

1 A bill to be entitled
2 An act relating to school choice; amending s. 1002.31,
3 F.S.; requiring district school boards to include a
4 specific report in their process for controlled open
5 enrollment; revising specified district school board
6 reporting requirements to include information relating
7 to school choice; amending s. 1002.33, F.S.; revising
8 the contents of an annual report charter school
9 sponsors must provide to the Department of Education;
10 revising the date by which the department must post a
11 specified annual report; deleting obsolete provisions;
12 providing that certain types of facilities may be used
13 to house a charter school under certain circumstances;
14 authorizing certain entities to provide land to
15 charter schools under certain circumstances; amending
16 s. 1002.333, F.S.; revising definitions; defining the
17 term "Florida Opportunity Zone;" authorizing a hope
18 operator to operate a school of hope in a school
19 district located in a Florida Opportunity Zone;
20 conforming provisions to changes made by the act;
21 revising the approved uses of Schools of Hope Program
22 funds by a hope operator; revising the amount of an
23 award a traditional public school may receive through
24 the Schools of Hope Program under certain
25 circumstances; providing requirements for such awards;

26 | revising the number of traditional public school that
27 | will receive an award through the Schools of Hope
28 | Program; providing criteria for the selection of
29 | traditional public schools who receive awards;
30 | amending s. 1002.40, F.S.; revising the requirements
31 | for the termination of a Hope Scholarship upon
32 | enrollment in a public school; deleting a requirement
33 | that the department contract with an independent
34 | entity for an annual evaluation of the Hope
35 | Scholarship Program; amending s. 1002.421, F.S.;
36 | deleting an exemption from certain background
37 | screenings for employees and personnel holding a valid
38 | Florida teaching certificate; conforming cross-
39 | references; creating s. 1004.6499, F.S.; providing the
40 | purpose of the Center for Community Schools within the
41 | University of Central Florida relating to community
42 | school models; providing definitions; providing
43 | requirements for a community organization; providing
44 | requirements for a community school model; authorizing
45 | the Center for Community Schools to award grants to
46 | community organizations to establish its community
47 | school model; providing requirements for the award of
48 | such grants; requiring the Center for Community
49 | Schools to publish certain information on its website;
50 | providing an effective date.

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

Section 1. Subsection (4) of section 1002.31, Florida Statutes, is amended, and paragraph (j) is added to subsection (3) of that section, to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(3) Each district school board shall adopt by rule and post on its website the process required to participate in controlled open enrollment. The process must:

(j) Report the number of applications received and the percentage of applications granted per school year.

(4) In accordance with the reporting requirements of s. 1011.62, each district school board shall annually report the number of students applying for and exercising public school choice, by type, in accordance with rules adopted by the State Board of Education.

Section 2. Paragraph (b) of subsection (5), paragraph (b) of subsection (6), and paragraph (c) of subsection (18) of section 1002.33, Florida Statutes, are amended to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter

76 | school in its progress toward the goals established in the
77 | charter.

78 | b. The sponsor shall monitor the revenues and expenditures
79 | of the charter school and perform the duties provided in s.
80 | 1002.345.

81 | c. The sponsor may approve a charter for a charter school
82 | before the applicant has identified space, equipment, or
83 | personnel, if the applicant indicates approval is necessary for
84 | it to raise working funds.

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

94 | e. The sponsor shall ensure that the charter is innovative
95 | and consistent with the state education goals established by s.
96 | 1000.03(5).

97 | f. The sponsor shall ensure that the charter school
98 | participates in the state's education accountability system. If
99 | a charter school falls short of performance measures included in
100 | the approved charter, the sponsor shall report such shortcomings

101 to the Department of Education.

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

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

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

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

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

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

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

120 (A)~~(B)~~ The number of ~~final~~ applications received on or
 121 before February ~~August~~ 1 and each applicant's contact
 122 information.

123 (B)~~(C)~~ The date each application was approved, denied, or
 124 withdrawn.

