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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/12/2021	.	
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Appropriations Subcommittee on Education (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Subsection (2) and paragraph (a) of subsection (9) of section 1002.32, Florida Statutes, are amended to read:

1002.32 Developmental research (laboratory) schools.—

(2) ESTABLISHMENT.—There is established a category of public schools to be known as developmental research (laboratory) schools (lab schools). Each lab school shall



11 provide sequential instruction and shall be affiliated with the
12 college of education within the state university of closest
13 geographic proximity. A lab school to which a charter has been
14 issued under s. 1002.33(5)(a) 2. must be affiliated with the
15 college of education within the state university that issued the
16 charter, but is not subject to the requirement that the state
17 university be of closest geographic proximity. For the purpose
18 of state funding, Florida Agricultural and Mechanical
19 University, Florida Atlantic University, Florida State
20 University, the University of Florida, and other universities
21 approved by the State Board of Education and the Legislature are
22 authorized to sponsor a lab school. The limitation of one lab
23 school per university shall not apply to the following charter
24 lab schools authorized prior to June 1, 2003: Florida State
25 University Charter Lab K-12 School in Broward County, Florida
26 Atlantic University Charter Lab 9-12 High School in Palm Beach
27 County, and Florida Atlantic University Charter Lab K-12 School
28 in St. Lucie County. The limitation of one lab school per
29 university does not apply to a university that establishes a lab
30 school to serve families of a military installation that is
31 within the same county as a branch campus that offers programs
32 from the university's college of education.

33 (9) FUNDING.—Funding for a lab school, including a charter
34 lab school, shall be provided as follows:

35 (a) Each lab school shall be allocated its proportional
36 share of operating funds from the Florida Education Finance
37 Program as provided in s. 1011.62 based on the county in which
38 the lab school is located and the General Appropriations Act.
39 The nonvoted ad valorem millage that would otherwise be required



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40 for lab schools shall be allocated from state funds. The
41 required local effort funds calculated pursuant to s. 1011.62
42 shall be allocated from state funds to the schools as a part of
43 the allocation of operating funds pursuant to s. 1011.62. Each
44 eligible lab school ~~in operation as of September 1, 2013,~~ with a
45 permanent high school center shall also receive a proportional
46 share of the sparsity supplement as calculated pursuant to s.
47 1011.62. In addition, each lab school shall receive its
48 proportional share of all categorical funds, with the exception
49 of s. 1011.68, and new categorical funds enacted after July 1,
50 1994, for the purpose of elementary or secondary academic
51 program enhancement. The sum of funds available as provided in
52 this paragraph shall be included annually in the Florida
53 Education Finance Program and appropriate categorical programs
54 funded in the General Appropriations Act.

55 Section 2. Paragraph (c) of subsection (2), subsection (5),
56 paragraphs (b) and (d) of subsection (6), paragraphs (a), (b),
57 and (d) of subsection (7), paragraphs (c), (d), and (e) of
58 subsection (8), paragraphs (g) and (n) of subsection (9),
59 paragraphs (d) and (e) of subsection (10), subsection (14),
60 paragraph (c) of subsection (15), subsection (17), paragraph (e)
61 of subsection (18), subsections (20) and (21), paragraph (a) of
62 subsection (25), and subsection (28) of section 1002.33, Florida
63 Statutes, are amended to read:

64 1002.33 Charter schools.—

65 (2) GUIDING PRINCIPLES; PURPOSE.—

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

67 1. Create innovative measurement tools.

68 2. Provide rigorous competition within the public school



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69 system district to stimulate continual improvement in all public
70 schools.

71 3. Expand the capacity of the public school system.

72 4. Mitigate the educational impact created by the
73 development of new residential dwelling units.

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

76 (5) SPONSOR; DUTIES.—

77 (a) *Sponsoring entities*.—

78 1. A district school board may sponsor a charter school in
79 the county over which the district school board has
80 jurisdiction.

81 2. A state university may grant a charter to a lab school
82 created under s. 1002.32 and shall be considered to be the
83 school's sponsor. Such school shall be considered a charter lab
84 school.

85 3. Because needs relating to educational capacity,
86 workforce qualifications, and career education opportunities are
87 constantly changing and extend beyond school district
88 boundaries:

89 a. A state university may, upon approval by the Department
90 of Education, solicit applications and sponsor a charter school
91 to meet regional education or workforce demands by serving
92 students from multiple school districts.

93 b. A Florida College System institution may, upon approval
94 by the Department of Education, solicit applications and sponsor
95 a charter school in any county within its service area to meet
96 workforce demands and may offer postsecondary programs leading
97 to industry certifications to eligible charter school students.



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98 A charter school established under subparagraph (b)4. may not be
99 sponsored by a Florida College System institution until its
100 existing charter with the school district expires as provided
101 under subsection (7).

102 c. Notwithstanding paragraph (6) (b), a state university or
103 Florida College System institution may, at its discretion, deny
104 an application for a charter school.

105 (b) *Sponsor duties.*—

106 1.a. The sponsor shall monitor and review the charter
107 school in its progress toward the goals established in the
108 charter.

109 b. The sponsor shall monitor the revenues and expenditures
110 of the charter school and perform the duties provided in s.
111 1002.345.

112 c. The sponsor may approve a charter for a charter school
113 before the applicant has identified space, equipment, or
114 personnel, if the applicant indicates approval is necessary for
115 it to raise working funds.

116 d. The sponsor shall not apply its policies to a charter
117 school unless mutually agreed to by both the sponsor and the
118 charter school. If the sponsor subsequently amends any agreed-
119 upon sponsor policy, the version of the policy in effect at the
120 time of the execution of the charter, or any subsequent
121 modification thereof, shall remain in effect and the sponsor may
122 not hold the charter school responsible for any provision of a
123 newly revised policy until the revised policy is mutually agreed
124 upon.

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



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127 1000.03(5).

128 f. The sponsor shall ensure that the charter school
129 participates in the state's education accountability system. If
130 a charter school falls short of performance measures included in
131 the approved charter, the sponsor shall report such shortcomings
132 to the Department of Education.

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

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

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

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

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

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

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

151 ~~(B)~~ The number of ~~final~~ applications received during the
152 school year and up to on or before August 1 and each applicant's
153 contact information.

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



156 ~~(C)-(D)~~ The date each final contract was executed.
157 (II) Annually, by November 1 ~~Beginning August 31, 2013, and~~
158 ~~each year thereafter~~, the sponsor shall submit to the department
159 the information for the applications submitted the previous
160 year.
161 (III) The department shall compile an annual report, by
162 sponsor district, and post the report on its website by January
163 15 ~~November 1~~ of each year.
164 2. Immunity for the sponsor of a charter school under
165 subparagraph 1. applies only with respect to acts or omissions
166 not under the sponsor's direct authority as described in this
167 section.
168 3. This paragraph does not waive a sponsor's district
169 ~~school board's~~ sovereign immunity.
170 4. A Florida College System institution may work with the
171 school district or school districts in its designated service
172 area to develop charter schools that offer secondary education.
173 These charter schools must include an option for students to
174 receive an associate degree upon high school graduation. If a
175 Florida College System institution operates an approved teacher
176 preparation program under s. 1004.04 or s. 1004.85, the
177 institution may operate ~~no more than one~~ charter schools ~~school~~
178 that serve ~~serves~~ students in kindergarten through grade 12 in
179 any school district within the service area of the institution.
180 ~~In kindergarten through grade 8, the charter school shall~~
181 ~~implement innovative blended learning instructional models in~~
182 ~~which, for a given course, a student learns in part through~~
183 ~~online delivery of content and instruction with some element of~~
184 ~~student control over time, place, path, or pace and in part at a~~



185 ~~supervised brick and mortar location away from home. A student~~
186 ~~in a blended learning course must be a full-time student of the~~
187 ~~charter school and receive the online instruction in a classroom~~
188 ~~setting at the charter school.~~ District school boards shall
189 cooperate with and assist the Florida College System institution
190 on the charter application. Florida College System institution
191 applications for charter schools are not subject to the time
192 deadlines outlined in subsection (6) and may be approved by the
193 district school board at any time during the year. Florida
194 College System institutions may not report FTE for any students
195 participating under this subparagraph who receive FTE funding
196 through the Florida Education Finance Program.

197 5. A school district may enter into nonexclusive interlocal
198 agreements with federal and state agencies, counties,
199 municipalities, and other governmental entities that operate
200 within the geographical borders of the school district to act on
201 behalf of such governmental entities in the inspection,
202 issuance, and other necessary activities for all necessary
203 permits, licenses, and other permissions that a charter school
204 needs in order for development, construction, or operation. A
205 charter school may use, but may not be required to use, a school
206 district for these services. The interlocal agreement must
207 include, but need not be limited to, the identification of fees
208 that charter schools will be charged for such services. The fees
209 must consist of the governmental entity's fees plus a fee for
210 the school district to recover no more than actual costs for
211 providing such services. These services and fees are not
212 included within the services to be provided pursuant to
213 subsection (20).



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214 6. The board of trustees of a sponsoring state university
215 or Florida College System institution under paragraph (a) is the
216 local educational agency for all charter schools it sponsors for
217 purposes of receiving federal funds and accepts full
218 responsibility for all local educational agency requirements and
219 the schools for which it will perform local educational agency
220 responsibilities. A student enrolled in a charter school that is
221 sponsored by a state university or Florida College System
222 institution may not be included in the calculation of the school
223 district's grade under s. 1008.34(5) for the school district in
224 which he or she resides.

