



Choice & Innovation Subcommittee

Tuesday, February 10, 2015

8:30 AM – 10:00 AM

306 HOB

Meeting Packet

**Steve Crisafulli
Speaker**

**Manny Diaz
Chair**



AGENDA

Choice & Innovation Subcommittee
Tuesday, February 10, 2015
8:30 a.m. – 10:00 a.m.
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- I. Call to Order/Roll Call
- II. Welcome/Opening Remarks
- III. Workshop on the following:
 - School choice
- IV. Closing Remarks and Adjournment

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1
 2 An act relating to school choice; amending s. 1002.33,
 3 F.S.; clarifying requirements for creation of a
 4 virtual charter school; revising required contents of
 5 charter school applications; requiring a sponsor to
 6 allow a charter school applicant to correct material
 7 and technical deficiencies in an application;
 8 conforming provisions regarding the appeal process for
 9 denial of a high-performing charter school
 10 application; requiring a charter school applicant to
 11 provide monthly financial statements before opening;
 12 specifying that the reading curriculum in a charter
 13 school's charter satisfies research-based reading plan
 14 requirements; revising charter provisions relating to
 15 long-term charters and termination of a charter;
 16 revising conditions for termination of a charter;
 17 authorizing governing board members to participate in
 18 public meetings in person or through communications
 19 media technology; revising the participants in and
 20 activities of charter school cooperatives; providing
 21 requirements for payment to charter schools; revising
 22 criteria for local educational agency status for
 23 charter school systems; amending s. 1002.331, F.S.;
 24 revising limits on high-performing charter school
 25 replication; repealing obsolete provisions; conforming

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26 a cross-reference; creating s. 1002.333, F.S.,
 27 establishing criteria for evaluating charter school
 28 sponsor performance; requiring annual performance
 29 review by the Commissioner of Education; authorizing
 30 corrective actions; amending s. 1002.37, F.S.;
 31 conforming a cross-reference; amending s. 1002.45,
 32 F.S.; conforming a cross-reference; revising
 33 conditions for termination of a virtual instruction
 34 provider's contract; repealing 1002.455, F.S.;
 35 amending s. 1003.498, F.S.; conforming a cross-
 36 reference; creating s. 1004.650; establishing the
 37 Florida Charter School Innovation Institute;
 38 specifying requirements for the institute; amending s.
 39 1012.56, F.S.; providing that a charter school may
 40 develop and operate a professional development
 41 certification and education competency program;
 42 amending s. 1013.62, F.S.; revising eligibility
 43 requirements for charter school capital outlay
 44 funding; providing an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. Subsection (1), paragraphs (a), (b), and (c) of
 49 subsection (6), subsection (7), paragraphs (e), (f), and (g) of
 50 subsection (8), paragraphs (n) and (p) of subsection (9),

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51 subsection (13), paragraphs (b) and (e) of subsection (17),
 52 subsection (21), and subsection (25) of section 1002.33, Florida
 53 Statutes, are amended, paragraphs (g) and (h) of subsection (6)
 54 are redesignated as paragraphs (h) and (i), respectively, and a
 55 new paragraph (g) is added to that section, and a new paragraph
 56 (h) is added to subsection (8) to read:

57 1002.33 Charter schools.—

58 (1) AUTHORIZATION.—Charter schools shall be part of the
 59 state's program of public education. All charter schools in
 60 Florida are public schools. A charter school may be formed by
 61 creating a new school or converting an existing public school to
 62 charter status. A charter school may operate a virtual charter
 63 school pursuant to s. 1002.45(1)(d) to provide full-time online
 64 instruction to eligible students, ~~pursuant to s. 1002.455,~~ in
 65 kindergarten through grade 12. An existing charter school that
 66 is seeking to become a virtual charter school must amend its
 67 charter or submit a new application pursuant to subsection (6)
 68 to become a virtual charter school. A virtual charter school is
 69 subject to the requirements of this section; however, a virtual
 70 charter school is exempt from subsections (18) and (19),
 71 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
 72 s. 1003.03. A public school may not use the term charter in its
 73 name unless it has been approved under this section.

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

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76 (a) A person or entity seeking ~~wishing~~ to open a charter
 77 school shall prepare and submit an application on a model
 78 application form prepared by the Department of Education which:

79 1. Demonstrates how the school will use the guiding
 80 principles and meet the statutorily defined purpose of a charter
 81 school.

82 2. Provides a detailed curriculum plan that illustrates
 83 how students will be provided services to attain the Sunshine
 84 State Standards.

85 3. Contains goals and objectives for improving student
 86 learning and measuring that improvement. These goals and
 87 objectives must indicate how much academic improvement students
 88 are expected to show each year, how success will be evaluated,
 89 and the specific results to be attained through instruction.

90 4. Describes the reading curriculum and differentiated
 91 strategies that will be used for students reading at grade level
 92 or higher and a separate curriculum and strategies for students
 93 who are reading below grade level. A sponsor shall deny an
 94 application ~~charter~~ if the school does not propose a reading
 95 curriculum that is consistent with effective teaching strategies
 96 that are grounded in scientifically based reading research, but
 97 shall not require the school to implement the reading curriculum
 98 adopted by the school district.

99 5. Contains an annual financial plan for each year
 100 requested by the charter for operation of the school for up to 5

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101 | years. This plan must contain anticipated fund balances based on
 102 | revenue projections, a spending plan based on projected revenues
 103 | and expenses, and a description of controls that will safeguard
 104 | finances and projected enrollment trends.

105 | 6. Discloses the name of each applicant, governing board
 106 | member, and proposed management company, if any; the name and
 107 | sponsor of any charter school operated by such parties; and the
 108 | academic and financial history of such charter schools, which
 109 | the sponsor shall consider in deciding to approve or deny the
 110 | application.

111 | ~~7.6-~~ Contains additional information a sponsor may
 112 | require, which shall be attached as an addendum to the charter
 113 | school application described in this paragraph.

114 | ~~8.7-~~ For the establishment of a virtual charter school,
 115 | documents that the applicant has contracted with a provider of
 116 | virtual instruction services pursuant to s. 1002.45(1)(d).

117 | (b) A sponsor shall receive and review all applications
 118 | for a charter school using the ~~an~~ evaluation instrument
 119 | developed by the Department of Education. A sponsor shall
 120 | receive and consider charter school applications received on or
 121 | before August 1 of each calendar year for charter schools to be
 122 | opened at the beginning of the school district's next school
 123 | year, or to be opened at a time agreed to by the applicant and
 124 | the sponsor. A sponsor may not refuse to receive a charter
 125 | school application submitted before August 1 and may receive an

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126 application submitted later than August 1 if it chooses. In
 127 order to facilitate greater collaboration in the application
 128 process, an applicant may submit a draft charter school
 129 application on or before May 1 with an application fee of \$500.
 130 If a draft application is timely submitted, the sponsor shall
 131 review and provide feedback as to material deficiencies in the
 132 application by July 1. The applicant shall then have until
 133 August 1 to resubmit a revised and final application. The
 134 sponsor may approve the draft application. Except as provided
 135 for a draft application, a sponsor may not charge an applicant
 136 for a charter any fee for the processing or consideration of an
 137 application, and a sponsor may not base its consideration or
 138 approval of a final application upon the promise of future
 139 payment of any kind. Before approving or denying any final
 140 application, the sponsor shall allow the applicant, upon receipt
 141 of written notification, at least 7 calendar days to make
 142 ~~technical or nonsubstantive~~ corrections and clarifications to
 143 address any deficiencies, ~~including, but not limited to,~~
 144 ~~corrections of grammatical, typographical, and like errors or~~
 145 ~~missing signatures, if such errors are identified by the sponsor~~
 146 as cause to deny the final application.

147 1. In order to facilitate an accurate budget projection
 148 process, a sponsor shall be held harmless for FTE students who
 149 are not included in the FTE projection due to approval of
 150 charter school applications after the FTE projection deadline.

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151 In a further effort to facilitate an accurate budget projection,
 152 within 15 calendar days after receipt of a charter school
 153 application, a sponsor shall report to the Department of
 154 Education the name of the applicant entity, the proposed charter
 155 school location, and its projected FTE.