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

126 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
127 ~~and each year thereafter,~~ the sponsor shall submit to the
128 department the information for the applications submitted the
129 previous year.

130 (III) The department shall compile an annual report, by
131 sponsor ~~district,~~ and post the report on its website by January
132 15 ~~November 1~~ of each year.

133 2. Immunity for the sponsor of a charter school under
134 subparagraph 1. applies only with respect to acts or omissions
135 not under the sponsor's direct authority as described in this
136 section.

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

139 4. A Florida College System institution may work with the
140 school district or school districts in its designated service
141 area to develop charter schools that offer secondary education.
142 These charter schools must include an option for students to
143 receive an associate degree upon high school graduation. If a
144 Florida College System institution operates an approved teacher
145 preparation program under s. 1004.04 or s. 1004.85, the
146 institution may operate no more than one charter school that
147 serves students in kindergarten through grade 12. In
148 kindergarten through grade 8, the charter school shall implement
149 innovative blended learning instructional models in which, for a
150 given course, a student learns in part through online delivery

151 of content and instruction with some element of student control
152 over time, place, path, or pace and in part at a supervised
153 brick-and-mortar location away from home. A student in a blended
154 learning course must be a full-time student of the charter
155 school and receive the online instruction in a classroom setting
156 at the charter school. District school boards shall cooperate
157 with and assist the Florida College System institution on the
158 charter application. Florida College System institution
159 applications for charter schools are not subject to the time
160 deadlines outlined in subsection (6) and may be approved by the
161 district school board at any time during the year. Florida
162 College System institutions may not report FTE for any students
163 who receive FTE funding through the Florida Education Finance
164 Program.

165 5. A school district may enter into nonexclusive
166 interlocal agreements with federal and state agencies, counties,
167 municipalities, and other governmental entities that operate
168 within the geographical borders of the school district to act on
169 behalf of such governmental entities in the inspection,
170 issuance, and other necessary activities for all necessary
171 permits, licenses, and other permissions that a charter school
172 needs in order for development, construction, or operation. A
173 charter school may use, but may not be required to use, a school
174 district for these services. The interlocal agreement must
175 include, but need not be limited to, the identification of fees

176 that charter schools will be charged for such services. The fees
177 must consist of the governmental entity's fees plus a fee for
178 the school district to recover no more than actual costs for
179 providing such services. These services and fees are not
180 included within the services to be provided pursuant to
181 subsection (20).

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

184 (b) A sponsor shall receive and review all applications
185 for a charter school using the evaluation instrument developed
186 by the Department of Education. ~~A sponsor shall receive and
187 consider charter school applications received on or before
188 August 1 of each calendar year for charter schools to be opened
189 at the beginning of the school district's next school year, or
190 to be opened at a time agreed to by the applicant and the
191 sponsor. A sponsor may not refuse to receive a charter school
192 application submitted before August 1 and may receive an
193 application submitted later than August 1 if it chooses.~~
194 Beginning in 2018 and thereafter, A sponsor shall receive and
195 consider charter school applications received on or before
196 February 1 of each calendar year for charter schools to be
197 opened 18 months later at the beginning of the school district's
198 school year, or to be opened at a time determined by the
199 applicant. A sponsor may not refuse to receive a charter school
200 application submitted before February 1 and may receive an

201 application submitted later than February 1 if it chooses. A
202 sponsor may not charge an applicant for a charter any fee for
203 the processing or consideration of an application, and a sponsor
204 may not base its consideration or approval of a final
205 application upon the promise of future payment of any kind.
206 Before approving or denying any application, the sponsor shall
207 allow the applicant, upon receipt of written notification, at
208 least 7 calendar days to make technical or nonsubstantive
209 corrections and clarifications, including, but not limited to,
210 corrections of grammatical, typographical, and like errors or
211 missing signatures, if such errors are identified by the sponsor
212 as cause to deny the final application.

