



Choice & Innovation Subcommittee

Tuesday, November 17, 2015

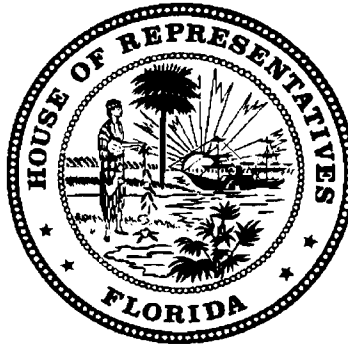
1:00 PM – 3:00 PM

306 HOB

Meeting Packet

**Steve Crisafulli
Speaker**

**Manny Diaz
Chair**



AGENDA

Choice & Innovation Subcommittee
Tuesday, November 17, 2015
1:00 PM – 3:00 PM
306 HOB

- I. Call to Order/Roll Call
- II. Welcome/Opening Remarks
- III. Workshop on the following:
 - Legislation regarding school choice
- IV. Closing Remarks and Adjournment

**Legislation Regarding
School Choice**

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A bill to be entitled
 An act relating to school choice; amending s. 1002.33,
 F.S.; making technical changes relating to
 requirements for the creation of a virtual charter
 school; conforming cross-references; specifying that a
 sponsor may not require a charter school to adopt the
 sponsor's reading plan and that charter schools are
 eligible for the research-based reading allocation if
 certain criteria are met; revising required contents
 of charter school applications; conforming provisions
 regarding the appeal process for denial of a high-
 performing charter school application; requiring an
 applicant to provide the sponsor with a copy of an
 appeal to an application denial; authorizing a charter
 school to defer the opening of its operations for up
 to a specified time; requiring the charter school to
 provide written notice to certain entities by a
 specified date; revising provisions relating to long-
 term charters and charter terminations; specifying
 notice requirements for voluntary closure of a charter
 school; requiring a charter school applicant to
 provide monthly financial statements before opening;
 requiring a sponsor to review each financial statement
 of a charter school to identify the existence of
 certain conditions; providing for the automatic
 termination of a charter contract if certain

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27 conditions are met; requiring a sponsor to notify
 28 certain parties when a charter contract is terminated
 29 for specific reasons; authorizing governing board
 30 members to hold a certain number of public meetings
 31 and participate in such meetings in person or through
 32 communications media technology; revising charter
 33 school student eligibility requirements; revising
 34 requirements for payments to charter schools; allowing
 35 for the use of certain surpluses and assets by
 36 specific entities for certain educational purposes;
 37 providing for an injunction under certain
 38 circumstances; proving an exemption from certain
 39 administrative fees; amending s. 1002.331, F.S.;
 40 providing an exemption from the replication
 41 limitations for a high-performing charter school;
 42 conforming a cross-reference; deleting obsolete
 43 provisions; providing deadlines for a high-performing
 44 charter contract renewal; providing for an appeal to
 45 an administrative law judge under certain
 46 circumstances; creating s. 1002.333, F.S.; providing
 47 definitions; establishing a High Impact Charter
 48 Network status for charter school operators serving
 49 educationally disadvantaged students; defining
 50 eligibility criteria; authorizing charter operators
 51 holding the High Impact Charter Network status to
 52 submit applications for charter schools in certain

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53 areas; exempting certain charter schools from
 54 specified fees; requiring the department to give
 55 priority to certain charter schools applying for
 56 specified grants; prohibiting the use of certain
 57 school grades when determining areas of critical need;
 58 providing for rulemaking; amending s. 1002.37, F.S.;
 59 revising the calculation of "full-time equivalent
 60 student"; conforming a cross-reference; amending s.
 61 1002.45, F.S.; conforming a cross-reference; revising
 62 conditions for termination of a virtual instruction
 63 provider's contract; repealing s. 1002.455, F.S.,
 64 relating to student eligibility for K-12 virtual
 65 instruction; amending s. 1003.4295, F.S.; revising the
 66 purpose of the Credit Acceleration Program; requiring
 67 students to earn passing scores on specified
 68 assessments and examinations to earn course credit;
 69 amending s. 1003.498, F.S.; conforming a cross-
 70 reference; creating s. 1004.650, F.S.; establishing
 71 the Florida Institute for Charter School Innovation;
 72 providing the purpose and duties of the institute;
 73 providing for the appointment of a director of the
 74 institute; establishing duties of the director;
 75 requiring a report be posted annually on the
 76 institute's website and an annual financial report to
 77 certain entities; amending s. 1011.61, F.S.; revising
 78 the definition of "full-time equivalent student";

