

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 solicit
5 applications for and sponsor charter schools under
6 certain circumstances; authorizing a state university
7 or Florida College System institution to, at its
8 discretion, deny an application for a charter school;
9 revising the contents of an annual report that charter
10 school sponsors must provide to the Department of
11 Education; revising the date by which the department
12 must post a specified annual report; revising
13 provisions relating to Florida College System
14 institutions that are operating charter schools;
15 requiring the board of trustees of a state university
16 or Florida College System institution that is
17 sponsoring a charter school to serve as the local
18 educational agency for such school; prohibiting
19 certain charter school students from being included in
20 specified school district grade calculations;
21 requiring the department to develop a sponsor
22 evaluation framework; providing requirements for the
23 framework; deleting obsolete language; providing a
24 calculation for the operational funding for a charter
25 school sponsored by a state university or Florida

26 College System institution; requiring the department
 27 to develop a tool for state universities and Florida
 28 College System institutions for specified purposes
 29 relating to certain funding calculations; providing
 30 that such funding must be appropriated to the charter
 31 school; providing for capital outlay funding for such
 32 schools; conforming provisions to changes made by the
 33 act; amending s. 1003.493, F.S.; authorizing a career
 34 and professional academy to be offered by a charter
 35 school; providing an effective date.

36

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

38

39 Section 1. Paragraph (c) of subsection (2), subsection
 40 (5), paragraph (b) of subsection (6), paragraphs (a) and (d) of
 41 subsection (7), paragraphs (d) and (e) of subsection (8),
 42 paragraphs (g) and (n) of subsection (9), paragraph (e) of
 43 subsection (10), subsection (14), paragraph (c) of subsection
 44 (15), subsection (17), paragraph (e) of subsection (18),
 45 subsections (20) and (21), paragraph (a) of subsection (25), and
 46 subsection (28) of section 1002.33, Florida Statutes, are
 47 amended to read:

48

1002.33 Charter schools.—

49

(2) GUIDING PRINCIPLES; PURPOSE.—

50

(c) Charter schools may fulfill the following purposes:

- 51 1. Create innovative measurement tools.
- 52 2. Provide rigorous competition within the public school
53 system ~~district~~ to stimulate continual improvement in all public
54 schools.
- 55 3. Expand the capacity of the public school system.
- 56 4. Mitigate the educational impact created by the
57 development of new residential dwelling units.
- 58 5. Create new professional opportunities for teachers,
59 including ownership of the learning program at the school site.
- 60 (5) SPONSOR; DUTIES.—
- 61 (a) Sponsoring entities.—
- 62 1. A district school board may sponsor a charter school in
63 the county over which the district school board has
64 jurisdiction.
- 65 2. A state university may grant a charter to a lab school
66 created under s. 1002.32 and shall be considered to be the
67 school's sponsor. Such school shall be considered a charter lab
68 school.
- 69 3. Because needs relating to educational capacity,
70 workforce qualifications, and career education opportunities are
71 constantly changing and extend beyond school district
72 boundaries:
- 73 a. A state university may, upon approval by the Department
74 of Education, solicit applications and sponsor a charter school
75 to meet regional education or workforce demands by serving

76 students from multiple school districts.

77 b. A Florida College System institution may, upon approval
78 by the Department of Education, solicit applications and sponsor
79 a charter school in any county within its service area to meet
80 workforce demands and may offer postsecondary programs leading
81 to industry certifications to eligible charter school students.
82 A charter school established under subparagraph (b)4. may not be
83 sponsored by a Florida College System institution until its
84 existing charter with the school district expires as provided
85 under subsection (7).

86 c. Notwithstanding subsection (6)(b), a state university
87 or Florida College System institution may, at its discretion,
88 deny an application for a charter school.

89 (b) Sponsor duties.—

90 1.a. The sponsor shall monitor and review the charter
91 school in its progress toward the goals established in the
92 charter.

93 b. The sponsor shall monitor the revenues and expenditures
94 of the charter school and perform the duties provided in s.
95 1002.345.

96 c. The sponsor may approve a charter for a charter school
97 before the applicant has identified space, equipment, or
98 personnel, if the applicant indicates approval is necessary for
99 it to raise working funds.

100 d. The sponsor shall not apply its policies to a charter

101 school unless mutually agreed to by both the sponsor and the
102 charter school. If the sponsor subsequently amends any agreed-
103 upon sponsor policy, the version of the policy in effect at the
104 time of the execution of the charter, or any subsequent
105 modification thereof, shall remain in effect and the sponsor may
106 not hold the charter school responsible for any provision of a
107 newly revised policy until the revised policy is mutually agreed
108 upon.

109 e. The sponsor shall ensure that the charter is innovative
110 and consistent with the state education goals established by s.
111 1000.03(5).

112 f. The sponsor shall ensure that the charter school
113 participates in the state's education accountability system. If
114 a charter school falls short of performance measures included in
115 the approved charter, the sponsor shall report such shortcomings
116 to the Department of Education.

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

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

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

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

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

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

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

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

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

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

141 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
 142 ~~and each year thereafter,~~ the sponsor shall submit to the
 143 department the information for the applications submitted the
 144 previous year.

145 (III) The department shall compile an annual report, by
 146 sponsor district, and post the report on its website by January
 147 15 ~~November 1~~ of each year.

148 2. Immunity for the sponsor of a charter school under
 149 subparagraph 1. applies only with respect to acts or omissions
 150 not under the sponsor's direct authority as described in this

151 section.