213 1. In order to facilitate an accurate budget projection
214 process, a sponsor shall be held harmless for FTE students who
215 are not included in the FTE projection due to approval of
216 charter school applications after the FTE projection deadline.
217 In a further effort to facilitate an accurate budget projection,
218 within 15 calendar days after receipt of a charter school
219 application, a sponsor shall report to the Department of
220 Education the name of the applicant entity, the proposed charter
221 school location, and its projected FTE.

222 2. In order to ensure fiscal responsibility, an
223 application for a charter school shall include a full accounting
224 of expected assets, a projection of expected sources and amounts
225 of income, including income derived from projected student

226 | enrollments and from community support, and an expense
227 | projection that includes full accounting of the costs of
228 | operation, including start-up costs.

229 | 3.a. A sponsor shall by a majority vote approve or deny an
230 | application no later than 90 calendar days after the application
231 | is received, unless the sponsor and the applicant mutually agree
232 | in writing to temporarily postpone the vote to a specific date,
233 | at which time the sponsor shall by a majority vote approve or
234 | deny the application. If the sponsor fails to act on the
235 | application, an applicant may appeal to the State Board of
236 | Education as provided in paragraph (c). If an application is
237 | denied, the sponsor shall, within 10 calendar days after such
238 | denial, articulate in writing the specific reasons, based upon
239 | good cause, supporting its denial of the application and shall
240 | provide the letter of denial and supporting documentation to the
241 | applicant and to the Department of Education.

242 | b. An application submitted by a high-performing charter
243 | school identified pursuant to s. 1002.331 or a high-performing
244 | charter school system identified pursuant to s. 1002.332 may be
245 | denied by the sponsor only if the sponsor demonstrates by clear
246 | and convincing evidence that:

247 | (I) The application of a high-performing charter school
248 | does not materially comply with the requirements in paragraph
249 | (a) or, for a high-performing charter school system, the
250 | application does not materially comply with s. 1002.332(2)(b);

251 (II) The charter school proposed in the application does
 252 not materially comply with the requirements in paragraphs
 253 (9) (a) - (f);

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

257 (IV) The applicant has made a material misrepresentation
 258 or false statement or concealed an essential or material fact
 259 during the application process; or

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

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 264 Material noncompliance is a failure to follow requirements or a
 265 violation of prohibitions applicable to charter school
 266 applications, which failure is quantitatively or qualitatively
 267 significant either individually or when aggregated with other
 268 noncompliance. An applicant is considered to be replicating a
 269 high-performing charter school if the proposed school is
 270 substantially similar to at least one of the applicant's high-
 271 performing charter schools and the organization or individuals
 272 involved in the establishment and operation of the proposed
 273 school are significantly involved in the operation of replicated
 274 schools.

275 c. If the sponsor denies an application submitted by a

276 high-performing charter school or a high-performing charter
277 school system, the sponsor must, within 10 calendar days after
278 such denial, state in writing the specific reasons, based upon
279 the criteria in sub-subparagraph b., supporting its denial of
280 the application and must provide the letter of denial and
281 supporting documentation to the applicant and to the Department
282 of Education. The applicant may appeal the sponsor's denial of
283 the application in accordance with paragraph (c).

284 4. For budget projection purposes, the sponsor shall
285 report to the Department of Education the approval or denial of
286 an application within 10 calendar days after such approval or
287 denial. In the event of approval, the report to the Department
288 of Education shall include the final projected FTE for the
289 approved charter school.

290 5. Upon approval of an application, the initial startup
291 shall commence with the beginning of the public school calendar
292 for the district in which the charter is granted. A charter
293 school may defer the opening of the school's operations for up
294 to 3 years to provide time for adequate facility planning. The
295 charter school must provide written notice of such intent to the
296 sponsor and the parents of enrolled students at least 30
297 calendar days before the first day of school.

298 (18) FACILITIES.—

299 (c) Any facility, or portion thereof, used to house a
300 charter school whose charter has been approved by the sponsor

301 and the governing board, pursuant to subsection (7), shall be
 302 exempt from ad valorem taxes pursuant to s. 196.1983. Library,
 303 community service organization, museum, performing arts,
 304 theatre, cinema, church, house of worship, temple, Florida
 305 College System institution, college, and university facilities
 306 may provide space or land to charter schools within their
 307 property or facilities under their preexisting zoning and land
 308 use designations without obtaining a special exception,
 309 rezoning, or a land use change.

