

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; clarifying enforcement of policies
4 agreed to by the sponsor and charter school that are
5 subsequently amended; requiring sponsors to report,
6 annually, specific information regarding charter
7 applications; authorizing a charter school operated by
8 a Florida College System institution to serve students
9 in kindergarten through grade 12 if certain criteria
10 are met; providing disclosure requirements for
11 applicants of previous charter schools subject to
12 corrective action or financial recovery plans;
13 revising provisions relating to the timely submission
14 of charter school applications; providing requirements
15 relating to the appeal of a denied application
16 submitted by a high-performing charter school;
17 reducing the amount of time for negotiation of a
18 charter; revising provisions relating to the issuance
19 of a final order in contract dispute cases; providing
20 a restriction relating to a required certificate of
21 occupancy; authorizing the consolidation of multiple
22 charters into a single charter in certain
23 circumstances; establishing student academic
24 achievement as a priority in determining charter
25 renewals and terminations; revising the timeline for
26 charter schools to submit waiver of termination
27 requests to the Department of Education; restricting
28 expenditures upon nonrenewal or termination of a

29 | charter school; requiring a charter school to maintain
30 | specified information on a website; revising
31 | provisions relating to determination of a charter
32 | school's student enrollment; revising provisions
33 | requiring charter school compliance with statutes
34 | relating to education personnel compensation,
35 | contracts, and performance evaluations and workforce
36 | reductions; providing requirements for the
37 | reimbursement of federal funds to charter schools;
38 | requiring that certain unused school district
39 | facilities be made available to charter schools;
40 | restricting capital outlay funding; providing
41 | restrictions on the membership of a governing board;
42 | amending s. 1002.331, F.S.; revising criteria for
43 | classification as a high-performing charter school;
44 | providing requirements for modification of the charter
45 | of a high-performing charter school; requiring the
46 | Commissioner of Education to annually review a high-
47 | performing charter school's eligibility for high-
48 | performing status; authorizing declassification as a
49 | high-performing charter school; amending s. 1002.332,
50 | F.S.; revising requirements for classification as a
51 | high-performing charter school system; authorizing an
52 | entity operating outside the state to obtain high-
53 | performing charter school system status under certain
54 | circumstances; requiring the commissioner to annually
55 | review a high-performing charter school system's
56 | eligibility for high-performing status; authorizing

57 | declassification as a high-performing charter school
58 | system; providing an effective date.

59 |

60 | Be It Enacted by the Legislature of the State of Florida:

61 |

62 | Section 1. Paragraph (b) of subsection (5), paragraphs
63 | (a), (b), (c), (d), and (h) of subsection (6), paragraphs (a)
64 | and (c) of subsection (7), paragraph (a) of subsection (8),
65 | paragraph (n) of subsection (9), paragraphs (b), (h), and (i) of
66 | subsection (10), paragraph (b) of subsection (16), paragraph (c)
67 | of subsection (17), paragraph (e) of subsection (18), paragraph
68 | (a) of subsection (21), and subsection (27) of section 1002.33,
69 | Florida Statutes, are amended, and paragraphs (o) and (p) are
70 | added to subsection (9) and paragraph (c) is added to subsection
71 | (26) of that section, to read:

72 | 1002.33 Charter schools.—

73 | (5) SPONSOR; DUTIES.—

74 | (b) Sponsor duties.—

75 | 1.a. The sponsor shall monitor and review the charter
76 | school in its progress toward the goals established in the
77 | charter.

78 | b. The sponsor shall monitor the revenues and expenditures
79 | of the charter school and perform the duties provided in s.
80 | 1002.345.

81 | c. The sponsor may approve a charter for a charter school
82 | before the applicant has identified space, equipment, or
83 | personnel, if the applicant indicates approval is necessary for
84 | it to raise working funds.

85 d. The sponsor ~~sponsor's policies~~ shall not apply its
 86 policies to a charter school unless mutually agreed to by both
 87 the sponsor and the charter school. If the sponsor subsequently
 88 amends any agreed upon sponsor policy, the version of the policy
 89 in effect at the time of the execution of the charter, or any
 90 subsequent modification thereof, shall remain in effect and the
 91 sponsor may not hold the charter school responsible for any
 92 provision of a newly revised policy until the revised policy is
 93 mutually agreed upon.

94 e. The sponsor shall ensure that the charter is innovative
 95 and consistent with the state education goals established by s.
 96 1000.03(5).

97 f. The sponsor shall ensure that the charter school
 98 participates in the state's education accountability system. If
 99 a charter school falls short of performance measures included in
 100 the approved charter, the sponsor shall report such shortcomings
 101 to the Department of Education.

102 g. The sponsor shall not be liable for civil damages under
 103 state law for personal injury, property damage, or death
 104 resulting from an act or omission of an officer, employee,
 105 agent, or governing board ~~body~~ of the charter school.

106 h. The sponsor shall not be liable for civil damages under
 107 state law for any employment actions taken by an officer,
 108 employee, agent, or governing board ~~body~~ of the charter school.

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

111 j. The sponsor shall not impose additional reporting
 112 requirements on a charter school without providing reasonable

113 and specific justification in writing to the charter school.

114 k. The sponsor shall annually report to the Department of
115 Education the following information for each application
116 submitted, in a format to be determined by the department:

117 I. the number of draft applications received on or before
118 May 1, including the applicant's contact information;

119 II. the number of final applications received on or before
120 August 1, including the applicant's contact information;

121 III. the number of applications received after August 1,
122 including the applicant's contact information;

123 IV. the date each application was approved, denied, or
124 withdrawn; and

125 V. the date the final contract was executed.

126 Beginning August 31, 2013, and each year thereafter, the sponsor
127 shall submit to the department the information for the
128 applications submitted the previous year. The department shall
129 compile an annual report, by district, and post the report on
130 its website by November 1 each year.

131 2. Immunity for the sponsor of a charter school under
132 subparagraph 1. applies only with respect to acts or omissions
133 not under the sponsor's direct authority as described in this
134 section.

135 3. This paragraph does not waive a district school board's
136 sovereign immunity.