225 (c) Sponsor accountability.-

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

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

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

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

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

237 2. The department shall compile the results by sponsor and
238 include the results in the report required under sub-sub-
239 subparagraph (b)1.k.(III).

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

242 (b) A sponsor shall receive and review all applications for



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243 a charter school using the evaluation instrument developed by
244 the Department of Education. ~~A sponsor shall receive and~~
245 ~~consider charter school applications received on or before~~
246 ~~August 1 of each calendar year for charter schools to be opened~~
247 ~~at the beginning of the school district's next school year, or~~
248 ~~to be opened at a time agreed to by the applicant and the~~
249 ~~sponsor. A sponsor may not refuse to receive a charter school~~
250 ~~application submitted before August 1 and may receive an~~
251 ~~application submitted later than August 1 if it chooses.~~
252 ~~Beginning in 2018 and thereafter,~~ A sponsor shall receive and
253 consider charter school applications ~~received on or before~~
254 ~~February 1 of each calendar year for charter schools to be~~
255 ~~opened 18 months later at the beginning of the school district's~~
256 ~~school year, or to be opened at a time determined by the~~
257 ~~applicant. A sponsor may not refuse to receive a charter school~~
258 ~~application submitted before February 1 and may receive an~~
259 ~~application submitted later than February 1 if it chooses. A~~
260 sponsor may not charge an applicant for a charter any fee for
261 the processing or consideration of an application, and a sponsor
262 may not base its consideration or approval of a final
263 application upon the promise of future payment of any kind.
264 Before approving or denying any application, the sponsor shall
265 allow the applicant, upon receipt of written notification, at
266 least 7 calendar days to make technical or nonsubstantive
267 corrections and clarifications, including, but not limited to,
268 corrections of grammatical, typographical, and like errors or
269 missing signatures, if such errors are identified by the sponsor
270 as cause to deny the final application.

271 1. In order to facilitate an accurate budget projection



272 process, a sponsor shall be held harmless for FTE students who
273 are not included in the FTE projection due to approval of
274 charter school applications after the FTE projection deadline.
275 In a further effort to facilitate an accurate budget projection,
276 within 15 calendar days after receipt of a charter school
277 application, a sponsor shall report to the Department of
278 Education the name of the applicant entity, the proposed charter
279 school location, and its projected FTE.

280 2. In order to ensure fiscal responsibility, an application
281 for a charter school shall include a full accounting of expected
282 assets, a projection of expected sources and amounts of income,
283 including income derived from projected student enrollments and
284 from community support, and an expense projection that includes
285 full accounting of the costs of operation, including start-up
286 costs.

287 3.a. A sponsor shall by a majority vote approve or deny an
288 application no later than 90 calendar days after the application
289 is received, unless the sponsor and the applicant mutually agree
290 in writing to temporarily postpone the vote to a specific date,
291 at which time the sponsor shall by a majority vote approve or
292 deny the application. If the sponsor fails to act on the
293 application, an applicant may appeal to the State Board of
294 Education as provided in paragraph (c). If an application is
295 denied, the sponsor shall, within 10 calendar days after such
296 denial, articulate in writing the specific reasons, based upon
297 good cause, supporting its denial of the application and shall
298 provide the letter of denial and supporting documentation to the
299 applicant and to the Department of Education.

300 b. An application submitted by a high-performing charter



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301 school identified pursuant to s. 1002.331 or a high-performing
302 charter school system identified pursuant to s. 1002.332 may be
303 denied by the sponsor only if the sponsor demonstrates by clear
304 and convincing evidence that:

305 (I) The application of a high-performing charter school
306 does not materially comply with the requirements in paragraph
307 (a) or, for a high-performing charter school system, the
308 application does not materially comply with s. 1002.332(2)(b);

309 (II) The charter school proposed in the application does
310 not materially comply with the requirements in paragraphs
311 (9)(a)-(f);

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

315 (IV) The applicant has made a material misrepresentation or
316 false statement or concealed an essential or material fact
317 during the application process; or

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

321
322 Material noncompliance is a failure to follow requirements or a
323 violation of prohibitions applicable to charter school
324 applications, which failure is quantitatively or qualitatively
325 significant either individually or when aggregated with other
326 noncompliance. An applicant is considered to be replicating a
327 high-performing charter school if the proposed school is
328 substantially similar to at least one of the applicant's high-
329 performing charter schools and the organization or individuals



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330 involved in the establishment and operation of the proposed
331 school are significantly involved in the operation of replicated
332 schools.

333 c. If the sponsor denies an application submitted by a
334 high-performing charter school or a high-performing charter
335 school system, the sponsor must, within 10 calendar days after
336 such denial, state in writing the specific reasons, based upon
337 the criteria in sub-subparagraph b., supporting its denial of
338 the application and must provide the letter of denial and
339 supporting documentation to the applicant and to the Department
340 of Education. The applicant may appeal the sponsor's denial of
341 the application in accordance with paragraph (c).

342 4. For budget projection purposes, the sponsor shall report
343 to the Department of Education the approval or denial of an
344 application within 10 calendar days after such approval or
345 denial. In the event of approval, the report to the Department
346 of Education shall include the final projected FTE for the
347 approved charter school.

348 5. ~~Upon approval of an application, the initial startup~~
349 ~~shall commence with the beginning of the public school calendar~~
350 ~~for the district in which the charter is granted.~~ A charter
351 school may defer the opening of the school's operations for up
352 to 3 years to provide time for adequate facility planning. The
353 charter school must provide written notice of such intent to the
354 sponsor and the parents of enrolled students at least 30
355 calendar days before the first day of school.

356 (d)1. The sponsor shall act upon the decision of the State
357 Board of Education within 30 calendar days after it is received.
358 The State Board of Education's decision is a final action



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359 subject to judicial review in the district court of appeal. A
360 prevailing party may file an action with the Division of
361 Administrative Hearings to recover reasonable attorney fees and
362 costs incurred during the denial of the application and any
363 appeals.

364 2. If the State Board of Education determines that a
365 district school board is in violation of a state board decision
366 on a charter school application and of a court order for the
367 school board to enter into a charter with a charter school
368 governing board, the state board must withhold state funds
369 provided under s. 1011.62 by the total number of K-12 students,
370 as applicable, projected to be enrolled in the charter school in
371 the first year of operation as reported in the charter school
372 application. The state board shall withhold the amount in each
373 disbursement of such funds until the district school board
374 enters into a charter with the charter school governing board.
375 If the district school board enters into such charter during the
376 same fiscal year, all withheld funds must be disbursed to the
377 district school board.

378 (7) CHARTER.—The terms and conditions for the operation of
379 a charter school shall be set forth by the sponsor and the
380 applicant in a written contractual agreement, called a charter.
381 The sponsor and the governing board of the charter school shall
382 use the standard charter contract pursuant to subsection (21),
383 which shall incorporate the approved application and any addenda
384 approved with the application. Any term or condition of a
385 proposed charter contract that differs from the standard charter
386 contract adopted by rule of the State Board of Education shall
387 be presumed a limitation on charter school flexibility. The



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388 sponsor may not impose unreasonable rules or regulations that
389 violate the intent of giving charter schools greater flexibility
390 to meet educational goals. The charter shall be signed by the
391 governing board of the charter school and the sponsor, following
392 a public hearing to ensure community input.

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

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

397 2. The focus of the curriculum, the instructional methods
398 to be used, any distinctive instructional techniques to be
399 employed, and identification and acquisition of appropriate
400 technologies needed to improve educational and administrative
401 performance which include a means for promoting safe, ethical,
402 and appropriate uses of technology which comply with legal and
403 professional standards.

404 a. The charter shall ensure that reading is a primary focus
405 of the curriculum and that resources are provided to identify
406 and provide specialized instruction for students who are reading
407 below grade level. The curriculum and instructional strategies
408 for reading must be consistent with the Next Generation Sunshine
409 State Standards and grounded in scientifically based reading
410 research.

411 b. In order to provide students with access to diverse
412 instructional delivery models, to facilitate the integration of
413 technology within traditional classroom instruction, and to
414 provide students with the skills they need to compete in the
415 21st century economy, the Legislature encourages instructional
416 methods for blended learning courses consisting of both



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417 traditional classroom and online instructional techniques.
418 Charter schools may implement blended learning courses which
419 combine traditional classroom instruction and virtual
420 instruction. Students in a blended learning course must be full-
421 time students of the charter school pursuant to s.
422 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
423 1012.55 who provide virtual instruction for blended learning
424 courses may be employees of the charter school or may be under
425 contract to provide instructional services to charter school
426 students. At a minimum, such instructional personnel must hold
427 an active state or school district adjunct certification under
428 s. 1012.57 for the subject area of the blended learning course.
429 The funding and performance accountability requirements for
430 blended learning courses are the same as those for traditional
431 courses.

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

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

438 b. How these baseline rates will be compared to rates of
439 academic progress achieved by these same students while
440 attending the charter school.

441 c. To the extent possible, how these rates of progress will
442 be evaluated and compared with rates of progress of other
443 closely comparable student populations.

444
445 A ~~The~~ district school board is required to provide academic



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446 student performance data to charter schools for each of their
447 students coming from the district school system, as well as
448 rates of academic progress of comparable student populations in
449 the district school system.