310 Section 3. Subsections (1), (2), and (4), paragraphs (b),
 311 (d), and (h) of subsection (5), paragraphs (a), (b), and (c) of
 312 subsection (10), and paragraphs (b) and (d) of subsection (11)
 313 of section 1002.333, Florida Statutes, are amended to read:

314 1002.333 Persistently low-performing schools.—

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

316 (a) "Florida Opportunity Zone" means a population census
 317 tract that has been designated by the United States Department
 318 of the Treasury as a Qualified Opportunity Zone pursuant to
 319 Internal Revenue Code s. 1400Z-1(b)(1)(B).

320 (b) (a) "Hope operator" means an entity identified by the
 321 department pursuant to subsection (2).

322 (c) (b) "Persistently low-performing school" means a school
 323 that has earned three ~~consecutive~~ grades lower than a "C,"
 324 pursuant to s. 1008.34, in at least 3 of the last 5 years, and a
 325 school that was closed pursuant to s. 1008.33(4) within 2 years

326 after the submission of a notice of intent.

327 (d)~~(e)~~ "School of hope" means:

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

329 a. Serves students from one or more persistently low-
 330 performing schools and students who reside in a Florida
 331 Opportunity Zone;

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

335 c. Is a Title I eligible school; or

336 2. A school operated by a hope operator pursuant to s.
 337 1008.33(4)(b)2. ~~s. 1008.33(4)(b)3.~~

338 (2) HOPE OPERATOR.—A hope operator is a nonprofit
 339 organization with tax exempt status under s. 501(c)(3) of the
 340 Internal Revenue Code that operates three or more charter
 341 schools that serve students in grades K-12 in Florida or other
 342 states with a record of serving students from low-income
 343 families and is designated by the State Board of Education as a
 344 hope operator based on a determination that:

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

347 1. The achievement of enrolled students exceeds the
 348 district and state averages of the states in which the
 349 operator's schools operate;

350 2. The average college attendance rate at all schools

351 currently operated by the operator exceeds 80 percent, if such
352 data is available;

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

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

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

361 6. Other outcome measures as determined by the State Board
362 of Education;

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

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

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

372

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

376 designated as a hope operator. After the adoption of the
 377 measurable criteria, an entity, including a governing board that
 378 operates a school established pursuant to s. 1008.33(4)(b)3.,
 379 shall be designated as a hope operator if it meets the criteria
 380 of paragraph (a) or paragraph (c).

381 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
 382 seeking to open a school of hope must submit a notice of intent
 383 to the school district in which a persistently low-performing
 384 school has been identified by the State Board of Education
 385 pursuant to subsection (10) or in which a Florida Opportunity
 386 Zone is located.

387 (a) The notice of intent must include:

- 388 1. An academic focus and plan.
- 389 2. A financial plan.
- 390 3. Goals and objectives for increasing student achievement
 391 for the students from low-income families.
- 392 4. A completed or planned community outreach plan.
- 393 5. The organizational history of success in working with
 394 students with similar demographics.
- 395 6. The grade levels to be served and enrollment
 396 projections.
- 397 7. The proposed location or geographic area proposed for
 398 the school consistent with the requirements of sub-subparagraphs
 399 (1)(d)1.a. and b ~~and its proximity to the persistently low-~~
 400 ~~performing school~~.

401 8. A staffing plan.

402 (b) Notwithstanding the requirements of s. 1002.33, a
403 school district shall enter into a performance-based agreement
404 with a hope operator to open schools to serve students from
405 persistently low-performing schools and students residing in a
406 Florida Opportunity Zone.

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

409 (b) The location or geographic area proposed for the
410 school of hope and its proximity to the persistently low-
411 performing school, as applicable.