137 4. A Florida College System institution may work with the
138 school district or school districts in its designated service
139 area to develop charter schools that offer secondary education.
140 These charter schools must include an option for students to

141 receive an associate degree upon high school graduation. If a
142 Florida College System institution operates an approved teacher
143 preparation program under s. 1004.04 or s. 1004.85, the
144 institution may operate no more than one charter school that
145 serves students in kindergarten through grade 12. In
146 kindergarten through grade 8, the charter school shall implement
147 innovative blended learning instructional models in which, for a
148 given course, a student learns in part through online delivery
149 of content and instruction with some element of student control
150 over time, place, path, or pace and in part at a supervised
151 brick-and-mortar location away from home. A student in a blended
152 learning course must be a full-time student of the charter
153 school and receive the online instruction in a classroom setting
154 at the charter school. District school boards shall cooperate
155 with and assist the Florida College System institution on the
156 charter application. Florida College System institution
157 applications for charter schools are not subject to the time
158 deadlines outlined in subsection (6) and may be approved by the
159 district school board at any time during the year. Florida
160 College System institutions may not report FTE for any students
161 who receive FTE funding through the Florida Education Finance
162 Program.

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

165 (a) A person or entity that wants ~~wishing~~ to open a
166 charter school shall prepare and submit an application on the ~~a~~
167 model application form prepared by the Department of Education
168 which:

169 1. Demonstrates how the school will use the guiding
170 principles and meet the statutorily defined purpose of a charter
171 school.

172 2. Provides a detailed curriculum plan that illustrates
173 how students will be provided instruction on ~~services to attain~~
174 the Next Generation Sunshine State Standards.

175 3. Contains goals and objectives for improving student
176 learning and measuring that improvement. These goals and
177 objectives must indicate how much academic improvement students
178 are expected to show each year, how success will be evaluated,
179 and the specific results to be attained through instruction.

180 4. Describes the reading curriculum and differentiated
181 strategies that will be used for students reading at grade level
182 or higher and a separate curriculum and strategies for students
183 who are reading below grade level. A sponsor shall deny a
184 charter if the school does not propose a reading curriculum that
185 is consistent with effective teaching strategies that are
186 grounded in scientifically based reading research.

187 5. Contains an annual financial plan for each year that
188 the applicant intends to operate ~~requested by the charter for~~
189 ~~operation of~~ the school for up to 5 years. This plan must
190 contain anticipated fund balances based on revenue projections,
191 a spending plan based on projected revenues and expenses, and a
192 description of controls that will safeguard finances and
193 projected enrollment trends.

194 6. Discloses whether the applicant was a member of a
195 charter school governing board or was a person with
196 decisionmaking authority for a charter school that was subject

197 to corrective action pursuant to subparagraph (9)(n)2., a
 198 corrective action plan pursuant to s. 1002.345(1)(c), or a
 199 financial recovery plan pursuant to s. 1002.345(2)(a). The
 200 applicant must include a detailed explanation of the
 201 circumstances requiring a corrective action plan or financial
 202 recovery plan and the resolution of the plan. Documents that the
 203 applicant has participated in the training required in
 204 subparagraph (f)2. A sponsor may require an applicant to provide
 205 additional information as an addendum to the charter school
 206 application described in this paragraph.

207 7. For the establishment of a virtual charter school,
 208 documents that the applicant has contracted with a provider of
 209 virtual instruction services pursuant to s. 1002.45(1)(d).

210
 211 A sponsor may require an applicant to provide additional
 212 information as an addendum to the charter school application
 213 described in this paragraph.

214 (b) A sponsor shall receive and review all applications
 215 for a charter school using the an evaluation instrument
 216 developed by the Department of Education. A sponsor shall
 217 receive and consider charter school applications received on or
 218 before August 1 of each calendar year for charter schools to be
 219 opened at the beginning of the school district's next school
 220 year, or to be opened at a time agreed to by the applicant and
 221 the sponsor. A sponsor may not refuse to receive a charter
 222 school application submitted before August 1 and may receive an
 223 application submitted applications later than August 1 ~~this date~~
 224 if it chooses. In order to facilitate greater collaboration in

225 the application process, an applicant may submit a draft charter
226 school application on or before May 1 with an application fee of
227 \$500. If a draft application is timely submitted, the sponsor
228 shall review and provide feedback as to material deficiencies in
229 the application by July 1. The applicant shall then have until
230 August 1 to resubmit a revised and final application. The
231 sponsor may approve the draft application. A sponsor may not
232 charge an applicant for a charter any fee for the processing or
233 consideration of an application, and a sponsor may not base its
234 consideration or approval of an final application upon the
235 promise of future payment of any kind. Before approving or
236 denying any final application, the sponsor shall allow the
237 applicant, upon receipt of written notification, at least 7
238 calendar days to make technical or nonsubstantive corrections
239 and clarifications, including, but not limited to, corrections
240 of grammatical, typographical, and like errors or missing
241 signatures, if such errors are identified by the sponsor as
242 cause to deny the final application.

243 1. In order to facilitate an accurate budget projection
244 process, a sponsor shall be held harmless for FTE students who
245 are not included in the FTE projection due to approval of
246 charter school applications after the FTE projection deadline.
247 In a further effort to facilitate an accurate budget projection,
248 within 15 calendar days after receipt of a charter school
249 application, a sponsor shall report to the Department of
250 Education the name of the applicant entity, the proposed charter
251 school location, and its projected FTE.

252 2. In order to ensure fiscal responsibility, an

253 application for a charter school shall include a full accounting
 254 of expected assets, a projection of expected sources and amounts
 255 of income, including income derived from projected student
 256 enrollments and from community support, and an expense
 257 projection that includes full accounting of the costs of
 258 operation, including start-up costs.

259 3.a. A sponsor shall by a majority vote approve or deny an
 260 application no later than October 1 ~~60 calendar days after the~~
 261 ~~application is received~~, unless the sponsor and the applicant
 262 mutually agree in writing to temporarily postpone the vote to a
 263 specific date, at which time the sponsor shall by a majority
 264 vote approve or deny the application. If the sponsor fails to
 265 act on the application, an applicant may appeal to the State
 266 Board of Education as provided in paragraph (c). If an
 267 application is denied, the sponsor shall, within 10 calendar
 268 days after such denial, articulate in writing the specific
 269 reasons, based upon good cause, supporting its denial of the
 270 charter application and shall provide the letter of denial and
 271 supporting documentation to the applicant and to the Department
 272 of Education.

