

By Senator Hutson

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1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; authorizing state universities and
4 Florida College System institutions to solicit
5 applications and sponsor charter schools under certain
6 circumstances; prohibiting certain charter schools
7 from being sponsored by a Florida College System
8 institution until such charter school's existing
9 charter expires; authorizing a state university or
10 Florida College System institution to, at its
11 discretion, deny an application for a charter school;
12 revising the contents of an annual report that charter
13 school sponsors must provide to the Department of
14 Education; revising the date by which the department
15 must post a specified annual report; revising
16 provisions relating to Florida College System
17 institutions that are operating charter schools;
18 requiring the board of trustees of a state university
19 or Florida College System institution that is
20 sponsoring a charter school to serve as the local
21 educational agency for such school; prohibiting
22 certain charter school students from being included in
23 specified school district grade calculations;
24 requiring the department to develop a sponsor
25 evaluation framework; providing requirements for the
26 framework; requiring the department to compile
27 results in a specified manner; deleting obsolete
28 language; revising the student populations for which a
29 charter school is authorized to limit the enrollment

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30 process; providing a calculation for the operational
31 funding for a charter school sponsored by a state
32 university or Florida College System institution;
33 requiring the department to develop a tool for state
34 universities and Florida College System institutions
35 for specified purposes relating to certain funding
36 calculations; providing that such funding must be
37 appropriated to the charter school; providing for
38 capital outlay funding for such schools; conforming
39 provisions to changes made by the act; amending s.
40 1003.493, F.S.; authorizing a career and professional
41 academy to be offered by a charter school; providing
42 an effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Paragraph (c) of subsection (2), subsection (5),
47 paragraph (b) of subsection (6), paragraphs (a) and (d) of
48 subsection (7), paragraphs (d) and (e) of subsection (8),
49 paragraphs (g) and (n) of subsection (9), paragraph (e) of
50 subsection (10), subsection (14), paragraph (c) of subsection
51 (15), subsection (17), paragraph (e) of subsection (18),
52 subsections (20) and (21), paragraph (a) of subsection (25), and
53 subsection (28) of section 1002.33, Florida Statutes, are
54 amended to read:

55 1002.33 Charter schools.—

56 (2) GUIDING PRINCIPLES; PURPOSE.—

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

58 1. Create innovative measurement tools.

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59 2. Provide rigorous competition within the public school
60 system ~~district~~ to stimulate continual improvement in all public
61 schools.

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

63 4. Mitigate the educational impact created by the
64 development of new residential dwelling units.

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

67 (5) SPONSOR; DUTIES.—

68 (a) *Sponsoring entities*.—

69 1. A district school board may sponsor a charter school in
70 the county over which the district school board has
71 jurisdiction.

72 2. A state university may grant a charter to a lab school
73 created under s. 1002.32 and shall be considered to be the
74 school's sponsor. Such school shall be considered a charter lab
75 school.

76 3. Because needs relating to educational capacity,
77 workforce qualifications, and career education opportunities are
78 constantly changing and extend beyond school district
79 boundaries:

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

84 b. A Florida College System institution may, upon approval
85 by the Department of Education, solicit applications and sponsor
86 a charter school in any county within its service area to meet
87 workforce demands and may offer postsecondary programs leading

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88 to industry certifications to eligible charter school students.
89 A charter school established under subparagraph (b)4. may not be
90 sponsored by a Florida College System institution until its
91 existing charter with the school district expires as provided
92 under subsection (7).

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

96 (b) *Sponsor duties.*—

97 1.a. The sponsor shall monitor and review the charter
98 school in its progress toward the goals established in the
99 charter.

100 b. The sponsor shall monitor the revenues and expenditures
101 of the charter school and perform the duties provided in s.
102 1002.345.

103 c. The sponsor may approve a charter for a charter school
104 before the applicant has identified space, equipment, or
105 personnel, if the applicant indicates approval is necessary for
106 it to raise working funds.

107 d. The sponsor shall not apply its policies to a charter
108 school unless mutually agreed to by both the sponsor and the
109 charter school. If the sponsor subsequently amends any agreed-
110 upon sponsor policy, the version of the policy in effect at the
111 time of the execution of the charter, or any subsequent
112 modification thereof, shall remain in effect and the sponsor may
113 not hold the charter school responsible for any provision of a
114 newly revised policy until the revised policy is mutually agreed
115 upon.

