

By Senator Burgess

23-01125-24

2024996__

1 A bill to be entitled
2 An act relating to education; amending s. 1002.45,
3 F.S.; requiring virtual instruction program providers
4 and virtual charter schools to provide specified
5 information to school districts; providing
6 requirements for testing site locations; requiring
7 school districts to provide certain students with
8 access to the district testing facility and certain
9 information; creating s. 1003.052, F.S.; requiring the
10 Department of Education to create the Purple Star
11 School District program; providing program
12 requirements; authorizing the department to establish
13 additional criteria; authorizing the State Board of
14 Education to adopt rules; amending s. 1003.53, F.S.;
15 authorizing district school boards to assign certain
16 students to an alternative-to-expulsion program;
17 providing that student eligibility to receive certain
18 services may not be based solely on a student's
19 disability; deleting the definition of the term
20 "second chance schools"; deleting provisions
21 authorizing a district school board to open a second
22 chance school; deleting provisions relating to second
23 chance schools; requiring that an academic
24 intervention plan be developed for students enrolled
25 in dropout prevention and academic intervention
26 programs; requiring a school principal to notify a
27 parent or guardian in a specified manner regarding a
28 student's placement in such a program; amending s.
29 1006.38, F.S.; requiring publishers and manufacturers

23-01125-24

2024996__

30 of instructional materials to make available,
31 electronically and freely, sample copies of
32 instructional materials for a specified purpose;
33 amending s. 1008.33, F.S.; revising a timeframe for a
34 school district to provide the Department of Education
35 with a memorandum of understanding; revising
36 requirements for a district-managed turnaround plan;
37 requiring a school district to continue to operate a
38 school that closes and reopens as a charter school for
39 the following school year and to execute a charter
40 school turnaround contract with specified provisions;
41 prohibiting the school district from reducing or
42 removing resources from such school during a certain
43 timeframe; requiring a charter school operator to
44 provide enrollment preference to certain students
45 following a charter school turnaround; requiring the
46 school district to consult and negotiate with the
47 charter school every 3 years regarding the attendance
48 zone; requiring the charter school operator to serve
49 the existing grade levels served by the school;
50 prohibiting the school district from charging a rental
51 or leasing fee; prohibiting the school district from
52 withholding an administrative fee for certain
53 services; requiring the State Board of Education to
54 adopt rules relating to specified timelines; making
55 technical changes; amending s. 1012.79, F.S.;

56 authorizing the Commissioner of Education to appoint
57 and remove an executive director of the Education
58 Practices Commission; making technical changes;

23-01125-24

2024996__

59 amending ss. 1002.33, 1002.332, 1002.333, 1008.34, and
60 1011.62, F.S.; conforming cross-references; providing
61 an effective date.
62

63 Be It Enacted by the Legislature of the State of Florida:
64

65 Section 1. Paragraph (b) of subsection (5) of section
66 1002.45, Florida Statutes, is amended to read:

67 1002.45 Virtual instruction programs.—

68 (5) STUDENT PARTICIPATION REQUIREMENTS.—Each student
69 enrolled in the school district's virtual instruction program
70 authorized pursuant to paragraph (1)(c) must:

71 (b) Take statewide assessments pursuant to s. 1008.22 and
72 participate in the coordinated screening and progress monitoring
73 system under s. 1008.25(9). Statewide assessments and progress
74 monitoring may be administered within the school district in
75 which such student resides, or as specified in the contract in
76 accordance with s. 1008.24(3). If requested by the approved
77 virtual instruction program provider or virtual charter school,
78 the district of residence must provide the student with access
79 to the district's testing facilities.

80 1. The virtual instruction program provider or virtual
81 charter school shall provide to the school district a list of
82 students to be tested, which includes student names, Florida
83 Education Identifiers, grade levels, assessments to be
84 administered, and contact information.

85 2. Unless an alternative testing site is mutually agreed to
86 by the virtual instruction program provider or virtual charter
87 school and the school district, or as contracted under s.

23-01125-24

2024996__

88 1008.24, all progress monitoring under s. 1008.25(9) and
89 statewide assessments must be taken at the school to which the
90 student would be assigned according to district school board
91 attendance areas.

92 3. A school district shall provide the student with access
93 to the school or district testing facilities and the date and
94 time of the administration of each statewide assessment.