273 b. An application submitted by a high-performing charter
 274 school identified pursuant to s. 1002.331 may be denied by the
 275 sponsor only if the sponsor demonstrates by clear and convincing
 276 evidence that:

277 (I) The application does not materially comply with the
 278 requirements in paragraph (a);

279 (II) The charter school proposed in the application does
 280 not materially comply with the requirements in paragraphs

281 (9) (a) - (f) ;

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

285 (IV) The applicant has made a material misrepresentation
 286 or false statement or concealed an essential or material fact
 287 during the application process; or

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

291
 292 Material noncompliance is a failure to follow requirements or a
 293 violation of prohibitions applicable to charter school
 294 applications, which failure is quantitatively or qualitatively
 295 significant either individually or when aggregated with other
 296 noncompliance. An applicant is considered to be replicating a
 297 high-performing charter school if the proposed school is
 298 substantially similar to at least one of the applicant's high-
 299 performing charter schools and the organization or individuals
 300 involved in the establishment and operation of the proposed
 301 school are significantly involved in the operation of replicated
 302 schools.

303 c. If the sponsor denies an application submitted by a
 304 high-performing charter school, the sponsor must, within 10
 305 calendar days after such denial, state in writing the specific
 306 reasons, based upon the criteria in sub-subparagraph b.,
 307 supporting ~~its~~ denial of the application and must provide the
 308 letter of denial and supporting documentation to the applicant

309 and to the Department of Education. The applicant may appeal the
 310 sponsor's denial of the application ~~directly~~ to the State Board
 311 of Education pursuant to paragraph (c) and must provide the
 312 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

313 4. For budget projection purposes, the sponsor shall
 314 report to the Department of Education the approval or denial of
 315 a charter application within 10 calendar days after such
 316 approval or denial. In the event of approval, the report to the
 317 Department of Education shall include the final projected FTE
 318 for the approved charter school.

319 5. Upon approval of a charter application, the initial
 320 startup shall commence with the beginning of the public school
 321 calendar for the district in which the charter is granted unless
 322 the sponsor allows a waiver of this subparagraph for good cause.

323 (c)1. An applicant may appeal any denial of that
 324 applicant's application or failure to act on an application to
 325 the State Board of Education within ~~no later than~~ 30 calendar
 326 days after receipt of the sponsor's decision or failure to act
 327 and shall notify the sponsor of its appeal. Any response of the
 328 sponsor shall be submitted to the State Board of Education
 329 within 30 calendar days after notification of the appeal. Upon
 330 receipt of notification from the State Board of Education that a
 331 charter school applicant is filing an appeal, the Commissioner
 332 of Education shall convene a meeting of the Charter School
 333 Appeal Commission to study and make recommendations to the State
 334 Board of Education regarding its pending decision about the
 335 appeal. The commission shall forward its recommendation to the
 336 state board within ~~no later than~~ 7 calendar days before ~~prior to~~

337 | the date on which the appeal is to be heard. An appeal regarding
 338 | the denial of an application submitted by a high-performing
 339 | charter school pursuant to s. 1002.331 shall be conducted by the
 340 | State Board of Education in accordance with this paragraph,
 341 | except that the commission shall not convene to make
 342 | recommendations regarding the appeal. However, the Commissioner
 343 | of Education shall review the appeal and make a recommendation
 344 | to the state board.

345 | 2. The Charter School Appeal Commission or, in the case of
 346 | an appeal regarding an application submitted by a high-
 347 | performing charter school, the State Board of Education may
 348 | reject an appeal submission for failure to comply with
 349 | procedural rules governing the appeals process. The rejection
 350 | shall describe the submission errors. The appellant shall have
 351 | 15 calendar days after notice of rejection in which to resubmit
 352 | an appeal that meets the requirements set forth in State Board
 353 | of Education rule. An appeal submitted subsequent to such
 354 | rejection is considered timely if the original appeal was filed
 355 | within 30 calendar days after receipt of notice of the specific
 356 | reasons for the sponsor's denial of the charter application.

357 | 3.a. The State Board of Education shall by majority vote
 358 | accept or reject the decision of the sponsor within ~~no later~~
 359 | ~~than~~ 90 calendar days after an appeal is filed in accordance
 360 | with State Board of Education rule. The State Board of Education
 361 | shall remand the application to the sponsor with its written
 362 | decision that the sponsor approve or deny the application. The
 363 | sponsor shall implement the decision of the State Board of
 364 | Education. The decision of the State Board of Education is not

365 subject to ~~the provisions of~~ the Administrative Procedure Act,
366 chapter 120.

367 b. If an appeal concerns an application submitted by a
368 high-performing charter school identified pursuant to s.
369 1002.331, the State Board of Education shall determine whether
370 the sponsor's denial of the application complies with the
371 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
372 ~~clear and convincing evidence, that:~~

373 ~~(I) The application does not materially comply with the~~
374 ~~requirements in paragraph (a);~~

375 ~~(II) The charter school proposed in the application does~~
376 ~~not materially comply with the requirements in paragraphs~~
377 ~~(9)(a)-(f);~~

378 ~~(III) The proposed charter school's educational program~~
379 ~~does not substantially replicate that of the applicant or one of~~
380 ~~the applicant's high-performing charter schools;~~

381 ~~(IV) The applicant has made a material misrepresentation~~
382 ~~or false statement or concealed an essential or material fact~~
383 ~~during the application process; or~~

384 ~~(V) The proposed charter school's educational program and~~
385 ~~financial management practices do not materially comply with the~~
386 ~~requirements of this section.~~

387
388 The State Board of Education shall approve or reject the
389 sponsor's denial of an application no later than 90 calendar
390 days after an appeal is filed in accordance with State Board of
391 Education rule. The State Board of Education shall remand the
392 application to the sponsor with its written decision that the

393 sponsor approve or deny the application. The sponsor shall
394 implement the decision of the State Board of Education. The
395 decision of the State Board of Education is not subject to the
396 Administrative Procedure Act, chapter 120.

397 (d) The sponsor shall act upon the decision of the State
398 Board of Education within 30 calendar days after it is received.
399 The State Board of Education's decision is a final action
400 subject to judicial review in the district court of appeal.

