sponsor district, and post the report on its website by January
137 15 ~~November 1~~ of each year.

138 2. Immunity for the sponsor of a charter school under
139 subparagraph 1. applies only with respect to acts or omissions
140 not under the sponsor's direct authority as described in this
141 section.

142 3. This paragraph does not waive a sponsor's district
143 ~~school board's~~ sovereign immunity.

144 4. A Florida College System institution may work with the
145 school district or school districts in its designated service
146 area to develop charter schools that offer secondary education.
147 These charter schools must include an option for students to
148 receive an associate degree upon high school graduation. If a
149 Florida College System institution operates an approved teacher
150 preparation program under s. 1004.04 or s. 1004.85, the

151 institution may operate ~~no more than one~~ charter schools ~~school~~
152 that serve ~~serves~~ students in kindergarten through grade 12 in
153 any school district within the service area of the institution.
154 ~~In kindergarten through grade 8, the charter school shall~~
155 ~~implement innovative blended learning instructional models in~~
156 ~~which, for a given course, a student learns in part through~~
157 ~~online delivery of content and instruction with some element of~~
158 ~~student control over time, place, path, or pace and in part at a~~
159 ~~supervised brick-and-mortar location away from home. A student~~
160 ~~in a blended learning course must be a full-time student of the~~
161 ~~charter school and receive the online instruction in a classroom~~
162 ~~setting at the charter school.~~ District school boards shall
163 cooperate with and assist the Florida College System institution
164 on the charter application. Florida College System institution
165 applications for charter schools are not subject to the time
166 deadlines outlined in subsection (6) and may be approved by the
167 district school board at any time during the year. Florida
168 College System institutions may not report FTE for any students
169 participating under this subparagraph who receive FTE funding
170 through the Florida Education Finance Program.

171 5. A school district may enter into nonexclusive
172 interlocal agreements with federal and state agencies, counties,
173 municipalities, and other governmental entities that operate
174 within the geographical borders of the school district to act on
175 behalf of such governmental entities in the inspection,

176 issuance, and other necessary activities for all necessary
177 permits, licenses, and other permissions that a charter school
178 needs in order for development, construction, or operation. A
179 charter school may use, but may not be required to use, a school
180 district for these services. The interlocal agreement must
181 include, but need not be limited to, the identification of fees
182 that charter schools will be charged for such services. The fees
183 must consist of the governmental entity's fees plus a fee for
184 the school district to recover no more than actual costs for
185 providing such services. These services and fees are not
186 included within the services to be provided pursuant to
187 subsection (20).

188 6. The board of trustees of a sponsoring state university
189 or Florida College System institution under paragraph (a) is the
190 local educational agency for all charter schools it sponsors for
191 purposes of receiving federal funds and accepts full
192 responsibility for all local educational agency requirements and
193 the schools for which it will perform local educational agency
194 responsibilities.

195 (c) Sponsor accountability.-

196 1. The department shall, in collaboration with charter
197 school sponsors and charter school operators, develop a sponsor
198 evaluation framework that must address, at a minimum:

199 a. The sponsor's strategic vision for charter school
200 authorizing and the sponsor's progress toward that vision.

201 b. The alignment of the sponsor's policies and practices
202 to best practices for charter school authorizing.

203 c. The academic and financial performance of all operating
204 charter schools overseen by the sponsor.

205 d. The status of charter schools authorized by the
206 sponsor, including approved, operating, and closed schools.

207 2. The department shall compile the results, by sponsor,
208 and include the results in the report required under sub-sub-
209 subparagraph (b)1.k.(III).

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

212 (b) A sponsor shall receive and review all applications
213 for a charter school using the evaluation instrument developed
214 by the Department of Education. ~~A sponsor shall receive and~~
215 ~~consider charter school applications received on or before~~
216 ~~August 1 of each calendar year for charter schools to be opened~~
217 ~~at the beginning of the school district's next school year, or~~
218 ~~to be opened at a time agreed to by the applicant and the~~
219 ~~sponsor. A sponsor may not refuse to receive a charter school~~
220 ~~application submitted before August 1 and may receive an~~
221 ~~application submitted later than August 1 if it chooses.~~
222 ~~Beginning in 2018 and thereafter,~~ A sponsor shall receive and
223 consider charter school applications received on or before
224 February 1 of each calendar year for charter schools to be
225 opened 18 months later at the beginning of the ~~school district's~~

226 school year, or to be opened at a time determined by the
227 applicant. A sponsor may not refuse to receive a charter school
228 application submitted before February 1 and may receive an
229 application submitted later than February 1 if it chooses. A
230 sponsor may not charge an applicant for a charter any fee for
231 the processing or consideration of an application, and a sponsor
232 may not base its consideration or approval of a final
233 application upon the promise of future payment of any kind.
234 Before approving or denying any application, the sponsor shall
235 allow the applicant, upon receipt of written notification, at
236 least 7 calendar days to make technical or nonsubstantive
237 corrections and clarifications, including, but not limited to,
238 corrections of grammatical, typographical, and like errors or
239 missing signatures, if such errors are identified by the sponsor
240 as cause to deny the final application.

241 1. In order to facilitate an accurate budget projection
242 process, a sponsor shall be held harmless for FTE students who
243 are not included in the FTE projection due to approval of
244 charter school applications after the FTE projection deadline.
245 In a further effort to facilitate an accurate budget projection,
246 within 15 calendar days after receipt of a charter school
247 application, a sponsor shall report to the Department of
248 Education the name of the applicant entity, the proposed charter
249 school location, and its projected FTE.