95 Section 2. Section 1003.052, Florida Statutes, is created
96 to read:

97 1003.052 Purple Star School Districts.—

98 (1) (a) The Department of Education shall establish the
99 Purple Star School District program. At a minimum, the program
100 shall require a participating school district to:

101 1. Have at least 75 percent of the schools in the school
102 district designated as a Purple Star School of Distinction
103 according to s. 1003.051.

104 2. Maintain a web page on the school district's web site
105 which includes resources for military students and their
106 families and provides a link to each Purple Star School of
107 Distinction's military web page.

108 (b) The department may establish additional criteria to
109 identify school districts that demonstrate a commitment to or
110 provide critical coordination of services for military-connected
111 families, such as establishing a council consisting of a
112 representative from each Purple Star School of Distinction in
113 the school district and one school district-level representative
114 to ensure alignment of military student-focused policies and
115 procedures within the school district.

116 (2) The State Board of Education may adopt rules to

23-01125-24

2024996__

117 implement this section.

118 Section 3. Paragraphs (a) and (d) of subsection (1),
119 paragraph (a) of subsection (2), and subsections (3), (4), and
120 (5) of section 1003.53, Florida Statutes, are amended, and
121 paragraph (c) is added to subsection (2) of that section, to
122 read:

123 1003.53 Dropout prevention and academic intervention.—

124 (1) (a) Dropout prevention and academic intervention
125 programs may differ from traditional educational programs and
126 schools in scheduling, administrative structure, philosophy,
127 curriculum, or setting and shall employ alternative teaching
128 methodologies, curricula, learning activities, and diagnostic
129 and assessment procedures in order to meet the needs, interests,
130 abilities, and talents of eligible students. The educational
131 program shall provide curricula, character development and law
132 education, and related services that support the program goals
133 and lead to improved performance in the areas of academic
134 achievement, attendance, and discipline. Student participation
135 in such programs is ~~shall be~~ voluntary. District school boards
136 may, however, assign students to a disciplinary program for
137 disruptive students or an alternative-to-expulsion program
138 pursuant to s. 1006.13. Notwithstanding any other ~~provision of~~
139 law to the contrary, a ~~no~~ student may not ~~shall~~ be identified as
140 ~~being~~ eligible to receive services funded through the dropout
141 prevention and academic intervention program based solely on the
142 student being from a single-parent family or based on a
143 disability.

144 ~~(d)1. "Second chance schools" means district school board~~
145 ~~programs provided through cooperative agreements between the~~

23-01125-24

2024996__

146 ~~Department of Juvenile Justice, private providers, state or~~
147 ~~local law enforcement agencies, or other state agencies for~~
148 ~~students who have been disruptive or violent or who have~~
149 ~~committed serious offenses. As partnership programs, second~~
150 ~~chance schools are eligible for waivers by the Commissioner of~~
151 ~~Education from State Board of Education rules that prevent the~~
152 ~~provision of appropriate educational services to violent,~~
153 ~~severely disruptive, or delinquent students in small~~
154 ~~nontraditional settings or in court adjudicated settings.~~

155 ~~2. District school boards seeking to enter into a~~
156 ~~partnership with a private entity or public entity to operate a~~
157 ~~second chance school for disruptive students may apply to the~~
158 ~~Department of Education for startup grants. These grants must be~~
159 ~~available for 1 year and must be used to offset the startup~~
160 ~~costs for implementing such programs off public school campuses.~~
161 ~~General operating funds must be generated through the~~
162 ~~appropriate programs of the Florida Education Finance Program.~~
163 ~~Grants approved under this program shall be for the full~~
164 ~~operation of the school by a private nonprofit or for-profit~~
165 ~~provider or the public entity. This program must operate under~~
166 ~~rules adopted by the State Board of Education and be implemented~~
167 ~~to the extent funded by the Legislature.~~

168 ~~3. A student enrolled in a sixth, seventh, eighth, ninth,~~
169 ~~or tenth grade class may be assigned to a second chance school~~
170 ~~if the student meets the following criteria:~~

171 ~~a. The student is a habitual truant as defined in s.~~
172 ~~1003.01.~~

173 ~~b. The student's excessive absences have detrimentally~~
174 ~~affected the student's academic progress and the student may~~

23-01125-24

2024996__

175 ~~have unique needs that a traditional school setting may not~~
176 ~~meet.~~