401 (h) The terms and conditions for the operation of a
402 charter school shall be set forth by the sponsor and the
403 applicant in a written contractual agreement, called a charter.
404 The sponsor shall not impose unreasonable rules or regulations
405 that violate the intent of giving charter schools greater
406 flexibility to meet educational goals. The sponsor shall have 30
407 ~~60~~ days after approval of the application to provide an initial
408 proposed charter contract to the charter school. The applicant
409 and the sponsor shall have 40 ~~75~~ days thereafter to negotiate
410 and notice the charter contract for final approval by the
411 sponsor unless both parties agree to an extension. The proposed
412 charter contract shall be provided to the charter school at
413 least 7 calendar days before ~~prior to~~ the date of the meeting at
414 which the charter is scheduled to be voted upon by the sponsor.
415 Any provision of a charter contract inconsistent with or not
416 expressly provided for within the requirements of this section
417 is void and unenforceable. The Department of Education shall
418 provide mediation services for any dispute regarding this
419 section subsequent to the approval of a charter application and
420 for any dispute relating to the approved charter, except

421 | disputes regarding charter school application denials. If the
 422 | Commissioner of Education determines that the dispute cannot be
 423 | settled through mediation, the dispute may be appealed to an
 424 | administrative law judge appointed by the Division of
 425 | Administrative Hearings. The administrative law judge has final
 426 | order authority to ~~may~~ rule on issues of equitable treatment of
 427 | the charter school as a public school, whether proposed
 428 | provisions of the charter violate the intended flexibility
 429 | granted charter schools by statute, or on any other matter
 430 | regarding this section except a charter school application
 431 | denial, a charter termination, or a charter nonrenewal and shall
 432 | award the prevailing party reasonable attorney ~~attorney's~~ fees
 433 | and costs incurred to be paid by the losing party. The costs of
 434 | the administrative hearing shall be paid by the party whom the
 435 | administrative law judge rules against.

436 | (7) CHARTER.—The major issues involving the operation of a
 437 | charter school shall be considered in advance and written into
 438 | the charter. The charter shall be signed by the governing board
 439 | of the charter school and the sponsor, following a public
 440 | hearing to ensure community input.

441 | (a) The charter shall address and criteria for approval of
 442 | the charter shall be based on:

443 | 1. The school's mission, the students to be served, and
 444 | the ages and grades to be included.

445 | 2. The focus of the curriculum, the instructional methods
 446 | to be used, any distinctive instructional techniques to be
 447 | employed, and identification and acquisition of appropriate
 448 | technologies needed to improve educational and administrative

449 performance, which include a means for promoting safe, ethical,
450 and appropriate uses of technology which comply with legal and
451 professional standards.

452 a. The charter shall ensure that reading is a primary
453 focus of the curriculum and that resources are provided to
454 identify and provide specialized instruction for students who
455 are reading below grade level. The curriculum and instructional
456 strategies for reading must be consistent with the Next
457 Generation Sunshine State Standards and grounded in
458 scientifically based reading research.

459 b. In order to provide students with access to diverse
460 instructional delivery models, to facilitate the integration of
461 technology within traditional classroom instruction, and to
462 provide students with the skills they need to compete in the
463 21st century economy, the Legislature encourages instructional
464 methods for blended learning courses in which a student learns
465 in part through online delivery of content and instruction with
466 some element of student control over time, place, path, or pace
467 and in part at a supervised brick-and-mortar location away from
468 home consisting of both traditional classroom and online
469 instructional techniques. Charter schools may implement blended
470 learning courses that ~~which~~ combine traditional classroom
471 instruction and virtual instruction. Students in a blended
472 learning course must be full-time students of the charter school
473 and receive the online instruction in a classroom setting at the
474 charter school. Instructional personnel certified pursuant to s.
475 1012.55 who provide virtual instruction for blended learning
476 courses may be employees of the charter school or may be under

477 contract to provide instructional services to charter school
 478 students. At a minimum, such instructional personnel must hold
 479 an active state or school district adjunct certification under
 480 s. 1012.57 for the subject area of the blended learning course.
 481 The funding and performance accountability requirements for
 482 blended learning courses are the same as those for traditional
 483 courses.

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

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

490 b. How these baseline rates will be compared to rates of
 491 academic progress achieved by these same students while
 492 attending the charter school.

493 c. To the extent possible, how these rates of progress
 494 will be evaluated and compared with rates of progress of other
 495 closely comparable student populations.

496
 497 The district school board is required to provide academic
 498 student performance data to charter schools for each of their
 499 students coming from the district school system, as well as
 500 rates of academic progress of comparable student populations in
 501 the district school system.

502 4. The methods used to identify the educational strengths
 503 and needs of students and how well educational goals and
 504 performance standards are met by students attending the charter

505 school. The methods shall provide a means for the charter school
506 to ensure accountability to its constituents by analyzing
507 student performance data and by evaluating the effectiveness and
508 efficiency of its major educational programs. Students in
509 charter schools shall, at a minimum, participate in the
510 statewide assessment program created under s. 1008.22.

511 5. In secondary charter schools, a method for determining
512 that a student has satisfied the requirements for graduation in
513 s. 1003.428, s. 1003.429, or s. 1003.43.

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

516 7. The admissions procedures and dismissal procedures,
517 including the school's code of student conduct.

518 8. The ways by which the school will achieve a
519 racial/ethnic balance reflective of the community it serves or
520 within the racial/ethnic range of other public schools in the
521 same school district.

522 9. The financial and administrative management of the
523 school, including a reasonable demonstration of the professional
524 experience or competence of those individuals or organizations
525 applying to operate the charter school or those hired or
526 retained to perform such professional services and the
527 description of clearly delineated responsibilities and the
528 policies and practices needed to effectively manage the charter
529 school. A description of internal audit procedures and
530 establishment of controls to ensure that financial resources are
531 properly managed must be included. Both public sector and
532 private sector professional experience shall be equally valid in

533 such a consideration.

534 10. The asset and liability projections required in the
 535 application which are incorporated into the charter and shall be
 536 compared with information provided in the annual report of the
 537 charter school.

538 11. A description of procedures that identify various
 539 risks and provide for a comprehensive approach to reduce the
 540 impact of losses; plans to ensure the safety and security of
 541 students and staff; plans to identify, minimize, and protect
 542 others from violent or disruptive student behavior; and the
 543 manner in which the school will be insured, including whether or
 544 not the school will be required to have liability insurance,
 545 and, if so, the terms and conditions thereof and the amounts of
 546 coverage.

