



216008

LEGISLATIVE ACTION

Senate

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House

Floor: 12/AD/2R

04/25/2019 10:12 AM

Senator Diaz moved the following:

Senate Amendment (with title amendment)

Delete lines 489 - 588

and insert:

Section 5. Subsections (1) and (4), paragraphs (b), (d), and (h) of subsection (5), subsection (10), and paragraphs (b) and (d) of subsection (11) of section 1002.333, Florida Statutes, are amended to read:

1002.333 Persistently low-performing schools.—

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

(a) "Florida Opportunity Zone" means a population census



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12 tract that has been designated by the United States Department
13 of the Treasury as a Qualified Opportunity Zone pursuant to
14 Internal Revenue Code s. 1400Z-1(b)(1)(B).

15 (b)-(a) "Hope operator" means an entity identified by the
16 department pursuant to subsection (2).

17 (c)-(b) "Persistently low-performing school" means a school
18 that has earned three ~~consecutive~~ grades lower than a "C,"
19 pursuant to s. 1008.34, in at least 3 of the previous 5 years
20 and has not earned a grade of "B" or higher in the most recent 2
21 school years, and a school that was closed pursuant to s.
22 1008.33(4) within 2 years after the submission of a notice of
23 intent.

24 (d)-(e) "School of hope" means:

25 1. A charter school operated by a hope operator which:

26 a. Serves students from one or more persistently low-
27 performing schools and students who reside in a Florida
28 Opportunity Zone;

29 b. Is located in a Florida Opportunity Zone or in the
30 attendance zone of a persistently low-performing school or
31 within a 5-mile radius of such school, whichever is greater; and

32 c. Is a Title I eligible school; or

33 2. A school operated by a hope operator pursuant to s.
34 1008.33(4)(b)3.

35 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
36 seeking to open a school of hope must submit a notice of intent
37 to the school district in which a persistently low-performing
38 school has been identified by the State Board of Education
39 pursuant to subsection (10) or in which a Florida Opportunity
40 Zone is located.



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- 41 (a) The notice of intent must include:
- 42 1. An academic focus and plan.
- 43 2. A financial plan.
- 44 3. Goals and objectives for increasing student achievement
45 for the students from low-income families.
- 46 4. A completed or planned community outreach plan.
- 47 5. The organizational history of success in working with
48 students with similar demographics.
- 49 6. The grade levels to be served and enrollment
50 projections.
- 51 7. The proposed location or geographic area proposed for
52 the school consistent with the requirements of sub-subparagraphs
53 (1) (d) 1.a. and b and its proximity to the persistently low-
54 performing school.
- 55 8. A staffing plan.
- 56 (b) Notwithstanding the requirements of s. 1002.33, a
57 school district shall enter into a performance-based agreement
58 with a hope operator to open schools to serve students from
59 persistently low-performing schools and students residing in a
60 Florida Opportunity Zone.
- 61 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
62 comprise the entirety of the performance-based agreement:
- 63 (b) The location or geographic area proposed for the school
64 of hope and its proximity to the persistently low-performing
65 school, as applicable.
- 66 (d) A plan of action and specific milestones for student
67 recruitment and the enrollment of students from persistently
68 low-performing schools and students residing in a Florida
69 Opportunity Zone, including enrollment preferences and



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70 procedures for conducting transparent admissions lotteries that
71 are open to the public. Students from persistently low-
72 performing schools and students residing in a Florida
73 Opportunity Zone shall be exempt from any enrollment lottery to
74 the extent permitted by federal grant requirements.

75 (h) A provision allowing the hope operator to open
76 additional schools to serve students enrolled in or zoned for a
77 persistently low-performing school and students residing in a
78 Florida Opportunity Zone if the hope operator maintains its
79 status under subsection (3).

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

82 (a) A school of hope is eligible to receive funds from the
83 Schools of Hope Program for the following expenditures:

84 1. Preparing teachers, school leaders, and specialized
85 instructional support personnel, including costs associated
86 with:

87 a. Providing professional development.

88 b. Hiring and compensating teachers, school leaders, and
89 specialized instructional support personnel for services ~~beyond~~
90 the school day and year until the school reaches full enrollment
91 in accordance with the performance-based agreement pursuant to
92 subsection (5).

93 2. Acquiring supplies, training, equipment, and educational
94 materials, including developing and acquiring instructional
95 materials.

96 3. Providing one-time startup costs associated with
97 providing transportation to students to and from the charter
98 school.



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99 4. Carrying out community engagement activities, which may
100 include paying the cost of student and staff recruitment.

101 5. Providing funds to cover the nonvoted ad valorem millage
102 that would otherwise be required for schools and the required
103 local effort funds calculated pursuant to s. 1011.62 when the
104 state board enters into an agreement with a hope operator
105 pursuant to subsection (5).

106 6. Providing funds for the initial leasing costs of a
107 school facility in the event the department determines that a
108 suitable district-owned facility is unavailable or not leased in
109 a timely manner pursuant to paragraph (7) (d).