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

154 4. A Florida College System institution may work with the
155 school district or school districts in its designated service
156 area to develop charter schools that offer secondary education.
157 These charter schools must include an option for students to
158 receive an associate degree upon high school graduation. If a
159 Florida College System institution operates an approved teacher
160 preparation program under s. 1004.04 or s. 1004.85, the
161 institution may operate ~~no more than one~~ charter schools ~~school~~
162 that serve ~~serves~~ students in kindergarten through grade 12 in
163 any school district within the service area of the institution.
164 ~~In kindergarten through grade 8, the charter school shall~~
165 ~~implement innovative blended learning instructional models in~~
166 ~~which, for a given course, a student learns in part through~~
167 ~~online delivery of content and instruction with some element of~~
168 ~~student control over time, place, path, or pace and in part at a~~
169 ~~supervised brick-and-mortar location away from home. A student~~
170 ~~in a blended learning course must be a full-time student of the~~
171 ~~charter school and receive the online instruction in a classroom~~
172 ~~setting at the charter school.~~ District school boards shall
173 cooperate with and assist the Florida College System institution
174 on the charter application. Florida College System institution
175 applications for charter schools are not subject to the time

176 deadlines outlined in subsection (6) and may be approved by the
177 district school board at any time during the year. Florida
178 College System institutions may not report FTE for any students
179 participating under this subparagraph who receive FTE funding
180 through the Florida Education Finance Program.

181 5. A school district may enter into nonexclusive
182 interlocal agreements with federal and state agencies, counties,
183 municipalities, and other governmental entities that operate
184 within the geographical borders of the school district to act on
185 behalf of such governmental entities in the inspection,
186 issuance, and other necessary activities for all necessary
187 permits, licenses, and other permissions that a charter school
188 needs in order for development, construction, or operation. A
189 charter school may use, but may not be required to use, a school
190 district for these services. The interlocal agreement must
191 include, but need not be limited to, the identification of fees
192 that charter schools will be charged for such services. The fees
193 must consist of the governmental entity's fees plus a fee for
194 the school district to recover no more than actual costs for
195 providing such services. These services and fees are not
196 included within the services to be provided pursuant to
197 subsection (20).

198 6. The board of trustees of a sponsoring state university
199 or Florida College System institution under paragraph (a) is the
200 local educational agency for all charter schools it sponsors for

201 purposes of receiving federal funds and accepts full
202 responsibility for all local educational agency requirements and
203 the schools for which it will perform local educational agency
204 responsibilities. A student enrolled in a charter school that is
205 sponsored by a state university or Florida College System
206 institution may not be included in the calculation of the school
207 district's grade under s. 1008.34(5) for the school district in
208 which he or she resides.

209 (c) Sponsor accountability.—

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

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

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

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

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

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

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

226 (b) A sponsor shall receive and review all applications
227 for a charter school using the evaluation instrument developed
228 by the Department of Education. ~~A sponsor shall receive and~~
229 ~~consider charter school applications received on or before~~
230 ~~August 1 of each calendar year for charter schools to be opened~~
231 ~~at the beginning of the school district's next school year, or~~
232 ~~to be opened at a time agreed to by the applicant and the~~
233 ~~sponsor. A sponsor may not refuse to receive a charter school~~
234 ~~application submitted before August 1 and may receive an~~
235 ~~application submitted later than August 1 if it chooses.~~
236 Beginning in 2018 and thereafter, A sponsor shall receive and
237 consider charter school applications received on or before
238 February 1 of each calendar year for charter schools to be
239 opened 18 months later at the beginning of the ~~school district's~~
240 school year, or to be opened at a time determined by the
241 applicant. A sponsor may not refuse to receive a charter school
242 application submitted before February 1 and may receive an
243 application submitted later than February 1 if it chooses. A
244 sponsor may not charge an applicant for a charter any fee for
245 the processing or consideration of an application, and a sponsor
246 may not base its consideration or approval of a final
247 application upon the promise of future payment of any kind.
248 Before approving or denying any application, the sponsor shall
249 allow the applicant, upon receipt of written notification, at
250 least 7 calendar days to make technical or nonsubstantive

251 corrections and clarifications, including, but not limited to,
252 corrections of grammatical, typographical, and like errors or
253 missing signatures, if such errors are identified by the sponsor
254 as cause to deny the final application.

255 1. In order to facilitate an accurate budget projection
256 process, a sponsor shall be held harmless for FTE students who
257 are not included in the FTE projection due to approval of
258 charter school applications after the FTE projection deadline.
259 In a further effort to facilitate an accurate budget projection,
260 within 15 calendar days after receipt of a charter school
261 application, a sponsor shall report to the Department of
262 Education the name of the applicant entity, the proposed charter
263 school location, and its projected FTE.

264 2. In order to ensure fiscal responsibility, an
265 application for a charter school shall include a full accounting
266 of expected assets, a projection of expected sources and amounts
267 of income, including income derived from projected student
268 enrollments and from community support, and an expense
269 projection that includes full accounting of the costs of
270 operation, including start-up costs.

271 3.a. A sponsor shall by a majority vote approve or deny an
272 application no later than 90 calendar days after the application
273 is received, unless the sponsor and the applicant mutually agree
274 in writing to temporarily postpone the vote to a specific date,
275 at which time the sponsor shall by a majority vote approve or

276 deny the application. If the sponsor fails to act on the
277 application, an applicant may appeal to the State Board of
278 Education as provided in paragraph (c). If an application is
279 denied, the sponsor shall, within 10 calendar days after such
280 denial, articulate in writing the specific reasons, based upon
281 good cause, supporting its denial of the application and shall
282 provide the letter of denial and supporting documentation to the
283 applicant and to the Department of Education.

284 b. An application submitted by a high-performing charter
285 school identified pursuant to s. 1002.331 or a high-performing
286 charter school system identified pursuant to s. 1002.332 may be
287 denied by the sponsor only if the sponsor demonstrates by clear
288 and convincing evidence that:

289 (I) The application of a high-performing charter school
290 does not materially comply with the requirements in paragraph
291 (a) or, for a high-performing charter school system, the
292 application does not materially comply with s. 1002.332(2)(b);

293 (II) The charter school proposed in the application does
294 not materially comply with the requirements in paragraphs
295 (9)(a)-(f);

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

299 (IV) The applicant has made a material misrepresentation
300 or false statement or concealed an essential or material fact

301 during the application process; or

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

305
306 Material noncompliance is a failure to follow requirements or a
307 violation of prohibitions applicable to charter school
308 applications, which failure is quantitatively or qualitatively
309 significant either individually or when aggregated with other
310 noncompliance. An applicant is considered to be replicating a
311 high-performing charter school if the proposed school is
312 substantially similar to at least one of the applicant's high-
313 performing charter schools and the organization or individuals
314 involved in the establishment and operation of the proposed
315 school are significantly involved in the operation of replicated
316 schools.