547 12. The term of the charter, which shall provide for
 548 termination ~~cancellation~~ of the charter if insufficient progress
 549 has been made in attaining the student achievement objectives of
 550 the charter and if it is not likely that such objectives can be
 551 achieved before expiration of the charter. The initial term of a
 552 charter shall be for 4 or 5 years. ~~In order to facilitate access~~
 553 ~~to long-term financial resources for charter school~~
 554 ~~construction,~~ Charter schools that are operated by a
 555 municipality or other public entity as provided by law are
 556 eligible for up to a 15-year charter, subject to approval by the
 557 district school board. A charter lab school is eligible for a
 558 charter for a term of up to 15 years. In addition, ~~to facilitate~~
 559 ~~access to long-term financial resources for charter school~~
 560 ~~construction,~~ charter schools that are operated by a private,

561 not-for-profit, s. 501(c)(3) status corporation are eligible for
 562 up to a 15-year charter, subject to approval by the district
 563 school board. Such long-term charters remain subject to annual
 564 review and may be terminated during the term of the charter, but
 565 only according to ~~the provisions set forth in~~ subsection (8).

566 13. The facilities to be used and their location. The
 567 sponsor may not require a charter school to have a certificate
 568 of occupancy for such a facility earlier than 15 calendar days
 569 before the first day of school.

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

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

576 16. A timetable for implementing the charter which
 577 addresses the implementation of each element thereof and the
 578 date by which the charter shall be awarded in order to meet this
 579 timetable.

580 17. In the case of an existing public school that is being
 581 converted to charter status, alternative arrangements for
 582 current students who choose not to attend the charter school and
 583 for current teachers who choose not to teach in the charter
 584 school after conversion in accordance with the existing
 585 collective bargaining agreement or district school board rule in
 586 the absence of a collective bargaining agreement. However,
 587 alternative arrangements shall not be required for current
 588 teachers who choose not to teach in a charter lab school, except

589 as authorized by the employment policies of the state university
 590 which grants the charter to the lab school.

591 18. Full disclosure of the identity of all relatives
 592 employed by the charter school who are related to the charter
 593 school owner, president, chairperson of the governing board of
 594 directors, superintendent, governing board member, principal,
 595 assistant principal, or any other person employed by the charter
 596 school who has equivalent decisionmaking authority. For the
 597 purpose of this subparagraph, the term "relative" means father,
 598 mother, son, daughter, brother, sister, uncle, aunt, first
 599 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 600 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 601 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 602 stepsister, half brother, or half sister.

603 19. Implementation of the activities authorized under s.
 604 1002.331 by the charter school when it satisfies the eligibility
 605 requirements for a high-performing charter school. A high-
 606 performing charter school shall notify its sponsor in writing by
 607 March 1 if it intends to increase enrollment or expand grade
 608 levels the following school year. The written notice shall
 609 specify the amount of the enrollment increase and the grade
 610 levels that will be added, as applicable.

611 (c) A charter may be modified during its initial term or
 612 any renewal term upon the recommendation of the sponsor or the
 613 charter school's governing board and the approval of both
 614 parties to the agreement. Modification may include, but is not
 615 limited to, consolidation of multiple charters into a single
 616 charter if the charters are operated under the same governing

617 | board and physically located on the same campus, regardless of
 618 | the renewal cycle.

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

620 | (a) The sponsor shall make student academic achievement
 621 | for all students the most important factor when determining
 622 | whether to renew or terminate the charter. However, the sponsor
 623 | may also choose not to renew or may terminate the charter for
 624 | any of the following grounds:

625 | 1. Failure to participate in the state's education
 626 | accountability system created in s. 1008.31, as required in this
 627 | section, or failure to meet the requirements for student
 628 | performance stated in the charter.

629 | 2. Failure to meet generally accepted standards of fiscal
 630 | management.

631 | 3. Violation of law.

632 | 4. Other good cause shown.

633 | (9) CHARTER SCHOOL REQUIREMENTS.—

634 | (n)1. The director and a representative of the governing
 635 | board of a charter school that has earned a grade of "D" or "F"
 636 | pursuant to s. 1008.34(2) shall appear before the sponsor to
 637 | present information concerning each contract component having
 638 | noted deficiencies. The director and a representative of the
 639 | governing board shall submit to the sponsor for approval a
 640 | school improvement plan to raise student achievement. Upon
 641 | approval by the sponsor, the charter school shall begin
 642 | implementation of the school improvement plan. The department
 643 | shall offer technical assistance and training to the charter
 644 | school and its governing board and establish guidelines for

645 developing, submitting, and approving such plans.

646 2.a. If a charter school earns three consecutive grades of
 647 "D," two consecutive grades of "D" followed by a grade of "F,"
 648 or two nonconsecutive grades of "F" within a 3-year period, the
 649 charter school governing board shall choose one of the following
 650 corrective actions:

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

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

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

658 (IV) Voluntarily close the charter school.

659 b. The charter school must implement the corrective action
 660 in the school year following receipt of a third consecutive
 661 grade of "D," a grade of "F" following two consecutive grades of
 662 "D," or a second nonconsecutive grade of "F" within a 3-year
 663 period.

664 c. The sponsor may annually waive a corrective action if
 665 it determines that the charter school is likely to improve a
 666 letter grade if additional time is provided to implement the
 667 intervention and support strategies prescribed by the school
 668 improvement plan. Notwithstanding this sub-subparagraph, a
 669 charter school that earns a second consecutive grade of "F" is
 670 subject to subparagraph 4.

671 d. A charter school is no longer required to implement a
 672 corrective action if it improves by at least one letter grade.

673 However, the charter school must continue to implement
674 strategies identified in the school improvement plan. The
675 sponsor must annually review implementation of the school
676 improvement plan to monitor the school's continued improvement
677 pursuant to subparagraph 5.

678 e. A charter school implementing a corrective action that
679 does not improve by at least one letter grade after 2 full
680 school years of implementing the corrective action must select a
681 different corrective action. Implementation of the new
682 corrective action must begin in the school year following the
683 implementation period of the existing corrective action, unless
684 the sponsor determines that the charter school is likely to
685 improve a letter grade if additional time is provided to
686 implement the existing corrective action. Notwithstanding this
687 sub-subparagraph, a charter school that earns a second
688 consecutive grade of "F" while implementing a corrective action
689 is subject to subparagraph 4.