250 2. In order to ensure fiscal responsibility, an

251 application for a charter school shall include a full accounting
252 of expected assets, a projection of expected sources and amounts
253 of income, including income derived from projected student
254 enrollments and from community support, and an expense
255 projection that includes full accounting of the costs of
256 operation, including start-up costs.

257 3.a. A sponsor shall by a majority vote approve or deny an
258 application no later than 90 calendar days after the application
259 is received, unless the sponsor and the applicant mutually agree
260 in writing to temporarily postpone the vote to a specific date,
261 at which time the sponsor shall by a majority vote approve or
262 deny the application. If the sponsor fails to act on the
263 application, an applicant may appeal to the State Board of
264 Education as provided in paragraph (c). If an application is
265 denied, the sponsor shall, within 10 calendar days after such
266 denial, articulate in writing the specific reasons, based upon
267 good cause, supporting its denial of the application and shall
268 provide the letter of denial and supporting documentation to the
269 applicant and to the Department of Education.

270 b. An application submitted by a high-performing charter
271 school identified pursuant to s. 1002.331 or a high-performing
272 charter school system identified pursuant to s. 1002.332 may be
273 denied by the sponsor only if the sponsor demonstrates by clear
274 and convincing evidence that:

275 (I) The application of a high-performing charter school

276 does not materially comply with the requirements in paragraph
277 (a) or, for a high-performing charter school system, the
278 application does not materially comply with s. 1002.332(2)(b);

279 (II) The charter school proposed in the application does
280 not materially comply with the requirements in paragraphs
281 (9)(a)-(f);

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

285 (IV) The applicant has made a material misrepresentation
286 or false statement or concealed an essential or material fact
287 during the application process; or

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

291
292 Material noncompliance is a failure to follow requirements or a
293 violation of prohibitions applicable to charter school
294 applications, which failure is quantitatively or qualitatively
295 significant either individually or when aggregated with other
296 noncompliance. An applicant is considered to be replicating a
297 high-performing charter school if the proposed school is
298 substantially similar to at least one of the applicant's high-
299 performing charter schools and the organization or individuals
300 involved in the establishment and operation of the proposed

301 school are significantly involved in the operation of replicated
302 schools.

303 c. If the sponsor denies an application submitted by a
304 high-performing charter school or a high-performing charter
305 school system, the sponsor must, within 10 calendar days after
306 such denial, state in writing the specific reasons, based upon
307 the criteria in sub-subparagraph b., supporting its denial of
308 the application and must provide the letter of denial and
309 supporting documentation to the applicant and to the Department
310 of Education. The applicant may appeal the sponsor's denial of
311 the application in accordance with paragraph (c).

312 4. For budget projection purposes, the sponsor shall
313 report to the Department of Education the approval or denial of
314 an application within 10 calendar days after such approval or
315 denial. In the event of approval, the report to the Department
316 of Education shall include the final projected FTE for the
317 approved charter school.

318 5. ~~Upon approval of an application, the initial startup~~
319 ~~shall commence with the beginning of the public school calendar~~
320 ~~for the district in which the charter is granted.~~ A charter
321 school may defer the opening of the school's operations for up
322 to 3 years to provide time for adequate facility planning. The
323 charter school must provide written notice of such intent to the
324 sponsor and the parents of enrolled students at least 30
325 calendar days before the first day of school.

326 (7) CHARTER.—The terms and conditions for the operation of
327 a charter school shall be set forth by the sponsor and the
328 applicant in a written contractual agreement, called a charter.
329 The sponsor and the governing board of the charter school shall
330 use the standard charter contract pursuant to subsection (21),
331 which shall incorporate the approved application and any addenda
332 approved with the application. Any term or condition of a
333 proposed charter contract that differs from the standard charter
334 contract adopted by rule of the State Board of Education shall
335 be presumed a limitation on charter school flexibility. The
336 sponsor may not impose unreasonable rules or regulations that
337 violate the intent of giving charter schools greater flexibility
338 to meet educational goals. The charter shall be signed by the
339 governing board of the charter school and the sponsor, following
340 a public hearing to ensure community input.

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

343 1. The school's mission, the students to be served, and
344 the ages and grades to be included.

345 2. The focus of the curriculum, the instructional methods
346 to be used, any distinctive instructional techniques to be
347 employed, and identification and acquisition of appropriate
348 technologies needed to improve educational and administrative
349 performance which include a means for promoting safe, ethical,
350 and appropriate uses of technology which comply with legal and

351 professional standards.

352 a. The charter shall ensure that reading is a primary
353 focus of the curriculum and that resources are provided to
354 identify and provide specialized instruction for students who
355 are reading below grade level. The curriculum and instructional
356 strategies for reading must be consistent with the Next
357 Generation Sunshine State Standards and grounded in
358 scientifically based reading research.

359 b. In order to provide students with access to diverse
360 instructional delivery models, to facilitate the integration of
361 technology within traditional classroom instruction, and to
362 provide students with the skills they need to compete in the
363 21st century economy, the Legislature encourages instructional
364 methods for blended learning courses consisting of both
365 traditional classroom and online instructional techniques.
366 Charter schools may implement blended learning courses which
367 combine traditional classroom instruction and virtual
368 instruction. Students in a blended learning course must be full-
369 time students of the charter school pursuant to s.
370 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
371 1012.55 who provide virtual instruction for blended learning
372 courses may be employees of the charter school or may be under
373 contract to provide instructional services to charter school
374 students. At a minimum, such instructional personnel must hold
375 an active state or school district adjunct certification under

376 s. 1012.57 for the subject area of the blended learning course.
377 The funding and performance accountability requirements for
378 blended learning courses are the same as those for traditional
379 courses.