412 (d) A plan of action and specific milestones for student
413 recruitment and the enrollment of students from persistently
414 low-performing schools and students residing in a Florida
415 Opportunity Zone, including enrollment preferences and
416 procedures for conducting transparent admissions lotteries that
417 are open to the public. Students from persistently low-
418 performing schools and students residing in a Florida
419 Opportunity Zone shall be exempt from any enrollment lottery to
420 the extent permitted by federal grant requirements.

421 (h) A provision allowing the hope operator to open
422 additional schools to serve students enrolled in or zoned for a
423 persistently low-performing school and students residing in a
424 Florida Opportunity Zone if the hope operator maintains its
425 status under subsection (3).

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

428 (a) A ~~school of~~ hope operator is eligible to receive funds
 429 from the Schools of Hope Program for the following expenditures:

430 1. Preparing teachers, school leaders, and specialized
 431 instructional support personnel, including costs associated
 432 with:

433 a. Providing professional development.

434 b. Hiring and compensating teachers, school leaders,
 435 executive directors, regional directors, and specialized
 436 instructional support personnel until the school reaches full
 437 enrollment ~~for services beyond the school day and year.~~

438 2. Acquiring supplies, training, equipment, and
 439 educational materials, including developing and acquiring
 440 instructional materials.

441 3. Providing one-time startup costs associated with
 442 providing transportation to students to and from the charter
 443 school.

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

446 5. Providing funds to cover the nonvoted ad valorem
 447 millage that would otherwise be required for schools and the
 448 required local effort funds calculated pursuant to s. 1011.62
 449 when the state board enters into an agreement with a hope
 450 operator pursuant to subsection (5).

451 6. Providing funds for eligible capital outlay
452 expenditures pursuant to s. 1013.62(4), up to the amount
453 calculated pursuant to s. 1013.62(2), until the school is
454 eligible to receive charter school capital outlay pursuant to s.
455 1013.62(1).

456 7. Providing funds for the initial leasing, and related
457 costs, of a school facility in the event that a suitable
458 district-owned facility is unavailable or not leased in a timely
459 manner pursuant to paragraph (7) (d).

460 (b) A traditional public school that is required to submit
461 a turnaround plan for implementation pursuant to s. 1008.33(4)
462 is eligible to receive up to \$500 ~~\$2,000~~ per full-time
463 equivalent student from the Schools of Hope Program. Awards
464 shall continue during the implementation of the turnaround plan
465 and for 1 school year after the school exits turnaround status.
466 Awards for a traditional public school that is required to
467 submit a subsequent turnaround plan is contingent upon approval
468 of the turnaround plan by the state board and a subsequent plan
469 submitted pursuant to this paragraph. Awards shall be based upon
470 the strength of the school's plan for implementation and its
471 focus on evidence-based interventions that lead to student
472 success by providing wrap-around services that leverage
473 community assets, improve school and community collaboration,
474 and develop family and community partnerships. Wrap-around
475 services include, but are not limited to, tutorial and after-

476 school programs, student counseling, nutrition education,
477 parental counseling, and adult education. Plans for
478 implementation may also include models that develop a culture of
479 attending college, high academic expectations, character
480 development, dress codes, and an extended school day and school
481 year. At a minimum, a plan for implementation must:

482 1. Establish wrap-around services that develop family and
483 community partnerships.

484 2. Establish clearly defined and measurable high academic
485 and character standards.

486 3. Increase parental involvement and engagement in the
487 child's education.

488 4. Describe how the school district will identify,
489 recruit, retain, and reward instructional personnel. The state
490 board may waive the requirements of s. 1012.22(1)(c)5., and
491 suspend the requirements of s. 1012.34, to facilitate
492 implementation of the plan.

493 5. Identify a knowledge-rich curriculum that the school
494 will use that focuses on developing a student's background
495 knowledge.

496 6. Provide professional development that focuses on
497 academic rigor, direct instruction, and creating high academic
498 and character standards.

