

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Secondary Education &
2 Career Development Subcommittee
3 Representative Smith, D. offered the following:
4

Amendment (with title amendment)

6 Remove lines 28-196 and insert:

7 Section 1. Paragraph (c) of subsection (1), paragraph (h)
8 of subsection (6), paragraph (d) of subsection (7), paragraph
9 (e) is added to subsection (9) and paragraph (b) of subsection
10 (10) of section 1002.333, Florida Statutes, are amended to read:

11 1002.333 Persistently low-performing schools.—

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

13 (c) "Persistently low-performing school" means a school
14 that has earned three grades lower than a "C," pursuant to s.
15 1008.34, in at least 3 of the previous 5 years in which the
16 school received a grade and has not earned a grade of "B" or

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17 higher in the most recent 2 school years, and a school that was
18 closed pursuant to s. 1008.33(4) within 2 years after the
19 submission of a notice of intent.

20 (6) STATUTORY AUTHORITY.—

21 (a) A school of hope or a not for profit entity that
22 operates more than one school of hope through a performance-
23 based agreement with a school district may be designated as a
24 local education agency by the department, if requested, for the
25 purposes of receiving federal funds and, in doing so, accepts
26 the full responsibility for all local education agency
27 requirements and the schools for which it will perform local
28 education agency responsibilities.

29 1. A not for profit entity designated as a local education
30 agency may report its students to the department in accordance
31 with the definitions in s. 1011.61 and pursuant to the
32 department's procedures and timelines.

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

37 (g) A ~~Each~~ school of hope that has not been designated as
38 a local education agency shall report its students to the school
39 district as required in s. 1011.62, and in accordance with the
40 definitions in s. 1011.61. The school district shall include
41 each charter school's enrollment in the district's report of

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42 student enrollment. All charter schools submitting student
43 record information required by the department shall comply with
44 the department's guidelines for electronic data formats for such
45 data, and all districts shall accept electronic data that
46 complies with the department's electronic format.

47 (h)1. A school of hope shall provide the school district
48 with a concise, uniform, quarterly financial statement summary
49 sheet that contains a balance sheet and a statement of revenue,
50 expenditures, and changes in fund balance. The balance sheet and
51 the statement of revenue, expenditures, and changes in fund
52 balance shall be in the governmental fund format prescribed by
53 the Governmental Accounting Standards Board. Additionally, a
54 school of hope shall comply with the annual audit requirement
55 for charter schools in s. 218.39.

56 2. A school of hope is in compliance with subparagraph 1.
57 if it is operated by a not for profit entity designated as a
58 local education agency and the not for profit submits to each
59 school district in which it operates a school of hope:

60 a. A concise, uniform, quarterly financial statement
61 summary sheet that contains a balance sheet summarizing the
62 revenue, expenditures, and changes in fund balance; and for its
63 schools of hope within the school district.

64 b. An annual financial audit of the not for profit that
65 includes all schools of hope it operates within the state and
66 that complies with the requirements of s. 218.39 regarding

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67 audits of a school board.

68 (7) FACILITIES.—

69 (d) No later than January ~~October~~ 1, the department ~~each~~
70 ~~school district~~ shall annually provide to the school districts
71 ~~Department of Education~~ a list of all underused, vacant, or
72 surplus facilities owned or operated by the school district as
73 reported in the Florida Inventory of School Houses. A school
74 district may provide evidence to the department within 30 days
75 that the list contains errors or omissions. No later than April
76 1, annually, the department shall update and publish a final
77 list of all underused, vacant, or surplus facilities owned or
78 operated by each school district, based upon the updated
79 information provided by each school district. A hope operator
80 establishing a school of hope may use an educational facility
81 identified in this paragraph at no cost or at a mutually
82 agreeable cost not to exceed \$600 per student. A hope operator
83 using a facility pursuant to this paragraph may not sell or
84 dispose of such facility without the written permission of the
85 school district. For purposes of this paragraph, the term
86 "underused, vacant, or surplus facility" means an entire
87 facility or portion thereof which is not fully used or is used
88 irregularly or intermittently by the school district for
89 instructional or program use.

90 (9) FUNDING.—

91 (e) For a not for profit entity designated by the

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92 department as a local education entity pursuant to paragraph
93 (6) (h), any unrestricted current and capital assets identified
94 in the annual financial audit required by sub-subparagraph
95 (6) (h)2.b. may be used by any school of hope operated by the
96 local education agency within the state. Unrestricted current
97 assets shall be used in accordance with s. 1011.62, and any
98 unrestricted capital assets shall be used in accordance with s.
99 1013.62 (2).

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

Remove lines 3-5 and insert:

1002.333, F.S.; revising