116 e. The sponsor shall ensure that the charter is innovative

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117 and consistent with the state education goals established by s.
118 1000.03(5).

119 f. The sponsor shall ensure that the charter school
120 participates in the state's education accountability system. If
121 a charter school falls short of performance measures included in
122 the approved charter, the sponsor shall report such shortcomings
123 to the Department of Education.

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

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

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

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

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

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

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

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

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

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

147 (II) Annually, by November 1 ~~Beginning August 31, 2013, and~~
148 ~~each year thereafter,~~ the sponsor shall submit to the department
149 the information for the applications submitted the previous
150 year.

151 (III) The department shall compile an annual report, by
152 sponsor district, and post the report on its website by January
153 15 ~~November 1~~ of each year.

154 2. Immunity for the sponsor of a charter school under
155 subparagraph 1. applies only with respect to acts or omissions
156 not under the sponsor's direct authority as described in this
157 section.

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

160 4. A Florida College System institution may work with the
161 school district or school districts in its designated service
162 area to develop charter schools that offer secondary education.
163 These charter schools must include an option for students to
164 receive an associate degree upon high school graduation. If a
165 Florida College System institution operates an approved teacher
166 preparation program under s. 1004.04 or s. 1004.85, the
167 institution may operate ~~no more than one~~ charter schools ~~school~~
168 that serve ~~serves~~ students in kindergarten through grade 12 in
169 any school district within the service area of the institution.
170 ~~In kindergarten through grade 8, the charter school shall~~
171 ~~implement innovative blended learning instructional models in~~
172 ~~which, for a given course, a student learns in part through~~
173 ~~online delivery of content and instruction with some element of~~
174 ~~student control over time, place, path, or pace and in part at a~~

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

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

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204 6. The board of trustees of a sponsoring state university
205 or Florida College System institution under paragraph (a) is the
206 local educational agency for all charter schools it sponsors for
207 purposes of receiving federal funds and accepts full
208 responsibility for all local educational agency requirements and
209 the schools for which it will perform local educational agency
210 responsibilities. A student enrolled in a charter school that is
211 sponsored by a state university or Florida College System
212 institution may not be included in the calculation of the school
213 district's grade under s. 1008.34(5) for the school district in
214 which he or she resides.

215 (c) Sponsor accountability.—

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

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

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

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

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

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

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

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

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

261 1. In order to facilitate an accurate budget projection

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262 process, a sponsor shall be held harmless for FTE students who
263 are not included in the FTE projection due to approval of
264 charter school applications after the FTE projection deadline.
265 In a further effort to facilitate an accurate budget projection,
266 within 15 calendar days after receipt of a charter school
267 application, a sponsor shall report to the Department of
268 Education the name of the applicant entity, the proposed charter
269 school location, and its projected FTE.

270 2. In order to ensure fiscal responsibility, an application
271 for a charter school shall include a full accounting of expected
272 assets, a projection of expected sources and amounts of income,
273 including income derived from projected student enrollments and
274 from community support, and an expense projection that includes
275 full accounting of the costs of operation, including start-up
276 costs.

277 3.a. A sponsor shall by a majority vote approve or deny an
278 application no later than 90 calendar days after the application
279 is received, unless the sponsor and the applicant mutually agree
280 in writing to temporarily postpone the vote to a specific date,
281 at which time the sponsor shall by a majority vote approve or
282 deny the application. If the sponsor fails to act on the
283 application, an applicant may appeal to the State Board of
284 Education as provided in paragraph (c). If an application is
285 denied, the sponsor shall, within 10 calendar days after such
286 denial, articulate in writing the specific reasons, based upon
287 good cause, supporting its denial of the application and shall
288 provide the letter of denial and supporting documentation to the
289 applicant and to the Department of Education.

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

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291 school identified pursuant to s. 1002.331 or a high-performing
292 charter school system identified pursuant to s. 1002.332 may be
293 denied by the sponsor only if the sponsor demonstrates by clear
294 and convincing evidence that:

295 (I) The application of a high-performing charter school
296 does not materially comply with the requirements in paragraph
297 (a) or, for a high-performing charter school system, the
298 application does not materially comply with s. 1002.332(2)(b);

299 (II) The charter school proposed in the application does
300 not materially comply with the requirements in paragraphs
301 (9)(a)-(f);

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

305 (IV) The applicant has made a material misrepresentation or
306 false statement or concealed an essential or material fact
307 during the application process; or

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

311
312 Material noncompliance is a failure to follow requirements or a
313 violation of prohibitions applicable to charter school
314 applications, which failure is quantitatively or qualitatively
315 significant either individually or when aggregated with other
316 noncompliance. An applicant is considered to be replicating a
317 high-performing charter school if the proposed school is
318 substantially similar to at least one of the applicant's high-
319 performing charter schools and the organization or individuals

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320 involved in the establishment and operation of the proposed
321 school are significantly involved in the operation of replicated
322 schools.