317 c. If the sponsor denies an application submitted by a
318 high-performing charter school or a high-performing charter
319 school system, the sponsor must, within 10 calendar days after
320 such denial, state in writing the specific reasons, based upon
321 the criteria in sub-subparagraph b., supporting its denial of
322 the application and must provide the letter of denial and
323 supporting documentation to the applicant and to the Department
324 of Education. The applicant may appeal the sponsor's denial of
325 the application in accordance with paragraph (c).

326 4. For budget projection purposes, the sponsor shall
327 report to the Department of Education the approval or denial of
328 an application within 10 calendar days after such approval or
329 denial. In the event of approval, the report to the Department
330 of Education shall include the final projected FTE for the
331 approved charter school.

332 ~~5. Upon approval of an application, the initial startup~~
333 ~~shall commence with the beginning of the public school calendar~~
334 ~~for the district in which the charter is granted.~~ A charter
335 school may defer the opening of the school's operations for up
336 to 3 years to provide time for adequate facility planning. The
337 charter school must provide written notice of such intent to the
338 sponsor and the parents of enrolled students at least 30
339 calendar days before the first day of school.

340 (7) CHARTER.—The terms and conditions for the operation of
341 a charter school shall be set forth by the sponsor and the
342 applicant in a written contractual agreement, called a charter.
343 The sponsor and the governing board of the charter school shall
344 use the standard charter contract pursuant to subsection (21),
345 which shall incorporate the approved application and any addenda
346 approved with the application. Any term or condition of a
347 proposed charter contract that differs from the standard charter
348 contract adopted by rule of the State Board of Education shall
349 be presumed a limitation on charter school flexibility. The
350 sponsor may not impose unreasonable rules or regulations that

351 violate the intent of giving charter schools greater flexibility
352 to meet educational goals. The charter shall be signed by the
353 governing board of the charter school and the sponsor, following
354 a public hearing to ensure community input.

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

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

359 2. The focus of the curriculum, the instructional methods
360 to be used, any distinctive instructional techniques to be
361 employed, and identification and acquisition of appropriate
362 technologies needed to improve educational and administrative
363 performance which include a means for promoting safe, ethical,
364 and appropriate uses of technology which comply with legal and
365 professional standards.

366 a. The charter shall ensure that reading is a primary
367 focus of the curriculum and that resources are provided to
368 identify and provide specialized instruction for students who
369 are reading below grade level. The curriculum and instructional
370 strategies for reading must be consistent with the Next
371 Generation Sunshine State Standards and grounded in
372 scientifically based reading research.

373 b. In order to provide students with access to diverse
374 instructional delivery models, to facilitate the integration of
375 technology within traditional classroom instruction, and to

376 provide students with the skills they need to compete in the
377 21st century economy, the Legislature encourages instructional
378 methods for blended learning courses consisting of both
379 traditional classroom and online instructional techniques.
380 Charter schools may implement blended learning courses which
381 combine traditional classroom instruction and virtual
382 instruction. Students in a blended learning course must be full-
383 time students of the charter school pursuant to s.
384 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
385 1012.55 who provide virtual instruction for blended learning
386 courses may be employees of the charter school or may be under
387 contract to provide instructional services to charter school
388 students. At a minimum, such instructional personnel must hold
389 an active state or school district adjunct certification under
390 s. 1012.57 for the subject area of the blended learning course.
391 The funding and performance accountability requirements for
392 blended learning courses are the same as those for traditional
393 courses.

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

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

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

401 academic progress achieved by these same students while
402 attending the charter school.

403 c. To the extent possible, how these rates of progress
404 will be evaluated and compared with rates of progress of other
405 closely comparable student populations.

406
407 A ~~The~~ district school board is required to provide academic
408 student performance data to charter schools for each of their
409 students coming from the district school system, as well as
410 rates of academic progress of comparable student populations in
411 the district school system.

412 4. The methods used to identify the educational strengths
413 and needs of students and how well educational goals and
414 performance standards are met by students attending the charter
415 school. The methods shall provide a means for the charter school
416 to ensure accountability to its constituents by analyzing
417 student performance data and by evaluating the effectiveness and
418 efficiency of its major educational programs. Students in
419 charter schools shall, at a minimum, participate in the
420 statewide assessment program created under s. 1008.22.

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

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

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

429 8. The ways by which the school will achieve a
430 racial/ethnic balance reflective of the community it serves or
431 within the racial/ethnic range of other nearby public schools ~~in~~
432 ~~the same school district.~~

433 9. The financial and administrative management of the
434 school, including a reasonable demonstration of the professional
435 experience or competence of those individuals or organizations
436 applying to operate the charter school or those hired or
437 retained to perform such professional services and the
438 description of clearly delineated responsibilities and the
439 policies and practices needed to effectively manage the charter
440 school. A description of internal audit procedures and
441 establishment of controls to ensure that financial resources are
442 properly managed must be included. Both public sector and
443 private sector professional experience shall be equally valid in
444 such a consideration.

445 10. The asset and liability projections required in the
446 application which are incorporated into the charter and shall be
447 compared with information provided in the annual report of the
448 charter school.

449 11. A description of procedures that identify various
450 risks and provide for a comprehensive approach to reduce the

451 impact of losses; plans to ensure the safety and security of
452 students and staff; plans to identify, minimize, and protect
453 others from violent or disruptive student behavior; and the
454 manner in which the school will be insured, including whether or
455 not the school will be required to have liability insurance,
456 and, if so, the terms and conditions thereof and the amounts of
457 coverage.