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79 amending s. 1011.62, F.S.; conforming a cross-
 80 reference; amending s. 1012.56, F.S.; authorizing a
 81 charter school to develop and operate a professional
 82 development certification and education competency
 83 program; amending s. 1013.62, F.S.; revising
 84 eligibility requirements for charter school capital
 85 outlay funding; revising charter school funding
 86 allocations; providing an effective date.

87

88 Be It Enacted by the Legislature of the State of Florida:

89

90 Section 1. Subsection (1), paragraph (a) of subsection
 91 (2), paragraphs (a) and (b) of subsection (6), paragraphs (a)
 92 and (d) of subsection (7), paragraphs (g), (n), and (p) of
 93 subsection (9), paragraphs (a) and (d) of subsection (10),
 94 subsection (13), paragraphs (b) and (e) of subsection (17),
 95 paragraph (a) of subsection (18), and paragraph (a) of
 96 subsection (20) of section 1002.33, Florida Statutes, are
 97 amended to read:

98 1002.33 Charter schools.—

99 (1) AUTHORIZATION.—Charter schools shall be part of the
 100 state's program of public education. All charter schools in
 101 Florida are public schools. A charter school may be formed by
 102 creating a new school or converting an existing public school to
 103 charter status. A charter school may operate a virtual charter
 104 school pursuant to s. 1002.45(1)(d) to provide full-time online

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105 instruction to eligible students, ~~pursuant to s. 1002.455,~~ in
 106 kindergarten through grade 12. An existing A charter school that
 107 is seeking to become a virtual charter school must amend its
 108 charter or submit a new application pursuant to subsection (6)
 109 to become a virtual charter school. A virtual charter school is
 110 subject to the requirements of this section; however, a virtual
 111 charter school is exempt from subsections (18) and (19),
 112 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
 113 s. 1003.03. A public school may not use the term charter in its
 114 name unless it has been approved under this section.

115 (2) GUIDING PRINCIPLES; PURPOSE.—

116 (a) Charter schools in Florida shall be guided by the
 117 following principles:

118 1. Meet high standards of student achievement while
 119 providing parents flexibility to choose among diverse
 120 educational opportunities within the state's public school
 121 system.

122 2. Promote enhanced academic success and financial
 123 efficiency by aligning responsibility with accountability.

124 3. Provide parents with sufficient information on whether
 125 their child is reading at grade level and whether the child
 126 gains at least a year's worth of learning for every year spent
 127 in the charter school. For a student who exhibits a substantial
 128 deficiency in reading, as determined by the charter school, the
 129 school shall notify the parent of the deficiency, the intensive
 130 interventions and supports used, and the student's progress in

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131 accordance with s. 1008.25(5).

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

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

137 1. Demonstrates how the school will use the guiding
 138 principles and meet the statutorily defined purpose of a charter
 139 school.

140 2. Provides a detailed curriculum plan that illustrates
 141 how students will be provided services to attain the Sunshine
 142 State Standards.

143 3. Contains goals and objectives for improving student
 144 learning and measuring that improvement. These goals and
 145 objectives must indicate how much academic improvement students
 146 are expected to show each year, how success will be evaluated,
 147 and the specific results to be attained through instruction.

148 4. Describes the reading curriculum and differentiated
 149 strategies that will be used for students reading at grade level
 150 or higher and a separate curriculum and strategies for students
 151 who are reading below grade level. A sponsor shall deny an
 152 application ~~a charter~~ if the school does not propose a reading
 153 curriculum that is evidence-based and includes explicit,
 154 systematic, and multisensory reading instructional strategies;
 155 however, a sponsor may not require the charter school to
 156 implement the reading plan adopted by the school district

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157 pursuant to s. 1011.62(9) ~~consistent with effective teaching~~
 158 ~~strategies that are grounded in scientifically based reading~~
 159 ~~research.~~

160 5. Contains an annual financial plan for each year
 161 requested by the charter for operation of the school for up to 5
 162 years. This plan must contain anticipated fund balances based on
 163 revenue projections, a spending plan based on projected revenues
 164 and expenses, and a description of controls that will safeguard
 165 finances and projected enrollment trends.