177 ~~e. The student's high incidences of truancy have been~~
178 ~~directly linked to a lack of motivation.~~

179 ~~d. The student has been identified as at risk of dropping~~
180 ~~out of school.~~

181 ~~4. A student who is habitually truant may be assigned to a~~
182 ~~second chance school only if the case staffing committee,~~
183 ~~established pursuant to s. 984.12, determines that such~~
184 ~~placement could be beneficial to the student and the criteria~~
185 ~~included in subparagraph 3. are met.~~

186 ~~5. A student may be assigned to a second chance school if~~
187 ~~the district school board in which the student resides has a~~
188 ~~second chance school and if the student meets one of the~~
189 ~~following criteria:~~

190 ~~a. The student habitually exhibits disruptive behavior in~~
191 ~~violation of the code of student conduct adopted by the district~~
192 ~~school board.~~

193 ~~b. The student interferes with the student's own learning~~
194 ~~or the educational process of others and requires attention and~~
195 ~~assistance beyond that which the traditional program can~~
196 ~~provide, or, while the student is under the jurisdiction of the~~
197 ~~school either in or out of the classroom, frequent conflicts of~~
198 ~~a disruptive nature occur.~~

199 ~~c. The student has committed a serious offense which~~
200 ~~warrants suspension or expulsion from school according to the~~
201 ~~district school board's code of student conduct. For the~~
202 ~~purposes of this program, "serious offense" is behavior which:~~

203 ~~(I) Threatens the general welfare of students or others~~

23-01125-24

2024996__

204 ~~with whom the student comes into contact;~~

205 ~~(II) Includes violence;~~

206 ~~(III) Includes possession of weapons or drugs; or~~

207 ~~(IV) Is harassment or verbal abuse of school personnel or~~
208 ~~other students.~~

209 ~~6. Prior to assignment of students to second chance~~
210 ~~schools, district school boards are encouraged to use~~
211 ~~alternative programs, such as in-school suspension, which~~
212 ~~provide instruction and counseling leading to improved student~~
213 ~~behavior, a reduction in the incidence of truancy, and the~~
214 ~~development of more effective interpersonal skills.~~

215 ~~7. Students assigned to second chance schools must be~~
216 ~~evaluated by the district school board's child study team before~~
217 ~~placement in a second chance school. The study team shall ensure~~
218 ~~that students are not eligible for placement in a program for~~
219 ~~emotionally disturbed children.~~

220 ~~8. Students who exhibit academic and social progress and~~
221 ~~who wish to return to a traditional school shall complete a~~
222 ~~character development and law education program and demonstrate~~
223 ~~preparedness to reenter the regular school setting prior to~~
224 ~~reentering a traditional school.~~

225 (2) (a) Each district school board may establish dropout
226 prevention and academic intervention programs at the elementary,
227 middle, junior high school, or high school level. Programs
228 designed to eliminate patterns of excessive absenteeism or
229 habitual truancy shall emphasize academic performance and may
230 provide specific instruction in the areas of career education,
231 preemployment training, and behavioral management. Such programs
232 shall utilize instructional teaching methods and student

23-01125-24

2024996__

233 services leading to improved student behavior appropriate to the
234 specific needs of the student.

235 (c) For each student enrolled in a dropout prevention and
236 academic intervention program or school, an academic
237 intervention plan must be developed to address eligibility for
238 placement in the program, individualized student goals, and
239 progress monitoring procedures. An exceptional student education
240 student's academic intervention plan must be consistent with the
241 student's individual education plan.

242 (3) Each district school board offering ~~receiving state~~
243 ~~funding for~~ dropout prevention and academic intervention
244 programs ~~through the General Appropriations Act~~ shall submit
245 information through an annual report to the Department of
246 Education's database documenting the extent to which each of the
247 district's dropout prevention and academic intervention programs
248 has been successful in the areas of graduation rate, dropout
249 rate, attendance rate, and retention/promotion rate. The
250 department shall compile this information into an annual report
251 which shall be submitted to the presiding officers of the
252 Legislature by February 15.

253 (4) Each district school board shall establish course
254 standards, as defined by rule of the State Board of Education,
255 for dropout prevention and academic intervention programs which
256 are qualified pursuant to s. 1012.55 and procedures for ensuring
257 that teachers assigned to the programs possess the affective,
258 pedagogical, and content-related skills necessary to meet the
259 needs of these students.

