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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/19/2019	.	
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The Committee on Appropriations (Lee) recommended the following:

1 **Senate Amendment to Amendment (782410) (with title**
2 **amendment)**

3
4 Between lines 201 and 202

5 insert:

6 Section 4. Paragraph (a) of subsection (7) of section
7 1002.33, Florida Statutes, is amended to read

8 1002.33 Charter schools.—

9 (7) CHARTER.—The terms and conditions for the operation of
10 a charter school shall be set forth by the sponsor and the
11 applicant in a written contractual agreement, called a charter.



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12 The sponsor and the governing board of the charter school shall
13 use the standard charter contract pursuant to subsection (21),
14 which shall incorporate the approved application and any addenda
15 approved with the application. Any term or condition of a
16 proposed charter contract that differs from the standard charter
17 contract adopted by rule of the State Board of Education shall
18 be presumed a limitation on charter school flexibility. The
19 sponsor may not impose unreasonable rules or regulations that
20 violate the intent of giving charter schools greater flexibility
21 to meet educational goals. The charter shall be signed by the
22 governing board of the charter school and the sponsor, following
23 a public hearing to ensure community input.

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

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

28 2. The focus of the curriculum, the instructional methods
29 to be used, any distinctive instructional techniques to be
30 employed, and identification and acquisition of appropriate
31 technologies needed to improve educational and administrative
32 performance which include a means for promoting safe, ethical,
33 and appropriate uses of technology which comply with legal and
34 professional standards.

35 a. The charter shall ensure that reading is a primary focus
36 of the curriculum and that resources are provided to identify
37 and provide specialized instruction for students who are reading
38 below grade level. The curriculum and instructional strategies
39 for reading must be consistent with the Next Generation Sunshine
40 State Standards and grounded in scientifically based reading



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41 research.

42 b. In order to provide students with access to diverse
43 instructional delivery models, to facilitate the integration of
44 technology within traditional classroom instruction, and to
45 provide students with the skills they need to compete in the
46 21st century economy, the Legislature encourages instructional
47 methods for blended learning courses consisting of both
48 traditional classroom and online instructional techniques.
49 Charter schools may implement blended learning courses which
50 combine traditional classroom instruction and virtual
51 instruction. Students in a blended learning course must be full-
52 time students of the charter school pursuant to s.
53 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
54 1012.55 who provide virtual instruction for blended learning
55 courses may be employees of the charter school or may be under
56 contract to provide instructional services to charter school
57 students. At a minimum, such instructional personnel must hold
58 an active state or school district adjunct certification under
59 s. 1012.57 for the subject area of the blended learning course.
60 The funding and performance accountability requirements for
61 blended learning courses are the same as those for traditional
62 courses.

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

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

69 b. How these baseline rates will be compared to rates of



70 academic progress achieved by these same students while
71 attending the charter school.

72 c. To the extent possible, how these rates of progress will
73 be evaluated and compared with rates of progress of other
74 closely comparable student populations.

75

76 The district school board is required to provide academic
77 student performance data to charter schools for each of their
78 students coming from the district school system, as well as
79 rates of academic progress of comparable student populations in
80 the district school system.

81 4. The methods used to identify the educational strengths
82 and needs of students and how well educational goals and
83 performance standards are met by students attending the charter
84 school. The methods shall provide a means for the charter school
85 to ensure accountability to its constituents by analyzing
86 student performance data and by evaluating the effectiveness and
87 efficiency of its major educational programs. Students in
88 charter schools shall, at a minimum, participate in the
89 statewide assessment program created under s. 1008.22.

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

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

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

98 8. The ways by which the school will achieve a



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99 racial/ethnic balance reflective of the community it serves or
100 within the racial/ethnic range of other public schools in the
101 same school district.

102 9. The financial and administrative management of the
103 school, including a reasonable demonstration of the professional
104 experience or competence of those individuals or organizations
105 applying to operate the charter school or those hired or
106 retained to perform such professional services and the
107 description of clearly delineated responsibilities and the
108 policies and practices needed to effectively manage the charter
109 school. A description of internal audit procedures and
110 establishment of controls to ensure that financial resources are
111 properly managed must be included. Both public sector and
112 private sector professional experience shall be equally valid in
113 such a consideration.