458 12. The term of the charter which shall provide for
459 cancellation of the charter if insufficient progress has been
460 made in attaining the student achievement objectives of the
461 charter and if it is not likely that such objectives can be
462 achieved before expiration of the charter. The initial term of a
463 charter shall be for 5 years, excluding 2 planning years. In
464 order to facilitate access to long-term financial resources for
465 charter school construction, charter schools that are operated
466 by a municipality or other public entity as provided by law are
467 eligible for up to a 15-year charter, subject to approval by the
468 sponsor ~~district school board~~. A charter lab school is eligible
469 for a charter for a term of up to 15 years. In addition, to
470 facilitate access to long-term financial resources for charter
471 school construction, charter schools that are operated by a
472 private, not-for-profit, s. 501(c)(3) status corporation are
473 eligible for up to a 15-year charter, subject to approval by the
474 sponsor ~~district school board~~. Such long-term charters remain
475 subject to annual review and may be terminated during the term

476 of the charter, but only according to the provisions set forth
477 in subsection (8).

478 13. The facilities to be used and their location. The
479 sponsor may not require a charter school to have a certificate
480 of occupancy or a temporary certificate of occupancy for such a
481 facility earlier than 15 calendar days before the first day of
482 school.

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

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

489 16. A timetable for implementing the charter which
490 addresses the implementation of each element thereof and the
491 date by which the charter shall be awarded in order to meet this
492 timetable.

493 17. In the case of an existing public school that is being
494 converted to charter status, alternative arrangements for
495 current students who choose not to attend the charter school and
496 for current teachers who choose not to teach in the charter
497 school after conversion in accordance with the existing
498 collective bargaining agreement or district school board rule in
499 the absence of a collective bargaining agreement. However,
500 alternative arrangements shall not be required for current

501 teachers who choose not to teach in a charter lab school, except
502 as authorized by the employment policies of the state university
503 which grants the charter to the lab school.

504 18. Full disclosure of the identity of all relatives
505 employed by the charter school who are related to the charter
506 school owner, president, chairperson of the governing board of
507 directors, superintendent, governing board member, principal,
508 assistant principal, or any other person employed by the charter
509 school who has equivalent decisionmaking authority. For the
510 purpose of this subparagraph, the term "relative" means father,
511 mother, son, daughter, brother, sister, uncle, aunt, first
512 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
513 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
514 stepfather, stepmother, stepson, stepdaughter, stepbrother,
515 stepsister, half brother, or half sister.

516 19. Implementation of the activities authorized under s.
517 1002.331 by the charter school when it satisfies the eligibility
518 requirements for a high-performing charter school. A high-
519 performing charter school shall notify its sponsor in writing by
520 March 1 if it intends to increase enrollment or expand grade
521 levels the following school year. The written notice shall
522 specify the amount of the enrollment increase and the grade
523 levels that will be added, as applicable.

524 (d) A charter may be modified during its initial term or
525 any renewal term upon the recommendation of the sponsor or the

526 charter school's governing board and the approval of both
527 parties to the agreement. Modification during any term may
528 include, but is not limited to, consolidation of multiple
529 charters into a single charter if the charters are operated
530 under the same governing board, regardless of the renewal cycle.
531 A charter school that is not subject to a school improvement
532 plan and that closes as part of a consolidation shall be
533 reported by the sponsor ~~school district~~ as a consolidation.

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

535 (d) When a charter is not renewed or is terminated, the
536 school shall be dissolved under the provisions of law under
537 which the school was organized, and any unencumbered public
538 funds, except for capital outlay funds and federal charter
539 school program grant funds, from the charter school shall revert
540 to the sponsor. Capital outlay funds provided pursuant to s.
541 1013.62 and federal charter school program grant funds that are
542 unencumbered shall revert to the department to be redistributed
543 among eligible charter schools. In the event a charter school is
544 dissolved or is otherwise terminated, all sponsor ~~district~~
545 ~~school board~~ property and improvements, furnishings, and
546 equipment purchased with public funds shall automatically revert
547 to full ownership by the sponsor ~~district school board~~, subject
548 to complete satisfaction of any lawful liens or encumbrances.
549 Any unencumbered public funds from the charter school, ~~district~~
550 ~~school board~~ property and improvements, furnishings, and

551 equipment purchased with public funds, or financial or other
552 records pertaining to the charter school, in the possession of
553 any person, entity, or holding company, other than the charter
554 school, shall be held in trust upon the sponsor's ~~district~~
555 ~~school board's~~ request, until any appeal status is resolved.

556 (e) If a charter is not renewed or is terminated, the
557 charter school is responsible for all debts of the charter
558 school. The sponsor ~~district~~ may not assume the debt from any
559 contract made between the governing body of the school and a
560 third party, except for a debt that is previously detailed and
561 agreed upon in writing by both the sponsor ~~district~~ and the
562 governing body of the school and that may not reasonably be
563 assumed to have been satisfied by the sponsor ~~district~~.

564 (9) CHARTER SCHOOL REQUIREMENTS.—

565 (g)1. In order to provide financial information that is
566 comparable to that reported for other public schools, charter
567 schools are to maintain all financial records that constitute
568 their accounting system:

569 a. In accordance with the accounts and codes prescribed in
570 the most recent issuance of the publication titled "Financial
571 and Program Cost Accounting and Reporting for Florida Schools";
572 or

573 b. At the discretion of the charter school's governing
574 board, a charter school may elect to follow generally accepted
575 accounting standards for not-for-profit organizations, but must

576 reformat this information for reporting according to this
577 paragraph.

578 2. Charter schools shall provide annual financial report
579 and program cost report information in the state-required
580 formats for inclusion in sponsor ~~district~~ reporting in
581 compliance with s. 1011.60(1). Charter schools that are operated
582 by a municipality or are a component unit of a parent nonprofit
583 organization may use the accounting system of the municipality
584 or the parent but must reformat this information for reporting
585 according to this paragraph.