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

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

386 b. How these baseline rates will be compared to rates of
387 academic progress achieved by these same students while
388 attending the charter school.

389 c. To the extent possible, how these rates of progress
390 will be evaluated and compared with rates of progress of other
391 closely comparable student populations.

392

393 A ~~The~~ district school board is required to provide academic
394 student performance data to charter schools for each of their
395 students coming from the district school system, as well as
396 rates of academic progress of comparable student populations in
397 the district school system.

398 4. The methods used to identify the educational strengths
399 and needs of students and how well educational goals and
400 performance standards are met by students attending the charter

401 school. The methods shall provide a means for the charter school
402 to ensure accountability to its constituents by analyzing
403 student performance data and by evaluating the effectiveness and
404 efficiency of its major educational programs. Students in
405 charter schools shall, at a minimum, participate in the
406 statewide assessment program created under s. 1008.22.

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

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

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

415 8. The ways by which the school will achieve a
416 racial/ethnic balance reflective of the community it serves or
417 within the racial/ethnic range of other nearby public schools ~~in~~
418 ~~the same school district.~~

419 9. The financial and administrative management of the
420 school, including a reasonable demonstration of the professional
421 experience or competence of those individuals or organizations
422 applying to operate the charter school or those hired or
423 retained to perform such professional services and the
424 description of clearly delineated responsibilities and the
425 policies and practices needed to effectively manage the charter

426 school. A description of internal audit procedures and
427 establishment of controls to ensure that financial resources are
428 properly managed must be included. Both public sector and
429 private sector professional experience shall be equally valid in
430 such a consideration.

431 10. The asset and liability projections required in the
432 application which are incorporated into the charter and shall be
433 compared with information provided in the annual report of the
434 charter school.

435 11. A description of procedures that identify various
436 risks and provide for a comprehensive approach to reduce the
437 impact of losses; plans to ensure the safety and security of
438 students and staff; plans to identify, minimize, and protect
439 others from violent or disruptive student behavior; and the
440 manner in which the school will be insured, including whether or
441 not the school will be required to have liability insurance,
442 and, if so, the terms and conditions thereof and the amounts of
443 coverage.

444 12. The term of the charter which shall provide for
445 cancellation of the charter if insufficient progress has been
446 made in attaining the student achievement objectives of the
447 charter and if it is not likely that such objectives can be
448 achieved before expiration of the charter. The initial term of a
449 charter shall be for 5 years, excluding 2 planning years. In
450 order to facilitate access to long-term financial resources for

451 charter school construction, charter schools that are operated
452 by a municipality or other public entity as provided by law are
453 eligible for up to a 15-year charter, subject to approval by the
454 sponsor ~~district school board~~. A charter lab school is eligible
455 for a charter for a term of up to 15 years. In addition, to
456 facilitate access to long-term financial resources for charter
457 school construction, charter schools that are operated by a
458 private, not-for-profit, s. 501(c)(3) status corporation are
459 eligible for up to a 15-year charter, subject to approval by the
460 sponsor ~~district school board~~. Such long-term charters remain
461 subject to annual review and may be terminated during the term
462 of the charter, but only according to the provisions set forth
463 in subsection (8).

464 13. The facilities to be used and their location. The
465 sponsor may not require a charter school to have a certificate
466 of occupancy or a temporary certificate of occupancy for such a
467 facility earlier than 15 calendar days before the first day of
468 school.

469 14. The qualifications to be required of the teachers and
470 the potential strategies used to recruit, hire, train, and
471 retain qualified staff to achieve best value.

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

475 16. A timetable for implementing the charter which

476 addresses the implementation of each element thereof and the
477 date by which the charter shall be awarded in order to meet this
478 timetable.

479 17. In the case of an existing public school that is being
480 converted to charter status, alternative arrangements for
481 current students who choose not to attend the charter school and
482 for current teachers who choose not to teach in the charter
483 school after conversion in accordance with the existing
484 collective bargaining agreement or district school board rule in
485 the absence of a collective bargaining agreement. However,
486 alternative arrangements shall not be required for current
487 teachers who choose not to teach in a charter lab school, except
488 as authorized by the employment policies of the state university
489 which grants the charter to the lab school.

490 18. Full disclosure of the identity of all relatives
491 employed by the charter school who are related to the charter
492 school owner, president, chairperson of the governing board of
493 directors, superintendent, governing board member, principal,
494 assistant principal, or any other person employed by the charter
495 school who has equivalent decisionmaking authority. For the
496 purpose of this subparagraph, the term "relative" means father,
497 mother, son, daughter, brother, sister, uncle, aunt, first
498 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
499 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
500 stepfather, stepmother, stepson, stepdaughter, stepbrother,

501 | stepsister, half brother, or half sister.

502 | 19. Implementation of the activities authorized under s.
 503 | 1002.331 by the charter school when it satisfies the eligibility
 504 | requirements for a high-performing charter school. A high-
 505 | performing charter school shall notify its sponsor in writing by
 506 | March 1 if it intends to increase enrollment or expand grade
 507 | levels the following school year. The written notice shall
 508 | specify the amount of the enrollment increase and the grade
 509 | levels that will be added, as applicable.

510 | (d) A charter may be modified during its initial term or
 511 | any renewal term upon the recommendation of the sponsor or the
 512 | charter school's governing board and the approval of both
 513 | parties to the agreement. Modification during any term may
 514 | include, but is not limited to, consolidation of multiple
 515 | charters into a single charter if the charters are operated
 516 | under the same governing board, regardless of the renewal cycle.
 517 | A charter school that is not subject to a school improvement
 518 | plan and that closes as part of a consolidation shall be
 519 | reported by the sponsor ~~school district~~ as a consolidation.