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

332 4. For budget projection purposes, the sponsor shall report
333 to the Department of Education the approval or denial of an
334 application within 10 calendar days after such approval or
335 denial. In the event of approval, the report to the Department
336 of Education shall include the final projected FTE for the
337 approved charter school.

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

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

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349 The sponsor and the governing board of the charter school shall
350 use the standard charter contract pursuant to subsection (21),
351 which shall incorporate the approved application and any addenda
352 approved with the application. Any term or condition of a
353 proposed charter contract that differs from the standard charter
354 contract adopted by rule of the State Board of Education shall
355 be presumed a limitation on charter school flexibility. The
356 sponsor may not impose unreasonable rules or regulations that
357 violate the intent of giving charter schools greater flexibility
358 to meet educational goals. The charter shall be signed by the
359 governing board of the charter school and the sponsor, following
360 a public hearing to ensure community input.

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

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

365 2. The focus of the curriculum, the instructional methods
366 to be used, any distinctive instructional techniques to be
367 employed, and identification and acquisition of appropriate
368 technologies needed to improve educational and administrative
369 performance which include a means for promoting safe, ethical,
370 and appropriate uses of technology which comply with legal and
371 professional standards.

372 a. The charter shall ensure that reading is a primary focus
373 of the curriculum and that resources are provided to identify
374 and provide specialized instruction for students who are reading
375 below grade level. The curriculum and instructional strategies
376 for reading must be consistent with the Next Generation Sunshine
377 State Standards and grounded in scientifically based reading

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378 research.

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

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

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

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

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407 academic progress achieved by these same students while
408 attending the charter school.

409 c. To the extent possible, how these rates of progress will
410 be evaluated and compared with rates of progress of other
411 closely comparable student populations.

412

413 A ~~The~~ district school board is required to provide academic
414 student performance data to charter schools for each of their
415 students coming from the district school system, as well as
416 rates of academic progress of comparable student populations in
417 the district school system.

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

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

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

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

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

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436 racial/ethnic balance reflective of the community it serves or
437 within the racial/ethnic range of other nearby public schools ~~in~~
438 ~~the same school district.~~

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

451 10. The asset and liability projections required in the
452 application which are incorporated into the charter and shall be
453 compared with information provided in the annual report of the
454 charter school.

455 11. A description of procedures that identify various risks
456 and provide for a comprehensive approach to reduce the impact of
457 losses; plans to ensure the safety and security of students and
458 staff; plans to identify, minimize, and protect others from
459 violent or disruptive student behavior; and the manner in which
460 the school will be insured, including whether or not the school
461 will be required to have liability insurance, and, if so, the
462 terms and conditions thereof and the amounts of coverage.

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

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465 made in attaining the student achievement objectives of the
466 charter and if it is not likely that such objectives can be
467 achieved before expiration of the charter. The initial term of a
468 charter shall be for 5 years, excluding 2 planning years. In
469 order to facilitate access to long-term financial resources for
470 charter school construction, charter schools that are operated
471 by a municipality or other public entity as provided by law are
472 eligible for up to a 15-year charter, subject to approval by the
473 sponsor ~~district school board~~. A charter lab school is eligible
474 for a charter for a term of up to 15 years. In addition, to
475 facilitate access to long-term financial resources for charter
476 school construction, charter schools that are operated by a
477 private, not-for-profit, s. 501(c)(3) status corporation are
478 eligible for up to a 15-year charter, subject to approval by the
479 sponsor ~~district school board~~. Such long-term charters remain
480 subject to annual review and may be terminated during the term
481 of the charter, but only according to the provisions set forth
482 in subsection (8).

483 13. The facilities to be used and their location. The
484 sponsor may not require a charter school to have a certificate
485 of occupancy or a temporary certificate of occupancy for such a
486 facility earlier than 15 calendar days before the first day of
487 school.

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

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

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494 16. A timetable for implementing the charter which
495 addresses the implementation of each element thereof and the
496 date by which the charter shall be awarded in order to meet this
497 timetable.