156 2. In order to ensure fiscal responsibility, an
 157 application for a charter school shall include a full accounting
 158 of expected assets, a projection of expected sources and amounts
 159 of income, including income derived from projected student
 160 enrollments and from community support, and an expense
 161 projection that includes full accounting of the costs of
 162 operation, including start-up costs.

163 3.a. A sponsor shall by a majority vote approve or deny an
 164 application no later than 60 calendar days after the application
 165 is received, unless the sponsor and the applicant mutually agree
 166 in writing to temporarily postpone the vote to a specific date,
 167 at which time the sponsor shall by a majority vote approve or
 168 deny the application. If the sponsor fails to act on the
 169 application, an applicant may appeal to the State Board of
 170 Education as provided in paragraph (c). If an application is
 171 denied, the sponsor shall, within 10 calendar days after such
 172 denial, articulate in writing the specific reasons, based upon
 173 good cause, supporting its denial of the ~~charter~~ application and
 174 shall provide the letter of denial and supporting documentation
 175 to the applicant and to the Department of Education.

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176 b. An application submitted by a high-performing charter
 177 school identified pursuant to s. 1002.331 may be denied by the
 178 sponsor only if the sponsor demonstrates by clear and convincing
 179 evidence that:

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

182 (II) The charter school proposed in the application does
 183 not materially comply with the requirements in paragraphs
 184 (9) (a) - (f);

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

188 (IV) The applicant has made a material misrepresentation
 189 or false statement or concealed an essential or material fact
 190 during the application process; or

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

194
 195 Material noncompliance is a failure to follow requirements or a
 196 violation of prohibitions applicable to charter school
 197 applications, which failure is quantitatively or qualitatively
 198 significant either individually or when aggregated with other
 199 noncompliance. An applicant is considered to be replicating a
 200 high-performing charter school if the proposed school is

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201 substantially similar to at least one of the applicant's high-
 202 performing charter schools and the organization or individuals
 203 involved in the establishment and operation of the proposed
 204 school are significantly involved in the operation of replicated
 205 schools.

206 c. If the sponsor denies an application submitted by a
 207 high-performing charter school, the sponsor must, within 10
 208 calendar days after such denial, state in writing the specific
 209 reasons, based upon the criteria in sub-subparagraph b.,
 210 supporting its denial of the application and must provide the
 211 letter of denial and supporting documentation to the applicant
 212 and to the Department of Education. The applicant may appeal the
 213 sponsor's denial of the application ~~directly~~ to the State Board
 214 of Education pursuant to paragraph (c) and must provide the
 215 sponsor with a copy of the appeal ~~sub-subparagraph (e)3.b.~~

216 4. For budget projection purposes, the sponsor shall
 217 report to the Department of Education the approval or denial of
 218 an charter application within 10 calendar days after such
 219 approval or denial. In the event of approval, the report to the
 220 Department of Education shall include the final projected FTE
 221 for the approved charter school.

222 5. Upon approval of an charter application, the initial
 223 startup shall commence with the beginning of the public school
 224 calendar for the district in which the charter is granted unless
 225 the sponsor allows a waiver of this subparagraph for good cause.

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226 (c)1. An applicant may appeal any denial of that
 227 applicant's application or failure to act on an application to
 228 the State Board of Education within ~~no later than~~ 30 calendar
 229 days after receipt of the sponsor's decision or failure to act
 230 and shall notify the sponsor of its appeal. Any response of the
 231 sponsor shall be submitted to the State Board of Education
 232 within 30 calendar days after notification of the appeal. Upon
 233 receipt of notification from the State Board of Education that a
 234 charter school applicant is filing an appeal, the Commissioner
 235 of Education shall convene a meeting of the Charter School
 236 Appeal Commission to study and make recommendations to the State
 237 Board of Education regarding its pending decision about the
 238 appeal. The commission shall forward its recommendation to the
 239 state board at least 7 calendar days before the date on which
 240 the appeal is to be heard. An appeal regarding the denial of an
 241 application submitted by a high-performing charter school
 242 pursuant to s. 1002.331 shall be conducted by the State Board of
 243 Education in accordance with this paragraph, except that the
 244 commission shall not convene to make recommendations regarding
 245 the appeal. However, the Commissioner of Education shall review
 246 the appeal and make a recommendation to the state board.

247 2. The Charter School Appeal Commission or, in the case of
 248 an appeal regarding an application submitted by a high-
 249 performing charter school, the State Board of Education may
 250 reject an appeal submission for failure to comply with

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251 procedural rules governing the appeals process. The rejection
 252 shall describe the submission errors. The appellant shall have
 253 15 calendar days after notice of rejection in which to resubmit
 254 an appeal that meets the requirements set forth in State Board
 255 of Education rule. An appeal submitted subsequent to such
 256 rejection is considered timely if the original appeal was filed
 257 within 30 calendar days after receipt of notice of the specific
 258 reasons for the sponsor's denial of the ~~charter~~ application.

259 3.a. The State Board of Education shall by majority vote
 260 accept or reject the decision of the sponsor no later than 90
 261 calendar days after an appeal is filed in accordance with State
 262 Board of Education rule. The State Board of Education shall
 263 remand the application to the sponsor with its written decision
 264 that the sponsor approve or deny the application. The sponsor
 265 shall implement the decision of the State Board of Education.
 266 The decision of the State Board of Education is not subject to
 267 the provisions of the Administrative Procedure Act, chapter 120.

268 b. If an appeal concerns an application submitted by a
 269 high-performing charter school identified pursuant to s.
 270 1002.331, the State Board of Education shall determine whether
 271 the sponsor's denial of the application complies with the
 272 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
 273 ~~clear and convincing evidence, that:~~

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

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276 ~~(II) The charter school proposed in the application does~~
 277 ~~not materially comply with the requirements in paragraphs~~
 278 ~~(9) (a) (f);~~

279 ~~(III) The proposed charter school's educational program~~
 280 ~~does not substantially replicate that of the applicant or one of~~
 281 ~~the applicant's high performing charter schools;~~

282 ~~(IV) The applicant has made a material misrepresentation~~
 283 ~~or false statement or concealed an essential or material fact~~
 284 ~~during the application process; or~~

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

288
 289 The State Board of Education shall approve or reject the
 290 sponsor's denial of an application no later than 90 calendar
 291 days after an appeal is filed in accordance with State Board of
 292 Education rule. The State Board of Education shall remand the
 293 application to the sponsor with its written decision that the
 294 sponsor approve or deny the application. The sponsor shall
 295 implement the decision of the State Board of Education. The
 296 decision of the State Board of Education is not subject to the
 297 Administrative Procedure Act, chapter 120.

298 (7) CHARTER.—The major issues involving the operation of a
 299 charter school shall be considered in advance and written into
 300 the charter. The charter shall be signed by the governing board

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301 | of the charter school and the sponsor, following a public
 302 | hearing to ensure community input.

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

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

307 | 2. The focus of the curriculum, the instructional methods
 308 | to be used, any distinctive instructional techniques to be
 309 | employed, and identification and acquisition of appropriate
 310 | technologies needed to improve educational and administrative
 311 | performance which include a means for promoting safe, ethical,
 312 | and appropriate uses of technology which comply with legal and
 313 | professional standards.

314 | a. The charter shall ensure that reading is a primary
 315 | focus of the curriculum and that resources are provided to
 316 | identify and provide specialized instruction for students who
 317 | are reading below grade level. The curriculum and instructional
 318 | strategies for reading must be consistent with the Next
 319 | Generation Sunshine State Standards and grounded in
 320 | scientifically based reading research. For purposes of
 321 | determining eligibility for the research-based reading
 322 | allocation, the reading curriculum and instructional strategies
 323 | specified in the charter satisfy the research-based reading plan
 324 | requirement under s. 1011.62(9).

325 | b. In order to provide students with access to diverse

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326 instructional delivery models, to facilitate the integration of
 327 technology within traditional classroom instruction, and to
 328 provide students with the skills they need to compete in the
 329 21st century economy, the Legislature encourages instructional
 330 methods for blended learning courses consisting of both
 331 traditional classroom and online instructional techniques.
 332 Charter schools may implement blended learning courses which
 333 combine traditional classroom instruction and virtual
 334 instruction. Students in a blended learning course must be full-
 335 time students of the charter school and receive the online
 336 instruction in a classroom setting at the charter school.
 337 Instructional personnel certified pursuant to s. 1012.55 who
 338 provide virtual instruction for blended learning courses may be
 339 employees of the charter school or may be under contract to
 340 provide instructional services to charter school students. At a
 341 minimum, such instructional personnel must hold an active state
 342 or school district adjunct certification under s. 1012.57 for
 343 the subject area of the blended learning course. The funding and
 344 performance accountability requirements for blended learning
 345 courses are the same as those for traditional courses.