520 | (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

521 | (d) When a charter is not renewed or is terminated, the
 522 | school shall be dissolved under the provisions of law under
 523 | which the school was organized, and any unencumbered public
 524 | funds, except for capital outlay funds and federal charter
 525 | school program grant funds, from the charter school shall revert

526 to the sponsor. Capital outlay funds provided pursuant to s.
527 1013.62 and federal charter school program grant funds that are
528 unencumbered shall revert to the department to be redistributed
529 among eligible charter schools. In the event a charter school is
530 dissolved or is otherwise terminated, all sponsor ~~district~~
531 ~~school board~~ property and improvements, furnishings, and
532 equipment purchased with public funds shall automatically revert
533 to full ownership by the sponsor ~~district school board~~, subject
534 to complete satisfaction of any lawful liens or encumbrances.
535 Any unencumbered public funds from the charter school, ~~district~~
536 ~~school board~~ property and improvements, furnishings, and
537 equipment purchased with public funds, or financial or other
538 records pertaining to the charter school, in the possession of
539 any person, entity, or holding company, other than the charter
540 school, shall be held in trust upon the sponsor's ~~district~~
541 ~~school board's~~ request, until any appeal status is resolved.

542 (e) If a charter is not renewed or is terminated, the
543 charter school is responsible for all debts of the charter
544 school. The sponsor ~~district~~ may not assume the debt from any
545 contract made between the governing body of the school and a
546 third party, except for a debt that is previously detailed and
547 agreed upon in writing by both the sponsor ~~district~~ and the
548 governing body of the school and that may not reasonably be
549 assumed to have been satisfied by the sponsor ~~district~~.

550 (9) CHARTER SCHOOL REQUIREMENTS.—

551 (g)1. In order to provide financial information that is
552 comparable to that reported for other public schools, charter
553 schools are to maintain all financial records that constitute
554 their accounting system:

555 a. In accordance with the accounts and codes prescribed in
556 the most recent issuance of the publication titled "Financial
557 and Program Cost Accounting and Reporting for Florida Schools";
558 or

559 b. At the discretion of the charter school's governing
560 board, a charter school may elect to follow generally accepted
561 accounting standards for not-for-profit organizations, but must
562 reformat this information for reporting according to this
563 paragraph.

564 2. Charter schools shall provide annual financial report
565 and program cost report information in the state-required
566 formats for inclusion in sponsor ~~district~~ reporting in
567 compliance with s. 1011.60(1). Charter schools that are operated
568 by a municipality or are a component unit of a parent nonprofit
569 organization may use the accounting system of the municipality
570 or the parent but must reformat this information for reporting
571 according to this paragraph.

572 3. A charter school shall, upon approval of the charter
573 contract, provide the sponsor with a concise, uniform, monthly
574 financial statement summary sheet that contains a balance sheet
575 and a statement of revenue, expenditures, and changes in fund

576 balance. The balance sheet and the statement of revenue,
577 expenditures, and changes in fund balance shall be in the
578 governmental funds format prescribed by the Governmental
579 Accounting Standards Board. A high-performing charter school
580 pursuant to s. 1002.331 may provide a quarterly financial
581 statement in the same format and requirements as the uniform
582 monthly financial statement summary sheet. The sponsor shall
583 review each monthly or quarterly financial statement to identify
584 the existence of any conditions identified in s. 1002.345(1)(a).

585 4. A charter school shall maintain and provide financial
586 information as required in this paragraph. The financial
587 statement required in subparagraph 3. must be in a form
588 prescribed by the Department of Education.

589 (n)1. The director and a representative of the governing
590 board of a charter school that has earned a grade of "D" or "F"
591 pursuant to s. 1008.34 shall appear before the sponsor to
592 present information concerning each contract component having
593 noted deficiencies. The director and a representative of the
594 governing board shall submit to the sponsor for approval a
595 school improvement plan to raise student performance. Upon
596 approval by the sponsor, the charter school shall begin
597 implementation of the school improvement plan. The department
598 shall offer technical assistance and training to the charter
599 school and its governing board and establish guidelines for
600 developing, submitting, and approving such plans.

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

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

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

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

611 (IV) Voluntarily close the charter school.

612 b. The charter school must implement the corrective action
613 in the school year following receipt of a third consecutive
614 grade below a "C."

615 c. The sponsor may annually waive a corrective action if
616 it determines that the charter school is likely to improve a
617 letter grade if additional time is provided to implement the
618 intervention and support strategies prescribed by the school
619 improvement plan. Notwithstanding this sub-subparagraph, a
620 charter school that earns a second consecutive grade of "F" is
621 subject to subparagraph 3.

622 d. A charter school is no longer required to implement a
623 corrective action if it improves to a "C" or higher. However,
624 the charter school must continue to implement strategies
625 identified in the school improvement plan. The sponsor must

626 annually review implementation of the school improvement plan to
627 monitor the school's continued improvement pursuant to
628 subparagraph 4.

629 e. A charter school implementing a corrective action that
630 does not improve to a "C" or higher after 2 full school years of
631 implementing the corrective action must select a different
632 corrective action. Implementation of the new corrective action
633 must begin in the school year following the implementation
634 period of the existing corrective action, unless the sponsor
635 determines that the charter school is likely to improve to a "C"
636 or higher if additional time is provided to implement the
637 existing corrective action. Notwithstanding this sub-
638 subparagraph, a charter school that earns a second consecutive
639 grade of "F" while implementing a corrective action is subject
640 to subparagraph 3.