450 4. The methods used to identify the educational strengths
451 and needs of students and how well educational goals and
452 performance standards are met by students attending the charter
453 school. The methods shall provide a means for the charter school
454 to ensure accountability to its constituents by analyzing
455 student performance data and by evaluating the effectiveness and
456 efficiency of its major educational programs. Students in
457 charter schools shall, at a minimum, participate in the
458 statewide assessment program created under s. 1008.22.

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

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

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

467 8. The ways by which the school will achieve a
468 racial/ethnic balance reflective of the community it serves or
469 within the racial/ethnic range of other nearby public schools ~~in~~
470 ~~the same school district.~~

471 9. The financial and administrative management of the
472 school, including a reasonable demonstration of the professional
473 experience or competence of those individuals or organizations
474 applying to operate the charter school or those hired or



475 retained to perform such professional services and the
476 description of clearly delineated responsibilities and the
477 policies and practices needed to effectively manage the charter
478 school. A description of internal audit procedures and
479 establishment of controls to ensure that financial resources are
480 properly managed must be included. Both public sector and
481 private sector professional experience shall be equally valid in
482 such a consideration.

483 10. The asset and liability projections required in the
484 application which are incorporated into the charter and shall be
485 compared with information provided in the annual report of the
486 charter school.

487 11. A description of procedures that identify various risks
488 and provide for a comprehensive approach to reduce the impact of
489 losses; plans to ensure the safety and security of students and
490 staff; plans to identify, minimize, and protect others from
491 violent or disruptive student behavior; and the manner in which
492 the school will be insured, including whether or not the school
493 will be required to have liability insurance, and, if so, the
494 terms and conditions thereof and the amounts of coverage.

495 12. The term of the charter which shall provide for
496 cancellation of the charter if insufficient progress has been
497 made in attaining the student achievement objectives of the
498 charter and if it is not likely that such objectives can be
499 achieved before expiration of the charter. The initial term of a
500 charter shall be for 5 years, excluding 2 planning years. In
501 order to facilitate access to long-term financial resources for
502 charter school construction, charter schools that are operated
503 by a municipality or other public entity as provided by law are



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504 eligible for up to a 15-year charter, subject to approval by the
505 sponsor ~~district school board~~. A charter lab school is eligible
506 for a charter for a term of up to 15 years. In addition, to
507 facilitate access to long-term financial resources for charter
508 school construction, charter schools that are operated by a
509 private, not-for-profit, s. 501(c)(3) status corporation are
510 eligible for up to a 15-year charter, subject to approval by the
511 sponsor ~~district school board~~. Such long-term charters remain
512 subject to annual review and may be terminated during the term
513 of the charter, but only according to the provisions set forth
514 in subsection (8).

515 13. The facilities to be used and their location. The
516 sponsor may not require a charter school to have a certificate
517 of occupancy or a temporary certificate of occupancy for such a
518 facility earlier than 15 calendar days before the first day of
519 school.

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

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

526 16. A timetable for implementing the charter which
527 addresses the implementation of each element thereof and the
528 date by which the charter shall be awarded in order to meet this
529 timetable.

530 17. In the case of an existing public school that is being
531 converted to charter status, alternative arrangements for
532 current students who choose not to attend the charter school and



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533 for current teachers who choose not to teach in the charter
534 school after conversion in accordance with the existing
535 collective bargaining agreement or district school board rule in
536 the absence of a collective bargaining agreement. However,
537 alternative arrangements shall not be required for current
538 teachers who choose not to teach in a charter lab school, except
539 as authorized by the employment policies of the state university
540 which grants the charter to the lab school.

541 18. Full disclosure of the identity of all relatives
542 employed by the charter school who are related to the charter
543 school owner, president, chairperson of the governing board of
544 directors, superintendent, governing board member, principal,
545 assistant principal, or any other person employed by the charter
546 school who has equivalent decisionmaking authority. For the
547 purpose of this subparagraph, the term "relative" means father,
548 mother, son, daughter, brother, sister, uncle, aunt, first
549 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
550 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
551 stepfather, stepmother, stepson, stepdaughter, stepbrother,
552 stepsister, half brother, or half sister.

553 19. Implementation of the activities authorized under s.
554 1002.331 by the charter school when it satisfies the eligibility
555 requirements for a high-performing charter school. A high-
556 performing charter school shall notify its sponsor in writing by
557 March 1 if it intends to increase enrollment or expand grade
558 levels the following school year. The written notice shall
559 specify the amount of the enrollment increase and the grade
560 levels that will be added, as applicable.

561 (b) The sponsor has 30 days after approval of the



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562 application to provide an initial proposed charter contract to
563 the charter school. The applicant and the sponsor have 40 days
564 thereafter to negotiate and notice the charter contract for
565 final approval by the sponsor unless both parties agree to an
566 extension. The proposed charter contract shall be provided to
567 the charter school at least 7 calendar days before the date of
568 the meeting at which the charter is scheduled to be voted upon
569 by the sponsor. The Department of Education shall provide
570 mediation services for any dispute regarding this section
571 subsequent to the approval of a charter application and for any
572 dispute relating to the approved charter, except a dispute
573 regarding a charter school application denial. If either the
574 charter school or the sponsor indicates in writing that the
575 party does not desire to settle any dispute arising under this
576 section through mediation procedures offered by the Department
577 of Education, a charter school may immediately appeal any formal
578 or informal decision by the sponsor to an administrative law
579 judge appointed by the Division of Administrative Hearings. If
580 the Commissioner of Education determines that the dispute cannot
581 be settled through mediation, the dispute may also be appealed
582 to an administrative law judge appointed by the Division of
583 Administrative Hearings. The administrative law judge has final
584 order authority to rule on issues of equitable treatment of the
585 charter school as a public school, whether proposed provisions
586 of the charter violate the intended flexibility granted charter
587 schools by statute, or any other matter regarding this section,
588 except a dispute regarding charter school application denial, a
589 charter termination, or a charter nonrenewal. The administrative
590 law judge shall award the prevailing party reasonable attorney



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591 fees and costs incurred during the mediation process,
592 administrative proceeding, and any appeals, to be paid by the
593 party whom the administrative law judge rules against.

594 (d) A charter may be modified during its initial term or
595 any renewal term upon the recommendation of the sponsor or the
596 charter school's governing board and the approval of both
597 parties to the agreement. Changes to curriculum that are
598 consistent with state standards and are necessary to implement
599 blended learning shall be deemed approved unless the sponsor
600 determines in writing that the curriculum is inconsistent with
601 state standards. Modification during any term may include, but
602 is not limited to, consolidation of multiple charters into a
603 single charter if the charters are operated under the same
604 governing board, regardless of the renewal cycle. A charter
605 school that is not subject to a school improvement plan and that
606 closes as part of a consolidation shall be reported by the
607 sponsor ~~school district~~ as a consolidation.

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

609 (c) A charter may be terminated immediately if the sponsor
610 sets forth in writing the particular facts and circumstances
611 demonstrating ~~indicating~~ that an immediate and serious danger to
612 the health, safety, or welfare of the charter school's students
613 exists, that the immediate and serious danger is likely to
614 continue, and that an immediate termination of the charter is
615 necessary. The sponsor's determination is subject to the
616 procedures set forth in paragraph (b), except that the hearing
617 may take place after the charter has been terminated. The
618 sponsor shall notify in writing the charter school's governing
619 board, the charter school principal, and the department of the



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620 facts and circumstances supporting the immediate termination if
621 a charter is terminated immediately. The sponsor shall clearly
622 identify the specific issues that resulted in the immediate
623 termination and provide evidence of prior notification of issues
624 resulting in the immediate termination, if applicable when
625 appropriate. Upon receiving written notice from the sponsor, the
626 charter school's governing board has 10 calendar days to request
627 a hearing. A requested hearing must be expedited and the final
628 order must be issued within 60 days after the date of request.
629 The administrative law judge shall award reasonable attorney
630 fees and costs to the prevailing party of any injunction,
631 administrative proceeding, or appeal. The sponsor may seek an
632 injunction in the circuit court in which the charter school is
633 located to enjoin continued operation of the charter school if
634 shall assume operation of the charter school throughout the
635 pendency of the hearing under paragraph (b) unless the continued
636 operation of the charter school would materially threaten the
637 health, safety, or welfare of the students. Failure by the
638 sponsor to assume and continue operation of the charter school
639 shall result in the awarding of reasonable costs and attorney's
640 fees to the charter school if the charter school prevails on
641 appeal.

642 (d) When a charter is not renewed or is terminated, the
643 school shall be dissolved under the provisions of law under
644 which the school was organized, and any unencumbered public
645 funds, except for capital outlay funds and federal charter
646 school program grant funds, from the charter school shall revert
647 to the sponsor. Capital outlay funds provided pursuant to s.
648 1013.62 and federal charter school program grant funds that are



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649 unencumbered shall revert to the department to be redistributed
650 among eligible charter schools. In the event a charter school is
651 dissolved or is otherwise terminated, all sponsor district
652 ~~school board~~ property and improvements, furnishings, and
653 equipment purchased with public funds shall automatically revert
654 to full ownership by the sponsor district school board, subject
655 to complete satisfaction of any lawful liens or encumbrances.
656 Any unencumbered public funds from the charter school, ~~district~~
657 ~~school board~~ property and improvements, furnishings, and
658 equipment purchased with public funds, or financial or other
659 records pertaining to the charter school, in the possession of
660 any person, entity, or holding company, other than the charter
661 school, shall be held in trust upon the sponsor's district
662 ~~school board's~~ request, until any appeal status is resolved.