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

350 a. How the baseline student academic achievement levels

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351 and prior rates of academic progress will be established.

352 b. How these baseline rates will be compared to rates of
 353 academic progress achieved by these same students while
 354 attending the charter school.

355 c. To the extent possible, how these rates of progress
 356 will be evaluated and compared with rates of progress of other
 357 closely comparable student populations.

358
 359 The district school board is required to provide academic
 360 student performance data to charter schools for each of their
 361 students coming from the district school system, as well as
 362 rates of academic progress of comparable student populations in
 363 the district school system.

364 4. The methods used to identify the educational strengths
 365 and needs of students and how well educational goals and
 366 performance standards are met by students attending the charter
 367 school. The methods shall provide a means for the charter school
 368 to ensure accountability to its constituents by analyzing
 369 student performance data and by evaluating the effectiveness and
 370 efficiency of its major educational programs. Students in
 371 charter schools shall, at a minimum, participate in the
 372 statewide assessment program created under s. 1008.22.

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

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

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

380 8. The ways by which the school will achieve a
381 racial/ethnic balance reflective of the community it serves or
382 within the racial/ethnic range of other public schools in the
383 same school district.

384 9. The financial and administrative management of the
385 school, including a reasonable demonstration of the professional
386 experience or competence of those individuals or organizations
387 applying to operate the charter school or those hired or
388 retained to perform such professional services and the
389 description of clearly delineated responsibilities and the
390 policies and practices needed to effectively manage the charter
391 school. A description of internal audit procedures and
392 establishment of controls to ensure that financial resources are
393 properly managed must be included. Both public sector and
394 private sector professional experience shall be equally valid in
395 such a consideration.

396 10. The asset and liability projections required in the
397 application which are incorporated into the charter and shall be
398 compared with information provided in the annual report of the
399 charter school.

400 11. A description of procedures that identify various

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401 risks and provide for a comprehensive approach to reduce the
 402 impact of losses; plans to ensure the safety and security of
 403 students and staff; plans to identify, minimize, and protect
 404 others from violent or disruptive student behavior; and the
 405 manner in which the school will be insured, including whether or
 406 not the school will be required to have liability insurance,
 407 and, if so, the terms and conditions thereof and the amounts of
 408 coverage.

409 12. ~~The term of the charter which shall provide for~~
 410 ~~cancellation of the charter if insufficient progress has been~~
 411 ~~made in attaining the student achievement objectives of the~~
 412 ~~charter and if it is not likely that such objectives can be~~
 413 ~~achieved before expiration of the charter.~~ The initial term of
 414 the a charter is either shall be for 4 or 5 years. ~~In order to~~
 415 ~~facilitate access to long term financial resources for charter~~
 416 ~~school construction,~~ Charter schools that are operated by a
 417 municipality or other public entity, as provided by law, or a
 418 private, not-for-profit, s. 501(c)(3) status corporation are
 419 eligible for up to a 15-year charter, subject to approval by the
 420 district school board. A charter lab school is also eligible for
 421 a charter for a term of up to 15 years. ~~In addition, to~~
 422 ~~facilitate access to long term financial resources for charter~~
 423 ~~school construction,~~ charter schools that are operated by a
 424 ~~private, not for profit, s. 501(c)(3) status corporation~~ are
 425 eligible for up to a 15 year charter, subject to approval by the

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426 ~~district school board.~~ Such long-term charters remain subject to
 427 annual review and may be terminated during the term of the
 428 charter, but only according to ~~the provisions set forth in~~
 429 subsection (8) or paragraph (9) (n).

430 13. Termination or nonrenewal of the charter pursuant to
 431 subsection (8) or paragraph (9) (n).

432 ~~14.13.~~ The facilities to be used and their location. The
 433 sponsor may not require a charter school to have a certificate
 434 of occupancy or a temporary certificate of occupancy for such a
 435 facility earlier than 15 calendar days before the first day of
 436 school.

437 ~~15.14.~~ The qualifications to be required of the teachers
 438 and the potential strategies used to recruit, hire, train, and
 439 retain qualified staff to achieve best value.

440 ~~16.15.~~ The governance structure of the school, including
 441 the status of the charter school as a public or private employer
 442 as required in paragraph (12) (i).

443 ~~17.16.~~ A timetable for implementing the charter which
 444 addresses the implementation of each element thereof and the
 445 date by which the charter shall be awarded in order to meet this
 446 timetable.

447 ~~18.17.~~ In the case of an existing public school that is
 448 being converted to charter status, alternative arrangements for
 449 current students who choose not to attend the charter school and
 450 for current teachers who choose not to teach in the charter

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451 school after conversion in accordance with the existing
 452 collective bargaining agreement or district school board rule in
 453 the absence of a collective bargaining agreement. However,
 454 alternative arrangements shall not be required for current
 455 teachers who choose not to teach in a charter lab school, except
 456 as authorized by the employment policies of the state university
 457 which grants the charter to the lab school.

458 ~~19.18-~~ Full disclosure of the identity of all relatives
 459 employed by the charter school who are related to the charter
 460 school owner, president, chairperson of the governing board of
 461 directors, superintendent, governing board member, principal,
 462 assistant principal, or any other person employed by the charter
 463 school who has equivalent decisionmaking authority. For the
 464 purpose of this subparagraph, the term "relative" means father,
 465 mother, son, daughter, brother, sister, uncle, aunt, first
 466 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 467 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 468 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 469 stepsister, half brother, or half sister.

470 ~~20.19-~~ Implementation of the activities authorized under
 471 s. 1002.331 by the charter school when it satisfies the
 472 eligibility requirements for a high-performing charter school. A
 473 high-performing charter school shall notify its sponsor in
 474 writing by March 1 if it intends to increase enrollment or
 475 expand grade levels the following school year. The written

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476 notice shall specify the amount of the enrollment increase and
 477 the grade levels that will be added, as applicable.

478 (b)1. A charter may be renewed provided that a program
 479 review demonstrates that the criteria in paragraph (a) have been
 480 successfully accomplished and that none of the grounds for
 481 nonrenewal established by paragraph (8)(a) has been documented.
 482 ~~In order to facilitate long term financing for charter school~~
 483 ~~construction,~~ Charter schools operating for a minimum of 3 years
 484 and demonstrating exemplary academic programming and fiscal
 485 management are eligible for a 15-year charter renewal. Such
 486 long-term charter is subject to annual review and may be
 487 terminated during the term of the charter.

488 2. The 15-year charter renewal that may be granted
 489 pursuant to subparagraph 1. shall be granted to a charter school
 490 that has received a school grade of "A" or "B" pursuant to s.
 491 1008.34 in 3 of the past 4 years and is not in a state of
 492 financial emergency or deficit position as defined by this
 493 section. Such long-term charter is subject to annual review and
 494 may be terminated during the term of the charter pursuant to
 495 subsection (8).

496 (c) A charter may be modified during its initial term or
 497 any renewal term upon the recommendation of the sponsor or the
 498 charter school's governing board and the approval of both
 499 parties to the agreement. Modification may include, but is not
 500 limited to, consolidation of multiple charters into a single

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501 charter if the charters are operated under the same governing
 502 board and physically located on the same campus, regardless of
 503 the renewal cycle.