690 3. A charter school with a grade of "D" or "F" that
691 improves by at least one letter grade must continue to implement
692 the strategies identified in the school improvement plan. The
693 sponsor must annually review implementation of the school
694 improvement plan to monitor the school's continued improvement
695 pursuant to subparagraph 5.

696 4. The sponsor shall terminate a charter if the charter
697 school earns two consecutive grades of "F" unless:

698 a. The charter school is established to turn around the
699 performance of a district public school pursuant to s.
700 1008.33(4)(b)3. Such charter schools shall be governed by s.

701 1008.33;

702 b. The charter school serves a student population the
 703 majority of which resides in a school zone served by a district
 704 public school that earned a grade of "F" in the year before the
 705 charter school opened and the charter school earns at least a
 706 grade of "D" in its third year of operation. The exception
 707 provided under this sub-subparagraph does not apply to a charter
 708 school in its fourth year of operation and thereafter; or

709 c. The state board grants the charter school a waiver of
 710 termination. The charter school must request the waiver within
 711 15 ~~30~~ days after the department's official release completion of
 712 school grades ~~grade~~ ~~appeals~~. The state board may waive
 713 termination if the charter school demonstrates that the learning
 714 gains of its students on statewide assessments are comparable to
 715 or better than the learning gains of similarly situated students
 716 enrolled in nearby district public schools. The waiver is valid
 717 for 1 year and may only be granted once. Charter schools that
 718 have been in operation for more than 5 years are not eligible
 719 for a waiver under this sub-subparagraph.

720 5. The director and a representative of the governing
 721 board of a graded charter school that has implemented a school
 722 improvement plan under this paragraph shall appear before the
 723 sponsor at least once a year to present information regarding
 724 the progress of intervention and support strategies implemented
 725 by the school pursuant to the school improvement plan and
 726 corrective actions, if applicable. The sponsor shall communicate
 727 at the meeting, and in writing to the director, the services
 728 provided to the school to help the school address its

729 deficiencies.

730 6. Notwithstanding any provision of this paragraph except
731 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
732 at any time pursuant to subsection (8).

733 (o) Upon notification of nonrenewal or termination of its
734 charter, a charter school may not expend more than \$10,000
735 without prior written approval from the sponsor, unless such
736 expenditure was included within the annual budget submitted to
737 the sponsor pursuant to the charter contract, is for reasonable
738 attorney fees and costs during the pendency of any appeal.

739 (p) Each charter school shall maintain a website that
740 enables the public to obtain information regarding the school,
741 its personnel, and its programs. The website shall include
742 information or online links to information regarding any entity
743 that owns, operates, or manages the school, including any
744 nonprofit or for-profit entity; the names of all governing
745 officers and administrative personnel of the entity; and any
746 fees the school pays to the entity. The information or online
747 links must be prominently displayed and easily accessible to
748 visitors of the website.

749 (10) ELIGIBLE STUDENTS.—

750 (b) The charter school shall enroll an eligible student
751 who submits a timely application, unless the number of
752 applications exceeds the capacity of a program, class, grade
753 level, or building. In such case, all applicants shall have an
754 equal chance of being admitted through a random selection
755 process. The selection process must be independently audited by
756 a third party chosen by the sponsor or charter, observed by the

757 sponsor, or observed by a third party mutually agreed to by the
758 charter school and sponsor. The charter school shall choose the
759 option to apply to the selection process. These requirements
760 apply to the initial selection process for each new school year.

761 (h) The capacity of the charter school shall be determined
762 annually by the governing board, in conjunction with the
763 sponsor, of the charter school in consideration of the factors
764 identified in this subsection unless the charter school is
765 designated as a high-performing charter school pursuant to s.
766 1002.331. A sponsor may not require a charter school to waive
767 the provisions of s. 1002.331 or require a student enrollment
768 cap that prohibits a high-performing charter school from
769 increasing enrollment in accordance with s. 1002.331(2) as a
770 condition of approval or renewal of a charter.

771 (i) The capacity of a high-performing charter school
772 identified pursuant to s. 1002.331 shall be determined annually
773 by the governing board of the charter school. The governing
774 board shall notify the sponsor of any increase in enrollment by
775 March 1 of the school year preceding the increase. A sponsor may
776 not require a charter school to identify the names of students
777 to be enrolled or to enroll those students before the start of
778 the school year as a condition of approval or renewal of a
779 charter.

780 (16) EXEMPTION FROM STATUTES.—

781 (b) Additionally, a charter school shall be in compliance
782 with the following statutes:

783 1. Section 286.011, relating to public meetings and
784 records, public inspection, and criminal and civil penalties.

785 2. Chapter 119, relating to public records.

786 3. Section 1003.03, relating to the maximum class size,
 787 except that the calculation for compliance pursuant to s.
 788 1003.03 shall be the average at the school level.

789 4. Section 1012.22(1)(c)5.b. ~~1012.22(1)(e)~~, relating to
 790 the implementation of a compensation system that requires annual
 791 salary adjustments for instructional personnel to be based upon
 792 performance and salary schedules.

793 5. Section 1012.33(5), relating to workforce reductions,
 794 if the charter school awards contracts to instructional
 795 personnel and the term of a contract exceeds 1 year.

796 6. Section 1012.335, relating to contracts with
 797 instructional personnel hired on or after July 1, 2011, if the
 798 charter school awards contracts to instructional personnel and
 799 the term of a contract exceeds 1 year.

800 7. Section 1012.34(2), (3), and (7) ~~1012.34~~, relating to
 801 ~~the substantive requirements for~~ performance evaluations for
 802 instructional personnel and school administrators. For purposes
 803 of compliance with this subparagraph, the duties assigned to a
 804 district school superintendent apply to a charter school
 805 principal or his or her equivalent, and the duties assigned to a
 806 district school board apply to a charter school's governing
 807 board.

808 (17) FUNDING.—Students enrolled in a charter school,
 809 regardless of the sponsorship, shall be funded as if they are in
 810 a basic program or a special program, the same as students
 811 enrolled in other public schools in the school district. Funding
 812 for a charter lab school shall be as provided in s. 1002.32.