498 17. In the case of an existing public school that is being
499 converted to charter status, alternative arrangements for
500 current students who choose not to attend the charter school and
501 for current teachers who choose not to teach in the charter
502 school after conversion in accordance with the existing
503 collective bargaining agreement or district school board rule in
504 the absence of a collective bargaining agreement. However,
505 alternative arrangements shall not be required for current
506 teachers who choose not to teach in a charter lab school, except
507 as authorized by the employment policies of the state university
508 which grants the charter to the lab school.

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

521 19. Implementation of the activities authorized under s.
522 1002.331 by the charter school when it satisfies the eligibility

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523 requirements for a high-performing charter school. A high-
 524 performing charter school shall notify its sponsor in writing by
 525 March 1 if it intends to increase enrollment or expand grade
 526 levels the following school year. The written notice shall
 527 specify the amount of the enrollment increase and the grade
 528 levels that will be added, as applicable.

529 (d) A charter may be modified during its initial term or
 530 any renewal term upon the recommendation of the sponsor or the
 531 charter school's governing board and the approval of both
 532 parties to the agreement. Modification during any term may
 533 include, but is not limited to, consolidation of multiple
 534 charters into a single charter if the charters are operated
 535 under the same governing board, regardless of the renewal cycle.
 536 A charter school that is not subject to a school improvement
 537 plan and that closes as part of a consolidation shall be
 538 reported by the sponsor ~~school district~~ as a consolidation.

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

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

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552 to full ownership by the sponsor ~~district school board~~, subject
553 to complete satisfaction of any lawful liens or encumbrances.
554 Any unencumbered public funds from the charter school, ~~district~~
555 ~~school board~~ property and improvements, furnishings, and
556 equipment purchased with public funds, or financial or other
557 records pertaining to the charter school, in the possession of
558 any person, entity, or holding company, other than the charter
559 school, shall be held in trust upon the sponsor's ~~district~~
560 ~~school board's~~ request, until any appeal status is resolved.

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

569 (9) CHARTER SCHOOL REQUIREMENTS.—

570 (g)1. In order to provide financial information that is
571 comparable to that reported for other public schools, charter
572 schools are to maintain all financial records that constitute
573 their accounting system:

574 a. In accordance with the accounts and codes prescribed in
575 the most recent issuance of the publication titled "Financial
576 and Program Cost Accounting and Reporting for Florida Schools";
577 or

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

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581 reformat this information for reporting according to this
582 paragraph.

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

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

604 4. A charter school shall maintain and provide financial
605 information as required in this paragraph. The financial
606 statement required in subparagraph 3. must be in a form
607 prescribed by the Department of Education.

608 (n)1. The director and a representative of the governing
609 board of a charter school that has earned a grade of "D" or "F"

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610 pursuant to s. 1008.34 shall appear before the sponsor to
611 present information concerning each contract component having
612 noted deficiencies. The director and a representative of the
613 governing board shall submit to the sponsor for approval a
614 school improvement plan to raise student performance. Upon
615 approval by the sponsor, the charter school shall begin
616 implementation of the school improvement plan. The department
617 shall offer technical assistance and training to the charter
618 school and its governing board and establish guidelines for
619 developing, submitting, and approving such plans.

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

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

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

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

630 (IV) Voluntarily close the charter school.

631 b. The charter school must implement the corrective action
632 in the school year following receipt of a third consecutive
633 grade below a "C."

634 c. The sponsor may annually waive a corrective action if it
635 determines that the charter school is likely to improve a letter
636 grade if additional time is provided to implement the
637 intervention and support strategies prescribed by the school
638 improvement plan. Notwithstanding this sub-subparagraph, a

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639 charter school that earns a second consecutive grade of "F" is
640 subject to subparagraph 3.

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

648 e. A charter school implementing a corrective action that
649 does not improve to a "C" or higher after 2 full school years of
650 implementing the corrective action must select a different
651 corrective action. Implementation of the new corrective action
652 must begin in the school year following the implementation
653 period of the existing corrective action, unless the sponsor
654 determines that the charter school is likely to improve to a "C"
655 or higher if additional time is provided to implement the
656 existing corrective action. Notwithstanding this sub-
657 subparagraph, a charter school that earns a second consecutive
658 grade of "F" while implementing a corrective action is subject
659 to subparagraph 3.