504 ~~(d)1. Each charter school's governing board must appoint a~~
 505 ~~representative to facilitate parental involvement, provide~~
 506 ~~access to information, assist parents and others with questions~~
 507 ~~and concerns, and resolve disputes. The representative must~~
 508 ~~reside in the school district in which the charter school is~~
 509 ~~located and may be a governing board member, charter school~~
 510 ~~employee, or individual contracted to represent the governing~~
 511 ~~board. If the governing board oversees multiple charter schools~~
 512 ~~in the same school district, the governing board must appoint a~~
 513 ~~separate individual representative for each charter school in~~
 514 ~~the district. The representative's contact information must be~~
 515 ~~provided annually in writing to parents and posted prominently~~
 516 ~~on the charter school's website if a website is maintained by~~
 517 ~~the school. The sponsor may not require that governing board~~
 518 ~~members reside in the school district in which the charter~~
 519 ~~school is located if the charter school complies with this~~
 520 ~~paragraph.~~

521 ~~2. Each charter school's governing board must hold at~~
 522 ~~least two public meetings per school year in the school~~
 523 ~~district. The meetings must be noticed, open, and accessible to~~
 524 ~~the public, and attendees must be provided an opportunity to~~
 525 ~~receive information and provide input regarding the charter~~

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526 ~~school's operations. The appointed representative and charter~~
 527 ~~school principal or director, or his or her equivalent, must be~~
 528 ~~physically present at each meeting.~~

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

530 (e) When a charter is not renewed or is terminated or when
 531 a charter school is closed voluntarily by the operator, the
 532 school shall be dissolved under the provisions of law under
 533 which the school was organized, and any unencumbered public
 534 funds, except for capital outlay funds and federal charter
 535 school program grant funds, from the charter school shall revert
 536 to the sponsor. Capital outlay funds provided pursuant to s.
 537 1013.62 and federal charter school program grant funds that are
 538 unencumbered shall revert to the department to be redistributed
 539 among eligible charter schools. In the event a charter school is
 540 dissolved or is otherwise terminated, all district school board
 541 property and improvements, furnishings, and equipment purchased
 542 with public funds shall automatically revert to full ownership
 543 by the district school board, subject to complete satisfaction
 544 of any lawful liens or encumbrances. Any unencumbered public
 545 funds from the charter school, district school board property
 546 and improvements, furnishings, and equipment purchased with
 547 public funds, or financial or other records pertaining to the
 548 charter school, in the possession of any person, entity, or
 549 holding company, other than the charter school, shall be held in
 550 trust upon the district school board's request, until any appeal

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551 status is resolved.

552 (f) If a charter is not renewed or is terminated or a
 553 charter school is closed voluntarily by the operator, the
 554 charter school is responsible for all debts of the charter
 555 school. The district may not assume the debt from any contract
 556 made between the governing body of the school and a third party,
 557 except for a debt that is previously detailed and agreed upon in
 558 writing by both the district and the governing body of the
 559 school and that may not reasonably be assumed to have been
 560 satisfied by the district.

561 (g) If a charter is not renewed or is terminated, a
 562 student who attended the school may apply to, and shall be
 563 enrolled in, another public school. Normal application deadlines
 564 shall be disregarded under such circumstances.

565 (h) The governing board of a charter school that closes
 566 voluntarily shall notify the sponsor and the department in
 567 writing within 7 calendar days of its decision to cease
 568 operations. The notice shall state the reasons for the closure
 569 and acknowledge that the governing board agrees to follow the
 570 procedures for dissolution and reversion of public funds
 571 specified in this subsection and paragraph (9) (o).

572 (9) CHARTER SCHOOL REQUIREMENTS.—

573 (g)1. In order to provide financial information that is
 574 comparable to that reported for other public schools, charter
 575 schools are to maintain all financial records that constitute

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576 their accounting system:

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

581 b. At the discretion of the charter school's governing
 582 board, a charter school may elect to follow generally accepted
 583 accounting standards for not-for-profit organizations, but must
 584 reformat this information for reporting according to this
 585 paragraph.

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

594 3. A charter school shall, upon execution of the contract,
 595 provide the sponsor with a concise, uniform, monthly financial
 596 statement summary sheet that contains a balance sheet and a
 597 statement of revenue, expenditures, and changes in fund balance.
 598 The balance sheet and the statement of revenue, expenditures,
 599 and changes in fund balance shall be in the governmental funds
 600 format prescribed by the Governmental Accounting Standards

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601 Board. A high-performing charter school pursuant to s. 1002.331
 602 may provide a quarterly financial statement in the same format
 603 and requirements as the uniform monthly financial statement
 604 summary sheet. The sponsor shall review each monthly financial
 605 statement, to identify the existence of any conditions
 606 identified in s. 1002.345 (1)(a).

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

611 (n)1. The director and a representative of the governing
 612 board of a charter school that has earned a grade of "D" or "F"
 613 pursuant to s. 1008.34 shall appear before the sponsor to
 614 present information concerning each contract component having
 615 noted deficiencies. The director and a representative of the
 616 governing board shall submit to the sponsor for approval a
 617 school improvement plan to raise student performance. Upon
 618 approval by the sponsor, the charter school shall begin
 619 implementation of the school improvement plan. The department
 620 shall offer technical assistance and training to the charter
 621 school and its governing board and establish guidelines for
 622 developing, submitting, and approving such plans.

623 2.a. If a charter school earns three consecutive grades of
 624 "D," two consecutive grades of "D" followed by a grade of "F,"
 625 or two nonconsecutive grades of "F" within a 3-year period, the

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626 charter school governing board shall choose one of the following
 627 corrective actions:

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

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

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

635 (IV) Voluntarily close the charter school.

636 b. The charter school must implement the corrective action
 637 in the school year following receipt of a third consecutive
 638 grade of "D," a grade of "F" following two consecutive grades of
 639 "D," or a second nonconsecutive grade of "F" within a 3-year
 640 period.

641 c. The sponsor may annually waive a corrective action if
 642 it determines that the charter school is likely to improve a
 643 letter grade if additional time is provided to implement the
 644 intervention and support strategies prescribed by the school
 645 improvement plan. Notwithstanding this sub-subparagraph, a
 646 charter school that earns a second consecutive grade of "F" is
 647 subject to subparagraph 4.

648 d. A charter school is no longer required to implement a
 649 corrective action if it improves by at least one letter grade.
 650 However, the charter school must continue to implement

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651 | strategies identified in the school improvement plan. The
 652 | sponsor must annually review implementation of the school
 653 | improvement plan to monitor the school's continued improvement
 654 | pursuant to subparagraph 5.

655 | e. A charter school implementing a corrective action that
 656 | does not improve by at least one letter grade after 2 full
 657 | school years of implementing the corrective action must select a
 658 | different corrective action. Implementation of the new
 659 | corrective action must begin in the school year following the
 660 | implementation period of the existing corrective action, unless
 661 | the sponsor determines that the charter school is likely to
 662 | improve a letter grade if additional time is provided to
 663 | implement the existing corrective action. Notwithstanding this
 664 | sub-subparagraph, a charter school that earns a second
 665 | consecutive grade of "F" while implementing a corrective action
 666 | is subject to subparagraph 4.

667 | 3. A charter school with a grade of "D" or "F" that
 668 | improves by at least one letter grade must continue to implement
 669 | the strategies identified in the school improvement plan. The
 670 | sponsor must annually review implementation of the school
 671 | improvement plan to monitor the school's continued improvement
 672 | pursuant to subparagraph 5.

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

675 | a. The charter school is established to turn around the

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676 performance of a district public school pursuant to s.
 677 1008.33(4)(b)3. Such charter schools shall be governed by s.
 678 1008.33;

679 b. The charter school serves a student population the
 680 majority of which resides in a school zone served by a district
 681 public school that earned a grade of "F" in the year before the
 682 charter school opened and the charter school earns at least a
 683 grade of "D" in its third year of operation. The exception
 684 provided under this sub-subparagraph does not apply to a charter
 685 school in its fourth year of operation and thereafter; or

686 c. The state board grants the charter school a waiver of
 687 termination. The charter school must request the waiver within
 688 15 days after the department's official release of school
 689 grades. The state board may waive termination if the charter
 690 school demonstrates that the Learning Gains of its students on
 691 statewide assessments are comparable to or better than the
 692 Learning Gains of similarly situated students enrolled in nearby
 693 district public schools. The waiver is valid for 1 year and may
 694 only be granted once. Charter schools that have been in
 695 operation for more than 5 years are not eligible for a waiver
 696 under this sub-subparagraph.

697 5. The director and a representative of the governing
 698 board of a graded charter school that has implemented a school
 699 improvement plan under this paragraph shall appear before the
 700 sponsor at least once a year to present information regarding

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701 the progress of intervention and support strategies implemented
 702 by the school pursuant to the school improvement plan and
 703 corrective actions, if applicable. The sponsor shall communicate
 704 at the meeting, and in writing to the director, the services
 705 provided to the school to help the school address its
 706 deficiencies.