813 (c) If the district school board is providing programs or
814 services to students funded by federal funds, any eligible
815 students enrolled in charter schools in the school district
816 shall be provided federal funds for the same level of service
817 provided students in the schools operated by the district school
818 board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all
819 charter schools shall receive all federal funding for which the
820 school is otherwise eligible, including Title I funding, not
821 later than 5 months after the charter school first opens and
822 within 5 months after any subsequent expansion of enrollment.
823 Unless otherwise mutually agreed to by the charter school and
824 its sponsor, and consistent with state and federal rules and
825 regulations governing the use and disbursement of federal funds,
826 the sponsor shall reimburse the charter school on a monthly
827 basis for all invoices submitted by the charter school for
828 federal funds available to the sponsor for the benefit of the
829 charter school, the charter school's students, and the charter
830 school's students as public school students in the school
831 district. Such federal funds include, but are not limited to,
832 Title I, Title II, and Individuals with Disabilities Education
833 Act (IDEA) funds. To receive timely reimbursement for an
834 invoice, the charter school must submit the invoice to the
835 sponsor at least 30 days before the monthly date of
836 reimbursement set by the sponsor. In order to be reimbursed, any
837 expenditure made by the charter school must comply with all
838 applicable state and federal rules and regulations, including,
839 but not limited to, the applicable federal Office of Management
840 and Budget Circulars, the federal Education Department General

841 Administrative Regulations, and program-specific statutes,
842 rules, and regulations. Such funds may not be made available to
843 the charter school until a plan is submitted to the sponsor for
844 approval of the use of the funds in accordance with applicable
845 federal requirements. The sponsor has 30 days to review and
846 approve any plan submitted pursuant to this paragraph.

847 (18) FACILITIES.—

848 (e) If a district school board-owned ~~board~~ facility that
849 has previously been used for K-12 educational purposes ~~or~~
850 ~~property is available because it is surplus, marked for~~
851 ~~disposal, or otherwise unused,~~ no longer used in support of
852 public education, it shall be made available ~~provided~~ for a
853 charter school's use ~~on the same basis as it is made available~~
854 ~~to other public schools in the district.~~ A charter school using
855 such a facility receiving property from the school district may
856 not sell, sublease, or dispose of such facility ~~property~~ without
857 written permission of the school district. The charter school
858 may not earn capital outlay funds; however, the school district
859 shall include the charter school's capital outlay full-time
860 equivalent (COFTE) student count in the district's capital
861 outlay calculations. The charter school may choose to maintain
862 the charter school facility or pay the school district the
863 actual cost to maintain the facility at the same standard and
864 level it would maintain any other district-operated school
865 similar in age and condition. Maintenance does not include
866 capital improvements. Similarly, for an existing public school
867 converting to charter status, no rental or leasing fee for the
868 existing facility or for the property normally inventoried to

869 | the conversion school may be charged by the district school
 870 | board to the parents and teachers organizing the charter school.
 871 | The charter school shall agree to reasonable maintenance
 872 | provisions in order to maintain the facility in a manner similar
 873 | to district school board standards. The Public Education Capital
 874 | Outlay maintenance funds or any other maintenance funds
 875 | generated by the facility operated as a conversion school shall
 876 | remain with the conversion school.

877 | (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

878 | (a) The Department of Education shall provide information
 879 | to the public, directly and through sponsors, on how to form and
 880 | operate a charter school and how to enroll in a charter school
 881 | once it is created. This information shall include a model
 882 | ~~standard~~ application form format, standard charter contract
 883 | format, standard evaluation instrument, and standard charter
 884 | renewal contract format, which shall include the information
 885 | specified in subsection (7) and shall be developed by consulting
 886 | and negotiating with both school districts and charter schools
 887 | before implementation. The charter and charter renewal contracts
 888 | ~~formats~~ shall be used by charter school sponsors.

889 | (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

890 | (c) An employee of a charter school or his or her spouse
 891 | or an employee of a charter management organization or his or
 892 | her spouse may not be a member of the charter school governing
 893 | board.

894 | (27) RULEMAKING.—The Department of Education, after
 895 | consultation with school districts and charter school directors,
 896 | shall recommend that the State Board of Education adopt rules to

897 implement specific subsections of this section. Such rules shall
 898 require minimum paperwork and shall not limit charter school
 899 flexibility authorized by statute. The State Board of Education
 900 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
 901 implement a charter model application form, standard evaluation
 902 instrument, and standard charter and charter renewal contracts
 903 ~~formats~~ in accordance with this section.

904 Section 2. Creates subsection (2) of section 1002.331,
 905 Florida Statutes, and subsections (3), (5), and (6) of that
 906 section, are amended to read:

907 1002.331 High-performing charter schools.—

908 (2) A charter school is a high-performing charter school
 909 if it established primarily to serve students in the attendance
 910 zone of a school identified in need of intervention and support
 911 pursuant to s. 1008.33(3)(b) and is operated by an entity
 912 classified as a high-performing charter school system by the
 913 State Board of Education pursuant to s. 1002.332(2).

914
 915 A virtual charter school established under s. 1002.33 is not
 916 eligible for designation as a high-performing charter school.

917 ~~(3)~~ A high-performing charter school is authorized to:

918 (a) Increase its student enrollment more than the capacity
 919 identified in the charter once per school ~~year by up to 15~~
 920 ~~percent more than the capacity identified in the charter~~ in an
 921 amount not to exceed the current facility capacity.

922 (b) Expand grade levels within kindergarten through grade
 923 12 to add grade levels not already served if any annual
 924 enrollment increase resulting from grade level expansion is

925 within the limit established in paragraph (a).

926 (c) Submit a quarterly, rather than a monthly, financial
927 statement to the sponsor pursuant to s. 1002.33(9)(g).

928 (d) Consolidate under a single charter the charters of
929 multiple high-performing charter schools operated in the same
930 school district by the charter schools' governing board
931 regardless of the renewal cycle.

932 (e) Receive a modification of its charter to a term of 15
933 years or a 15-year charter renewal. The charter may be modified
934 or renewed for a shorter term at the option of the high-
935 performing charter school. The charter must be consistent with
936 s. 1002.33(7)(a)19. and (10)(h) ~~and (i)~~, is subject to annual
937 review by the sponsor, and may be terminated during its term
938 pursuant to s. 1002.33(8).