663 (e) If a charter is not renewed or is terminated, the
664 charter school is responsible for all debts of the charter
665 school. The sponsor district may not assume the debt from any
666 contract made between the governing body of the school and a
667 third party, except for a debt that is previously detailed and
668 agreed upon in writing by both the sponsor district and the
669 governing body of the school and that may not reasonably be
670 assumed to have been satisfied by the sponsor district.

671 (9) CHARTER SCHOOL REQUIREMENTS.—

672 (g)1. In order to provide financial information that is
673 comparable to that reported for other public schools, charter
674 schools are to maintain all financial records that constitute
675 their accounting system:

676 a. In accordance with the accounts and codes prescribed in
677 the most recent issuance of the publication titled "Financial



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678 and Program Cost Accounting and Reporting for Florida Schools";
679 or

680 b. At the discretion of the charter school's governing
681 board, a charter school may elect to follow generally accepted
682 accounting standards for not-for-profit organizations, but must
683 reformat this information for reporting according to this
684 paragraph.

685 2. Charter schools shall provide annual financial report
686 and program cost report information in the state-required
687 formats for inclusion in sponsor ~~district~~ reporting in
688 compliance with s. 1011.60(1). Charter schools that are operated
689 by a municipality or are a component unit of a parent nonprofit
690 organization may use the accounting system of the municipality
691 or the parent but must reformat this information for reporting
692 according to this paragraph.

693 3. A charter school shall, upon approval of the charter
694 contract, provide the sponsor with a concise, uniform, monthly
695 financial statement summary sheet that contains a balance sheet
696 and a statement of revenue, expenditures, and changes in fund
697 balance. The balance sheet and the statement of revenue,
698 expenditures, and changes in fund balance shall be in the
699 governmental funds format prescribed by the Governmental
700 Accounting Standards Board. A high-performing charter school
701 pursuant to s. 1002.331 may provide a quarterly financial
702 statement in the same format and requirements as the uniform
703 monthly financial statement summary sheet. The sponsor shall
704 review each monthly or quarterly financial statement to identify
705 the existence of any conditions identified in s. 1002.345(1)(a).

706 4. A charter school shall maintain and provide financial



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707 information as required in this paragraph. The financial
708 statement required in subparagraph 3. must be in a form
709 prescribed by the Department of Education.

710 (n)1. The director and a representative of the governing
711 board of a charter school that has earned a grade of "D" or "F"
712 pursuant to s. 1008.34 shall appear before the sponsor to
713 present information concerning each contract component having
714 noted deficiencies. The director and a representative of the
715 governing board shall submit to the sponsor for approval a
716 school improvement plan to raise student performance. Upon
717 approval by the sponsor, the charter school shall begin
718 implementation of the school improvement plan. The department
719 shall offer technical assistance and training to the charter
720 school and its governing board and establish guidelines for
721 developing, submitting, and approving such plans.

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

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

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

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

732 (IV) Voluntarily close the charter school.

733 b. The charter school must implement the corrective action
734 in the school year following receipt of a third consecutive
735 grade below a "C."



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736 c. The sponsor may annually waive a corrective action if it
737 determines that the charter school is likely to improve a letter
738 grade if additional time is provided to implement the
739 intervention and support strategies prescribed by the school
740 improvement plan. Notwithstanding this sub-subparagraph, a
741 charter school that earns a second consecutive grade of "F" is
742 subject to subparagraph 3.

743 d. A charter school is no longer required to implement a
744 corrective action if it improves to a "C" or higher. However,
745 the charter school must continue to implement strategies
746 identified in the school improvement plan. The sponsor must
747 annually review implementation of the school improvement plan to
748 monitor the school's continued improvement pursuant to
749 subparagraph 4.

750 e. A charter school implementing a corrective action that
751 does not improve to a "C" or higher after 2 full school years of
752 implementing the corrective action must select a different
753 corrective action. Implementation of the new corrective action
754 must begin in the school year following the implementation
755 period of the existing corrective action, unless the sponsor
756 determines that the charter school is likely to improve to a "C"
757 or higher if additional time is provided to implement the
758 existing corrective action. Notwithstanding this sub-
759 subparagraph, a charter school that earns a second consecutive
760 grade of "F" while implementing a corrective action is subject
761 to subparagraph 3.

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



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765 a. The charter school is established to turn around the
766 performance of a district public school pursuant to s.
767 1008.33(4)(b)2. Such charter schools shall be governed by s.
768 1008.33;

769 b. The charter school serves a student population the
770 majority of which resides in a school zone served by a district
771 public school subject to s. 1008.33(4) and the charter school
772 earns at least a grade of "D" in its third year of operation.
773 The exception provided under this sub-subparagraph does not
774 apply to a charter school in its fourth year of operation and
775 thereafter; or

776 c. The state board grants the charter school a waiver of
777 termination. The charter school must request the waiver within
778 15 days after the department's official release of school
779 grades. The state board may waive termination if the charter
780 school demonstrates that the Learning Gains of its students on
781 statewide assessments are comparable to or better than the
782 Learning Gains of similarly situated students enrolled in nearby
783 ~~district~~ public schools. The waiver is valid for 1 year and may
784 only be granted once. Charter schools that have been in
785 operation for more than 5 years are not eligible for a waiver
786 under this sub-subparagraph.

787
788 The sponsor shall notify the charter school's governing board,
789 the charter school principal, and the department in writing when
790 a charter contract is terminated under this subparagraph. A
791 charter terminated under this subparagraph must follow the
792 procedures for dissolution and reversion of public funds
793 pursuant to paragraphs (8)(d)-(f) and (9)(o).



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794 4. The director and a representative of the governing board
795 of a graded charter school that has implemented a school
796 improvement plan under this paragraph shall appear before the
797 sponsor at least once a year to present information regarding
798 the progress of intervention and support strategies implemented
799 by the school pursuant to the school improvement plan and
800 corrective actions, if applicable. The sponsor shall communicate
801 at the meeting, and in writing to the director, the services
802 provided to the school to help the school address its
803 deficiencies.

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

807 (10) ELIGIBLE STUDENTS.—

808 (d) A charter school may give enrollment preference to the
809 following student populations:

810 1. Students who are siblings of a student enrolled in the
811 charter school.

812 2. Students who are the children of a member of the
813 governing board of the charter school.

814 3. Students who are the children of an employee of the
815 charter school.

816 4. Students who are the children of:

817 a. An employee of the business partner of a charter
818 school-in-the-workplace established under paragraph (15) (b) or a
819 resident of the municipality in which such charter school is
820 located; or

821 b. A resident or employee of a municipality that operates a
822 charter school-in-a-municipality pursuant to paragraph (15) (c)



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823 or allows a charter school to use a school facility or portion
824 of land provided by the municipality for the operation of the
825 charter school.

826 5. Students who have successfully completed, during the
827 previous year, a voluntary prekindergarten education program
828 under ss. 1002.51-1002.79 provided by the charter school, ~~or~~ the
829 charter school's governing board, or a voluntary prekindergarten
830 provider that has a written agreement with the governing board
831 ~~during the previous year.~~

832 6. Students who are the children of an active duty member
833 of any branch of the United States Armed Forces.

834 7. Students who attended or are assigned to failing schools
835 pursuant to s. 1002.38(2).

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

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

839 2. Students considered at risk of dropping out of school or
840 academic failure. Such students shall include exceptional
841 education students.

842 3. Students enrolling in a charter school-in-the-workplace
843 or charter school-in-a-municipality established pursuant to
844 subsection (15).

845 4. Students residing within a reasonable distance of the
846 charter school, as described in paragraph (20)(c). Such students
847 shall be subject to a random lottery and to the racial/ethnic
848 balance provisions described in subparagraph (7)(a)8. or any
849 federal provisions that require a school to achieve a
850 racial/ethnic balance reflective of the community it serves or
851 within the racial/ethnic range of other nearby public schools ~~in~~



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852 ~~the same school district.~~

853 5. Students who meet reasonable academic, artistic, or
854 other eligibility standards established by the charter school
855 and included in the charter school application and charter or,
856 in the case of existing charter schools, standards that are
857 consistent with the school's mission and purpose. Such standards
858 shall be in accordance with current state law and practice in
859 public schools and may not discriminate against otherwise
860 qualified individuals.

861 6. Students articulating from one charter school to another
862 pursuant to an articulation agreement between the charter
863 schools that has been approved by the sponsor.

864 7. Students living in a development in which a developer,
865 including any affiliated business entity or charitable
866 foundation, contributes to the formation, acquisition,
867 construction, or operation of one or more charter schools or
868 charter provides the school facilities facility and related
869 property in an amount equal to or having a total an appraised
870 value of at least \$5 million to be used as a charter schools
871 ~~school~~ to mitigate the educational impact created by the
872 development of new residential dwelling units. Students living
873 in the development are shall be entitled to ~~no more than~~ 50
874 percent of the student stations in the charter schools school.
875 The students who are eligible for enrollment are subject to a
876 random lottery, the racial/ethnic balance provisions, or any
877 federal provisions, as described in subparagraph 4. The
878 remainder of the student stations must shall be filled in
879 accordance with subparagraph 4.