586 3. A charter school shall, upon approval of the charter
587 contract, provide the sponsor with a concise, uniform, monthly
588 financial statement summary sheet that contains a balance sheet
589 and a statement of revenue, expenditures, and changes in fund
590 balance. The balance sheet and the statement of revenue,
591 expenditures, and changes in fund balance shall be in the
592 governmental funds format prescribed by the Governmental
593 Accounting Standards Board. A high-performing charter school
594 pursuant to s. 1002.331 may provide a quarterly financial
595 statement in the same format and requirements as the uniform
596 monthly financial statement summary sheet. The sponsor shall
597 review each monthly or quarterly financial statement to identify
598 the existence of any conditions identified in s. 1002.345(1)(a).

599 4. A charter school shall maintain and provide financial
600 information as required in this paragraph. The financial

601 statement required in subparagraph 3. must be in a form
602 prescribed by the Department of Education.

603 (n)1. The director and a representative of the governing
604 board of a charter school that has earned a grade of "D" or "F"
605 pursuant to s. 1008.34 shall appear before the sponsor to
606 present information concerning each contract component having
607 noted deficiencies. The director and a representative of the
608 governing board shall submit to the sponsor for approval a
609 school improvement plan to raise student performance. Upon
610 approval by the sponsor, the charter school shall begin
611 implementation of the school improvement plan. The department
612 shall offer technical assistance and training to the charter
613 school and its governing board and establish guidelines for
614 developing, submitting, and approving such plans.

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

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

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

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

625 (IV) Voluntarily close the charter school.

626 b. The charter school must implement the corrective action
627 in the school year following receipt of a third consecutive
628 grade below a "C."

629 c. The sponsor may annually waive a corrective action if
630 it determines that the charter school is likely to improve a
631 letter grade if additional time is provided to implement the
632 intervention and support strategies prescribed by the school
633 improvement plan. Notwithstanding this sub-subparagraph, a
634 charter school that earns a second consecutive grade of "F" is
635 subject to subparagraph 3.

636 d. A charter school is no longer required to implement a
637 corrective action if it improves to a "C" or higher. However,
638 the charter school must continue to implement strategies
639 identified in the school improvement plan. The sponsor must
640 annually review implementation of the school improvement plan to
641 monitor the school's continued improvement pursuant to
642 subparagraph 4.

643 e. A charter school implementing a corrective action that
644 does not improve to a "C" or higher after 2 full school years of
645 implementing the corrective action must select a different
646 corrective action. Implementation of the new corrective action
647 must begin in the school year following the implementation
648 period of the existing corrective action, unless the sponsor
649 determines that the charter school is likely to improve to a "C"
650 or higher if additional time is provided to implement the

651 existing corrective action. Notwithstanding this sub-
652 subparagraph, a charter school that earns a second consecutive
653 grade of "F" while implementing a corrective action is subject
654 to subparagraph 3.

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

658 a. The charter school is established to turn around the
659 performance of a district public school pursuant to s.
660 1008.33(4)(b)2. Such charter schools shall be governed by s.
661 1008.33;

662 b. The charter school serves a student population the
663 majority of which resides in a school zone served by a district
664 public school subject to s. 1008.33(4) and the charter school
665 earns at least a grade of "D" in its third year of operation.
666 The exception provided under this sub-subparagraph does not
667 apply to a charter school in its fourth year of operation and
668 thereafter; or

669 c. The state board grants the charter school a waiver of
670 termination. The charter school must request the waiver within
671 15 days after the department's official release of school
672 grades. The state board may waive termination if the charter
673 school demonstrates that the Learning Gains of its students on
674 statewide assessments are comparable to or better than the
675 Learning Gains of similarly situated students enrolled in nearby

676 ~~district~~ public schools. The waiver is valid for 1 year and may
677 only be granted once. Charter schools that have been in
678 operation for more than 5 years are not eligible for a waiver
679 under this sub-subparagraph.

680

681 The sponsor shall notify the charter school's governing board,
682 the charter school principal, and the department in writing when
683 a charter contract is terminated under this subparagraph. A
684 charter terminated under this subparagraph must follow the
685 procedures for dissolution and reversion of public funds
686 pursuant to paragraphs (8) (d)-(f) and (9) (o).

687 4. The director and a representative of the governing
688 board of a graded charter school that has implemented a school
689 improvement plan under this paragraph shall appear before the
690 sponsor at least once a year to present information regarding
691 the progress of intervention and support strategies implemented
692 by the school pursuant to the school improvement plan and
693 corrective actions, if applicable. The sponsor shall communicate
694 at the meeting, and in writing to the director, the services
695 provided to the school to help the school address its
696 deficiencies.

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

700 (10) ELIGIBLE STUDENTS.—

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

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

704 2. Students considered at risk of dropping out of school
705 or academic failure. Such students shall include exceptional
706 education students.

707 3. Students enrolling in a charter school-in-the-workplace
708 or charter school-in-a-municipality established pursuant to
709 subsection (15).

710 4. Students residing within a reasonable distance of the
711 charter school, as described in paragraph (20)(c). Such students
712 shall be subject to a random lottery and to the racial/ethnic
713 balance provisions described in subparagraph (7)(a)8. or any
714 federal provisions that require a school to achieve a
715 racial/ethnic balance reflective of the community it serves or
716 within the racial/ethnic range of other nearby public schools ~~in~~
717 ~~the same school district.~~

718 5. Students who meet reasonable academic, artistic, or
719 other eligibility standards established by the charter school
720 and included in the charter school application and charter or,
721 in the case of existing charter schools, standards that are
722 consistent with the school's mission and purpose. Such standards
723 shall be in accordance with current state law and practice in
724 public schools and may not discriminate against otherwise
725 qualified individuals.

726 6. Students articulating from one charter school to
727 another pursuant to an articulation agreement between the
728 charter schools that has been approved by the sponsor.

729 7. Students living in a development in which a business
730 entity provides the school facility and related property having
731 an appraised value of at least \$5 million to be used as a
732 charter school to mitigate the educational impact created by the
733 development of new residential dwelling units. Students living
734 in the development shall be entitled to no more than 50 percent
735 of the student stations in the charter school. The students who
736 are eligible for enrollment are subject to a random lottery, the
737 racial/ethnic balance provisions, or any federal provisions, as
738 described in subparagraph 4. The remainder of the student
739 stations shall be filled in accordance with subparagraph 4.

