



Choice & Innovation Subcommittee

Wednesday, February 6, 2013

2:00 PM– 4:00 PM

404 HOB

Action Packet

**Will Weatherford
Speaker**

**Michael Bileca
Chair**

COMMITTEE MEETING REPORT
Choice & Innovation Subcommittee
2/6/2013 2:00:00PM

Location: 404 HOB

Summary:

Choice & Innovation Subcommittee

Wednesday February 06, 2013 02:00 pm

PCB CIS 13-01 Favorable With Amendments (12)

Yeas: 8 Nays: 5

- Amendment PCB CIS 13-01 a1 Adopted
- Amendment PCB CIS 13-01 a10 Withdrawn
- Amendment PCB CIS 13-01 a11 Withdrawn
- Amendment PCB CIS 13-01 a12 Withdrawn
- Amendment PCB CIS 13-01 a2 Adopted Without Objection
- Amendment PCB CIS 13-01 a3 Adopted Without Objection
- Amendment PCB CIS 13-01 a4 Adopted Without Objection
- Amendment PCB CIS 13-01 a5 Withdrawn
- Amendment PCB CIS 13-01 a6 Adopted
- Amendment PCB CIS 13-01 a7 Withdrawn
- Amendment PCB CIS 13-01 a8 Withdrawn
- Amendment PCB CIS 13-01 a9 Withdrawn

Committee meeting was reported out: Wednesday, February 06, 2013 6:27:30PM

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

2/6/2013 2:00:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Michael Bileca (Chair)	X		
Larry Ahern	X		
Randolph Bracy	X		
Manny Diaz, Jr.	X		
Shevrin Jones	X		
Kionne McGhee	X		
Larry Metz	X		
George Moraitis, Jr.	X		
Kathleen Passidomo	X		
Michelle Rehwinkel Vasilinda	X		
Joe Saunders	X		
Ross Spano	X		
Charlie Stone	X		
Totals:	13	0	0

Committee meeting was reported out: Wednesday, February 06, 2013 6:27:30PM

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

2/6/2013 2:00:00PM

Location: 404 HOB

PCB CIS 13-01 : Charter Schools

Favorable With Amendments (12)

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Larry Ahern	X				
Randolph Bracy		X			
Manny Diaz, Jr.	X				
Shevrin Jones		X			
Kionne McGhee		X			
Larry Metz	X				
George Moraitis, Jr.	X				
Kathleen Passidomo	X				
Michelle Rehwinkel Vasilinda		X			
Joe Saunders		X			
Ross Spano	X				
Charlie Stone	X				
Michael Bileca (Chair)	X				
Total Yeas: 8		Total Nays: 5			

PCB CIS 13-01 Amendments

Amendment PCB CIS 13-01 a1

Adopted

Amendment PCB CIS 13-01 a10

Withdrawn

Amendment PCB CIS 13-01 a11

Withdrawn

Amendment PCB CIS 13-01 a12

Withdrawn

Amendment PCB CIS 13-01 a2

Adopted Without Objection

Amendment PCB CIS 13-01 a3

Adopted Without Objection

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PCB CIS 13-01 : Charter Schools (continued)

Amendment PCB CIS 13-01 a4

Adopted Without Objection

Amendment PCB CIS 13-01 a5

Withdrawn

Amendment PCB CIS 13-01 a6

Adopted

Amendment PCB CIS 13-01 a7

Withdrawn

Amendment PCB CIS 13-01 a8

Withdrawn

Amendment PCB CIS 13-01 a9

Withdrawn

Appearances:

PCB CIS 13-01 AMD 5

Micheal Kooi, Executive Director (State Employee) (At Request Of Chair) - Information Only
Florida Department of Education
325 West Gaines Street
Tallahassee Florida 32399
Phone: (850) 245-0502

PCB CIS 13-01 AMD 5 and 6

Joy Frank, General Counsel (Lobbyist) - Information Only
Florida Association of District School Superintendents
208 South Monroe Street
Tallahassee Florida 32301
Phone: (850) 509-4242

PCB CIS 13-01 AMD 6 and Bill

Tanya Cooper, Director (Lobbyist) (State Employee) - Waive In Support
Florida Department of Education
325 West Gaines Street
Tallahassee Florida 32399
Phone: (850) 245-9633

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COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

2/6/2013 2:00:00PM

Location: 404 HOB

PCB CIS 13-01 : Charter Schools (continued)

Appearances: (continued)

PCB CIS 13-01

Joanna Hassell (Lobbyist) (General Public) - Waive In Support
Foundation for Florida's Future
215 South Monroe Street
Tallahassee Florida 32301
Phone: 850.298.8571

PCB CIS 13-01

Jim Horne (Lobbyist) - Information Only
Florida Charter School Alliance and Charter Schools USA
Post Office Box 8339
Fleming Island Florida 32006
Phone: (904) 759-4596