880 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS; INDEMNIFICATION



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881 OF THE STATE AND SPONSOR SCHOOL DISTRICT; CREDIT OR TAXING POWER
882 NOT TO BE PLEDGED.—Any arrangement entered into to borrow or
883 otherwise secure funds for a charter school authorized in this
884 section from a source other than the state or a sponsor school
885 ~~district~~ shall indemnify the state and the sponsor school
886 ~~district~~ from any and all liability, including, but not limited
887 to, financial responsibility for the payment of the principal or
888 interest. Any loans, bonds, or other financial agreements are
889 not obligations of the state or the sponsor school district but
890 are obligations of the charter school authority and are payable
891 solely from the sources of funds pledged by such agreement. The
892 credit or taxing power of the state or the sponsor school
893 ~~district~~ shall not be pledged and no debts shall be payable out
894 of any moneys except those of the legal entity in possession of
895 a valid charter approved by a sponsor district school board
896 pursuant to this section.

897 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
898 A-MUNICIPALITY.—

899 (c) A charter school-in-a-municipality designation may be
900 granted to a municipality that possesses a charter; enrolls
901 students based upon a random lottery that involves all of the
902 children of the residents of that municipality who are seeking
903 enrollment, as provided for in subsection (10); and enrolls
904 students according to the racial/ethnic balance provisions
905 described in subparagraph (7)(a)8. When a municipality has
906 submitted charter applications for the establishment of a
907 charter school feeder pattern, consisting of elementary, middle,
908 and senior high schools, and each individual charter application
909 is approved by the sponsor district school board, such schools



910 shall then be designated as one charter school for all purposes
911 listed pursuant to this section. Any portion of the land and
912 facility used for a public charter school shall be exempt from
913 ad valorem taxes, as provided for in s. 1013.54, for the
914 duration of its use as a public school.

915 (17) FUNDING.—Students enrolled in a charter school,
916 regardless of the sponsorship, shall be funded as if they are in
917 a basic program or a special program, the same as students
918 enrolled in other public schools in a ~~the~~ school district.
919 Funding for a charter lab school shall be as provided in s.
920 1002.32.

921 (a) Each charter school shall report its student enrollment
922 to the sponsor as required in s. 1011.62, and in accordance with
923 the definitions in s. 1011.61. The sponsor shall include each
924 charter school's enrollment in the sponsor's ~~district's~~ report
925 of student enrollment. All charter schools submitting student
926 record information required by the Department of Education shall
927 comply with the Department of Education's guidelines for
928 electronic data formats for such data, and all sponsors
929 ~~districts~~ shall accept electronic data that complies with the
930 Department of Education's electronic format.

931 (b) 1. The basis for the agreement for funding students
932 enrolled in a charter school shall be the sum of the school
933 district's operating funds from the Florida Education Finance
934 Program as provided in s. 1011.62 and the General Appropriations
935 Act, including gross state and local funds, discretionary
936 lottery funds, and funds from the school district's current
937 operating discretionary millage levy; divided by total funded
938 weighted full-time equivalent students in the school district;



939 and multiplied by the weighted full-time equivalent students for
940 the charter school. Charter schools whose students or programs
941 meet the eligibility criteria in law are entitled to their
942 proportionate share of categorical program funds included in the
943 total funds available in the Florida Education Finance Program
944 by the Legislature, including transportation, the research-based
945 reading allocation, and the Florida digital classrooms
946 allocation. Total funding for each charter school shall be
947 recalculated during the year to reflect the revised calculations
948 under the Florida Education Finance Program by the state and the
949 actual weighted full-time equivalent students reported by the
950 charter school during the full-time equivalent student survey
951 periods designated by the Commissioner of Education. For charter
952 schools operated by a not-for-profit or municipal entity, any
953 unrestricted current and capital assets identified in the
954 charter school's annual financial audit may be used for other
955 charter schools operated by the not-for-profit or municipal
956 entity within the school district. Unrestricted current assets
957 shall be used in accordance with s. 1011.62, and any
958 unrestricted capital assets shall be used in accordance with s.
959 1013.62(2).

960 2.a. Students enrolled in a charter school sponsored by a
961 state university or Florida College System institution pursuant
962 to paragraph (5)(a) shall be funded as if they are in a basic
963 program or a special program in the school district. The basis
964 for funding these students is the sum of the total operating
965 funds from the Florida Education Finance Program for the school
966 district in which the school is located as provided in s.
967 1011.62 and the General Appropriations Act, including gross



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968 state and local funds, discretionary lottery funds, and funds
969 from each school district's current operating discretionary
970 millage levy, divided by total funded weighted full-time
971 equivalent students in the district, and multiplied by the full-
972 time equivalent membership of the charter school. The Department
973 of Education shall develop a tool that each state university or
974 Florida College System institution sponsoring a charter school
975 shall use for purposes of calculating the funding amount for
976 each eligible charter school student. The total amount obtained
977 from the calculation must be appropriated from state funds in
978 the General Appropriations Act to the charter school.

979 b. Capital outlay funding for a charter school sponsored by
980 a state university or Florida College System institution
981 pursuant to paragraph (5) (a) is determined pursuant to s.
982 1013.62 and the General Appropriations Act.

983 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
984 schools shall receive all federal funding for which the school
985 is otherwise eligible, including Title I funding, not later than
986 5 months after the charter school first opens and within 5
987 months after any subsequent expansion of enrollment. Unless
988 otherwise mutually agreed to by the charter school and its
989 sponsor, and consistent with state and federal rules and
990 regulations governing the use and disbursement of federal funds,
991 the sponsor shall reimburse the charter school on a monthly
992 basis for all invoices submitted by the charter school for
993 federal funds available to the sponsor for the benefit of the
994 charter school, the charter school's students, and the charter
995 school's students as public school students in the school
996 district. Such federal funds include, but are not limited to,



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997 Title I, Title II, and Individuals with Disabilities Education
998 Act (IDEA) funds. To receive timely reimbursement for an
999 invoice, the charter school must submit the invoice to the
1000 sponsor at least 30 days before the monthly date of
1001 reimbursement set by the sponsor. In order to be reimbursed, any
1002 expenditures made by the charter school must comply with all
1003 applicable state rules and federal regulations, including, but
1004 not limited to, the applicable federal Office of Management and
1005 Budget Circulars; the federal Education Department General
1006 Administrative Regulations; and program-specific statutes,
1007 rules, and regulations. Such funds may not be made available to
1008 the charter school until a plan is submitted to the sponsor for
1009 approval of the use of the funds in accordance with applicable
1010 federal requirements. The sponsor has 30 days to review and
1011 approve any plan submitted pursuant to this paragraph.

1012 (d) Charter schools shall be included by the Department of
1013 Education and the district school board in requests for federal
1014 stimulus funds in the same manner as district school board-
1015 operated public schools, including Title I and IDEA funds and
1016 shall be entitled to receive such funds. Charter schools are
1017 eligible to participate in federal competitive grants that are
1018 available as part of the federal stimulus funds.

1019 (e) Sponsors ~~District school boards~~ shall make timely and
1020 efficient payment and reimbursement to charter schools,
1021 including processing paperwork required to access special state
1022 and federal funding for which they may be eligible. Payments of
1023 funds under paragraph (b) shall be made monthly or twice a
1024 month, beginning with the start of the sponsor's ~~district school~~
1025 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one



1026 twenty-fourth, as applicable, of the total state and local funds
1027 described in paragraph (b) and adjusted as set forth therein.
1028 For the first 2 years of a charter school's operation, if a
1029 minimum of 75 percent of the projected enrollment is entered
1030 into the sponsor's student information system by the first day
1031 of the current month, the sponsor ~~district school board~~ shall
1032 distribute funds to the school for the months of July through
1033 October based on the projected full-time equivalent student
1034 membership of the charter school as submitted in the approved
1035 application. If less than 75 percent of the projected enrollment
1036 is entered into the sponsor's student information system by the
1037 first day of the current month, the sponsor shall base payments
1038 on the actual number of student enrollment entered into the
1039 sponsor's student information system. Thereafter, the results of
1040 full-time equivalent student membership surveys shall be used in
1041 adjusting the amount of funds distributed monthly to the charter
1042 school for the remainder of the fiscal year. The payments shall
1043 be issued no later than 10 working days after the sponsor
1044 ~~district school board~~ receives a distribution of state or
1045 federal funds or the date the payment is due pursuant to this
1046 subsection. If a warrant for payment is not issued within 10
1047 working days after receipt of funding by the sponsor ~~district~~
1048 ~~school board~~, the sponsor ~~school district~~ shall pay to the
1049 charter school, in addition to the amount of the scheduled
1050 disbursement, interest at a rate of 1 percent per month
1051 calculated on a daily basis on the unpaid balance from the
1052 expiration of the 10 working days until such time as the warrant
1053 is issued. The district school board may not delay payment to a
1054 charter school of any portion of the funds provided in paragraph



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1055 (b) based on the timing of receipt of local funds by the
1056 district school board.

1057 (f) Funding for a virtual charter school shall be as
1058 provided in s. 1002.45(7).

1059 (g) To be eligible for public education capital outlay
1060 (PECO) funds, a charter school must be located in the State of
1061 Florida.

1062 (h) A charter school that implements a schoolwide standard
1063 student attire policy pursuant to s. 1011.78 is eligible to
1064 receive incentive payments.