260 (5) Each district school board providing a dropout
261 prevention and academic intervention program pursuant to this

23-01125-24

2024996__

262 section shall maintain for each participating student records
263 documenting the student's eligibility, the length of
264 participation, the type of program to which the student was
265 assigned or the type of academic intervention services provided,
266 and an evaluation of the student's academic and behavioral
267 performance while in the program. The school principal or his or
268 her designee shall, prior to placement in a dropout prevention
269 and academic intervention program or the provision of an
270 academic service, provide written notice of placement ~~or~~
271 ~~services by certified mail, return receipt requested,~~ to the
272 student's parent or guardian of the student. Reasonable efforts
273 must also be made by the principal to notify the parent or
274 guardian by telephone or e-mail, or both, and these efforts must
275 be documented. The parent or guardian of the student shall sign
276 an acknowledgment of the notice of placement or service and
277 return the signed acknowledgment to the principal within 3 days
278 after receipt of the notice. The parent or guardian ~~parents~~ of a
279 student assigned to such a dropout prevention and academic
280 intervention program shall be notified in writing and entitled
281 to an administrative review of any action by school personnel
282 relating to such placement pursuant to the provisions of chapter
283 120.

284 Section 4. Present subsections (3) through (16) of section
285 1006.38, Florida Statutes, are redesignated as subsections (4)
286 through (17), respectively, a new subsection (3) is added to
287 that section, and present subsections (14) and (16) of that
288 section are amended, to read:

289 1006.38 Duties, responsibilities, and requirements of
290 instructional materials publishers and manufacturers.—This

23-01125-24

2024996__

291 section applies to both the state and district approval
292 processes. Publishers and manufacturers of instructional
293 materials, or their representatives, shall:

294 (3) Make available, electronically and freely, sample
295 copies of instructional materials found on the Commissioner of
296 Education's adopted list for each adoption cycle for online use
297 by institutions and programs that prepare candidates for teacher
298 preparation as defined in ss. 1004.04 and 1004.85 so that
299 teacher preparation candidates can practice teaching with
300 currently adopted instructional materials aligned to state
301 academic standards.

302 (15)~~(14)~~ Accurately and fully disclose only the names of
303 those persons who actually authored the instructional materials.
304 In addition to the penalties provided in subsection (17) ~~(16)~~,
305 the commissioner may remove from the list of state-adopted
306 instructional materials those instructional materials whose
307 publisher or manufacturer misleads the purchaser by falsely
308 representing genuine authorship.

309 (17)~~(16)~~ Upon the willful failure of the publisher or
310 manufacturer to comply with the requirements of this section, be
311 liable to the department in the amount of three times the total
312 sum which the publisher or manufacturer was paid in excess of
313 the price required under subsections (6) ~~(5)~~ and (7) ~~(6)~~ and in
314 the amount of three times the total value of the instructional
315 materials and services which the district school board is
316 entitled to receive free of charge under subsection (8) ~~(7)~~.

317 Section 5. Subsections (4) and (5) of section 1008.33,
318 Florida Statutes, are amended to read:

319 1008.33 Authority to enforce public school improvement.—

23-01125-24

2024996__

320 (4) (a) The state board shall apply intensive intervention
321 and support strategies tailored to the needs of schools earning
322 two consecutive grades of "D" or a grade of "F." In the first
323 full school year after a school initially earns a grade of "D,"
324 the school district must immediately implement intervention and
325 support strategies prescribed in rule under paragraph (3) (c).

326 (b) For a school that initially earns a grade of "F" or a
327 second consecutive grade of "D," the school district must either
328 continue implementing or immediately begin implementing
329 intervention and support strategies prescribed in rule under
330 paragraph (3) (c) and provide the department, by August ~~September~~
331 1, with the memorandum of understanding negotiated pursuant to
332 s. 1001.42(21) and, ~~by October 1,~~ a district-managed turnaround
333 plan for approval by the state board. The plan must include
334 measurable academic benchmarks that put the school on a path to
335 earning and maintaining a grade of "C" or higher ~~The district-~~
336 ~~managed turnaround plan may include a proposal for the district~~
337 ~~to implement an extended school day, a summer program, a~~
338 ~~combination of an extended school day and a summer program, or~~
339 ~~any other option authorized under paragraph (b) for state board~~
340 ~~approval. A school district is not required to wait until a~~
341 ~~school earns a second consecutive grade of "D" to submit a~~
342 ~~turnaround plan for approval by the state board under this~~
343 ~~paragraph.~~ Upon approval by the state board, the school district
344 must implement the plan for the remainder of the school year and
345 continue the plan for 1 full school year. The state board may
346 allow a school an additional year of implementation before the
347 school must implement a turnaround option required under
348 paragraph (c) ~~(b)~~ if it determines that the school is likely to