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

710 (p) Each charter school shall maintain a website that
 711 enables the public to obtain information regarding the school;
 712 the school's academic performance; the names of the governing
 713 board members; the programs at the school; any management
 714 companies, service providers, or education management
 715 corporations associated with the school; the school's annual
 716 budget and its annual independent fiscal audit; the school's
 717 grade pursuant to s. 1008.34; and, on a quarterly basis, the
 718 minutes of governing board meetings.

719 (a) No district school board, or district school board employee
 720 who has control over personnel actions, shall take unlawful
 721 reprisal against another district school board employee because
 722 that employee is either directly or indirectly involved with an
 723 application to establish a charter school. As used in this
 724 subsection, the term "unlawful reprisal" means an action taken
 725 by a district school board or a school system employee against

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726 an employee who is directly or indirectly involved in a lawful
 727 application to establish a charter school, which occurs as a
 728 direct result of that involvement, and which results in one or
 729 more of the following: disciplinary or corrective action;
 730 adverse transfer or reassignment, whether temporary or
 731 permanent; suspension, demotion, or dismissal; an unfavorable
 732 performance evaluation; a reduction in pay, benefits, or
 733 rewards; elimination of the employee's position absent of a
 734 reduction in workforce as a result of lack of moneys or work; or
 735 other adverse significant changes in duties or responsibilities
 736 that are inconsistent with the employee's salary or employment
 737 classification. The following procedures shall apply to an
 738 alleged unlawful reprisal that occurs as a consequence of an
 739 employee's direct or indirect involvement with an application to
 740 establish a charter school:

741 1. Within 60 days after the date upon which a reprisal
 742 prohibited by this subsection is alleged to have occurred, an
 743 employee may file a complaint with the Department of Education.

744 2. Within 3 working days after receiving a complaint under
 745 this section, the Department of Education shall acknowledge
 746 receipt of the complaint and provide copies of the complaint and
 747 any other relevant preliminary information available to each of
 748 the other parties named in the complaint, which parties shall
 749 each acknowledge receipt of such copies to the complainant.

750 3. If the Department of Education determines that the

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751 | complaint demonstrates reasonable cause to suspect that an
 752 | unlawful reprisal has occurred, the Department of Education
 753 | shall conduct an investigation to produce a fact-finding report.

754 | 4. Within 90 days after receiving the complaint, the
 755 | Department of Education shall provide the district school
 756 | superintendent of the complainant's district and the complainant
 757 | with a fact-finding report that may include recommendations to
 758 | the parties or a proposed resolution of the complaint. The fact-
 759 | finding report shall be presumed admissible in any subsequent or
 760 | related administrative or judicial review.

761 | 5. If the Department of Education determines that
 762 | reasonable grounds exist to believe that an unlawful reprisal
 763 | has occurred, is occurring, or is to be taken, and is unable to
 764 | conciliate a complaint within 60 days after receipt of the fact-
 765 | finding report, the Department of Education shall terminate the
 766 | investigation. Upon termination of any investigation, the
 767 | Department of Education shall notify the complainant and the
 768 | district school superintendent of the termination of the
 769 | investigation, providing a summary of relevant facts found
 770 | during the investigation and the reasons for terminating the
 771 | investigation. A written statement under this paragraph is
 772 | presumed admissible as evidence in any judicial or
 773 | administrative proceeding.

774 | 6. The Department of Education shall either contract with
 775 | the Division of Administrative Hearings under s. 120.65, or

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776 otherwise provide for a complaint for which the Department of
 777 Education determines reasonable grounds exist to believe that an
 778 unlawful reprisal has occurred, is occurring, or is to be taken,
 779 and is unable to conciliate, to be heard by a panel of impartial
 780 persons. Upon hearing the complaint, the panel shall make
 781 findings of fact and conclusions of law for a final decision by
 782 the Department of Education.

783
 784 It shall be an affirmative defense to any action brought
 785 pursuant to this section that the adverse action was predicated
 786 upon grounds other than, and would have been taken absent, the
 787 employee's exercise of rights protected by this section.

788 (b) In any action brought under this section for which it
 789 is determined reasonable grounds exist to believe that an
 790 unlawful reprisal has occurred, is occurring, or is to be taken,
 791 the relief shall include the following:

792 1. Reinstatement of the employee to the same position held
 793 before the unlawful reprisal was commenced, or to an equivalent
 794 position, or payment of reasonable front pay as alternative
 795 relief.

796 2. Reinstatement of the employee's full fringe benefits
 797 and seniority rights, as appropriate.

798 3. Compensation, if appropriate, for lost wages, benefits,
 799 or other lost remuneration caused by the unlawful reprisal.

800 4. Payment of reasonable costs, including attorney's fees,

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801 to a substantially prevailing employee, or to the prevailing
 802 employer if the employee filed a frivolous action in bad faith.

803 5. Issuance of an injunction, if appropriate, by a court
 804 of competent jurisdiction.

805 6. Temporary reinstatement to the employee's former
 806 position or to an equivalent position, pending the final outcome
 807 of the complaint, if it is determined that the action was not
 808 made in bad faith or for a wrongful purpose, and did not occur
 809 after a district school board's initiation of a personnel action
 810 against the employee that includes documentation of the
 811 employee's violation of a disciplinary standard or performance
 812 deficiency.

813 1. In order to provide financial information that is
 814 comparable to that reported for other public schools, charter
 815 schools are to maintain all financial records that constitute
 816 their accounting system:

817 a. In accordance with the accounts and codes prescribed in
 818 the most recent issuance of the publication titled "Financial
 819 and Program Cost Accounting and Reporting for Florida Schools";
 820 or

821 b. At the discretion of the charter school's governing
 822 board, a charter school may elect to follow generally accepted
 823 accounting standards for not-for-profit organizations, but must
 824 reformat this information for reporting according to this
 825 paragraph.

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826 2. Charter schools shall provide annual financial report
 827 and program cost report information in the state-required
 828 formats for inclusion in district reporting in compliance with
 829 s. 1011.60(1). Charter schools that are operated by a
 830 municipality or are a component unit of a parent nonprofit
 831 organization may use the accounting system of the municipality
 832 or the parent but must reformat this information for reporting
 833 according to this paragraph.

834 3. A charter school shall provide the sponsor with a
 835 concise, uniform, monthly financial statement summary sheet that
 836 contains a balance sheet and a statement of revenue,
 837 expenditures, and changes in fund balance. The balance sheet and
 838 the statement of revenue, expenditures, and changes in fund
 839 balance shall be in the governmental funds format prescribed by
 840 the Governmental Accounting Standards Board. A high-performing
 841 charter school pursuant to s. 1002.331 may provide a quarterly
 842 financial statement in the same format and requirements as the
 843 uniform monthly financial statement summary sheet.

844 4. A charter school shall maintain and provide financial
 845 information as required in this paragraph. The financial
 846 statement required in subparagraph 3. must be in a form
 847 prescribed by the Department of Education.

848 (n)1. The director and a representative of the governing board
 849 of a charter school that has earned a grade of "D" or "F"
 850 pursuant to s. 1008.34 shall appear before the sponsor to

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851 present information concerning each contract component having
 852 noted deficiencies. The director and a representative of the
 853 governing board shall submit to the sponsor for approval a
 854 school improvement plan to raise student performance. Upon
 855 approval by the sponsor, the charter school shall begin
 856 implementation of the school improvement plan. The department
 857 shall offer technical assistance and training to the charter
 858 school and its governing board and establish guidelines for
 859 developing, submitting, and approving such plans.

860 2.a. If a charter school earns three consecutive grades of
 861 "D," two consecutive grades of "D" followed by a grade of "F,"
 862 or two nonconsecutive grades of "F" within a 3-year period, the
 863 charter school governing board shall choose one of the following
 864 corrective actions:

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

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

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

872 (IV) Voluntarily close the charter school.

873 b. The charter school must implement the corrective action
 874 in the school year following receipt of a third consecutive
 875 grade of "D," a grade of "F" following two consecutive grades of

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876 "D," or a second nonconsecutive grade of "F" within a 3-year
877 period.