1065 (18) FACILITIES.—

1066 (e) If a district school board facility or property is
1067 available because it is surplus, marked for disposal, or
1068 otherwise unused, it shall be provided for a charter school's
1069 use on the same basis as it is made available to other public
1070 schools in the district. A charter school receiving property
1071 from the sponsor ~~school-district~~ may not sell or dispose of such
1072 property without written permission of the sponsor ~~school-~~
1073 ~~district~~. Similarly, for an existing public school converting to
1074 charter status, no rental or leasing fee for the existing
1075 facility or for the property normally inventoried to the
1076 conversion school may be charged by the district school board to
1077 the parents and teachers organizing the charter school. The
1078 charter school shall agree to reasonable maintenance provisions
1079 in order to maintain the facility in a manner similar to
1080 district school board standards. The Public Education Capital
1081 Outlay maintenance funds or any other maintenance funds
1082 generated by the facility operated as a conversion school shall
1083 remain with the conversion school.



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1084 (20) SERVICES.—

1085 (a)1. A sponsor shall provide certain administrative and
1086 educational services to charter schools. These services shall
1087 include contract management services; full-time equivalent and
1088 data reporting services; exceptional student education
1089 administration services; services related to eligibility and
1090 reporting duties required to ensure that school lunch services
1091 under the National School Lunch Program, consistent with the
1092 needs of the charter school, are provided by the sponsor ~~school~~
1093 ~~district~~ at the request of the charter school, that any funds
1094 due to the charter school under the National School Lunch
1095 Program be paid to the charter school as soon as the charter
1096 school begins serving food under the National School Lunch
1097 Program, and that the charter school is paid at the same time
1098 and in the same manner under the National School Lunch Program
1099 as other public schools serviced by the sponsor or the school
1100 district; test administration services, including payment of the
1101 costs of state-required or district-required student
1102 assessments; processing of teacher certificate data services;
1103 and information services, including equal access to the
1104 sponsor's student information systems that are used by public
1105 schools in the district in which the charter school is located
1106 or by schools in the sponsor's portfolio of charter schools if
1107 the sponsor is not a school district. Student performance data
1108 for each student in a charter school, including, but not limited
1109 to, FCAT scores, standardized test scores, previous public
1110 school student report cards, and student performance measures,
1111 shall be provided by the sponsor to a charter school in the same
1112 manner provided to other public schools in the district or by



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1113 schools in the sponsor's portfolio of charter schools if the
1114 sponsor is not a school district.

1115 2. A sponsor may withhold an administrative fee for the
1116 provision of such services which shall be a percentage of the
1117 available funds defined in paragraph (17)(b) calculated based on
1118 weighted full-time equivalent students. If the charter school
1119 serves 75 percent or more exceptional education students as
1120 defined in s. 1003.01(3), the percentage shall be calculated
1121 based on unweighted full-time equivalent students. The
1122 administrative fee shall be calculated as follows:

1123 a. Up to 5 percent for:

1124 (I) Enrollment of up to and including 250 students in a
1125 charter school as defined in this section.

1126 (II) Enrollment of up to and including 500 students within
1127 a charter school system which meets all of the following:

1128 (A) Includes conversion charter schools and nonconversion
1129 charter schools.

1130 (B) Has all of its schools located in the same county.

1131 (C) Has a total enrollment exceeding the total enrollment
1132 of at least one school district in this ~~the~~ state.

1133 (D) Has the same governing board for all of its schools.

1134 (E) Does not contract with a for-profit service provider
1135 for management of school operations.

1136 (III) Enrollment of up to and including 250 students in a
1137 virtual charter school.

1138 b. Up to 2 percent for enrollment of up to and including
1139 250 students in a high-performing charter school as defined in
1140 s. 1002.331.

1141 c. Up to 2 percent for enrollment of up to and including



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1142 250 students in an exceptional student education center that
1143 meets the requirements of the rules adopted by the State Board
1144 of Education pursuant to s. 1008.3415(3).

1145 3. A sponsor may not charge charter schools any additional
1146 fees or surcharges for administrative and educational services
1147 in addition to the maximum percentage of administrative fees
1148 withheld pursuant to this paragraph.

1149 4. A sponsor shall provide to the department by September
1150 15 of each year the total amount of funding withheld from
1151 charter schools pursuant to this subsection for the prior fiscal
1152 year. The department must include the information in the report
1153 required under sub-sub-subparagraph (5) (b) 1.k. (III).

1154 (b) If goods and services are made available to the charter
1155 school through the contract with the sponsor ~~school district~~,
1156 they shall be provided to the charter school at a rate no
1157 greater than the sponsor's ~~district's~~ actual cost unless
1158 mutually agreed upon by the charter school and the sponsor in a
1159 contract negotiated separately from the charter. When mediation
1160 has failed to resolve disputes over contracted services or
1161 contractual matters not included in the charter, an appeal may
1162 be made to an administrative law judge appointed by the Division
1163 of Administrative Hearings. The administrative law judge has
1164 final order authority to rule on the dispute. The administrative
1165 law judge shall award the prevailing party reasonable attorney
1166 fees and costs incurred during the mediation process,
1167 administrative proceeding, and any appeals, to be paid by the
1168 party whom the administrative law judge rules against. To
1169 maximize the use of state funds, sponsors ~~school districts~~ shall
1170 allow charter schools to participate in the sponsor's bulk



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1171 purchasing program if applicable.

1172 (c) Transportation of charter school students shall be
1173 provided by the charter school consistent with the requirements
1174 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
1175 body of the charter school may provide transportation through an
1176 agreement or contract with the sponsor ~~district school board~~, a
1177 private provider, or parents. The charter school and the sponsor
1178 shall cooperate in making arrangements that ensure that
1179 transportation is not a barrier to equal access for all students
1180 residing within a reasonable distance of the charter school as
1181 determined in its charter.

1182 (d) Each charter school shall annually complete and submit
1183 a survey, provided in a format specified by the Department of
1184 Education, to rate the timeliness and quality of services
1185 provided by the sponsor ~~district~~ in accordance with this
1186 section. The department shall compile the results, by sponsor
1187 ~~district~~, and include the results in the report required under
1188 sub-sub-subparagraph (5) (b)1.k.(III).

1189 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1190 (a) The Department of Education shall provide information
1191 to the public, directly and through sponsors, on how to form and
1192 operate a charter school and how to enroll in a charter school
1193 once it is created. This information shall include the standard
1194 application form, standard charter contract, standard evaluation
1195 instrument, and standard charter renewal contract, which shall
1196 include the information specified in subsection (7) and shall be
1197 developed by consulting and negotiating with both sponsors
1198 ~~school districts~~ and charter schools before implementation. The
1199 charter and charter renewal contracts shall be used by charter



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1200 school sponsors.

1201 (b)1. The Department of Education shall report to each
1202 charter school receiving a school grade pursuant to s. 1008.34
1203 or a school improvement rating pursuant to s. 1008.341 the
1204 school's student assessment data.

1205 2. The charter school shall report the information in
1206 subparagraph 1. to each parent of a student at the charter
1207 school, the parent of a child on a waiting list for the charter
1208 school, the sponsor ~~district in which the charter school is~~
1209 ~~located~~, and the governing board of the charter school. This
1210 paragraph does not abrogate the provisions of s. 1002.22,
1211 relating to student records, or the requirements of 20 U.S.C. s.
1212 1232g, the Family Educational Rights and Privacy Act.

1213 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1214 SCHOOL SYSTEMS.—

1215 (a) A charter school system's governing board shall be
1216 designated a local educational agency for the purpose of
1217 receiving federal funds, the same as though the charter school
1218 system were a school district, if the governing board of the
1219 charter school system has adopted and filed a resolution with
1220 its sponsor ~~sponsoring district school board~~ and the Department
1221 of Education in which the governing board of the charter school
1222 system accepts the full responsibility for all local education
1223 agency requirements and the charter school system meets all of
1224 the following:

- 1225 1. Has all schools located in the same county;
- 1226 2. Has a total enrollment exceeding the total enrollment of
1227 at least one school district in this ~~the~~ state; and
- 1228 3. Has the same governing board.



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

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

Section 3. Paragraph (a) of subsection (2) and paragraph (b) of subsection (3) of section 1002.331, Florida Statutes, are amended to read:

1002.331 High-performing charter schools.—

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the capacity of the facility at the time the enrollment increase will take effect. Facility capacity for purposes of ~~grade level~~ expansion shall include any improvements to an existing facility or any new facility in which ~~a majority of~~ the students of the high-performing charter school will enroll.



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1258 A high-performing charter school shall notify its sponsor in
1259 writing by March 1 if it intends to increase enrollment or
1260 expand grade levels the following school year. The written
1261 notice shall specify the amount of the enrollment increase and
1262 the grade levels that will be added, as applicable. If a charter
1263 school notifies the sponsor of its intent to expand, the sponsor
1264 shall modify the charter within 90 days to include the new
1265 enrollment maximum and may not make any other changes. The
1266 sponsor may deny a request to increase the enrollment of a high-
1267 performing charter school if the commissioner has declassified
1268 the charter school as high-performing. If a high-performing
1269 charter school requests to consolidate multiple charters, the
1270 sponsor shall have 40 days after receipt of that request to
1271 provide an initial draft charter to the charter school. The
1272 sponsor and charter school shall have 50 days thereafter to
1273 negotiate and notice the charter contract for final approval by
1274 the sponsor.