23-01125-24

2024996__

349 improve to a grade of "C" or higher after the first full school
350 year of implementation.

351 ~~(c)(b)~~ Unless an additional year of implementation is
352 provided pursuant to paragraph (a) or paragraph (b), a school
353 that completes a plan cycle under paragraph (a) or paragraph (b)
354 and does not improve to a grade of "C" or higher must implement
355 one of the following:

356 1. Reassign students to another school and monitor the
357 progress of each reassigned student.~~.~~

358 2. Close the school and reopen the school as one or more
359 charter schools, each with a governing board that has a
360 demonstrated record of effectiveness.~~.~~~~or~~

361 a. The school district shall continue to operate the school
362 for the following school year and no later than October 1
363 execute a charter school turnaround contract that will allow the
364 charter school an opportunity to conduct an evaluation of the
365 educational program and personnel currently assigned to the
366 school during the year in preparation for assuming full
367 operational control of the school and facility by July 1. The
368 school district may not reduce or remove resources from the
369 school during this time.

370 b. The charter school operator shall provide enrollment
371 preference to students currently attending or who would have
372 otherwise attended or been zoned for the school. The school
373 district shall consult and negotiate with the charter school
374 every 3 years to determine whether realignment of the attendance
375 zone is appropriate to ensure that students residing closest to
376 the school are provided with an enrollment preference.

377 c. The charter school operator shall serve the existing

23-01125-24

2024996__

378 grade levels served by the school at its current enrollment or
379 higher but may, at its discretion, serve additional grade
380 levels.

381 d. The school district may not charge a rental or leasing
382 fee for the existing facility or for the property normally
383 inventoried to the school. The school and school district shall
384 agree to reasonable maintenance provisions in order to maintain
385 the facility in a manner similar to all other school facilities
386 in the district.

387 e. The school district may not withhold an administrative
388 fee for the provision of services identified in s.
389 1002.33(20) (a).

390 3. Contract with an outside entity that has a demonstrated
391 record of effectiveness to provide turnaround services
392 identified in state board rule, which may include school
393 leadership, educational modalities, teacher and leadership
394 professional development, curriculum, operation and management
395 services, school-based administrative staffing, budgeting,
396 scheduling, other educational service provider functions, or any
397 combination thereof. Selection of an outside entity may include
398 one or a combination of the following:

399 a. An external operator, which may be a district-managed
400 charter school or a high-performing charter school network in
401 which all instructional personnel are not employees of the
402 school district, but are employees of an independent governing
403 board composed of members who did not participate in the review
404 or approval of the charter.

405 b. A contractual agreement that allows for a charter school
406 network or any of its affiliated subsidiaries to provide

23-01125-24

2024996__

407 individualized consultancy services tailored to address the
408 identified needs of one or more schools under this section.

409
410 A school district and outside entity under this subparagraph
411 must enter, at minimum, a 2-year, performance-based contract.
412 The contract must include school performance and growth metrics
413 the outside entity must meet on an annual basis. The state board
414 may require the school district to modify or cancel the
415 contract.

416 ~~(d)~~ ~~(e)~~ Implementation of the turnaround option is no longer
417 required if the school improves to a grade of "C" or higher.

418 ~~(e)~~ ~~(d)~~ If a school earning two consecutive grades of "D" or
419 a grade of "F" does not improve to a grade of "C" or higher
420 after 2 school years of implementing the turnaround option
421 selected by the school district under paragraph (c) ~~(b)~~, the
422 school district must implement another turnaround option.
423 Implementation of the turnaround option must begin the school
424 year following the implementation period of the existing
425 turnaround option, unless the state board determines that the
426 school is likely to improve to a grade of "C" or higher if
427 additional time is provided to implement the existing turnaround
428 option.