114 10. The asset and liability projections required in the
115 application which are incorporated into the charter and shall be
116 compared with information provided in the annual report of the
117 charter school.

118 11. A description of procedures that identify various risks
119 and provide for a comprehensive approach to reduce the impact of
120 losses; plans to ensure the safety and security of students and
121 staff; plans to identify, minimize, and protect others from
122 violent or disruptive student behavior; and the manner in which
123 the school will be insured, including whether or not the school
124 will be required to have liability insurance, and, if so, the
125 terms and conditions thereof and the amounts of coverage.

126 12. The term of the charter which shall provide for
127 cancellation of the charter if insufficient progress has been



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128 made in attaining the student achievement objectives of the
129 charter and if it is not likely that such objectives can be
130 achieved before expiration of the charter. The initial term of a
131 charter shall be for 5 years, excluding 2 planning years. In
132 order to facilitate access to long-term financial resources for
133 charter school construction, charter schools that are operated
134 by a municipality or other public entity as provided by law are
135 eligible for up to a 15-year charter, subject to approval by the
136 district school board. A charter lab school is eligible for a
137 charter for a term of up to 15 years. In addition, to facilitate
138 access to long-term financial resources for charter school
139 construction, charter schools that are operated by a private,
140 not-for-profit, s. 501(c)(3) status corporation are eligible for
141 up to a 15-year charter, subject to approval by the district
142 school board. Such long-term charters remain subject to annual
143 review and may be terminated during the term of the charter, but
144 only according to the provisions set forth in subsection (8).

145 13. The facilities to be used and their location. The
146 applicant must identify a specific school zone within the
147 district for the proposed charter school to ensure that the
148 proposed charter school locates in reasonable proximity to the
149 student population identified within the charter school
150 application. The sponsor may not require a charter school to
151 have a certificate of occupancy or a temporary certificate of
152 occupancy for such a facility earlier than 15 calendar days
153 before the first day of school.

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



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

160 16. A timetable for implementing the charter which
161 addresses the implementation of each element thereof and the
162 date by which the charter shall be awarded in order to meet this
163 timetable.

164 17. In the case of an existing public school that is being
165 converted to charter status, alternative arrangements for
166 current students who choose not to attend the charter school and
167 for current teachers who choose not to teach in the charter
168 school after conversion in accordance with the existing
169 collective bargaining agreement or district school board rule in
170 the absence of a collective bargaining agreement. However,
171 alternative arrangements shall not be required for current
172 teachers who choose not to teach in a charter lab school, except
173 as authorized by the employment policies of the state university
174 which grants the charter to the lab school.

175 18. Full disclosure of the identity of all relatives
176 employed by the charter school who are related to the charter
177 school owner, president, chairperson of the governing board of
178 directors, superintendent, governing board member, principal,
179 assistant principal, or any other person employed by the charter
180 school who has equivalent decisionmaking authority. For the
181 purpose of this subparagraph, the term "relative" means father,
182 mother, son, daughter, brother, sister, uncle, aunt, first
183 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
184 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
185 stepfather, stepmother, stepson, stepdaughter, stepbrother,



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186 stepsister, half brother, or half sister.

187 19. Implementation of the activities authorized under s.
188 1002.331 by the charter school when it satisfies the eligibility
189 requirements for a high-performing charter school. A high-
190 performing charter school shall notify its sponsor in writing by
191 March 1 if it intends to increase enrollment or expand grade
192 levels the following school year. The written notice shall
193 specify the amount of the enrollment increase and the grade
194 levels that will be added, as applicable.

195

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

197 And the title is amended as follows:

198 Delete line 2181

199 and insert:

200 private educational choice options; amending s.
201 1002.33, F.S.; authorizing school districts to
202 condition approval of a charter upon certain criteria;
203 amending s.