PCB CIS 13-01

Iraida Mendez-Cartaya, Assistant Superintendent (Lobbyist) - Information Only
Miami-Dade Public Schools
1450 Northeast 2nd Avenue, 93
Miami Florida 33132
Phone: (305) 995-1497

PCB CIS 13-01

Wendy Dodge, Legislative Liaison (Lobbyist) - Proponent
Polk County Schools
Post Office Box 391
Bartow Florida 33830
Phone: (863) 838-3632

PCB CIS 13-01

Scott Howat, Senior Executive Director (Lobbyist) - Opponent
Orange County Public School
445 West Amelia Street
Orlando Florida 32801
Phone: (407) 317-3337

PCB CIS 13-01

Colleen Conklin - Information Only
Flagler County School Board
229 Ocean Palm Drive
Flagler Beach Florida 32136
Phone: (386) 569-9323

PCB CIS 13-01

Bob Cerra, Governmental Consultant (State Employee) - Opponent
Lee County School Board
206 South Monroe Street
Tallahassee Florida 32301
Phone: (850) 222-4428

Committee meeting was reported out: Wednesday, February 06, 2013 6:27:30PM

COMMITTEE MEETING REPORT

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Location: 404 HOB

PCB CIS 13-01 : Charter Schools (continued)

Appearances: (continued)

PCB CIS 13-01

Nikki Lowrey, State Director - Proponent

Students First

1705 Choctaw Trail

Maitland Florida 32751

Phone: (850) 251-0009

PCB CIS 13-01

Jorge Lugo, Teacher - Information Only

5004 Citrus Manor Southwest

Vero Beach Florida 32968

Phone: (772) 584-277

PCB CIS 13-01

Andreina Figueros (Lobbyist) - Proponent

Florida Consortium of Public Charter Schools

8460 Southwest 184 Street

Miami Florida 33157

PCB CIS 13-01

Jeff Wright, Director Public Policy (Lobbyist) - Information Only

Florida Education Association

213 South Adams Street

Tallahassee Florida 32301

Phone: (850) 224-2078

PCB CIS 13-01

Chris Moya, Lobbyist (Lobbyist) - Information Only

Charter School USA



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee

3 Representative Saunders offered the following:

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Amendment (with directory and title amendments)

Between lines 611 and 612, insert:

(d) A contract for a charter school employee, an educational service provider or vendor may not have a term that extends beyond the term of the school's charter contract and must provide that, in the event of a charter school's closure, the remainder of the employee, service provider or vendor contract is void and the employee, service provider or vendor is not entitled to compensation after the date of the school's closure. This paragraph applies to employee, service provider or vendor contracts entered into on or after July 1, 2013. A violation of this paragraph by a charter school is considered good cause for closure of the charter school under subsection (8).



Amendment No. 1

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D I R E C T O R Y A M E N D M E N T

Remove line 69 and insert:

Florida Statutes, are amended, and paragraph (d) is added to subsection (7), and paragraphs (o) and (p) are

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

Remove line 24 and insert:

circumstances; prohibiting a charter school from issuing contracts to employees, educational service providers, or vendors that extend beyond the term of the school's contract; rendering such contracts void and prohibiting compensation after charter school's closure; providing that violation of this provision is good cause for nonrenewal or termination of the charter; establishing student academic



Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee

3 Representative Moraitis offered the following:

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5 **Amendment**

6 Remove line 730 and insert:

7 the sponsor pursuant to the charter contract or such expenditure
 8 is for reasonable attorney's fees and costs during the pendency
 9 of any appeal.

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Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing PCB: Choice & Innovation

2 Subcommittee

3 Representative Moraitis offered the following:

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5 **Amendment**

6 Remove lines 864-866 and insert:

7 charter school may choose to maintain the charter school
8 facility or pay the school district the actual cost to maintain
9 the facility at the same standard and level it would maintain
10 any other district-operated school similar in age and condition.
11 Maintenance does not include capital improvements.

12



Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee
 3 Representative Moraitis offered the following:

Amendment

Remove lines 891-893 and insert:

7 (c) No employee of a charter school or his or her spouse, or an
 8 employee of a charter management organization or his or her
 9 spouse, may be a member of the charter school governing board.

10



Amendment No. 5

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee
 3 Representative Moraitis offered the following:

Amendment (with directory and title amendments)

Between lines 906 and 907, insert:

(1) A charter school is a high-performing charter school if
it:

(d) Is established primarily to serve students in the
 attendance zone of a school identified in need of intervention
 and support services pursuant to s. 1008.33(3)(b) if it is
 operated by an entity deemed to be a high performing charter
 school system by the State Board of Education pursuant to s.
 1002.332(1)(c).