740 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
741 INDEMNIFICATION OF THE STATE AND SPONSOR ~~SCHOOL DISTRICT~~; CREDIT
742 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into
743 to borrow or otherwise secure funds for a charter school
744 authorized in this section from a source other than the state or
745 a sponsor ~~school district~~ shall indemnify the state and the
746 sponsor ~~school district~~ from any and all liability, including,
747 but not limited to, financial responsibility for the payment of
748 the principal or interest. Any loans, bonds, or other financial
749 agreements are not obligations of the state or the sponsor
750 ~~school district~~ but are obligations of the charter school

751 authority and are payable solely from the sources of funds
752 pledged by such agreement. The credit or taxing power of the
753 state or the sponsor ~~school-district~~ shall not be pledged and no
754 debts shall be payable out of any moneys except those of the
755 legal entity in possession of a valid charter approved by a
756 sponsor ~~district-school-board~~ pursuant to this section.

757 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
758 A-MUNICIPALITY.—

759 (c) A charter school-in-a-municipality designation may be
760 granted to a municipality that possesses a charter; enrolls
761 students based upon a random lottery that involves all of the
762 children of the residents of that municipality who are seeking
763 enrollment, as provided for in subsection (10); and enrolls
764 students according to the racial/ethnic balance provisions
765 described in subparagraph (7)(a)8. When a municipality has
766 submitted charter applications for the establishment of a
767 charter school feeder pattern, consisting of elementary, middle,
768 and senior high schools, and each individual charter application
769 is approved by the sponsor ~~district-school-board~~, such schools
770 shall then be designated as one charter school for all purposes
771 listed pursuant to this section. Any portion of the land and
772 facility used for a public charter school shall be exempt from
773 ad valorem taxes, as provided for in s. 1013.54, for the
774 duration of its use as a public school.

775 (17) FUNDING.—Students enrolled in a charter school,

776 regardless of the sponsorship, shall be funded as if they are in
777 a basic program or a special program, the same as students
778 enrolled in other public schools in a ~~the~~ school district.
779 Funding for a charter lab school shall be as provided in s.
780 1002.32.

781 (a) Each charter school shall report its student
782 enrollment to the sponsor as required in s. 1011.62, and in
783 accordance with the definitions in s. 1011.61. The sponsor shall
784 include each charter school's enrollment in the sponsor's
785 ~~district's~~ report of student enrollment. All charter schools
786 submitting student record information required by the Department
787 of Education shall comply with the Department of Education's
788 guidelines for electronic data formats for such data, and all
789 sponsors ~~districts~~ shall accept electronic data that complies
790 with the Department of Education's electronic format.

791 (b)1. The basis for the agreement for funding students
792 enrolled in a charter school shall be the sum of the school
793 district's operating funds from the Florida Education Finance
794 Program as provided in s. 1011.62 and the General Appropriations
795 Act, including gross state and local funds, discretionary
796 lottery funds, and funds from the school district's current
797 operating discretionary millage levy; divided by total funded
798 weighted full-time equivalent students in the school district;
799 and multiplied by the weighted full-time equivalent students for
800 the charter school. Charter schools whose students or programs

801 meet the eligibility criteria in law are entitled to their
802 proportionate share of categorical program funds included in the
803 total funds available in the Florida Education Finance Program
804 by the Legislature, including transportation, the research-based
805 reading allocation, and the Florida digital classrooms
806 allocation. Total funding for each charter school shall be
807 recalculated during the year to reflect the revised calculations
808 under the Florida Education Finance Program by the state and the
809 actual weighted full-time equivalent students reported by the
810 charter school during the full-time equivalent student survey
811 periods designated by the Commissioner of Education. For charter
812 schools operated by a not-for-profit or municipal entity, any
813 unrestricted current and capital assets identified in the
814 charter school's annual financial audit may be used for other
815 charter schools operated by the not-for-profit or municipal
816 entity within the school district. Unrestricted current assets
817 shall be used in accordance with s. 1011.62, and any
818 unrestricted capital assets shall be used in accordance with s.
819 1013.62(2).

820 2.a. Students enrolled in a charter school sponsored by a
821 state university or Florida College System institution pursuant
822 to paragraph (5)(a) shall be funded as if they are in a basic
823 program or a special program in the school district. The basis
824 for funding these students is the sum of the total operating
825 funds from the Florida Education Finance Program for the school

826 district in which the school is located as provided in s.
827 1011.62 and the General Appropriations Act, including gross
828 state and local funds, discretionary lottery funds, and funds
829 from each school district's current operating discretionary
830 millage levy; divided by total funded weighted full-time
831 equivalent students in the district; and multiplied by the full-
832 time equivalent membership of the charter school. The Department
833 of Education shall develop a tool that each state university or
834 Florida College System institution sponsoring a charter school
835 shall use for purposes of calculating the funding amount for
836 each eligible charter school student. The total amount obtained
837 from the calculation must be appropriated from state funds in
838 the General Appropriations Act to the charter school.

839 b. Capital outlay funding for a charter school sponsored
840 by a state university or Florida College System institution
841 pursuant to paragraph (5) (a) is determined pursuant to s.
842 1013.62 and the General Appropriations Act.

843 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
844 schools shall receive all federal funding for which the school
845 is otherwise eligible, including Title I funding, not later than
846 5 months after the charter school first opens and within 5
847 months after any subsequent expansion of enrollment. Unless
848 otherwise mutually agreed to by the charter school and its
849 sponsor, and consistent with state and federal rules and
850 regulations governing the use and disbursement of federal funds,

851 the sponsor shall reimburse the charter school on a monthly
852 basis for all invoices submitted by the charter school for
853 federal funds available to the sponsor for the benefit of the
854 charter school, the charter school's students, and the charter
855 school's students as public school students in the school
856 district. Such federal funds include, but are not limited to,
857 Title I, Title II, and Individuals with Disabilities Education
858 Act (IDEA) funds. To receive timely reimbursement for an
859 invoice, the charter school must submit the invoice to the
860 sponsor at least 30 days before the monthly date of
861 reimbursement set by the sponsor. In order to be reimbursed, any
862 expenditures made by the charter school must comply with all
863 applicable state rules and federal regulations, including, but
864 not limited to, the applicable federal Office of Management and
865 Budget Circulars; the federal Education Department General
866 Administrative Regulations; and program-specific statutes,
867 rules, and regulations. Such funds may not be made available to
868 the charter school until a plan is submitted to the sponsor for
869 approval of the use of the funds in accordance with applicable
870 federal requirements. The sponsor has 30 days to review and
871 approve any plan submitted pursuant to this paragraph.