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

663 a. The charter school is established to turn around the
664 performance of a district public school pursuant to s.
665 1008.33(4)(b)2. Such charter schools shall be governed by s.
666 1008.33;

667 b. The charter school serves a student population the

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668 majority of which resides in a school zone served by a district
669 public school subject to s. 1008.33(4) and the charter school
670 earns at least a grade of "D" in its third year of operation.
671 The exception provided under this sub-subparagraph does not
672 apply to a charter school in its fourth year of operation and
673 thereafter; or

674 c. The state board grants the charter school a waiver of
675 termination. The charter school must request the waiver within
676 15 days after the department's official release of school
677 grades. The state board may waive termination if the charter
678 school demonstrates that the Learning Gains of its students on
679 statewide assessments are comparable to or better than the
680 Learning Gains of similarly situated students enrolled in nearby
681 ~~district~~ public schools. The waiver is valid for 1 year and may
682 only be granted once. Charter schools that have been in
683 operation for more than 5 years are not eligible for a waiver
684 under this sub-subparagraph.

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

692 4. The director and a representative of the governing board
693 of a graded charter school that has implemented a school
694 improvement plan under this paragraph shall appear before the
695 sponsor at least once a year to present information regarding
696 the progress of intervention and support strategies implemented

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697 by the school pursuant to the school improvement plan and
698 corrective actions, if applicable. The sponsor shall communicate
699 at the meeting, and in writing to the director, the services
700 provided to the school to help the school address its
701 deficiencies.

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

705 (10) ELIGIBLE STUDENTS.—

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

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

709 2. Students considered at risk of dropping out of school or
710 academic failure. Such students shall include exceptional
711 education students.

712 3. Students enrolling in a charter school-in-the-workplace
713 or charter school-in-a-municipality established pursuant to
714 subsection (15).

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

723 5. Students who meet reasonable academic, artistic, or
724 other eligibility standards established by the charter school
725 and included in the charter school application and charter or,

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726 in the case of existing charter schools, standards that are
727 consistent with the school's mission and purpose. Such standards
728 shall be in accordance with current state law and practice in
729 public schools and may not discriminate against otherwise
730 qualified individuals.

731 6. Students articulating from one charter school to another
732 pursuant to an articulation agreement between the charter
733 schools that has been approved by the sponsor.

734 7. Students living in a development in which a developer,
735 including any affiliated business entity or charitable
736 foundation, contributes to the formation, acquisition,
737 construction, or operation of one or more charter schools or
738 charter ~~provides the school facilities facility~~ and related
739 property in an amount equal to or having a total an appraised
740 value of at least \$5 million to be used as a charter schools
741 ~~school~~ to mitigate the educational impact created by the
742 development of new residential dwelling units. Students living
743 in the development are ~~shall be~~ entitled to ~~no more than~~ 50
744 percent of the student stations in the charter schools ~~school~~.
745 The students who are eligible for enrollment are subject to a
746 random lottery, the racial/ethnic balance provisions, or any
747 federal provisions, as described in subparagraph 4. The
748 remainder of the student stations must ~~shall~~ be filled in
749 accordance with subparagraph 4.

750 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS; INDEMNIFICATION
751 OF THE STATE AND SPONSOR ~~SCHOOL-DISTRICT~~; CREDIT OR TAXING POWER
752 NOT TO BE PLEDGED.—Any arrangement entered into to borrow or
753 otherwise secure funds for a charter school authorized in this
754 section from a source other than the state or a sponsor ~~school~~

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755 ~~district~~ shall indemnify the state and the sponsor school
756 ~~district~~ from any and all liability, including, but not limited
757 to, financial responsibility for the payment of the principal or
758 interest. Any loans, bonds, or other financial agreements are
759 not obligations of the state or the sponsor school ~~district~~ but
760 are obligations of the charter school authority and are payable
761 solely from the sources of funds pledged by such agreement. The
762 credit or taxing power of the state or the sponsor school
763 ~~district~~ shall not be pledged and no debts shall be payable out
764 of any moneys except those of the legal entity in possession of
765 a valid charter approved by a sponsor ~~district school board~~
766 pursuant to this section.

767 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
768 A-MUNICIPALITY.—

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

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784 duration of its use as a public school.

785 (17) FUNDING.—Students enrolled in a charter school,
786 regardless of the sponsorship, shall be funded as if they are in
787 a basic program or a special program, the same as students
788 enrolled in other public schools in a ~~the~~ school district.
789 Funding for a charter lab school shall be as provided in s.
790 1002.32.