D I R E C T O R Y A M E N D M E N T

Remove lines 904-905 and insert:



Amendment No. 5

21 Section 2. Subsections (1), (2), (4) and (5) of section
22 1002.331, Florida Statutes, are amended to read:

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

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Remove line 47 and insert:

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schools; clarifying the definition of high-performing charter

30

school; providing requirements for modification of a

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Amendment No. 6

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input checked="" type="checkbox"/> (Y) <input type="checkbox"/> (N)
ADOPTED AS AMENDED	<input type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee

3 Representative Moraitis offered the following:

Amendment (with directory and title amendments)

6 Between lines 994 and 995, insert:

7 (c) An entity that successfully operates a system of
 8 charter schools outside the state may apply to the State Board
 9 of Education for status as a high performing charter school
 10 system solely for the purpose of establishing a charter school
 11 that primarily serves students in the attendance zone of a
 12 school identified in need of intervention and support services
 13 pursuant to s. 1008.33(3) (b). The State Board of Education shall
 14 adopt by rule, a process for determining whether the entity
 15 meets the requirements of this paragraph by reviewing student
 16 demographic and performance data from all schools operated by
 17 the entity.



Amendment No. 6

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D I R E C T O R Y A M E N D M E N T

Remove line 964 and insert:

and paragraph (c) is added to subsection (1) to read:

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

Remove line 54 and insert:

system; providing for an entity operating outside the state to
obtain high-performing charter school system status;
establishing requirements to obtain such status; requiring the
State Board of Education to adopt by rule a process for
reviewing student demographic and performance data in
determining such status; requiring the commissioner to annually
review



Amendment No.7

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee

3 Representative Rehwinkel Vasilinda offered the following:

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 5 **Amendment (with title amendment)**

6 Remove lines 81-84 and insert:

7 c. The sponsor may not approve a charter for a charter
 8 school before the applicant has identified space, equipment, and
 9 ~~or personnel, if the applicant indicates approval is necessary~~
 10 ~~for it to raise working funds.~~

11
 12 -----

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

14 Remove line 3 and insert:

15 1002.33, F.S.; prohibiting approval of a charter under certain
 16 circumstances; requiring policies agreed to by the

17



Amendment No.8

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee

3 Representative Rehwinkel Vasilinda offered the following:

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5 **Amendment (with title amendment)**

6 Remove line 179 and insert:

7 projected enrollment trends. As a commitment of an applicant's
 8 financial health, a charter school shall deposit a bond with the
 9 sponsor sufficient to cover any contingencies in the event that
 10 the charter school closes before the end of its contract. The
 11 Department of Education may assist school districts in
 12 determining the appropriate bond for any applicant.

13

14

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

16 Between lines 12 and 13, insert:

17 requiring a charter school applicant to deposit a bond;

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Amendment No.9

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee
 3 Representative Rehwinkel Vasilinda offered the following:
 4

Amendment (with title amendment)

Remove lines 393-399 and insert:

The sponsor shall not impose unreasonable rules or

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

Remove line 17



Amendment No.10

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN (Y/N)

OTHER _____

1 Committee/Subcommittee hearing PCB: Choice & Innovation
2 Subcommittee

3 Representative Rehwinkel Vasilinda offered the following:

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5 **Amendment (with title amendment)**

6 Remove lines 559-562 and insert:

7 13. The facilities to be used and their location.

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

11 Remove lines 20-22 and insert:

12 of a final order in contract dispute cases; authorizing the

13 consolidation of multiple



Amendment No.11

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee
 3 Representative Rehwinkel Vasilinda offered the following:
 4

Amendment (with title amendment)

Remove lines 749-758 and insert:

7 (h) The capacity of the charter school shall be determined
 8 annually by the governing board, in conjunction with the
 9 sponsor, of the charter school in consideration of the factors
 10 identified in this subsection unless the charter school is
 11 designated as a high-performing charter school pursuant to s.
 12 1002.331. A sponsor may not require a charter school to waive
 13 the provisions of s. 1002.331 or require a student enrollment
 14 cap that prohibits a high-performing charter school from
 15 increasing enrollment in accordance with s. 1002.331(2) as a
 16 condition of approval or

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 18 -----
 19 **T I T L E A M E N D M E N T**



Amendment No.11

- 20 | Remove lines 31-33 and insert:
- 21 | specified information on a website; revising provisions



Amendment No.12

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing PCB: Choice & Innovation
 2 Subcommittee
 3 Representative Rehwinkel Vasilinda offered the following:
 4

Amendment (with directory and title amendments)

Remove lines 836-877

D I R E C T O R Y A M E N D M E N T

9
 10 Remove line 67 and insert:
 11 of subsection (17), paragraph
 12

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

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 14
 15 Remove lines 39-42 and insert:
 16 requiring the use of standard charter