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

644 a. The charter school is established to turn around the
645 performance of a district public school pursuant to s.
646 1008.33(4)(b)2. Such charter schools shall be governed by s.
647 1008.33;

648 b. The charter school serves a student population the
649 majority of which resides in a school zone served by a district
650 public school subject to s. 1008.33(4) and the charter school

651 earns at least a grade of "D" in its third year of operation.
652 The exception provided under this sub-subparagraph does not
653 apply to a charter school in its fourth year of operation and
654 thereafter; or

655 c. The state board grants the charter school a waiver of
656 termination. The charter school must request the waiver within
657 15 days after the department's official release of school
658 grades. The state board may waive termination if the charter
659 school demonstrates that the Learning Gains of its students on
660 statewide assessments are comparable to or better than the
661 Learning Gains of similarly situated students enrolled in nearby
662 ~~district~~ public schools. The waiver is valid for 1 year and may
663 only be granted once. Charter schools that have been in
664 operation for more than 5 years are not eligible for a waiver
665 under this sub-subparagraph.

666
667 The sponsor shall notify the charter school's governing board,
668 the charter school principal, and the department in writing when
669 a charter contract is terminated under this subparagraph. A
670 charter terminated under this subparagraph must follow the
671 procedures for dissolution and reversion of public funds
672 pursuant to paragraphs (8) (d)-(f) and (9) (o).

673 4. The director and a representative of the governing
674 board of a graded charter school that has implemented a school
675 improvement plan under this paragraph shall appear before the

676 sponsor at least once a year to present information regarding
677 the progress of intervention and support strategies implemented
678 by the school pursuant to the school improvement plan and
679 corrective actions, if applicable. The sponsor shall communicate
680 at the meeting, and in writing to the director, the services
681 provided to the school to help the school address its
682 deficiencies.

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

686 (10) ELIGIBLE STUDENTS.—

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

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

690 2. Students considered at risk of dropping out of school
691 or academic failure. Such students shall include exceptional
692 education students.

693 3. Students enrolling in a charter school-in-the-workplace
694 or charter school-in-a-municipality established pursuant to
695 subsection (15).

696 4. Students residing within a reasonable distance of the
697 charter school, as described in paragraph (20)(c). Such students
698 shall be subject to a random lottery and to the racial/ethnic
699 balance provisions described in subparagraph (7)(a)8. or any
700 federal provisions that require a school to achieve a

701 racial/ethnic balance reflective of the community it serves or
702 within the racial/ethnic range of other nearby public schools ~~in~~
703 ~~the same school district.~~

704 5. Students who meet reasonable academic, artistic, or
705 other eligibility standards established by the charter school
706 and included in the charter school application and charter or,
707 in the case of existing charter schools, standards that are
708 consistent with the school's mission and purpose. Such standards
709 shall be in accordance with current state law and practice in
710 public schools and may not discriminate against otherwise
711 qualified individuals.

712 6. Students articulating from one charter school to
713 another pursuant to an articulation agreement between the
714 charter schools that has been approved by the sponsor.

715 7. Students living in a development in which a business
716 entity provides the school facility and related property having
717 an appraised value of at least \$5 million to be used as a
718 charter school to mitigate the educational impact created by the
719 development of new residential dwelling units. Students living
720 in the development shall be entitled to no more than 50 percent
721 of the student stations in the charter school. The students who
722 are eligible for enrollment are subject to a random lottery, the
723 racial/ethnic balance provisions, or any federal provisions, as
724 described in subparagraph 4. The remainder of the student
725 stations shall be filled in accordance with subparagraph 4.

726 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
727 INDEMNIFICATION OF THE STATE AND SPONSOR ~~SCHOOL DISTRICT~~; CREDIT
728 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into
729 to borrow or otherwise secure funds for a charter school
730 authorized in this section from a source other than the state or
731 a sponsor ~~school district~~ shall indemnify the state and the
732 sponsor ~~school district~~ from any and all liability, including,
733 but not limited to, financial responsibility for the payment of
734 the principal or interest. Any loans, bonds, or other financial
735 agreements are not obligations of the state or the sponsor
736 ~~school district~~ but are obligations of the charter school
737 authority and are payable solely from the sources of funds
738 pledged by such agreement. The credit or taxing power of the
739 state or the sponsor ~~school district~~ shall not be pledged and no
740 debts shall be payable out of any moneys except those of the
741 legal entity in possession of a valid charter approved by a
742 sponsor ~~district school board~~ pursuant to this section.

743 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
744 A-MUNICIPALITY.—

745 (c) A charter school-in-a-municipality designation may be
746 granted to a municipality that possesses a charter; enrolls
747 students based upon a random lottery that involves all of the
748 children of the residents of that municipality who are seeking
749 enrollment, as provided for in subsection (10); and enrolls
750 students according to the racial/ethnic balance provisions

751 described in subparagraph (7)(a)8. When a municipality has
752 submitted charter applications for the establishment of a
753 charter school feeder pattern, consisting of elementary, middle,
754 and senior high schools, and each individual charter application
755 is approved by the sponsor ~~district school board~~, such schools
756 shall then be designated as one charter school for all purposes
757 listed pursuant to this section. Any portion of the land and
758 facility used for a public charter school shall be exempt from
759 ad valorem taxes, as provided for in s. 1013.54, for the
760 duration of its use as a public school.