791 (a) Each charter school shall report its student enrollment
792 to the sponsor as required in s. 1011.62, and in accordance with
793 the definitions in s. 1011.61. The sponsor shall include each
794 charter school's enrollment in the sponsor's ~~district's~~ report
795 of student enrollment. All charter schools submitting student
796 record information required by the Department of Education shall
797 comply with the Department of Education's guidelines for
798 electronic data formats for such data, and all sponsors
799 ~~districts~~ shall accept electronic data that complies with the
800 Department of Education's electronic format.

801 (b)1. The basis for the agreement for funding students
802 enrolled in a charter school shall be the sum of the school
803 district's operating funds from the Florida Education Finance
804 Program as provided in s. 1011.62 and the General Appropriations
805 Act, including gross state and local funds, discretionary
806 lottery funds, and funds from the school district's current
807 operating discretionary millage levy; divided by total funded
808 weighted full-time equivalent students in the school district;
809 and multiplied by the weighted full-time equivalent students for
810 the charter school. Charter schools whose students or programs
811 meet the eligibility criteria in law are entitled to their
812 proportionate share of categorical program funds included in the

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813 total funds available in the Florida Education Finance Program
814 by the Legislature, including transportation, the research-based
815 reading allocation, and the Florida digital classrooms
816 allocation. Total funding for each charter school shall be
817 recalculated during the year to reflect the revised calculations
818 under the Florida Education Finance Program by the state and the
819 actual weighted full-time equivalent students reported by the
820 charter school during the full-time equivalent student survey
821 periods designated by the Commissioner of Education. For charter
822 schools operated by a not-for-profit or municipal entity, any
823 unrestricted current and capital assets identified in the
824 charter school's annual financial audit may be used for other
825 charter schools operated by the not-for-profit or municipal
826 entity within the school district. Unrestricted current assets
827 shall be used in accordance with s. 1011.62, and any
828 unrestricted capital assets shall be used in accordance with s.
829 1013.62(2).

830 2.a. Students enrolled in a charter school sponsored by a
831 state university or Florida College System institution pursuant
832 to paragraph (5)(a) shall be funded as if they are in a basic
833 program or a special program in the school district. The basis
834 for funding these students is the sum of the total operating
835 funds from the Florida Education Finance Program for the school
836 district in which the school is located as provided in s.
837 1011.62 and the General Appropriations Act, including gross
838 state and local funds, discretionary lottery funds, and funds
839 from each school district's current operating discretionary
840 millage levy, divided by total funded weighted full-time
841 equivalent students in the district, and multiplied by the full-

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842 time equivalent membership of the charter school. The Department
843 of Education shall develop a tool that each state university or
844 Florida College System institution sponsoring a charter school
845 shall use for purposes of calculating the funding amount for
846 each eligible charter school student. The total amount obtained
847 from the calculation must be appropriated from state funds in
848 the General Appropriations Act to the charter school.

849 b. Capital outlay funding for a charter school sponsored by
850 a state university or Florida College System institution
851 pursuant to paragraph (5) (a) is determined pursuant to s.
852 1013.62 and the General Appropriations Act.

853 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
854 schools shall receive all federal funding for which the school
855 is otherwise eligible, including Title I funding, not later than
856 5 months after the charter school first opens and within 5
857 months after any subsequent expansion of enrollment. Unless
858 otherwise mutually agreed to by the charter school and its
859 sponsor, and consistent with state and federal rules and
860 regulations governing the use and disbursement of federal funds,
861 the sponsor shall reimburse the charter school on a monthly
862 basis for all invoices submitted by the charter school for
863 federal funds available to the sponsor for the benefit of the
864 charter school, the charter school's students, and the charter
865 school's students as public school students in the school
866 district. Such federal funds include, but are not limited to,
867 Title I, Title II, and Individuals with Disabilities Education
868 Act (IDEA) funds. To receive timely reimbursement for an
869 invoice, the charter school must submit the invoice to the
870 sponsor at least 30 days before the monthly date of

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871 reimbursement set by the sponsor. In order to be reimbursed, any
872 expenditures made by the charter school must comply with all
873 applicable state rules and federal regulations, including, but
874 not limited to, the applicable federal Office of Management and
875 Budget Circulars; the federal Education Department General
876 Administrative Regulations; and program-specific statutes,
877 rules, and regulations. Such funds may not be made available to
878 the charter school until a plan is submitted to the sponsor for
879 approval of the use of the funds in accordance with applicable
880 federal requirements. The sponsor has 30 days to review and
881 approve any plan submitted pursuant to this paragraph.