1275 (3)

1276 (b) A high-performing charter school may submit not
1277 establish more than two applications for a charter school to be
1278 opened schools within this the state under paragraph (a) at a
1279 time determined by the high-performing charter school in any
1280 year. A subsequent application to establish a charter school
1281 under paragraph (a) may not be submitted unless each charter
1282 school applicant commences operations or an application is
1283 otherwise withdrawn established in this manner achieves high-
1284 performing charter school status. However, a high-performing
1285 charter school may establish more than one charter school within
1286 this the state under paragraph (a) in any year if it operates in



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1287 the area of a persistently low-performing school and serves
1288 students from that school. This paragraph applies to any high-
1289 performing charter school with an existing approved application.

1290 Section 4. Paragraph (c) of subsection (1), paragraphs (a),
1291 (g), and (h) of subsection (6), paragraph (d) of subsection (7),
1292 and paragraph (b) of subsection (10) of section 1002.333,
1293 Florida Statutes, are amended to read:

1294 1002.333 Persistently low-performing schools.—

1295 (1) DEFINITIONS.—As used in this section, the term:

1296 (c) "Persistently low-performing school" means a school
1297 that has earned three grades lower than a "C," pursuant to s.
1298 1008.34, in at least 3 of the previous 5 years that the school
1299 received a grade and has not earned a grade of "B" or higher in
1300 the most recent 2 school years, and a school that was closed
1301 pursuant to s. 1008.33(4) within 2 years after the submission of
1302 a notice of intent.

1303 (6) STATUTORY AUTHORITY.—

1304 (a) A school of hope or a nonprofit entity that operates
1305 more than one school of hope through a performance-based
1306 agreement with a school district may be designated as a local
1307 education agency by the department, if requested, for the
1308 purposes of receiving federal funds and, in doing so, accepts
1309 the full responsibility for all local education agency
1310 requirements and the schools for which it will perform local
1311 education agency responsibilities.

1312 1. A nonprofit entity designated as a local education
1313 agency may report its students to the department in accordance
1314 with the definitions in s. 1011.61 and pursuant to the
1315 department's procedures and timelines.



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1316 2. Students enrolled in a school established by a hope
1317 operator designated as a local educational agency are not
1318 eligible students for purposes of calculating the district grade
1319 pursuant to s. 1008.34(5).

1320 (g) Each school of hope that has not been designated as a
1321 local education agency shall report its students to the school
1322 district as required in s. 1011.62, and in accordance with the
1323 definitions in s. 1011.61. The school district shall include
1324 each charter school's enrollment in the district's report of
1325 student enrollment. All charter schools submitting student
1326 record information required by the department shall comply with
1327 the department's guidelines for electronic data formats for such
1328 data, and all districts shall accept electronic data that
1329 complies with the department's electronic format.

1330 (h)1. A school of hope shall provide the school district
1331 with a concise, uniform, quarterly financial statement summary
1332 sheet that contains a balance sheet and a statement of revenue,
1333 expenditures, and changes in fund balance. The balance sheet and
1334 the statement of revenue, expenditures, and changes in fund
1335 balance shall be in the governmental fund format prescribed by
1336 the Governmental Accounting Standards Board. Additionally, a
1337 school of hope shall comply with the annual audit requirement
1338 for charter schools in s. 218.39.

1339 2. A school of hope is in compliance with subparagraph 1.
1340 if it is operated by a nonprofit entity designated as a local
1341 education agency and if the nonprofit submits to each school
1342 district in which it operates a school of hope:

1343 a. A concise, uniform, quarterly financial statement
1344 summary sheet that contains a balance sheet summarizing the



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1345 revenue, expenditures, and changes in fund balance for the
1346 entity and for its schools of hope within the school district.

1347 b. An annual financial audit of the nonprofit that includes
1348 all schools of hope it operates within this state and that
1349 complies with s. 218.39 regarding audits of a school board.

1350 (7) FACILITIES.—

1351 (d) No later than January ~~October~~ 1, the department ~~each~~
1352 ~~school district~~ shall annually provide to school districts ~~the~~
1353 ~~Department of Education~~ a list of all underused, vacant, or
1354 surplus facilities owned or operated by the school district as
1355 reported in the Florida Inventory of School Houses. A school
1356 district may provide evidence to the department that the list
1357 contains errors or omissions within 30 days after receipt of the
1358 list. By each April 1, the department shall update and publish a
1359 final list of all underused, vacant, or surplus facilities owned
1360 or operated by each school district, based upon updated
1361 information provided by each school district. A hope operator
1362 establishing a school of hope may use an educational facility
1363 identified in this paragraph at no cost or at a mutually
1364 agreeable cost not to exceed \$600 per student. A hope operator
1365 using a facility pursuant to this paragraph may not sell or
1366 dispose of such facility without the written permission of the
1367 school district. For purposes of this paragraph, the term
1368 “underused, vacant, or surplus facility” means an entire
1369 facility or portion thereof which is not fully used or is used
1370 irregularly or intermittently by the school district for
1371 instructional or program use.

1372 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
1373 is created within the Department of Education.



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1374 (b) Notwithstanding s. 216.301 and pursuant to s. 216.351,
1375 funds allocated for the purpose of this subsection which are not
1376 disbursed by June 30 of the fiscal year in which the funds are
1377 allocated may be carried forward for up to 7 ~~5~~ years after the
1378 effective date of the original appropriation.

1379 Section 5. Paragraph (d) of subsection (1) of section
1380 1002.45, Florida Statutes, is amended to read:

1381 1002.45 Virtual instruction programs.—

1382 (1) PROGRAM.—

1383 (d) A virtual charter school may provide full-time or part-
1384 time virtual instruction for students in kindergarten through
1385 grade 12 if the virtual charter school has a charter approved
1386 pursuant to s. 1002.33 ~~authorizing full-time virtual~~
1387 ~~instruction~~. A virtual charter school may:

1388 1. Contract with the Florida Virtual School.

1389 2. Contract with or be an approved provider under
1390 subsection (2).

1391 3. Contract with any public school or charter school ~~Enter~~
1392 ~~into an agreement with a school district~~ to allow the
1393 participation of the virtual charter school's students in
1394 courses that the virtual school is unable to provide ~~the school~~
1395 ~~district's virtual instruction program~~. The agreement must
1396 indicate a process for reporting of student enrollment and the
1397 transfer of funds required by paragraph (7) (e).

1398 Section 6. Paragraph (a) of subsection (1) of section
1399 1003.493, Florida Statutes, is amended to read:

1400 1003.493 Career and professional academies and career-
1401 themed courses.—

1402 (1) (a) A "career and professional academy" is a research-



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1403 based program that integrates a rigorous academic curriculum
1404 with an industry-specific curriculum aligned directly to
1405 priority workforce needs established by the local workforce
1406 development board or the Department of Economic Opportunity.
1407 Career and professional academies shall be offered by public
1408 schools and school districts. Career and professional academies
1409 may be offered by charter schools. The Florida Virtual School is
1410 encouraged to develop and offer rigorous career and professional
1411 courses as appropriate. Students completing career and
1412 professional academy programs must receive a standard high
1413 school diploma, the highest available industry certification,
1414 and opportunities to earn postsecondary credit if the academy
1415 partners with a postsecondary institution approved to operate in
1416 the state.

1417 Section 7. Present subsection (3) of section 1008.3415,
1418 Florida Statutes, is redesignated as subsection (4), and a new
1419 subsection (3) is added to that section, to read:

1420 1008.3415 School grade or school improvement rating for
1421 exceptional student education centers.—

1422 (3) The Commissioner of Education, upon request by a
1423 charter school that is an exceptional student education center
1424 and that has received two consecutive ratings of "maintaining"
1425 or higher pursuant to s. 1008.341(2), shall provide a letter to
1426 the charter school and to the charter school's sponsor stating
1427 that the charter school may replicate its educational program in
1428 the same manner as a high-performing charter school under s.
1429 1002.331(3).

1430 Section 8. Subsection (2) of section 1012.32, Florida
1431 Statutes, is amended to read:



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1432 1012.32 Qualifications of personnel.-

1433 (2) (a) Instructional and noninstructional personnel who are
1434 hired or contracted to fill positions that require direct
1435 contact with students in any district school system or
1436 university lab school must, upon employment or engagement to
1437 provide services, undergo background screening as required under
1438 s. 1012.465 or s. 1012.56, whichever is applicable.

1439 (b) 1. Instructional and noninstructional personnel who are
1440 hired or contracted to fill positions in a ~~any~~ charter school
1441 other than a school of hope as defined in s. 1002.333, and
1442 members of the governing board of such ~~any~~ charter school, in
1443 compliance with s. 1002.33(12)(g), ~~must,~~ upon employment,
1444 engagement of services, or appointment, shall undergo background
1445 screening as required under s. 1012.465 or s. 1012.56, whichever
1446 is applicable, by filing with the district school board for the
1447 school district in which the charter school is located a
1448 complete set of fingerprints taken by an authorized law
1449 enforcement agency or an employee of the school or school
1450 district who is trained to take fingerprints.

1451 2. Instructional and noninstructional personnel who are
1452 hired or contracted to fill positions in a school of hope as
1453 defined in s. 1002.333, and members of the governing board of
1454 such school of hope, shall file with the school of hope a
1455 complete set of fingerprints taken by an authorized law
1456 enforcement agency, by an employee of the school of hope or
1457 school district who is trained to take fingerprints, or by any
1458 other entity recognized by the Department of Law Enforcement to
1459 take fingerprints.