761 (17) FUNDING.—Students enrolled in a charter school,
762 regardless of the sponsorship, shall be funded as if they are in
763 a basic program or a special program, the same as students
764 enrolled in other public schools in a ~~the~~ school district.
765 Funding for a charter lab school shall be as provided in s.
766 1002.32.

767 (a) Each charter school shall report its student
768 enrollment to the sponsor as required in s. 1011.62, and in
769 accordance with the definitions in s. 1011.61. The sponsor shall
770 include each charter school's enrollment in the sponsor's
771 ~~district's~~ report of student enrollment. All charter schools
772 submitting student record information required by the Department
773 of Education shall comply with the Department of Education's
774 guidelines for electronic data formats for such data, and all
775 sponsors ~~districts~~ shall accept electronic data that complies

776 | with the Department of Education's electronic format.

777 | (b)1. The basis for the agreement for funding students
778 | enrolled in a charter school shall be the sum of the school
779 | district's operating funds from the Florida Education Finance
780 | Program as provided in s. 1011.62 and the General Appropriations
781 | Act, including gross state and local funds, discretionary
782 | lottery funds, and funds from the school district's current
783 | operating discretionary millage levy; divided by total funded
784 | weighted full-time equivalent students in the school district;
785 | and multiplied by the weighted full-time equivalent students for
786 | the charter school. Charter schools whose students or programs
787 | meet the eligibility criteria in law are entitled to their
788 | proportionate share of categorical program funds included in the
789 | total funds available in the Florida Education Finance Program
790 | by the Legislature, including transportation, the research-based
791 | reading allocation, and the Florida digital classrooms
792 | allocation. Total funding for each charter school shall be
793 | recalculated during the year to reflect the revised calculations
794 | under the Florida Education Finance Program by the state and the
795 | actual weighted full-time equivalent students reported by the
796 | charter school during the full-time equivalent student survey
797 | periods designated by the Commissioner of Education. For charter
798 | schools operated by a not-for-profit or municipal entity, any
799 | unrestricted current and capital assets identified in the
800 | charter school's annual financial audit may be used for other

801 charter schools operated by the not-for-profit or municipal
802 entity within the school district. Unrestricted current assets
803 shall be used in accordance with s. 1011.62, and any
804 unrestricted capital assets shall be used in accordance with s.
805 1013.62(2).

806 2.a. Students enrolled in a charter school sponsored by a
807 state university or Florida College System institution pursuant
808 to paragraph (5)(a) shall be funded as if they are in a basic
809 program or a special program in the school district. The basis
810 for funding these students is the sum of the total operating
811 funds from the Florida Education Finance Program for the school
812 district in which the school is located as provided in s.
813 1011.62 and the General Appropriations Act, including gross
814 state and local funds, discretionary lottery funds, and funds
815 from each school district's current operating discretionary
816 millage levy; divided by total funded weighted full-time
817 equivalent students in the district; and multiplied by the full-
818 time equivalent membership of the charter school. The Department
819 of Education shall develop a tool that each state university or
820 Florida College System institution sponsoring a charter school
821 shall use for purposes of calculating the funding amount for
822 each eligible charter school student. The total amount obtained
823 from the calculation must be appropriated from state funds in
824 the General Appropriations Act to the charter school.

825 b. Capital outlay funding for a charter school sponsored

826 by a state university or Florida College System institution
827 pursuant to paragraph (5) (a) is determined pursuant to s.
828 1013.62 and the General Appropriations Act.

829 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
830 schools shall receive all federal funding for which the school
831 is otherwise eligible, including Title I funding, not later than
832 5 months after the charter school first opens and within 5
833 months after any subsequent expansion of enrollment. Unless
834 otherwise mutually agreed to by the charter school and its
835 sponsor, and consistent with state and federal rules and
836 regulations governing the use and disbursement of federal funds,
837 the sponsor shall reimburse the charter school on a monthly
838 basis for all invoices submitted by the charter school for
839 federal funds available to the sponsor for the benefit of the
840 charter school, the charter school's students, and the charter
841 school's students as public school students in the school
842 district. Such federal funds include, but are not limited to,
843 Title I, Title II, and Individuals with Disabilities Education
844 Act (IDEA) funds. To receive timely reimbursement for an
845 invoice, the charter school must submit the invoice to the
846 sponsor at least 30 days before the monthly date of
847 reimbursement set by the sponsor. In order to be reimbursed, any
848 expenditures made by the charter school must comply with all
849 applicable state rules and federal regulations, including, but
850 not limited to, the applicable federal Office of Management and

851 Budget Circulars; the federal Education Department General
852 Administrative Regulations; and program-specific statutes,
853 rules, and regulations. Such funds may not be made available to
854 the charter school until a plan is submitted to the sponsor for
855 approval of the use of the funds in accordance with applicable
856 federal requirements. The sponsor has 30 days to review and
857 approve any plan submitted pursuant to this paragraph.

858 (d) Charter schools shall be included by the Department of
859 Education and the district school board in requests for federal
860 stimulus funds in the same manner as district school board-
861 operated public schools, including Title I and IDEA funds and
862 shall be entitled to receive such funds. Charter schools are
863 eligible to participate in federal competitive grants that are
864 available as part of the federal stimulus funds.