882 (d) Charter schools shall be included by the Department of
883 Education and the district school board in requests for federal
884 stimulus funds in the same manner as district school board-
885 operated public schools, including Title I and IDEA funds and
886 shall be entitled to receive such funds. Charter schools are
887 eligible to participate in federal competitive grants that are
888 available as part of the federal stimulus funds.

889 (e) Sponsors ~~District school boards~~ shall make timely and
890 efficient payment and reimbursement to charter schools,
891 including processing paperwork required to access special state
892 and federal funding for which they may be eligible. Payments of
893 funds under paragraph (b) shall be made monthly or twice a
894 month, beginning with the start of the sponsor's ~~district school~~
895 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
896 twenty-fourth, as applicable, of the total state and local funds
897 described in paragraph (b) and adjusted as set forth therein.
898 For the first 2 years of a charter school's operation, if a
899 minimum of 75 percent of the projected enrollment is entered

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900 into the sponsor's student information system by the first day
901 of the current month, the sponsor ~~district school board~~ shall
902 distribute funds to the school for the months of July through
903 October based on the projected full-time equivalent student
904 membership of the charter school as submitted in the approved
905 application. If less than 75 percent of the projected enrollment
906 is entered into the sponsor's student information system by the
907 first day of the current month, the sponsor shall base payments
908 on the actual number of student enrollment entered into the
909 sponsor's student information system. Thereafter, the results of
910 full-time equivalent student membership surveys shall be used in
911 adjusting the amount of funds distributed monthly to the charter
912 school for the remainder of the fiscal year. The payments shall
913 be issued no later than 10 working days after the sponsor
914 ~~district school board~~ receives a distribution of state or
915 federal funds or the date the payment is due pursuant to this
916 subsection. If a warrant for payment is not issued within 10
917 working days after receipt of funding by the sponsor ~~district~~
918 ~~school board~~, the sponsor ~~school district~~ shall pay to the
919 charter school, in addition to the amount of the scheduled
920 disbursement, interest at a rate of 1 percent per month
921 calculated on a daily basis on the unpaid balance from the
922 expiration of the 10 working days until such time as the warrant
923 is issued. The district school board may not delay payment to a
924 charter school of any portion of the funds provided in paragraph
925 (b) based on the timing of receipt of local funds by the
926 district school board.

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

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

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

935 (18) FACILITIES.—

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

954 (20) SERVICES.—

955 (a)1. A sponsor shall provide certain administrative and
956 educational services to charter schools. These services shall
957 include contract management services; full-time equivalent and

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

985 2. A sponsor may withhold an administrative fee for the
986 provision of such services which shall be a percentage of the

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987 available funds defined in paragraph (17)(b) calculated based on
988 weighted full-time equivalent students. If the charter school
989 serves 75 percent or more exceptional education students as
990 defined in s. 1003.01(3), the percentage shall be calculated
991 based on unweighted full-time equivalent students. The
992 administrative fee shall be calculated as follows:

993 a. Up to 5 percent for:

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

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

998 (A) Includes conversion charter schools and nonconversion
999 charter schools.

1000 (B) Has all of its schools located in the same county.

1001 (C) Has a total enrollment exceeding the total enrollment
1002 of at least one school district in the state.

1003 (D) Has the same governing board for all of its schools.

1004 (E) Does not contract with a for-profit service provider
1005 for management of school operations.

1006 (III) Enrollment of up to and including 250 students in a
1007 virtual charter school.

1008 b. Up to 2 percent for enrollment of up to and including
1009 250 students in a high-performing charter school as defined in
1010 s. 1002.331.

1011 3. A sponsor may not charge charter schools any additional
1012 fees or surcharges for administrative and educational services
1013 in addition to the maximum percentage of administrative fees
1014 withheld pursuant to this paragraph.

1015 4. A sponsor shall provide to the department by September

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15 of each year the total amount of funding withheld from charter schools pursuant to this subsection for the prior fiscal year. The department must include the information in the report required under sub-sub-subparagraph (5) (b) 1.k. (III).