872 (d) Charter schools shall be included by the Department of
873 Education and the district school board in requests for federal
874 stimulus funds in the same manner as district school board-
875 operated public schools, including Title I and IDEA funds and

876 shall be entitled to receive such funds. Charter schools are
877 eligible to participate in federal competitive grants that are
878 available as part of the federal stimulus funds.

879 (e) Sponsors ~~District school boards~~ shall make timely and
880 efficient payment and reimbursement to charter schools,
881 including processing paperwork required to access special state
882 and federal funding for which they may be eligible. Payments of
883 funds under paragraph (b) shall be made monthly or twice a
884 month, beginning with the start of the sponsor's ~~district school~~
885 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
886 twenty-fourth, as applicable, of the total state and local funds
887 described in paragraph (b) and adjusted as set forth therein.
888 For the first 2 years of a charter school's operation, if a
889 minimum of 75 percent of the projected enrollment is entered
890 into the sponsor's student information system by the first day
891 of the current month, the sponsor ~~district school board~~ shall
892 distribute funds to the school for the months of July through
893 October based on the projected full-time equivalent student
894 membership of the charter school as submitted in the approved
895 application. If less than 75 percent of the projected enrollment
896 is entered into the sponsor's student information system by the
897 first day of the current month, the sponsor shall base payments
898 on the actual number of student enrollment entered into the
899 sponsor's student information system. Thereafter, the results of
900 full-time equivalent student membership surveys shall be used in

901 adjusting the amount of funds distributed monthly to the charter
902 school for the remainder of the fiscal year. The payments shall
903 be issued no later than 10 working days after the sponsor
904 ~~district school board~~ receives a distribution of state or
905 federal funds or the date the payment is due pursuant to this
906 subsection. If a warrant for payment is not issued within 10
907 working days after receipt of funding by the sponsor ~~district~~
908 ~~school board~~, the sponsor ~~school district~~ shall pay to the
909 charter school, in addition to the amount of the scheduled
910 disbursement, interest at a rate of 1 percent per month
911 calculated on a daily basis on the unpaid balance from the
912 expiration of the 10 working days until such time as the warrant
913 is issued. The district school board may not delay payment to a
914 charter school of any portion of the funds provided in paragraph
915 (b) based on the timing of receipt of local funds by the
916 district school board.

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

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

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

925 (18) FACILITIES.—

926 (e) If a district school board facility or property is
927 available because it is surplus, marked for disposal, or
928 otherwise unused, it shall be provided for a charter school's
929 use on the same basis as it is made available to other public
930 schools in the district. A charter school receiving property
931 from the sponsor ~~school district~~ may not sell or dispose of such
932 property without written permission of the sponsor ~~school~~
933 ~~district~~. Similarly, for an existing public school converting to
934 charter status, no rental or leasing fee for the existing
935 facility or for the property normally inventoried to the
936 conversion school may be charged by the district school board to
937 the parents and teachers organizing the charter school. The
938 charter school shall agree to reasonable maintenance provisions
939 in order to maintain the facility in a manner similar to
940 district school board standards. The Public Education Capital
941 Outlay maintenance funds or any other maintenance funds
942 generated by the facility operated as a conversion school shall
943 remain with the conversion school.

944 (20) SERVICES.—

945 (a)1. A sponsor shall provide certain administrative and
946 educational services to charter schools. These services shall
947 include contract management services; full-time equivalent and
948 data reporting services; exceptional student education
949 administration services; services related to eligibility and
950 reporting duties required to ensure that school lunch services

951 under the National School Lunch Program, consistent with the
952 needs of the charter school, are provided by the sponsor ~~school~~
953 ~~district~~ at the request of the charter school, that any funds
954 due to the charter school under the National School Lunch
955 Program be paid to the charter school as soon as the charter
956 school begins serving food under the National School Lunch
957 Program, and that the charter school is paid at the same time
958 and in the same manner under the National School Lunch Program
959 as other public schools serviced by the sponsor or the school
960 district; test administration services, including payment of the
961 costs of state-required or district-required student
962 assessments; processing of teacher certificate data services;
963 and information services, including equal access to the
964 sponsor's student information systems that are used by public
965 schools in the district in which the charter school is located
966 or by schools in the sponsor's portfolio of charter schools if
967 the sponsor is not a school district. Student performance data
968 for each student in a charter school, including, but not limited
969 to, FCAT scores, standardized test scores, previous public
970 school student report cards, and student performance measures,
971 shall be provided by the sponsor to a charter school in the same
972 manner provided to other public schools in the district or by
973 schools in the sponsor's portfolio of charter schools if the
974 sponsor is not a school district.

975 2. A sponsor may withhold an administrative fee for the

976 provision of such services which shall be a percentage of the
 977 available funds defined in paragraph (17)(b) calculated based on
 978 weighted full-time equivalent students. If the charter school
 979 serves 75 percent or more exceptional education students as
 980 defined in s. 1003.01(3), the percentage shall be calculated
 981 based on unweighted full-time equivalent students. The
 982 administrative fee shall be calculated as follows:

983 a. Up to 5 percent for:

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

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

988 (A) Includes conversion charter schools and nonconversion
 989 charter schools.

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

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

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

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

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

998 b. Up to 2 percent for enrollment of up to and including
 999 250 students in a high-performing charter school as defined in
 1000 s. 1002.331.