939
940 A high-performing charter school shall notify its sponsor in
941 writing by March 1 if it intends to increase enrollment or
942 expand grade levels the following school year. The written
943 notice shall specify the amount of the enrollment increase and
944 the grade levels that will be added, as applicable. If a high-
945 performing charter school requests to consolidate multiple
946 charters or to modify its charter pursuant to this subsection,
947 the sponsor shall have 40 days after receipt of that request to
948 provide an initial draft charter to the charter school. The
949 sponsor and charter school shall have 50 days thereafter to
950 negotiate and notice the charter contract for final approval by
951 the sponsor.

952 (~~43~~) (a) A high-performing charter school may submit an

953 application pursuant to s. 1002.33(6) in any school district in
954 the state to establish and operate a new charter school that
955 will substantially replicate its educational program. An
956 application submitted by a high-performing charter school must
957 state that the application is being submitted pursuant to this
958 paragraph and must include the verification letter provided by
959 the Commissioner of Education pursuant to subsection (5). If the
960 sponsor fails to act on the application within 60 days after
961 receipt, the application is deemed approved and the procedure in
962 s. 1002.33(6)(h) applies. If the sponsor denies the application,
963 the high-performing charter school may appeal pursuant to s.
964 1002.33(6).

965 (b) A high-performing charter school may not establish
966 more than one charter school within the state under paragraph
967 (a) in any year. A subsequent application to establish a charter
968 school under paragraph (a) may not be submitted unless each
969 charter school established in this manner achieves high-
970 performing charter school status.

971 (54) A high-performing charter school may not increase
972 enrollment or expand grade levels following any school year in
973 which it receives a school grade of "C" or below. If the charter
974 school receives a school grade of "C" or below in any 2 years
975 during the term of the charter awarded under subsection (2), the
976 term of the charter may be modified by the sponsor ~~and the~~
977 ~~charter school loses its high-performing charter school status~~
978 ~~until it regains that status under subsection (1).~~

979 (65) The Commissioner of Education, upon request by a
980 charter school, shall verify that the charter school meets the

981 criteria in subsection (1) and provide a letter to the charter
 982 school and the sponsor stating that the charter school is a
 983 high-performing charter school pursuant to this section. The
 984 commissioner shall annually determine whether a high-performing
 985 charter school continues to meet the criteria in subsection (1).
 986 A high-performing charter school shall maintain its high-
 987 performing status unless the commissioner determines that the
 988 charter school no longer meets the criteria in subsection (1),
 989 at which time the commissioner shall send a letter providing
 990 notification of its declassification as a high-performing
 991 charter school.

992 Section 3. Section 1002.332, Florida Statutes, is amended
 993 to read:

994 1002.332 High-performing charter school system.—

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

996 (a) "Entity" means a municipality or other public entity
 997 that is authorized by law to operate a charter school; a
 998 private, nonprofit corporation with tax-exempt status under s.
 999 501(c) (3) of the Internal Revenue Code; or a private, for-profit
 1000 education management corporation.

1001 (b) "High-performing charter school system" means an
 1002 entity that:

1003 1. Operated ~~Operates~~ at least three high-performing
 1004 charter schools in the state during each of the previous 3
 1005 school years;

1006 2. Operated ~~Operates~~ a system of charter schools in which
 1007 at least 50 percent of the charter schools were ~~are~~ high-
 1008 performing charter schools pursuant to s. 1002.331 and no

1009 charter school earned a school grade of "D" or "F" pursuant to
1010 s. 1008.34 in any of the previous 3 school years, except that:

1011 a. If the entity ~~has~~ assumed operation of a public school
1012 pursuant to s. 1008.33(4)(b)3. with a school grade of "F," that
1013 school's grade may not be considered in determining high-
1014 performing charter school system status for a period of 3 years.

1015 b. If the entity established ~~establishes~~ a new charter
1016 school that served ~~serves~~ a student population the majority of
1017 which resided ~~resides~~ in a school zone served by a public school
1018 that earned a grade of "F" or three consecutive grades of "D"
1019 pursuant to s. 1008.34, that charter school's grade may not be
1020 considered in determining high-performing charter school system
1021 status if it attained ~~attains~~ and maintained ~~maintains~~ a school
1022 grade that was ~~is~~ higher than that of the public school serving
1023 that school zone within 3 years after establishment; and

1024 3. Did ~~Has~~ not receive ~~received~~ a financial audit that
1025 revealed one or more of the financial emergency conditions set
1026 forth in s. 218.503(1) for any charter school assumed or
1027 established by the entity in the most recent 3 fiscal years for
1028 which such audits are available.

1029 (2) An entity that successfully operates a system of
1030 charter schools outside the state may apply to the State Board
1031 of Education for status as a high-performing charter school
1032 system solely for the purpose of establishing a charter school
1033 that primarily serves students in the attendance zone of a
1034 school identified in need of intervention and support pursuant
1035 to s. 1008.33(3)(b). The State Board of Education shall adopt
1036 rules prescribing a process for determining whether the entity

1037 meets the requirements of this subsection by reviewing student
 1038 demographic and performance data from all schools operated by
 1039 the entity.

1040 ~~(3)(2)~~(a) The Commissioner of Education, ~~upon request by~~
 1041 ~~an entity,~~ shall verify all charter schools served by an entity
 1042 and verify that the entity meets the criteria in this section
 1043 ~~subsection (1)~~ for the previous ~~prior~~ school year and provide a
 1044 letter to the entity stating that it is a high-performing
 1045 charter school system. The commissioner shall annually determine
 1046 whether a high-performing charter school system continues to
 1047 meet the criteria in this section. A high-performing charter
 1048 school system shall maintain its high-performing status unless
 1049 the commissioner determines that the charter school system no
 1050 longer meets the criteria in this section, at which time the
 1051 commissioner shall send a letter providing notification of its
 1052 declassification as a high-performing charter school system.

1053 (b) A high-performing charter school system may replicate
 1054 its high-performing charter schools pursuant to s. 1002.331(3).

1055 Section 4. The Department of Education, in consultation
 1056 with stakeholders, shall develop a proposed statewide standard
 1057 charter contract and shall provide it to the Governor, the
 1058 President of the Senate and the Speaker of the House of
 1059 Representatives by November 1, 2013.

1060 Section 5. This act shall take effect July 1, 2013.