499 7. Identify public and private funds that will be used to
500 sustain the plan beyond the grant award and provide assurances

501 that the grant award will not supplant existing funds provided
502 to the school.

503 (c) The state board shall:

504 1. Provide awards for up to 75 ~~25~~ schools and prioritize
505 awards for plans submitted pursuant to paragraph (b) that are
506 based on whole school transformation, ~~and that are~~ developed in
507 consultation with the school's principal, and demonstrate that
508 the plan will continue beyond the term of the award.

509 2. Annually report on the implementation of this
510 subsection in the report required by s. 1008.345(5), and provide
511 summarized academic performance reports of each traditional
512 public school receiving funds.

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

517 (b) Adopt a standard notice of intent and performance-
518 based agreement that must be used by hope operators and district
519 school boards to eliminate regulatory and bureaucratic barriers
520 that delay access to high quality schools for students in
521 persistently low-performing schools and students residing in
522 Florida Opportunity Zones.

523 (d) Provide students in persistently low-performing
524 schools and students residing in Florida Opportunity Zones with
525 a public school that meets accountability standards. The State

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526 Board of Education may enter into a performance-based agreement
527 with a hope operator when a school district has not improved the
528 school after 3 years of the interventions and support provided
529 under s. 1008.33 or has not complied with the requirements of
530 subsection (4). Upon the State Board of Education entering into
531 a performance-based agreement with a hope operator, the school
532 district shall transfer to the school of hope the proportionate
533 share of state funds allocated from the Florida Education
534 Finance Program.

535 Section 4. Subsection (5) and paragraph (d) of subsection
536 (8) of section 1002.40, Florida Statutes, are amended to read:

537 1002.40 The Hope Scholarship Program.—

538 (5) TERM OF HOPE SCHOLARSHIP.—For purposes of continuity
539 of educational choice, a Hope scholarship shall remain in force
540 until the student returns to public school or graduates from
541 high school, whichever occurs first. A scholarship student who
542 enrolls in a public school or public school program within the
543 district is considered to have returned to a public school for
544 the purpose of determining the end of the scholarship's term. A
545 scholarship student who enrolls in a public school located
546 outside of the district in which the incident occurred shall
547 receive only a scholarship pursuant to paragraph (11)(b).

548 (8) DEPARTMENT OF EDUCATION OBLIGATIONS.—The department
549 shall:

550 ~~(d) Contract with an independent entity to provide an~~

551 ~~annual evaluation of the program by:~~

552 ~~1. Reviewing the school bullying prevention education~~
553 ~~program, climate, and code of student conduct of each public~~
554 ~~school from which 10 or more students transferred to another~~
555 ~~public school or private school using the Hope scholarship to~~
556 ~~determine areas in the school or school district procedures~~
557 ~~involving reporting, investigating, and communicating a parent's~~
558 ~~and student's rights that are in need of improvement. At a~~
559 ~~minimum, the review must include:~~

560 ~~a. An assessment of the investigation time and quality of~~
561 ~~the response of the school and the school district.~~

562 ~~b. An assessment of the effectiveness of communication~~
563 ~~procedures with the students involved in an incident, the~~
564 ~~students' parents, and the school and school district personnel.~~

565 ~~c. An analysis of school incident and discipline data.~~

566 ~~d. The challenges and obstacles relating to implementing~~
567 ~~recommendations from the review.~~

568 ~~2. Reviewing the school bullying prevention education~~
569 ~~program, climate, and code of student conduct of each public~~
570 ~~school to which a student transferred if the student was from a~~
571 ~~school identified in subparagraph 1. in order to identify best~~
572 ~~practices and make recommendations to a public school at which~~
573 ~~the incidents occurred.~~

574 ~~3. Reviewing the performance of participating students~~
575 ~~enrolled in a private school in which at least 51 percent of the~~

576 ~~total enrolled students in the prior school year participated in~~
577 ~~the program and in which there are at least 10 participating~~
578 ~~students who have scores for tests administered.~~