166 6. Discloses the name of each applicant, governing board
 167 member, and proposed management company, if any; the name and
 168 sponsor of any charter school currently or previously operated
 169 by each applicant, each governing board member, and the proposed
 170 management company; and the academic and financial history of
 171 such charter schools, which the sponsor shall consider in
 172 deciding whether to approve or deny the application.

173 ~~7.6-~~ Contains additional information a sponsor may
 174 require, which shall be attached as an addendum to the charter
 175 school application described in this paragraph.

176 ~~8.7-~~ For the establishment of a virtual charter school,
 177 documents that the applicant has contracted with a provider of
 178 virtual instruction services pursuant to s. 1002.45(1)(d).

179 (b) A sponsor shall receive and review all applications
 180 for a charter school using the ~~an~~ evaluation instrument
 181 developed by the Department of Education. A sponsor shall
 182 receive and consider charter school applications received on or

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183 before August 1 of each calendar year for charter schools to be
 184 opened at the beginning of the school district's next school
 185 year, or to be opened at a time agreed to by the applicant and
 186 the sponsor. A sponsor may not refuse to receive a charter
 187 school application submitted before August 1 and may receive an
 188 application submitted later than August 1 if it chooses. In
 189 order to facilitate greater collaboration in the application
 190 process, an applicant may submit a draft charter school
 191 application on or before May 1 with an application fee of \$500.
 192 If a draft application is timely submitted, the sponsor shall
 193 review and provide feedback as to material deficiencies in the
 194 application by July 1. The applicant shall then have until
 195 August 1 to resubmit a revised and final application. The
 196 sponsor may approve the draft application. Except as provided
 197 for a draft application, a sponsor may not charge an applicant
 198 for a charter any fee for the processing or consideration of an
 199 application, and a sponsor may not base its consideration or
 200 approval of a final application upon the promise of future
 201 payment of any kind. Before approving or denying any final
 202 application, the sponsor shall allow the applicant, upon receipt
 203 of written notification, at least 7 calendar days to make
 204 technical or nonsubstantive corrections and clarifications,
 205 including, but not limited to, corrections of grammatical,
 206 typographical, and like errors or missing signatures, if such
 207 errors are identified by the sponsor as cause to deny the final
 208 application.

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209 1. In order to facilitate an accurate budget projection
 210 process, a sponsor shall be held harmless for FTE students who
 211 are not included in the FTE projection due to approval of
 212 charter school applications after the FTE projection deadline.
 213 In a further effort to facilitate an accurate budget projection,
 214 within 15 calendar days after receipt of a charter school
 215 application, a sponsor shall report to the Department of
 216 Education the name of the applicant entity, the proposed charter
 217 school location, and its projected FTE.

218 2. In order to ensure fiscal responsibility, an
 219 application for a charter school shall include a full accounting
 220 of expected assets, a projection of expected sources and amounts
 221 of income, including income derived from projected student
 222 enrollments and from community support, and an expense
 223 projection that includes full accounting of the costs of
 224 operation, including start-up costs.

225 3.a. A sponsor shall by a majority vote approve or deny an
 226 application no later than 60 calendar days after the application
 227 is received, unless the sponsor and the applicant mutually agree
 228 in writing to temporarily postpone the vote to a specific date,
 229 at which time the sponsor shall by a majority vote approve or
 230 deny the application. If the sponsor fails to act on the
 231 application, an applicant may appeal to the State Board of
 232 Education as provided in paragraph (c). If an application is
 233 denied, the sponsor shall, within 10 calendar days after such
 234 denial, articulate in writing the specific reasons, based upon

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235 | good cause, supporting its denial of the ~~charter~~ application and
 236 | shall provide the letter of denial and supporting documentation
 237 | to the applicant and to the Department of Education.