1001 3. A sponsor may not charge charter schools any additional
 1002 fees or surcharges for administrative and educational services
 1003 in addition to the maximum percentage of administrative fees
 1004 withheld pursuant to this paragraph.

1005 4. A sponsor shall provide to the department by September
 1006 15 of each year the total amount of funding withheld from
 1007 charter schools pursuant to this subsection for the prior fiscal
 1008 year. The department must include the information in the report
 1009 required under sub-sub-subparagraph (5) (b)1.k.(III).

1010 (b) If goods and services are made available to the
 1011 charter school through the contract with the sponsor ~~school~~
 1012 ~~district~~, they shall be provided to the charter school at a rate
 1013 no greater than the sponsor's ~~district's~~ actual cost unless
 1014 mutually agreed upon by the charter school and the sponsor in a
 1015 contract negotiated separately from the charter. When mediation
 1016 has failed to resolve disputes over contracted services or
 1017 contractual matters not included in the charter, an appeal may
 1018 be made to an administrative law judge appointed by the Division
 1019 of Administrative Hearings. The administrative law judge has
 1020 final order authority to rule on the dispute. The administrative
 1021 law judge shall award the prevailing party reasonable attorney
 1022 fees and costs incurred during the mediation process,
 1023 administrative proceeding, and any appeals, to be paid by the
 1024 party whom the administrative law judge rules against. To
 1025 maximize the use of state funds, sponsors ~~school districts~~ shall

1026 allow charter schools to participate in the sponsor's bulk
 1027 purchasing program if applicable.

1028 (c) Transportation of charter school students shall be
 1029 provided by the charter school consistent with the requirements
 1030 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
 1031 body of the charter school may provide transportation through an
 1032 agreement or contract with the sponsor ~~district school board~~, a
 1033 private provider, or parents. The charter school and the sponsor
 1034 shall cooperate in making arrangements that ensure that
 1035 transportation is not a barrier to equal access for all students
 1036 residing within a reasonable distance of the charter school as
 1037 determined in its charter.

1038 (d) Each charter school shall annually complete and submit
 1039 a survey, provided in a format specified by the Department of
 1040 Education, to rate the timeliness and quality of services
 1041 provided by the sponsor ~~district~~ in accordance with this
 1042 section. The department shall compile the results, by sponsor
 1043 ~~district~~, and include the results in the report required under
 1044 sub-sub-subparagraph (5) (b) 1.k. (III).

1045 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1046 (a) The Department of Education shall provide information
 1047 to the public, directly and through sponsors, on how to form and
 1048 operate a charter school and how to enroll in a charter school
 1049 once it is created. This information shall include the standard
 1050 application form, standard charter contract, standard evaluation

1051 instrument, and standard charter renewal contract, which shall
1052 include the information specified in subsection (7) and shall be
1053 developed by consulting and negotiating with both sponsors
1054 ~~school districts~~ and charter schools before implementation. The
1055 charter and charter renewal contracts shall be used by charter
1056 school sponsors.

1057 (b)1. The Department of Education shall report to each
1058 charter school receiving a school grade pursuant to s. 1008.34
1059 or a school improvement rating pursuant to s. 1008.341 the
1060 school's student assessment data.

1061 2. The charter school shall report the information in
1062 subparagraph 1. to each parent of a student at the charter
1063 school, the parent of a child on a waiting list for the charter
1064 school, the sponsor ~~district in which the charter school is~~
1065 ~~located~~, and the governing board of the charter school. This
1066 paragraph does not abrogate the provisions of s. 1002.22,
1067 relating to student records, or the requirements of 20 U.S.C. s.
1068 1232g, the Family Educational Rights and Privacy Act.

1069 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1070 SCHOOL SYSTEMS.—

1071 (a) A charter school system's governing board shall be
1072 designated a local educational agency for the purpose of
1073 receiving federal funds, the same as though the charter school
1074 system were a school district, if the governing board of the
1075 charter school system has adopted and filed a resolution with

1076 its sponsor ~~sponsoring district school board~~ and the Department
 1077 of Education in which the governing board of the charter school
 1078 system accepts the full responsibility for all local education
 1079 agency requirements and the charter school system meets all of
 1080 the following:

- 1081 1. Has all schools located in the same county;
- 1082 2. Has a total enrollment exceeding the total enrollment
 1083 of at least one school district in the state; and
- 1084 3. Has the same governing board.

1085
 1086 Such designation does not apply to other provisions unless
 1087 specifically provided in law.

1088 (28) RULEMAKING.—The Department of Education, after
 1089 consultation with sponsors ~~school districts~~ and charter school
 1090 directors, shall recommend that the State Board of Education
 1091 adopt rules to implement specific subsections of this section.
 1092 Such rules shall require minimum paperwork and shall not limit
 1093 charter school flexibility authorized by statute. The State
 1094 Board of Education shall adopt rules, pursuant to ss. 120.536(1)
 1095 and 120.54, to implement a standard charter application form,
 1096 standard application form for the replication of charter schools
 1097 in a high-performing charter school system, standard evaluation
 1098 instrument, and standard charter and charter renewal contracts
 1099 in accordance with this section.

1100 Section 2. Paragraph (a) of subsection (1) of section

1101 1003.493, Florida Statutes, is amended to read:

1102 1003.493 Career and professional academies and career-
1103 themed courses.—

1104 (1) (a) A "career and professional academy" is a research-
1105 based program that integrates a rigorous academic curriculum
1106 with an industry-specific curriculum aligned directly to
1107 priority workforce needs established by the local workforce
1108 development board or the Department of Economic Opportunity.
1109 Career and professional academies shall be offered by public
1110 schools and school districts. Career and professional academies
1111 may be offered by charter schools. The Florida Virtual School is
1112 encouraged to develop and offer rigorous career and professional
1113 courses as appropriate. Students completing career and
1114 professional academy programs must receive a standard high
1115 school diploma, the highest available industry certification,
1116 and opportunities to earn postsecondary credit if the academy
1117 partners with a postsecondary institution approved to operate in
1118 the state.

1119 Section 3. This act shall take effect July 1, 2020.