429 (5) The state board shall adopt rules pursuant to ss.
430 120.536(1) and 120.54 to administer this section. The rules
431 shall include timelines for submission of implementation plans,
432 approval criteria for implementation plans, and timelines for
433 implementing intervention and support strategies, a standard
434 charter school turnaround contract, standard facility lease, and
435 mutual management agreement. The state board shall consult with

23-01125-24

2024996__

436 education stakeholders in developing the rules.

437 Section 6. Subsection (5), paragraph (a) of subsection (6),
438 and subsection (9) of section 1012.79, Florida Statutes, are
439 amended to read:

440 1012.79 Education Practices Commission; organization.—

441 (5) The appointment and removal of ~~commission, by a vote of~~
442 ~~three-fourths of the membership, shall employ~~ an executive
443 director, who shall be exempt from career service, is at the
444 discretion of the Commissioner of Education. ~~The executive~~
445 ~~director may be dismissed by a majority vote of the membership.~~

446 (6) (a) The commission shall be assigned to the Department
447 of Education for administrative and fiscal accountability
448 purposes. The commission, in the performance of its powers and
449 duties, is ~~shall not be~~ subject to control, supervision, or
450 direction by the Department of Education.

451 (9) The commission shall make such expenditures as may be
452 necessary in exercising its authority and powers and carrying
453 out its duties and responsibilities, including expenditures for
454 personal services, legal services ~~general counsel or access to~~
455 ~~counsel~~, and rent at the seat of government and elsewhere; for
456 books of reference, periodicals, furniture, equipment, and
457 supplies; and for printing and binding. The expenditures of the
458 commission are ~~shall be~~ subject to the powers and duties of the
459 Department of Financial Services as provided in s. 17.03.

460 Section 7. Paragraph (n) of subsection (9) of section
461 1002.33, Florida Statutes, is amended to read:

462 1002.33 Charter schools.—

463 (9) CHARTER SCHOOL REQUIREMENTS.—

464 (n)1. The director and a representative of the governing

23-01125-24

2024996__

465 board of a charter school that has earned a grade of "D" or "F"
466 pursuant to s. 1008.34 shall appear before the sponsor to
467 present information concerning each contract component having
468 noted deficiencies. The director and a representative of the
469 governing board shall submit to the sponsor for approval a
470 school improvement plan to raise student performance. Upon
471 approval by the sponsor, the charter school shall begin
472 implementation of the school improvement plan. The department
473 shall offer technical assistance and training to the charter
474 school and its governing board and establish guidelines for
475 developing, submitting, and approving such plans.

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

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

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

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

486 (IV) Voluntarily close the charter school.

487 b. The charter school must implement the corrective action
488 in the school year following receipt of a third consecutive
489 grade below a "C."

490 c. The sponsor may annually waive a corrective action if it
491 determines that the charter school is likely to improve a letter
492 grade if additional time is provided to implement the
493 intervention and support strategies prescribed by the school

23-01125-24

2024996__

494 improvement plan. Notwithstanding this sub-subparagraph, a
495 charter school that earns a second consecutive grade of "F" is
496 subject to subparagraph 3.

497 d. A charter school is no longer required to implement a
498 corrective action if it improves to a "C" or higher. However,
499 the charter school must continue to implement strategies
500 identified in the school improvement plan. The sponsor must
501 annually review implementation of the school improvement plan to
502 monitor the school's continued improvement pursuant to
503 subparagraph 4.

504 e. A charter school implementing a corrective action that
505 does not improve to a "C" or higher after 2 full school years of
506 implementing the corrective action must select a different
507 corrective action. Implementation of the new corrective action
508 must begin in the school year following the implementation
509 period of the existing corrective action, unless the sponsor
510 determines that the charter school is likely to improve to a "C"
511 or higher if additional time is provided to implement the
512 existing corrective action. Notwithstanding this sub-
513 subparagraph, a charter school that earns a second consecutive
514 grade of "F" while implementing a corrective action is subject
515 to subparagraph 3.