579 ~~4. Surveying the parents of participating students to~~
580 ~~determine academic, safety, and school climate satisfaction and~~
581 ~~to identify any challenges to or obstacles in addressing the~~
582 ~~incident or relating to the use of the scholarship.~~

583 Section 5. Paragraph (m) of subsection (1) of section
584 1002.421, Florida Statutes, is amended to read:

585 1002.421 State school choice scholarship program
586 accountability and oversight.—

587 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
588 school participating in an educational scholarship program
589 established pursuant to this chapter must be a private school as
590 defined in s. 1002.01(2) in this state, be registered, and be in
591 compliance with all requirements of this section in addition to
592 private school requirements outlined in s. 1002.42, specific
593 requirements identified within respective scholarship program
594 laws, and other provisions of Florida law that apply to private
595 schools, and must:

596 (m) Require each employee and contracted personnel with
597 direct student contact, upon employment or engagement to provide
598 services, to undergo a state and national background screening,
599 pursuant to s. 943.0542, by electronically filing with the
600 Department of Law Enforcement a complete set of fingerprints

601 taken by an authorized law enforcement agency or an employee of
602 the private school, a school district, or a private company who
603 is trained to take fingerprints and deny employment to or
604 terminate an employee if he or she fails to meet the screening
605 standards under s. 435.04. Results of the screening shall be
606 provided to the participating private school. For purposes of
607 this paragraph:

608 1. An "employee or contracted personnel with direct
609 student contact" means any employee or contracted personnel who
610 has unsupervised access to a scholarship student for whom the
611 private school is responsible.

612 2. The costs of fingerprinting and the background check
613 shall not be borne by the state.

614 3. Continued employment of an employee or contracted
615 personnel after notification that he or she has failed the
616 background screening under this paragraph shall cause a private
617 school to be ineligible for participation in a scholarship
618 program.

619 ~~4. An employee or contracted personnel holding a valid~~
620 ~~Florida teaching certificate who has been fingerprinted pursuant~~
621 ~~to s. 1012.32 is not required to comply with the provisions of~~
622 ~~this paragraph.~~

623 4.5. All fingerprints submitted to the Department of Law
624 Enforcement as required by this section shall be retained by the
625 Department of Law Enforcement in a manner provided by rule and

626 entered in the statewide automated biometric identification
627 system authorized by s. 943.05(2)(b). Such fingerprints shall
628 thereafter be available for all purposes and uses authorized for
629 arrest fingerprints entered in the statewide automated biometric
630 identification system pursuant to s. 943.051.

631 ~~5.6.~~ The Department of Law Enforcement shall search all
632 arrest fingerprints received under s. 943.051 against the
633 fingerprints retained in the statewide automated biometric
634 identification system under subparagraph 4. ~~subparagraph 5.~~ Any
635 arrest record that is identified with the retained fingerprints
636 of a person subject to the background screening under this
637 section shall be reported to the employing school with which the
638 person is affiliated. Each private school participating in a
639 scholarship program is required to participate in this search
640 process by informing the Department of Law Enforcement of any
641 change in the employment or contractual status of its personnel
642 whose fingerprints are retained under subparagraph 4.

643 ~~subparagraph 5.~~ The Department of Law Enforcement shall adopt a
644 rule setting the amount of the annual fee to be imposed upon
645 each private school for performing these searches and
646 establishing the procedures for the retention of private school
647 employee and contracted personnel fingerprints and the
648 dissemination of search results. The fee may be borne by the
649 private school or the person fingerprinted.

650 ~~6.7.~~ Employees and contracted personnel whose fingerprints

651 are not retained by the Department of Law Enforcement under
652 subparagraphs 4. and 5. ~~subparagraphs 5. and 6.~~ are required to
653 be refingerprinted and must meet state and national background
654 screening requirements upon reemployment or reengagement to
655 provide services in order to comply with the requirements of
656 this section.