878 c. The sponsor may annually waive a corrective action if
879 it determines that the charter school is likely to improve a
880 letter grade if additional time is provided to implement the
881 intervention and support strategies prescribed by the school
882 improvement plan. Notwithstanding this sub-subparagraph, a
883 charter school that earns a second consecutive grade of "F" is
884 subject to subparagraph 4.

885 d. A charter school is no longer required to implement a
886 corrective action if it improves by at least one letter grade.
887 However, the charter school must continue to implement
888 strategies identified in the school improvement plan. The
889 sponsor must annually review implementation of the school
890 improvement plan to monitor the school's continued improvement
891 pursuant to subparagraph 5.

892 e. A charter school implementing a corrective action that
893 does not improve by at least one letter grade after 2 full
894 school years of implementing the corrective action must select a
895 different corrective action. Implementation of the new
896 corrective action must begin in the school year following the
897 implementation period of the existing corrective action, unless
898 the sponsor determines that the charter school is likely to
899 improve a letter grade if additional time is provided to
900 implement the existing corrective action. Notwithstanding this

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901 sub-subparagraph, a charter school that earns a second
 902 consecutive grade of "F" while implementing a corrective action
 903 is subject to subparagraph 4.

904 3. A charter school with a grade of "D" or "F" that
 905 improves by at least one letter grade must continue to implement
 906 the strategies identified in the school improvement plan. The
 907 sponsor must annually review implementation of the school
 908 improvement plan to monitor the school's continued improvement
 909 pursuant to subparagraph 5.

910 4. A charter school's charter is automatically terminated
 911 if the school earns a second consecutive grade of "F" after all
 912 school grade appeals are final ~~The sponsor shall terminate a~~
 913 ~~charter if the charter school earns two consecutive grades of~~
 914 ~~"F"~~ unless:

915 a. The charter school is established to turn around the
 916 performance of a district public school pursuant to s.
 917 1008.33(4)(b)3. Such charter schools shall be governed by s.
 918 1008.33;

919 b. The charter school serves a student population the
 920 majority of which resides in a school zone served by a district
 921 public school that earned a grade of "F" in the year before the
 922 charter school opened and the charter school earns at least a
 923 grade of "D" in its third year of operation. The exception
 924 provided under this sub-subparagraph does not apply to a charter
 925 school in its fourth year of operation and thereafter; or

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926 c. The state board grants the charter school a waiver of
 927 termination. The charter school must request the waiver within
 928 15 days after the department's official release of school
 929 grades. The state board may waive termination if the charter
 930 school demonstrates that the Learning Gains of its students on
 931 statewide assessments are comparable to or better than the
 932 Learning Gains of similarly situated students enrolled in nearby
 933 district public schools. The waiver is valid for 1 year and may
 934 only be granted once. Charter schools that have been in
 935 operation for more than 5 years are not eligible for a waiver
 936 under this sub-subparagraph.

937
 938 The sponsor shall notify in writing the charter school's
 939 governing board, the charter school principal, and the
 940 department when a charter is terminated under this subparagraph.
 941 A charter terminated under this subparagraph is governed by the
 942 requirements of paragraphs (8)(e)-(g) and (9)(o).

943 5. The director and a representative of the governing
 944 board of a graded charter school that has implemented a school
 945 improvement plan under this paragraph shall appear before the
 946 sponsor at least once a year to present information regarding
 947 the progress of intervention and support strategies implemented
 948 by the school pursuant to the school improvement plan and
 949 corrective actions, if applicable. The sponsor shall communicate
 950 at the meeting, and in writing to the director, the services

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951 provided to the school to help the school address its
 952 deficiencies.

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

956 (p)1. Each charter school shall maintain a website that
 957 enables the public to obtain information regarding the school;
 958 the school's academic performance; the names of the governing
 959 board members; the programs at the school; any management
 960 companies, service providers, or education management
 961 corporations associated with the school; the school's annual
 962 budget and its annual independent fiscal audit; the school's
 963 grade pursuant to s. 1008.34; and, on a quarterly basis, the
 964 minutes of governing board meetings.

965 2. Each charter school's governing board must appoint a
 966 representative to facilitate parental involvement, provide
 967 access to information, assist parents and others with questions
 968 and concerns, and resolve disputes. The representative must
 969 reside in the school district in which the charter school is
 970 located and may be a governing board member, charter school
 971 employee, or individual contracted to represent the governing
 972 board. If the governing board oversees multiple charter schools
 973 in the same school district, the governing board must appoint a
 974 separate individual representative for each charter school in
 975 the district. The representative's contact information must be

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976 provided annually in writing to parents and posted prominently
 977 on the charter school's website. The sponsor may not require
 978 that governing board members reside in the school district in
 979 which the charter school is located if the charter school
 980 complies with this paragraph.

981 3. Each charter school's governing board must hold at
 982 least two public meetings per school year in the school district
 983 where the charter school is located. The meetings must be
 984 noticed, open, and accessible to the public, and attendees must
 985 be provided an opportunity to receive information and provide
 986 input regarding the charter school's operations. The appointed
 987 representative and charter school principal or director, or his
 988 or her equivalent, must be physically present at each meeting.
 989 Members of the governing board may attend in person or by means
 990 of communications media technology used in accordance with rules
 991 adopted by the Administration Commission under s. 120.54(5).

992 (13) CHARTER SCHOOL COOPERATIVES.—Charter schools may
 993 enter into cooperative agreements with other charter schools or
 994 educational institutions to form charter school cooperative
 995 organizations that may provide the following services to further
 996 educational, operational, and administrative initiatives in
 997 which the participating charter schools share common interests+
 998 charter school planning and development, direct instructional
 999 services, and contracts with charter school governing boards to
 1000 provide personnel administrative services, payroll services,

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1001 ~~human resource management, evaluation and assessment services,~~
 1002 ~~teacher preparation, and professional development.~~

1003 (17) FUNDING.—Students enrolled in a charter school,
 1004 regardless of the sponsorship, shall be funded as if they are in
 1005 a basic program or a special program, the same as students
 1006 enrolled in other public schools in the school district. Funding
 1007 for a charter lab school shall be as provided in s. 1002.32.

1008 (b) The basis for the agreement for funding students
 1009 enrolled in a charter school shall be the sum of the school
 1010 district's operating funds from the Florida Education Finance
 1011 Program as provided in s. 1011.62 and the General Appropriations
 1012 Act, including gross state and local funds, discretionary
 1013 lottery funds, and funds from the school district's current
 1014 operating discretionary millage levy; divided by total funded
 1015 weighted full-time equivalent students in the school district;
 1016 multiplied by the weighted full-time equivalent students for the
 1017 charter school. Charter schools whose students or programs meet
 1018 the eligibility criteria in law are entitled to their
 1019 proportionate share of categorical program funds included in the
 1020 total funds available in the Florida Education Finance Program
 1021 by the Legislature, including transportation, the research-based
 1022 reading allocation, and the Florida digital classrooms
 1023 allocation. Total funding for each charter school shall be
 1024 recalculated during the year to reflect the revised calculations
 1025 under the Florida Education Finance Program by the state and the

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1026 actual weighted full-time equivalent students reported by the
 1027 charter school during the full-time equivalent student survey
 1028 periods designated by the Commissioner of Education.

1029 (e) District school boards shall make timely and efficient
 1030 payment and reimbursement to charter schools, including
 1031 processing paperwork required to access special state and
 1032 federal funding for which they may be eligible. The district
 1033 school board may distribute funds to a charter school for up to
 1034 3 months based on the projected full-time equivalent student
 1035 membership of the charter school. Thereafter, the results of
 1036 full-time equivalent student membership surveys shall be used in
 1037 adjusting the amount of funds distributed monthly to the charter
 1038 school for the remainder of the fiscal year. The payment shall
 1039 be issued no later than 10 working days after the district
 1040 school board receives a distribution of state or federal funds.
 1041 If a warrant for payment is not issued within 10 working days
 1042 after receipt of funding by the district school board, the
 1043 school district shall pay to the charter school, in addition to
 1044 the amount of the scheduled disbursement, interest at a rate of
 1045 1 percent per month calculated on a daily basis on the unpaid
 1046 balance from the expiration of the 10 working days until such
 1047 time as the warrant is issued. The district school board may not
 1048 delay payment to a charter school of any portion of the funds
 1049 provided in paragraph (b) based on the timing of receipt of
 1050 local funds by the district school board.