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

519 a. The charter school is established to turn around the
520 performance of a district public school pursuant to s.
521 1008.33(4)(c)2. ~~s. 1008.33(4)(b)2.~~ Such charter schools shall be
522 governed by s. 1008.33;

23-01125-24

2024996__

523 b. The charter school serves a student population the
524 majority of which resides in a school zone served by a district
525 public school subject to s. 1008.33(4) and the charter school
526 earns at least a grade of "D" in its third year of operation.
527 The exception provided under this sub-subparagraph does not
528 apply to a charter school in its fourth year of operation and
529 thereafter; or

530 c. The state board grants the charter school a waiver of
531 termination. The charter school must request the waiver within
532 15 days after the department's official release of school
533 grades. The state board may waive termination if the charter
534 school demonstrates that the Learning Gains of its students on
535 statewide assessments are comparable to or better than the
536 Learning Gains of similarly situated students enrolled in nearby
537 public schools. The waiver is valid for 1 year and may only be
538 granted once. Charter schools that have been in operation for
539 more than 5 years are not eligible for a waiver under this sub-
540 subparagraph.

541
542 The sponsor shall notify the charter school's governing board,
543 the charter school principal, and the department in writing when
544 a charter contract is terminated under this subparagraph. A
545 charter terminated under this subparagraph must follow the
546 procedures for dissolution and reversion of public funds
547 pursuant to paragraphs (8) (d)-(f) and (9) (o).

548 4. The director and a representative of the governing board
549 of a graded charter school that has implemented a school
550 improvement plan under this paragraph shall appear before the
551 sponsor at least once a year to present information regarding

23-01125-24

2024996__

552 the progress of intervention and support strategies implemented
553 by the school pursuant to the school improvement plan and
554 corrective actions, if applicable. The sponsor shall communicate
555 at the meeting, and in writing to the director, the services
556 provided to the school to help the school address its
557 deficiencies.

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

561 Section 8. Paragraph (b) of subsection (1) of section
562 1002.332, Florida Statutes, is amended to read:

563 1002.332 High-performing charter school system.—

564 (1) For purposes of this section, the term:

565 (b) "High-performing charter school system" means an entity
566 that:

567 1. Operated at least three high-performing charter schools
568 in the state during each of the previous 3 school years;

569 2. Operated a system of charter schools in which at least
570 50 percent of the charter schools were high-performing charter
571 schools pursuant to s. 1002.331 and no charter school earned a
572 school grade of "D" or "F" pursuant to s. 1008.34 in any of the
573 previous 3 school years regardless of whether the entity
574 currently operates the charter school, except that:

575 a. If the entity assumed operation of a public school
576 pursuant to s. 1008.33(4)(c)2. ~~s. 1008.33(4)(b)2.~~ with a school
577 grade of "F," that school's grade may not be considered in
578 determining high-performing charter school system status for a
579 period of 3 years.

580 b. If the entity established a new charter school that

23-01125-24

2024996__

581 served a student population the majority of which resided in a
582 school zone served by a public school that earned a grade of "F"
583 or three consecutive grades of "D" pursuant to s. 1008.34, that
584 charter school's grade may not be considered in determining
585 high-performing charter school system status if it attained and
586 maintained a school grade that was higher than that of the
587 public school serving that school zone within 3 years after
588 establishment; and

589 3. Did not receive a financial audit that revealed one or
590 more of the financial emergency conditions set forth in s.
591 218.503(1) for any charter school assumed or established by the
592 entity in the most recent 3 fiscal years for which such audits
593 are available.

594 Section 9. Paragraph (d) of subsection (1) and subsection
595 (2) of section 1002.333, Florida Statutes, are amended to read:

596 1002.333 Persistently low-performing schools.—

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

598 (d) "School of hope" means:

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

600 a. Serves students from one or more persistently low-
601 performing schools and students who reside in a Florida
602 Opportunity Zone;

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

606 c. Is a Title I eligible school; or

607 2. A school operated by a hope operator pursuant to s.