865 (e) Sponsors ~~District school boards~~ shall make timely and
866 efficient payment and reimbursement to charter schools,
867 including processing paperwork required to access special state
868 and federal funding for which they may be eligible. Payments of
869 funds under paragraph (b) shall be made monthly or twice a
870 month, beginning with the start of the sponsor's ~~district school~~
871 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
872 twenty-fourth, as applicable, of the total state and local funds
873 described in paragraph (b) and adjusted as set forth therein.
874 For the first 2 years of a charter school's operation, if a
875 minimum of 75 percent of the projected enrollment is entered

876 into the sponsor's student information system by the first day
877 of the current month, the sponsor ~~district school board~~ shall
878 distribute funds to the school for the months of July through
879 October based on the projected full-time equivalent student
880 membership of the charter school as submitted in the approved
881 application. If less than 75 percent of the projected enrollment
882 is entered into the sponsor's student information system by the
883 first day of the current month, the sponsor shall base payments
884 on the actual number of student enrollment entered into the
885 sponsor's student information system. Thereafter, the results of
886 full-time equivalent student membership surveys shall be used in
887 adjusting the amount of funds distributed monthly to the charter
888 school for the remainder of the fiscal year. The payments shall
889 be issued no later than 10 working days after the sponsor
890 ~~district school board~~ receives a distribution of state or
891 federal funds or the date the payment is due pursuant to this
892 subsection. If a warrant for payment is not issued within 10
893 working days after receipt of funding by the sponsor ~~district~~
894 ~~school board~~, the sponsor ~~school district~~ shall pay to the
895 charter school, in addition to the amount of the scheduled
896 disbursement, interest at a rate of 1 percent per month
897 calculated on a daily basis on the unpaid balance from the
898 expiration of the 10 working days until such time as the warrant
899 is issued. The district school board may not delay payment to a
900 charter school of any portion of the funds provided in paragraph

901 (b) based on the timing of receipt of local funds by the
 902 district school board.

903 (f) Funding for a virtual charter school shall be as
 904 provided in s. 1002.45(7).

905 (g) To be eligible for public education capital outlay
 906 (PECO) funds, a charter school must be located in the State of
 907 Florida.

908 (h) A charter school that implements a schoolwide standard
 909 student attire policy pursuant to s. 1011.78 is eligible to
 910 receive incentive payments.

911 (18) FACILITIES.—

912 (e) If a district school board facility or property is
 913 available because it is surplus, marked for disposal, or
 914 otherwise unused, it shall be provided for a charter school's
 915 use on the same basis as it is made available to other public
 916 schools in the district. A charter school receiving property
 917 from the sponsor ~~school district~~ may not sell or dispose of such
 918 property without written permission of the sponsor ~~school~~
 919 ~~district~~. Similarly, for an existing public school converting to
 920 charter status, no rental or leasing fee for the existing
 921 facility or for the property normally inventoried to the
 922 conversion school may be charged by the district school board to
 923 the parents and teachers organizing the charter school. The
 924 charter school shall agree to reasonable maintenance provisions
 925 in order to maintain the facility in a manner similar to

926 district school board standards. The Public Education Capital
927 Outlay maintenance funds or any other maintenance funds
928 generated by the facility operated as a conversion school shall
929 remain with the conversion school.

930 (20) SERVICES.—

931 (a)1. A sponsor shall provide certain administrative and
932 educational services to charter schools. These services shall
933 include contract management services; full-time equivalent and
934 data reporting services; exceptional student education
935 administration services; services related to eligibility and
936 reporting duties required to ensure that school lunch services
937 under the National School Lunch Program, consistent with the
938 needs of the charter school, are provided by the sponsor ~~school~~
939 ~~district~~ at the request of the charter school, that any funds
940 due to the charter school under the National School Lunch
941 Program be paid to the charter school as soon as the charter
942 school begins serving food under the National School Lunch
943 Program, and that the charter school is paid at the same time
944 and in the same manner under the National School Lunch Program
945 as other public schools serviced by the sponsor or the school
946 district; test administration services, including payment of the
947 costs of state-required or district-required student
948 assessments; processing of teacher certificate data services;
949 and information services, including equal access to the
950 sponsor's student information systems that are used by public

951 schools in the district in which the charter school is located
952 or by schools in the sponsor's portfolio of charter schools if
953 the sponsor is not a school district. Student performance data
954 for each student in a charter school, including, but not limited
955 to, FCAT scores, standardized test scores, previous public
956 school student report cards, and student performance measures,
957 shall be provided by the sponsor to a charter school in the same
958 manner provided to other public schools in the district or by
959 schools in the sponsor's portfolio of charter schools if the
960 sponsor is not a school district.

961 2. A sponsor may withhold an administrative fee for the
962 provision of such services which shall be a percentage of the
963 available funds defined in paragraph (17)(b) calculated based on
964 weighted full-time equivalent students. If the charter school
965 serves 75 percent or more exceptional education students as
966 defined in s. 1003.01(3), the percentage shall be calculated
967 based on unweighted full-time equivalent students. The
968 administrative fee shall be calculated as follows:

969 a. Up to 5 percent for:

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

972 (II) Enrollment of up to and including 500 students within
973 a charter school system which meets all of the following:

974 (A) Includes conversion charter schools and nonconversion
975 charter schools.

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

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

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

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

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

984 b. Up to 2 percent for enrollment of up to and including
985 250 students in a high-performing charter school as defined in
986 s. 1002.331.

987 3. A sponsor may not charge charter schools any additional
988 fees or surcharges for administrative and educational services
989 in addition to the maximum percentage of administrative fees
990 withheld pursuant to this paragraph.

991 4. A sponsor shall provide to the department by September
992 15 of each year the total amount of funding withheld from
993 charter schools pursuant to this subsection for the prior fiscal
994 year. The department must include the information in the report
995 required under sub-sub-subparagraph (5)(b)1.k.(III).