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1051 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1052 (a) The Department of Education shall provide information
 1053 to the public, directly and through sponsors, on how to form and
 1054 operate a charter school and how to enroll in a charter school
 1055 once it is created. This information shall include a standard
 1056 ~~model~~ application form, standard charter contract, standard
 1057 application evaluation instrument, and standard charter renewal
 1058 contract, which shall include the information specified in
 1059 subsection (7) and shall be developed by consulting and
 1060 negotiating with both school districts and charter schools
 1061 before implementation. The charter and charter renewal contracts
 1062 shall be used by charter school sponsors.

1063 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 1064 SCHOOL SYSTEMS.—A charter school system's governing board shall
 1065 be designated a local educational agency for the purpose of
 1066 receiving federal funds, the same as though the charter school
 1067 system were a school district, if the governing board of the
 1068 charter school system has adopted and filed a resolution with
 1069 its sponsoring district school board and the Department of
 1070 Education in which the governing board of the charter school
 1071 system accepts the full responsibility for all local education
 1072 agency requirements and the charter school system meets ~~all of~~
 1073 the following requirements:

1074 ~~(a) Includes both conversion charter schools and~~
 1075 ~~nonconversion charter schools;~~

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1076 ~~(b) Has all schools located in the same county;~~
 1077 (a) ~~(e)~~ Has a total enrollment exceeding the total
 1078 enrollment of at least one school district in the state; and
 1079 (b) ~~(d)~~ Has the same governing board for all charter
 1080 schools in the system; and
 1081 ~~(e) Does not contract with a for-profit service provider~~
 1082 ~~for management of school operations.~~

1083
 1084 Such designation does not apply to other provisions unless
 1085 specifically provided in law.

1086 Section 2. Subsection (4) is repealed and paragraph (e) of
 1087 subsection (2) and subsections (3) and (5) of section 1002.331,
 1088 Florida Statutes, are amended to read:

1089 1002.331 High-performing charter schools.—

1090 (2) A high-performing charter school is authorized to:

1091 (e) Receive a modification of its charter to a term of 15
 1092 years or a 15-year charter renewal. The charter may be modified
 1093 or renewed for a shorter term at the option of the high-
 1094 performing charter school. The charter must be consistent with
 1095 s. 1002.33(7)(a) 2019. and (10)(h) and (i), is subject to annual
 1096 review by the sponsor, and may be terminated during its term
 1097 pursuant to s. 1002.33(8).

1098 (3)(a) A high-performing charter school may submit an
 1099 application pursuant to s. 1002.33(6) in any school district in
 1100 the state to establish and operate a new charter school that

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1101 will substantially replicate its educational program. An
 1102 application submitted by a high-performing charter school must
 1103 state that the application is being submitted pursuant to this
 1104 paragraph and must include the verification letter provided by
 1105 the Commissioner of Education pursuant to subsection (5). If the
 1106 sponsor fails to act on the application within 60 days after
 1107 receipt, the application is deemed approved and the procedure in
 1108 s. 1002.33(6)(i) ~~1002.33(6)(h)~~ applies. If the sponsor denies
 1109 the application, the high-performing charter school may appeal
 1110 pursuant to s. 1002.33(6).

1111 (b) A high-performing charter school may not establish
 1112 more than one charter school within the state under paragraph
 1113 (a) in any year. A subsequent application to establish a charter
 1114 school under paragraph (a) may not be submitted unless each
 1115 charter school established in this manner achieves high-
 1116 performing charter school status. This paragraph does not apply
 1117 to charter schools established by a high-performing charter
 1118 school in the attendance zone of a school identified as in need
 1119 of intervention and support pursuant to s. 1008.33(3)(b) or to
 1120 meet capacity needs or needs for innovative school choice
 1121 options identified by the district school board.

1122 ~~(4)(5)~~ The Commissioner of Education, upon request by a
 1123 charter school, shall verify that the charter school meets the
 1124 criteria in subsection (1) and provide a letter to the charter
 1125 school and the sponsor stating that the charter school is a

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1126 high-performing charter school pursuant to this section. The
 1127 commissioner shall annually determine whether a high-performing
 1128 charter school under subsection (1) continues to meet the
 1129 criteria in that subsection. Such high-performing charter school
 1130 shall maintain its high-performing status unless the
 1131 commissioner determines that the charter school no longer meets
 1132 the criteria in subsection (1), at which time the commissioner
 1133 shall send a letter to the charter school and its sponsor
 1134 providing notification that the charter school has been
 1135 declassified ~~of its declassification~~ as a high-performing
 1136 charter school.

1137 Section 3. Section 1002.333, Florida Statutes is created
 1138 to read:

1139
 1140 1002.333 Charter school sponsor accountability.— The State
 1141 Board of Education shall monitor the performance of district
 1142 school boards regarding sponsorship of charter schools.

1143 (1) The Commissioner of Education shall annually compile
 1144 and review information collected by the department under ss.
 1145 1002.33 and 1002.345 regarding charter school application
 1146 submissions, approvals, denials, and withdrawals; charter
 1147 terminations and nonrenewals; voluntary closures; appeals; and
 1148 corrective actions for academic or financial deficiencies. At a
 1149 minimum, the commissioner shall review, for each school
 1150 district:

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1151 | (a) The approval, denial, and withdrawal rate of
 1152 | applications.

1153 | (b) The closure rate of newly approved charter schools.

1154 | (c) The rate of appeals that are overturned by the state
 1155 | board.

1156 | (d) The rate at which charter schools in the school
 1157 | district are subject to academic interventions pursuant to s.
 1158 | 1002.33(9)(k).

1159 | (e) The rate at which charter schools in the school
 1160 | district are subject to financial interventions pursuant to s.
 1161 | 1002.345.

1162 | (f) Any other facts and circumstances brought to the
 1163 | commissioner indicating that the sponsor may not be providing
 1164 | adequate oversight of charter schools.

1165 | (2) If the information reviewed pursuant to subsection (1)
 1166 | indicates that a sponsor is not adequately performing its
 1167 | authorizing or oversight functions, the state board may:

1168 | (a) Require a 50 percent reduction in the administrative
 1169 | fees collected pursuant to s. 1002.33(20).

1170 | (b) Require the sponsor to provide additional support to
 1171 | its charter schools, which may include making available to
 1172 | charter schools unused educational facilities or discretionary
 1173 | millage levied pursuant to s. 1011.71(2).

1174 | (c) Require monthly or periodic reporting regarding
 1175 | oversight of charter schools, including monitoring and review of

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1176 monthly or quarterly financial statements, until any lapse in
 1177 oversight is remedied.

1178 (3) Nothing in this section shall be construed to create a
 1179 private cause of action or create any rights for individuals or
 1180 entities in addition to those provided elsewhere in law or rule.

1181 (4) The state board shall adopt rules pursuant to ss.
 1182 120.536(1) and 120.54, to implement this section, including
 1183 acceptable rates for the factors described in paragraphs (1)(a)-
 1184 (e).

1185 Section 4. Paragraph (a) of subsection (8) of section
 1186 1002.37, Florida Statutes, is amended to read:

1187 1002.37 The Florida Virtual School.—

1188 (8) (a) The Florida Virtual School may provide full-time
 1189 and part-time instruction for students in kindergarten through
 1190 grade 12. ~~To receive part-time instruction in kindergarten~~
 1191 ~~through grade 5, a student must meet at least one of the~~
 1192 ~~eligibility criteria in s. 1002.455(2).~~

1193 Section 5. Subsection (5) and paragraph (d) of subsection
 1194 (8) of section 1002.45, Florida Statutes, is amended to read:

1195 1002.45 Virtual instruction programs.—

1196 (5) STUDENT ELIGIBILITY.—Students in kindergarten through
 1197 grade 12 ~~A student~~ may enroll in a virtual instruction program
 1198 provided by the school district or by a virtual charter school
 1199 operated in the district in which he or she resides ~~if the~~
 1200 ~~student meets eligibility requirements for virtual instruction~~

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1201 ~~pursuant to s. 1002.455.~~

1202 (8) ASSESSMENT AND ACCOUNTABILITY.—

1203 (c) An approved provider that receives a school grade of
 1204 "D" or "F" under s. 1008.34 or a school improvement rating of
 1205 "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a
 1206 school improvement plan with the department for consultation to
 1207 determine the causes for low performance and to develop a plan
 1208 for correction and improvement.