657 ~~7.8.~~ Every 5 years following employment or engagement to
658 provide services with a private school, employees or contracted
659 personnel required to be screened under this section must meet
660 screening standards under s. 435.04, at which time the private
661 school shall request the Department of Law Enforcement to
662 forward the fingerprints to the Federal Bureau of Investigation
663 for national processing. If the fingerprints of employees or
664 contracted personnel are not retained by the Department of Law
665 Enforcement under subparagraph 4. ~~subparagraph 5.~~, employees and
666 contracted personnel must electronically file a complete set of
667 fingerprints with the Department of Law Enforcement. Upon
668 submission of fingerprints for this purpose, the private school
669 shall request that the Department of Law Enforcement forward the
670 fingerprints to the Federal Bureau of Investigation for national
671 processing, and the fingerprints shall be retained by the
672 Department of Law Enforcement under subparagraph 4. ~~subparagraph~~
673 ~~5.~~

674 The department shall suspend the payment of funds to a private
675 school that knowingly fails to comply with this subsection, and

676 shall prohibit the school from enrolling new scholarship
677 students, for 1 fiscal year and until the school complies. If a
678 private school fails to meet the requirements of this subsection
679 or has consecutive years of material exceptions listed in the
680 report required under paragraph (q), the commissioner may
681 determine that the private school is ineligible to participate
682 in a scholarship program.

683 Section 6. Section 1004.6499, Florida Statutes, is created
684 to read:

685 1004.6499 The Center for Community Schools.—

686 (1) PURPOSE.—The Center for Community Schools at the
687 University of Central Florida provides technical assistance,
688 university-assisted partnerships, training, assessment, and
689 evaluation for the establishment and implementation of community
690 school models.

691 (2) DEFINITIONS.—

692 (a) "Center" means the Center for Community Schools at the
693 University of Central Florida.

694 (b) "Community organization" means a nonprofit
695 organization that has been in existence for at least 3 years and
696 serves individuals within a county in which a public school
697 implementing the community school model is located. The
698 community organization serves as the lead partner in the
699 community school model and facilitates the use of grant funds
700 under this section.

701 (c) "Community school model" means a school service model
702 developed by the center that utilizes a long-term partnership
703 among a school district, a community organization, a college or
704 university, and a healthcare provider to establish, develop, and
705 sustain a system for addressing student, family, and community
706 needs during and outside of the school day. The model must
707 establish a collaborative governance structure among the
708 community partners for providing services and include standards
709 for effective implementation, reporting, and evaluation at each
710 participating school. The governance structure may include other
711 community leaders such as parent-teacher organizations,
712 community businesses, and faith leaders. The model must also
713 provide for family engagement and expanded learning
714 opportunities and support for students.

715 (3) GRANT PROGRAM.—Contingent upon available funds, the
716 center may facilitate the implementation of its community school
717 model in the state through grants that enable community
718 organizations to establish long-term partnerships and secure
719 resources for planning, staffing, and providing services to
720 students and families through the community school model. The
721 center shall:

722 (a) Require a participating public school to establish
723 long-term partnerships through a memorandum of understanding and
724 condition the award of grant funds upon the community
725 organization securing matching funds.

726 (b) Prioritize awards based on demonstration of the
727 technical and financial ability to sustain the community school
728 model beyond an initial grant award and in school districts
729 where the community school model has not been established.

730 (4) REPORTING.—The center shall publish on its website
731 information on each community organization receiving a grant
732 from the center to implement the community school model,
733 including:

734 (a) The amount of grant funds provided through the center
735 for each participating school and the amount of matching funds
736 provided by the community organization for each year the
737 community organization has received a grant for that school.

738 (b) The long-term partners who have entered into a
739 memorandum of understanding for implementing the community
740 school model pursuant to paragraph (2)(c).

741 (c) A description of the services and community engagement
742 activities provided through the community school model.

743 (d) The number of students, families, and community
744 members served through the community school model.

745 (e) The academic progress of students enrolled at the
746 public school, including student progression data, attendance,
747 behavior, and student achievement and learning gains on
748 statewide, standardized assessments as determined pursuant to s.
749 1008.34.

750 Section 7. This act shall take effect July 1, 2019.