996 (b) If goods and services are made available to the
997 charter school through the contract with the sponsor ~~school~~
998 ~~district~~, they shall be provided to the charter school at a rate
999 no greater than the sponsor's ~~district's~~ actual cost unless
1000 mutually agreed upon by the charter school and the sponsor in a

1001 contract negotiated separately from the charter. When mediation
 1002 has failed to resolve disputes over contracted services or
 1003 contractual matters not included in the charter, an appeal may
 1004 be made to an administrative law judge appointed by the Division
 1005 of Administrative Hearings. The administrative law judge has
 1006 final order authority to rule on the dispute. The administrative
 1007 law judge shall award the prevailing party reasonable attorney
 1008 fees and costs incurred during the mediation process,
 1009 administrative proceeding, and any appeals, to be paid by the
 1010 party whom the administrative law judge rules against. To
 1011 maximize the use of state funds, sponsors ~~school districts~~ shall
 1012 allow charter schools to participate in the sponsor's bulk
 1013 purchasing program if applicable.

1014 (c) Transportation of charter school students shall be
 1015 provided by the charter school consistent with the requirements
 1016 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
 1017 body of the charter school may provide transportation through an
 1018 agreement or contract with the sponsor ~~district school board~~, a
 1019 private provider, or parents. The charter school and the sponsor
 1020 shall cooperate in making arrangements that ensure that
 1021 transportation is not a barrier to equal access for all students
 1022 residing within a reasonable distance of the charter school as
 1023 determined in its charter.

1024 (d) Each charter school shall annually complete and submit
 1025 a survey, provided in a format specified by the Department of

1026 Education, to rate the timeliness and quality of services
 1027 provided by the sponsor ~~district~~ in accordance with this
 1028 section. The department shall compile the results, by sponsor
 1029 ~~district~~, and include the results in the report required under
 1030 sub-sub-subparagraph (5) (b)1.k.(III).

1031 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1032 (a) The Department of Education shall provide information
 1033 to the public, directly and through sponsors, on how to form and
 1034 operate a charter school and how to enroll in a charter school
 1035 once it is created. This information shall include the standard
 1036 application form, standard charter contract, standard evaluation
 1037 instrument, and standard charter renewal contract, which shall
 1038 include the information specified in subsection (7) and shall be
 1039 developed by consulting and negotiating with both sponsors
 1040 ~~school districts~~ and charter schools before implementation. The
 1041 charter and charter renewal contracts shall be used by charter
 1042 school sponsors.

1043 (b)1. The Department of Education shall report to each
 1044 charter school receiving a school grade pursuant to s. 1008.34
 1045 or a school improvement rating pursuant to s. 1008.341 the
 1046 school's student assessment data.

1047 2. The charter school shall report the information in
 1048 subparagraph 1. to each parent of a student at the charter
 1049 school, the parent of a child on a waiting list for the charter
 1050 school, the sponsor ~~district in which the charter school is~~

1051 ~~located~~, and the governing board of the charter school. This
1052 paragraph does not abrogate the provisions of s. 1002.22,
1053 relating to student records, or the requirements of 20 U.S.C. s.
1054 1232g, the Family Educational Rights and Privacy Act.

1055 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1056 SCHOOL SYSTEMS.—

1057 (a) A charter school system's governing board shall be
1058 designated a local educational agency for the purpose of
1059 receiving federal funds, the same as though the charter school
1060 system were a school district, if the governing board of the
1061 charter school system has adopted and filed a resolution with
1062 its sponsor ~~sponsoring district school board~~ and the Department
1063 of Education in which the governing board of the charter school
1064 system accepts the full responsibility for all local education
1065 agency requirements and the charter school system meets all of
1066 the following:

- 1067 1. Has all schools located in the same county;
1068 2. Has a total enrollment exceeding the total enrollment
1069 of at least one school district in the state; and
1070 3. Has the same governing board.

1071
1072 Such designation does not apply to other provisions unless
1073 specifically provided in law.

1074 (28) RULEMAKING.—The Department of Education, after
1075 consultation with sponsors ~~school districts~~ and charter school

1076 | directors, shall recommend that the State Board of Education
 1077 | adopt rules to implement specific subsections of this section.
 1078 | Such rules shall require minimum paperwork and shall not limit
 1079 | charter school flexibility authorized by statute. The State
 1080 | Board of Education shall adopt rules, pursuant to ss. 120.536(1)
 1081 | and 120.54, to implement a standard charter application form,
 1082 | standard application form for the replication of charter schools
 1083 | in a high-performing charter school system, standard evaluation
 1084 | instrument, and standard charter and charter renewal contracts
 1085 | in accordance with this section.

1086 | Section 2. Paragraph (a) of subsection (1) of section
 1087 | 1003.493, Florida Statutes, is amended to read:

1088 | 1003.493 Career and professional academies and career-
 1089 | themed courses.—

1090 | (1) (a) A "career and professional academy" is a research-
 1091 | based program that integrates a rigorous academic curriculum
 1092 | with an industry-specific curriculum aligned directly to
 1093 | priority workforce needs established by the local workforce
 1094 | development board or the Department of Economic Opportunity.
 1095 | Career and professional academies shall be offered by public
 1096 | schools and school districts. Career and professional academies
 1097 | may be offered by charter schools. The Florida Virtual School is
 1098 | encouraged to develop and offer rigorous career and professional
 1099 | courses as appropriate. Students completing career and
 1100 | professional academy programs must receive a standard high

1101 | school diploma, the highest available industry certification,
1102 | and opportunities to earn postsecondary credit if the academy
1103 | partners with a postsecondary institution approved to operate in
1104 | the state.

1105 | Section 3. This act shall take effect July 1, 2019.