110
111 In the event a school of hope is dissolved or is otherwise
112 terminated, all property, furnishings, and equipment purchased
113 with public funds shall automatically revert to full ownership
114 by the district school board, subject to complete satisfaction
115 of any lawful liens or encumbrances. Any unencumbered public
116 funds from the school of hope, district school board property
117 and improvements, furnishings, and equipment purchased with
118 public funds, or financial or other records pertaining to the
119 school of hope, in the possession of any person, entity, or
120 holding company, other than the charter school, shall be held in
121 trust upon the district school board's request, until any appeal
122 status is resolved.

123 ~~(b) A traditional public school that is required to submit~~
124 ~~a plan for implementation pursuant to s. 1008.33(4) is eligible~~
125 ~~to receive up to \$2,000 per full-time equivalent student from~~
126 ~~the Schools of Hope Program based upon the strength of the~~
127 ~~school's plan for implementation and its focus on evidence-based~~



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128 ~~interventions that lead to student success by providing wrap-~~
129 ~~around services that leverage community assets, improve school~~
130 ~~and community collaboration, and develop family and community~~
131 ~~partnerships. Wrap-around services include, but are not limited~~
132 ~~to, tutorial and after-school programs, student counseling,~~
133 ~~nutrition education, parental counseling, and adult education.~~
134 ~~Plans for implementation may also include models that develop a~~
135 ~~culture of attending college, high academic expectations,~~
136 ~~character development, dress codes, and an extended school day~~
137 ~~and school year. At a minimum, a plan for implementation must:~~
138 ~~1. Establish wrap-around services that develop family and~~
139 ~~community partnerships.~~
140 ~~2. Establish clearly defined and measurable high academic~~
141 ~~and character standards.~~
142 ~~3. Increase parental involvement and engagement in the~~
143 ~~child's education.~~
144 ~~4. Describe how the school district will identify, recruit,~~
145 ~~retain, and reward instructional personnel. The state board may~~
146 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
147 ~~requirements of s. 1012.34, to facilitate implementation of the~~
148 ~~plan.~~
149 ~~5. Identify a knowledge-rich curriculum that the school~~
150 ~~will use that focuses on developing a student's background~~
151 ~~knowledge.~~
152 ~~6. Provide professional development that focuses on~~
153 ~~academic rigor, direct instruction, and creating high academic~~
154 ~~and character standards.~~
155 ~~(c) The state board shall:~~
156 ~~1. Provide awards for up to 25 schools and prioritize~~



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157 ~~awards for plans submitted pursuant to paragraph (b) that are~~
158 ~~based on whole school transformation and that are developed in~~
159 ~~consultation with the school's principal.~~

160 ~~2. Annually report on the implementation of this subsection~~
161 ~~in the report required by s. 1008.345(5), and provide summarized~~
162 ~~academic performance reports of each traditional public school~~
163 ~~receiving funds.~~

164 ~~(d)~~ Notwithstanding s. 216.301 and pursuant to s. 216.351,
165 funds allocated for the purpose of this subsection which are not
166 disbursed by June 30 of the fiscal year in which the funds are
167 allocated may be carried forward for up to 5 years after the
168 effective date of the original appropriation.

169 (11) STATE BOARD OF EDUCATION AUTHORITY AND OBLIGATIONS.—
170 Pursuant to Art. IX of the State Constitution, which prescribes
171 the duty of the State Board of Education to supervise the public
172 school system, the State Board of Education shall:

173 (b) Adopt a standard notice of intent and performance-based
174 agreement that must be used by hope operators and district
175 school boards to eliminate regulatory and bureaucratic barriers
176 that delay access to high quality schools for students in
177 persistently low-performing schools and students residing in
178 Florida Opportunity Zones.

179 (d) Provide students in persistently low-performing schools
180 and students residing in Florida Opportunity Zones with a public
181 school that meets accountability standards. The State Board of
182 Education may enter into a performance-based agreement with a
183 hope operator when a school district has not improved the school
184 after 3 years of the interventions and support provided under s.
185 1008.33 or has not complied with the requirements of subsection



186 (4). Upon the State Board of Education entering into a
187 performance-based agreement with a hope operator, the school
188 district shall transfer to the school of hope the proportionate
189 share of state funds allocated from the Florida Education
190 Finance Program.

191
192 ===== T I T L E A M E N D M E N T =====

193 And the title is amended as follows:

194 Delete lines 17 - 31

195 and insert:

196 1002.333, F.S.; revising definitions; revising
197 requirements for hope operators seeking to open a
198 school of hope; revising requirements for the
199 performance-based agreement; revising requirements for
200 the expenditure of funds under the Schools of Hope
201 Program; requiring that ownership of certain property,
202 furnishings, and equipment revert to the district
203 school board upon the dissolution or termination of a
204 school of hope; providing that certain funds and
205 specified improvements, furnishings, equipment, and
206 records be held in trust upon a request by a district
207 school board; deleting the authorization for a
208 traditional public school to receive funds from the
209 program; deleting a requirement for the State Board of
210 Education to provide awards and annually report
211 certain information; conforming provisions to changes
212 made by the act; creating s. 1002.394, F.S.;