1460 (c) Instructional and noninstructional personnel who are



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1461 hired or contracted to fill positions that require direct
1462 contact with students in an alternative school that operates
1463 under contract with a district school system must, upon
1464 employment or engagement to provide services, undergo background
1465 screening as required under s. 1012.465 or s. 1012.56, whichever
1466 is applicable, by filing with the district school board for the
1467 school district to which the alternative school is under
1468 contract a complete set of fingerprints taken by an authorized
1469 law enforcement agency or an employee of the school or school
1470 district who is trained to take fingerprints.

1471 (d) Student teachers and persons participating in a field
1472 experience pursuant to s. 1004.04(5) or s. 1004.85 in any
1473 district school system, lab school, or charter school must, upon
1474 engagement to provide services, undergo background screening as
1475 required under s. 1012.56.

1476
1477 Required fingerprints must ~~shall~~ be submitted to the Department
1478 of Law Enforcement for statewide criminal and juvenile records
1479 checks and to the Federal Bureau of Investigation for federal
1480 criminal records checks. A person subject to this subsection who
1481 is found ineligible for employment under s. 1012.315, or
1482 otherwise found through background screening to have been
1483 convicted of any crime involving moral turpitude as defined by
1484 rule of the State Board of Education, shall not be employed,
1485 engaged to provide services, or serve in any position that
1486 requires direct contact with students. Probationary persons
1487 subject to this subsection terminated because of their criminal
1488 record have the right to appeal such decisions. The cost of the
1489 background screening may be borne by the district school board,



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1490 the charter school, the employee, the contractor, or a person
1491 subject to this subsection. A district school board shall
1492 reimburse a charter school the cost of background screening if
1493 it does not notify the charter school of the eligibility of a
1494 governing board member or instructional or noninstructional
1495 personnel within the earlier of 14 days after receipt of the
1496 background screening results from the Florida Department of Law
1497 Enforcement or 30 days of submission of fingerprints by the
1498 governing board member or instructional or noninstructional
1499 personnel.

1500 Section 9. Paragraph (a) of subsection (1) of section
1501 1013.62, Florida Statutes, is amended to read:

1502 1013.62 Charter schools capital outlay funding.-

1503 (1) For the 2020-2021 fiscal year, charter school capital
1504 outlay funding shall consist of state funds appropriated in the
1505 2020-2021 General Appropriations Act. Beginning in fiscal year
1506 2021-2022, charter school capital outlay funding shall consist
1507 of state funds when such funds are appropriated in the General
1508 Appropriations Act and revenue resulting from the discretionary
1509 millage authorized in s. 1011.71(2) if the amount of state funds
1510 appropriated for charter school capital outlay in any fiscal
1511 year is less than the average charter school capital outlay
1512 funds per unweighted full-time equivalent student for the 2018-
1513 2019 fiscal year, multiplied by the estimated number of charter
1514 school students for the applicable fiscal year, and adjusted by
1515 changes in the Consumer Price Index issued by the United States
1516 Department of Labor from the previous fiscal year. Nothing in
1517 this subsection prohibits a school district from distributing to
1518 charter schools funds resulting from the discretionary millage



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1519 authorized in s. 1011.71(2).

1520 (a) To be eligible to receive capital outlay funds, a
1521 charter school must:

1522 1.a. Have been in operation for 2 or more years;

1523 b. Be governed by a governing board established in the
1524 state for 2 or more years which operates both charter schools
1525 and conversion charter schools within the state;

1526 c. Be an expanded feeder chain of a charter school within
1527 the same school district that is currently receiving charter
1528 school capital outlay funds;

1529 d. Have been accredited by a regional accrediting
1530 association as defined by State Board of Education rule; ~~or~~

1531 e. Serve students in facilities that are provided by a
1532 business partner for a charter school-in-the-workplace pursuant
1533 to s. 1002.33(15) (b); or

1534 f. Be operated by a hope operator pursuant to s. 1002.333.

1535 2. Have an annual audit that does not reveal any of the
1536 financial emergency conditions provided in s. 218.503(1) for the
1537 most recent fiscal year for which such audit results are
1538 available.

1539 3. Have satisfactory student achievement based on state
1540 accountability standards applicable to the charter school.

1541 4. Have received final approval from its sponsor pursuant
1542 to s. 1002.33 for operation during that fiscal year.

1543 5. Serve students in facilities that are not provided by
1544 the charter school's sponsor.

1545 Section 10. If any provision of this act or its application
1546 to any person or circumstance is held invalid, the invalidity
1547 does not affect other provisions or applications of the act



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1548 which can be given effect without the invalid provision or
1549 application, and to this end the provisions of this act are
1550 severable.

1551 Section 11. This act shall take effect July 1, 2021.

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1553 ===== T I T L E A M E N D M E N T =====

1554 And the title is amended as follows:

1555 Delete everything before the enacting clause
1556 and insert:

1557 A bill to be entitled
1558 An act relating to charter schools; amending s.
1559 1002.32, F.S.; providing that the limitation on lab
1560 schools does not apply to a school serving a military
1561 installation; removing a limitation on lab schools
1562 receiving a share of the sparsity supplement; amending
1563 s. 1002.33, F.S.; authorizing state universities and
1564 Florida College System institutions to solicit
1565 applications and sponsor charter schools under certain
1566 circumstances; prohibiting certain charter schools
1567 from being sponsored by a Florida College System
1568 institution until such charter school's existing
1569 charter expires; authorizing a state university or
1570 Florida College System institution to, at its
1571 discretion, deny an application for a charter school;
1572 revising the contents of an annual report that charter
1573 school sponsors must provide to the Department of
1574 Education; revising the date by which the department
1575 must post a specified annual report; revising
1576 provisions relating to Florida College System



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1577 institutions that are operating charter schools;
1578 requiring the board of trustees of a state university
1579 or Florida College System institution that is
1580 sponsoring a charter school to serve as the local
1581 educational agency for such school; prohibiting
1582 certain charter school students from being included in
1583 specified school district grade calculations;
1584 requiring the department to develop a sponsor
1585 evaluation framework; providing requirements for the
1586 framework; requiring the department to compile results
1587 in a specified manner; deleting obsolete language;
1588 revising requirements for the charter school
1589 application process; authorizing certain parties to
1590 file an action with the Division of Administrative
1591 Hearings to recover specified fees and costs;
1592 requiring the State Board of Education to withhold
1593 state funds from a district school board that is in
1594 violation of a state board decision on a charter
1595 school; authorizing parties to appeal without first
1596 mediating in certain circumstances; providing that
1597 certain changes to curriculum are deemed approved;
1598 providing an exception; revising the circumstances in
1599 which a charter may be immediately terminated;
1600 providing that certain information must be provided to
1601 specified entities upon immediate termination of a
1602 charter; authorizing the of award specified fees and
1603 costs in certain circumstances; authorizing a sponsor
1604 to seek an injunction in certain circumstances;
1605 revising provisions related to sponsor assumption of



1606 operation; revising the student populations for which
1607 a charter school is authorized to limit the enrollment
1608 process; providing a calculation for the operational
1609 funding for a charter school sponsored by a state
1610 university or Florida College System institution;
1611 requiring the department to develop a tool for state
1612 universities and Florida College System institutions
1613 for specified purposes relating to certain funding
1614 calculations; providing that such funding must be
1615 appropriated to the charter school; providing for
1616 capital outlay funding for such schools; authorizing a
1617 sponsor to withhold an administrative fee for the
1618 provision of certain services to an exceptional
1619 student education center that meets specified
1620 requirements; conforming provisions to changes made by
1621 the act; amending s. 1002.331, F.S.; revising a
1622 limitation on the expansion of high-performing charter
1623 schools; revising provisions relating to the opening
1624 of additional high-performing charter schools;
1625 amending s. 1002.333, F.S.; revising the definition of
1626 the term "persistently low-performing school";
1627 providing that certain nonprofit entities may be
1628 designated as a local education agency; providing that
1629 certain entities report students to the department in
1630 a specified manner; specifying reporting provisions
1631 that apply only to certain schools of hope; providing
1632 that schools of hope may comply with certain financial
1633 reporting in a specified manner; revising the manner
1634 in which underused, vacant, or surplus facilities



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1635 owned or operated by school districts are identified;
1636 increasing the number of years for which certain funds
1637 may be carried forward; amending s. 1002.45, F.S.;
1638 authorizing a virtual charter school to provide part-
1639 time virtual instruction and be an approved provider;
1640 authorizing a virtual charter school to contract,
1641 rather than enter into an agreement, with a public or
1642 charter school for specified purposes; amending s.
1643 1003.493, F.S.; authorizing a charter school to offer
1644 a career and professional academy; amending s.
1645 1008.3415, F.S.; requiring the Commissioner of
1646 Education, upon request by a charter school that meets
1647 specified criteria, to provide a letter to the charter
1648 school and the charter school's sponsor authorizing
1649 the charter school to replicate the charter school's
1650 education program; amending s. 1012.32, F.S.;
1651 providing an alternate screening method for specified
1652 persons employed by certain schools of hope or serving
1653 on certain school of hope governing boards; amending
1654 s. 1013.62, F.S.; expanding eligibility to receive
1655 capital outlay funds to schools of hope operated by a
1656 hope operator; providing for severability; providing
1657 an effective date.