608 1008.33(4)(c)3. ~~s. 1008.33(4)(b)3.~~

609 (2) HOPE OPERATOR.—A hope operator is a nonprofit

23-01125-24

2024996__

610 organization with tax exempt status under s. 501(c)(3) of the
611 Internal Revenue Code that operates three or more charter
612 schools that serve students in grades K-12 in Florida or other
613 states with a record of serving students from low-income
614 families and is designated by the State Board of Education as a
615 hope operator based on a determination that:

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

618 1. The achievement of enrolled students exceeds the
619 district and state averages of the states in which the
620 operator's schools operate;

621 2. The average college attendance rate at all schools
622 currently operated by the operator exceeds 80 percent, if such
623 data is available;

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

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

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

632 6. Other outcome measures as determined by the State Board
633 of Education;

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

638 (c) The operator receives funding through the National Fund

23-01125-24

2024996__

639 of the Charter School Growth Fund to accelerate the growth of
640 the nation's best charter schools; or

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

643

644 An entity that meets the requirements of paragraph (b),
645 paragraph (c), or paragraph (d) before the adoption by the state
646 board of measurable criteria pursuant to paragraph (a) shall be
647 designated as a hope operator. After the adoption of the
648 measurable criteria, an entity, including a governing board that
649 operates a school established pursuant to s. 1008.33(4)(c)3. ~~s.~~
650 ~~1008.33(4)(b)3.~~, shall be designated as a hope operator if it
651 meets the criteria of paragraph (a).

652 Section 10. Paragraph (b) of subsection (7) of section
653 1008.34, Florida Statutes, is amended to read:

654 1008.34 School grading system; school report cards;
655 district grade.—

656 (7) TRANSITION.—To assist in the transition to 2022-2023
657 school grades and district grades calculated based on the
658 comprehensive, end-of-year progress monitoring assessment under
659 s. 1008.25(9), the 2022-2023 school grades and district grades
660 shall serve as an informational baseline for schools and
661 districts to work toward improved performance in future years.
662 Accordingly, notwithstanding any other provision of law:

663 (b) A school may not be required to select and implement a
664 turnaround option pursuant to s. 1008.33 in the 2023-2024 school
665 year based on the school's 2022-2023 grade. The benefits of s.
666 1008.33(4)(d) ~~s. 1008.33(4)(c)~~, relating to a school being
667 released from implementation of the turnaround option, and s.

23-01125-24

2024996__

668 1008.33(4)(e) ~~s. 1008.33(4)(d)~~, relating to a school
669 implementing strategies identified in its school improvement
670 plan, apply to a school using turnaround options pursuant to s.
671 1008.33 which improves to a grade of "C" or higher during the
672 2022-2023 school year.

673

674 This subsection is repealed July 1, 2025.

675 Section 11. Paragraph (b) of subsection (7) of section
676 1011.62, Florida Statutes, is amended to read:

677 1011.62 Funds for operation of schools.—If the annual
678 allocation from the Florida Education Finance Program to each
679 district for operation of schools is not determined in the
680 annual appropriations act or the substantive bill implementing
681 the annual appropriations act, it shall be determined as
682 follows:

683 (7) EDUCATIONAL ENRICHMENT ALLOCATION.—

684 (b) For district-managed turnaround schools as identified
685 in s. 1008.33(4)(b) ~~s. 1008.33(4)(a)~~, schools that earn three
686 consecutive grades below a "C," as identified in s.
687 1008.33(4)(c)3. ~~s. 1008.33(4)(b)3.~~, and schools that have
688 improved to a "C" and are no longer in turnaround status, as
689 identified in s. 1008.33(4)(d) ~~s. 1008.33(4)(e)~~, a supplemental
690 amount shall be added to their educational enrichment allocation
691 for purposes of implementing the intervention and support
692 strategies identified in the turnaround plan submitted pursuant
693 to s. 1008.33.

694 1. The supplemental amount shall be based on the unweighted
695 full-time equivalent student enrollment at the eligible schools
696 and a per full-time equivalent funding amount of \$500 or as

23-01125-24

2024996__

697 provided in the General Appropriations Act.

698 2. Services funded by the allocation may include, but are
699 not limited to, tutorial and afterschool programs, student
700 counseling, nutrition education, parental counseling, and an
701 extended school day and school year. In addition, services may
702 include models that develop a culture that encourages students
703 to complete high school and to attend college or career
704 training, set high academic expectations, and inspire character
705 development.

706 3. A school district may enter into a formal agreement with
707 a nonprofit organization that has tax-exempt status under s.
708 501(c)(3) of the Internal Revenue Code to implement an
709 integrated student support service model that provides students
710 and families with access to wrap-around services, including, but
711 not limited to, health services, after-school programs, drug
712 prevention programs, college and career readiness programs, and
713 food and clothing banks.

714 Section 12. This act shall take effect July 1, 2024.