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

(c) Transportation of charter school students shall be provided by the charter school consistent with the requirements of subpart I.E. of chapter 1006 and s. 1012.45. The governing body of the charter school may provide transportation through an agreement or contract with the sponsor ~~district school board~~, a private provider, or parents. The charter school and the sponsor shall cooperate in making arrangements that ensure that

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1045 transportation is not a barrier to equal access for all students
1046 residing within a reasonable distance of the charter school as
1047 determined in its charter.

1048 (d) Each charter school shall annually complete and submit
1049 a survey, provided in a format specified by the Department of
1050 Education, to rate the timeliness and quality of services
1051 provided by the sponsor ~~district~~ in accordance with this
1052 section. The department shall compile the results, by sponsor
1053 ~~district~~, and include the results in the report required under
1054 sub-sub-subparagraph (5) (b)1.k. (III).

1055 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1056 (a) The Department of Education shall provide information
1057 to the public, directly and through sponsors, on how to form and
1058 operate a charter school and how to enroll in a charter school
1059 once it is created. This information shall include the standard
1060 application form, standard charter contract, standard evaluation
1061 instrument, and standard charter renewal contract, which shall
1062 include the information specified in subsection (7) and shall be
1063 developed by consulting and negotiating with both sponsors
1064 ~~school districts~~ and charter schools before implementation. The
1065 charter and charter renewal contracts shall be used by charter
1066 school sponsors.

1067 (b)1. The Department of Education shall report to each
1068 charter school receiving a school grade pursuant to s. 1008.34
1069 or a school improvement rating pursuant to s. 1008.341 the
1070 school's student assessment data.

1071 2. The charter school shall report the information in
1072 subparagraph 1. to each parent of a student at the charter
1073 school, the parent of a child on a waiting list for the charter

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1074 school, the sponsor ~~district in which the charter school is~~
1075 ~~located~~, and the governing board of the charter school. This
1076 paragraph does not abrogate the provisions of s. 1002.22,
1077 relating to student records, or the requirements of 20 U.S.C. s.
1078 1232g, the Family Educational Rights and Privacy Act.

1079 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1080 SCHOOL SYSTEMS.—

1081 (a) A charter school system's governing board shall be
1082 designated a local educational agency for the purpose of
1083 receiving federal funds, the same as though the charter school
1084 system were a school district, if the governing board of the
1085 charter school system has adopted and filed a resolution with
1086 its sponsor ~~sponsoring district school board~~ and the Department
1087 of Education in which the governing board of the charter school
1088 system accepts the full responsibility for all local education
1089 agency requirements and the charter school system meets all of
1090 the following:

- 1091 1. Has all schools located in the same county;
- 1092 2. Has a total enrollment exceeding the total enrollment of
1093 at least one school district in the state; and
- 1094 3. Has the same governing board.

1095
1096 Such designation does not apply to other provisions unless
1097 specifically provided in law.

1098 (28) RULEMAKING.—The Department of Education, after
1099 consultation with sponsors ~~school districts~~ and charter school
1100 directors, shall recommend that the State Board of Education
1101 adopt rules to implement specific subsections of this section.
1102 Such rules shall require minimum paperwork and shall not limit

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1103 charter school flexibility authorized by statute. The State
1104 Board of Education shall adopt rules, pursuant to ss. 120.536(1)
1105 and 120.54, to implement a standard charter application form,
1106 standard application form for the replication of charter schools
1107 in a high-performing charter school system, standard evaluation
1108 instrument, and standard charter and charter renewal contracts
1109 in accordance with this section.

1110 Section 2. Paragraph (a) of subsection (1) of section
1111 1003.493, Florida Statutes, is amended to read:

1112 1003.493 Career and professional academies and career-
1113 themed courses.—

1114 (1) (a) A "career and professional academy" is a research-
1115 based program that integrates a rigorous academic curriculum
1116 with an industry-specific curriculum aligned directly to
1117 priority workforce needs established by the local workforce
1118 development board or the Department of Economic Opportunity.
1119 Career and professional academies shall be offered by public
1120 schools and school districts. Career and professional academies
1121 may be offered by charter schools. The Florida Virtual School is
1122 encouraged to develop and offer rigorous career and professional
1123 courses as appropriate. Students completing career and
1124 professional academy programs must receive a standard high
1125 school diploma, the highest available industry certification,
1126 and opportunities to earn postsecondary credit if the academy
1127 partners with a postsecondary institution approved to operate in
1128 the state.

1129 Section 3. This act shall take effect July 1, 2021.