1209 (d) An approved provider's contract is automatically ~~must~~
 1210 ~~be~~ terminated if the provider earns two consecutive school
 1211 grades of ~~receives a school grade of "D" or "F" under s.~~
 1212 1008.34, receives two consecutive ~~or a school improvement~~
 1213 ratings ~~rating~~ of "Unsatisfactory" ~~"Declining"~~ under s.
 1214 1008.341, for 2 years during any consecutive 4 year period or
 1215 has violated any qualification requirement pursuant to
 1216 subsection (2). A provider that has a contract terminated under
 1217 this paragraph may not be an approved provider for a period of
 1218 at least 1 year after the date upon which the contract was
 1219 terminated and until the department determines that the provider
 1220 is in compliance with subsection (2) and has corrected each
 1221 cause of the provider's low performance.

1222 Section 6. Section 1002.455, Florida Statutes, is
 1223 repealed.

1224 Section 7. Subsection (2) of section 1003.498, Florida
 1225 Statutes, is amended to read:

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1226 1003.498 School district virtual course offerings.-
 1227 (2) School districts may offer virtual courses for
 1228 students enrolled in the school district. These courses must be
 1229 identified in the course code directory. ~~Students who meet the~~
 1230 ~~eligibility requirements of s. 1002.455 may participate in these~~
 1231 ~~virtual course offerings.~~

1232 (a) Any eligible student who is enrolled in a school
 1233 district may register and enroll in an online course offered by
 1234 his or her school district.

1235 (b)1. Any eligible student who is enrolled in a school
 1236 district may register and enroll in an online course offered by
 1237 any other school district in the state. The school district in
 1238 which the student completes the course shall report the
 1239 student's completion of that course for funding pursuant to s.
 1240 1011.61(1)(c)1.b.(VI), and the home school district shall not
 1241 report the student for funding for that course.

1242 2. The full-time equivalent student membership calculated
 1243 under this subsection is subject to the requirements in s.
 1244 1011.61(4). The Department of Education shall establish
 1245 procedures to enable interdistrict coordination for the delivery
 1246 and funding of this online option.

1247 Section 8. Section 1004.650, Florida Statutes, is created
 1248 to read:

1249 1004.650 Florida Institute for Charter School Innovation.-
 1250 (1) There is established the Florida Institute for Charter

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1251 | School Innovation within the Florida State University. The
 1252 | purpose of the institute is to advance charter school
 1253 | accountability, quality, and innovation; provide support and
 1254 | technical assistance to charter school applicants; connect
 1255 | aspiring teachers to opportunities to experience teaching in
 1256 | schools of choice; and conduct research and develop and promote
 1257 | best practices for charter school authorizing, financing,
 1258 | management and operations, and instructional practices.

1259 | (2) The institute shall:

1260 | (a) Conduct research to inform both policy and practice
 1261 | related to charter school accountability, instructional
 1262 | practices, financing, management, and operations.

1263 | (b) Partner with state-approved teacher preparation
 1264 | programs around the state to provide opportunities for aspiring
 1265 | teachers to experience teaching in schools of choice.

1266 | (c) Provide technical assistance and support to charter
 1267 | school applicants with innovative charter school concepts.

1268 | (3) The President of the Florida State University shall
 1269 | appoint a director of the institute. The director is responsible
 1270 | for overall management of the institute and for developing and
 1271 | executing the work of the institute consistent with this
 1272 | section. The director may engage individuals in other state
 1273 | universities with accredited colleges of education to
 1274 | participate in the institute.

1275 | (4) By October 1 of each year, the institute shall provide

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1276 a written report to the Governor, the President of the Senate,
 1277 and the Speaker of the House of Representatives which outlines
 1278 its activities in the preceding year, reports significant
 1279 research findings, details expenditures of state funds, and
 1280 provides specific recommendations for improving the institute's
 1281 ability to fulfil its mission and changes to statewide charter
 1282 school policy.

1283 (5) Within 180 days after completion of the institute's
 1284 fiscal year, the institute must provide to the Auditor General,
 1285 the Board of Governors of the State University System, and the
 1286 State Board of Education a report on the results of an annual
 1287 financial audit conducted by an independent certified public
 1288 accountant in accordance with s. 11.45.

1289 Section 9. Subsection (11) of section 1011.62, Florida
 1290 Statutes, is amended to read:

1291 1011.62 Funds for operation of schools.—If the annual
 1292 allocation from the Florida Education Finance Program to each
 1293 district for operation of schools is not determined in the
 1294 annual appropriations act or the substantive bill implementing
 1295 the annual appropriations act, it shall be determined as
 1296 follows:

1297 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 1298 annually provide in the Florida Education Finance Program a
 1299 virtual education contribution. The amount of the virtual
 1300 education contribution shall be the difference between the

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1301 amount per FTE established in the General Appropriations Act for
 1302 virtual education and the amount per FTE for each district and
 1303 the Florida Virtual School, which may be calculated by taking
 1304 the sum of the base FEFP allocation, the discretionary local
 1305 effort, the state-funded discretionary contribution, the
 1306 discretionary millage compression supplement, the research-based
 1307 reading instruction allocation, and the instructional materials
 1308 allocation, and then dividing by the total unweighted FTE. This
 1309 difference shall be multiplied by the virtual education
 1310 unweighted FTE for programs and options identified in ss.
 1311 1002.33(1), 1002.45(1)(b), and 1003.498 ~~s. 1002.455(3)~~ and the
 1312 Florida Virtual School and its franchises to equal the virtual
 1313 education contribution and shall be included as a separate
 1314 allocation in the funding formula.

1315 Section 10. Paragraph (b) of subsection (8) of section
 1316 1012.56, Florida Statutes, is amended to read:

1317 1012.56 Educator certification requirements.—

1318 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 1319 COMPETENCY PROGRAM.—

1320 (b)1. Each school district must and a private school or
 1321 state-supported ~~state-supported~~ public school, including a
 1322 charter school, ~~or a private school~~ may develop and maintain a
 1323 system by which members of the instructional staff may
 1324 demonstrate mastery of professional preparation and education
 1325 competence as required by law. Each program must be based on

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1326 classroom application of the Florida Educator Accomplished
 1327 Practices and instructional performance and, for public schools,
 1328 must be aligned with the district's or state-supported public
 1329 school's evaluation system established ~~approved~~ under s.
 1330 1012.34, as applicable.

1331 2. The Commissioner of Education shall determine the
 1332 continued approval of programs implemented under this paragraph,
 1333 based upon the department's review of performance data. The
 1334 department shall review the performance data as a part of the
 1335 periodic review of each school district's professional
 1336 development system required under s. 1012.98.

1337 Section 11. Paragraph (a) of subsection (1) of section
 1338 1013.62, Florida Statutes, is amended to read:

1339 1013.62 Charter schools capital outlay funding.—

1340 (1) In each year in which funds are appropriated for
 1341 charter school capital outlay purposes, the Commissioner of
 1342 Education shall allocate the funds among eligible charter
 1343 schools.

1344 (a) To be eligible for a funding allocation, a charter
 1345 school must:

1346 1.a. Have been in operation for 3 or more years;

1347 b. Be governed by a governing board established in the
 1348 state for 3 or more years which operates both charter schools
 1349 and conversion charter schools within the state;

1350 c. Be an expanded feeder chain of a charter school within

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1351 the same school district that is currently receiving charter
 1352 school capital outlay funds;

1353 d. Have been accredited by the Commission on Schools of
 1354 the Southern Association of Colleges and Schools; or

1355 e. Serve students in facilities that are provided by a
 1356 business partner for a charter school-in-the-workplace pursuant
 1357 to s. 1002.33(15)(b).

1358 2. Have an annual audit that does not reveal one or more
 1359 of the financial emergency conditions provided in s. 218.503(1)
 1360 for the most recent fiscal year for which such audit is
 1361 available ~~stability for future operation as a charter school.~~

1362 3. Have satisfactory student achievement based on state
 1363 accountability standards applicable to the charter school.

1364 4. Have received final approval from its sponsor pursuant
 1365 to s. 1002.33 for operation during that fiscal year.

1366 5. Serve students in facilities that are not provided by
 1367 the charter school's sponsor.

1368 Section 12. This act shall take effect July 1, 2015.