238 | b. An application submitted by a high-performing charter
 239 | school identified pursuant to s. 1002.331 may be denied by the
 240 | sponsor only if the sponsor demonstrates by clear and convincing
 241 | evidence that:

242 | (I) The application does not materially comply with the
 243 | requirements in paragraph (a);

244 | (II) The charter school proposed in the application does
 245 | not materially comply with the requirements in paragraphs
 246 | (9) (a) - (f);

247 | (III) The proposed charter school's educational program
 248 | does not substantially replicate that of the applicant or one of
 249 | the applicant's high-performing charter schools;

250 | (IV) The applicant has made a material misrepresentation
 251 | or false statement or concealed an essential or material fact
 252 | during the application process; or

253 | (V) The proposed charter school's educational program and
 254 | financial management practices do not materially comply with the
 255 | requirements of this section.

256 |
 257 | Material noncompliance is a failure to follow requirements or a
 258 | violation of prohibitions applicable to charter school
 259 | applications, which failure is quantitatively or qualitatively
 260 | significant either individually or when aggregated with other

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261 noncompliance. An applicant is considered to be replicating a
 262 high-performing charter school if the proposed school is
 263 substantially similar to at least one of the applicant's high-
 264 performing charter schools and the organization or individuals
 265 involved in the establishment and operation of the proposed
 266 school are significantly involved in the operation of replicated
 267 schools.

268 c. If the sponsor denies an application submitted by a
 269 high-performing charter school, the sponsor must, within 10
 270 calendar days after such denial, state in writing the specific
 271 reasons, based upon the criteria in sub-subparagraph b.,
 272 supporting its denial of the application and must provide the
 273 letter of denial and supporting documentation to the applicant
 274 and to the Department of Education. The applicant may appeal the
 275 sponsor's denial of the application directly to the State Board
 276 of Education pursuant to paragraph (c). If an applicant files an
 277 appeal, the applicant must provide the sponsor with a copy of
 278 the appeal ~~sub-subparagraph (c)3.b.~~

279 4. For budget projection purposes, the sponsor shall
 280 report to the Department of Education the approval or denial of
 281 an a-charter application within 10 calendar days after such
 282 approval or denial. In the event of approval, the report to the
 283 Department of Education shall include the final projected FTE
 284 for the approved charter school.

285 5. Upon approval of an a-charter application, the initial
 286 startup shall commence with the beginning of the public school

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287 calendar for the district in which the charter is granted. A
 288 charter school may defer the opening of the school's operations
 289 for up to 2 years to provide time for adequate facility
 290 planning. The charter school must provide written notice of such
 291 intent to the sponsor and the parents of enrolled students at
 292 least 30 calendar days before the first day of school ~~unless the~~
 293 ~~sponsor allows a waiver of this subparagraph for good cause.~~

294 (7) CHARTER.—The major issues involving the operation of a
 295 charter school shall be considered in advance and written into
 296 the charter. The charter shall be signed by the governing board
 297 of the charter school and the sponsor, following a public
 298 hearing to ensure community input.

299 (a) The charter shall address and criteria for approval of
 300 the charter shall be based on:

301 1. The school's mission, the students to be served, and
 302 the ages and grades to be included.

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

310 a. The charter shall ensure that reading is a primary
 311 focus of the curriculum and that resources are provided to
 312 identify and provide specialized instruction for students who

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313 are reading below grade level. The curriculum and instructional
 314 strategies for reading must be consistent with the Next
 315 Generation Sunshine State Standards and evidence-based grounded
 316 ~~in scientifically based reading research.~~

317 b. In order to provide students with access to diverse
 318 instructional delivery models, to facilitate the integration of
 319 technology within traditional classroom instruction, and to
 320 provide students with the skills they need to compete in the
 321 21st century economy, the Legislature encourages instructional
 322 methods for blended learning courses consisting of both
 323 traditional classroom and online instructional techniques.
 324 Charter schools may implement blended learning courses which
 325 combine traditional classroom instruction and virtual
 326 instruction. Students in a blended learning course must be full-
 327 time students of the charter school and receive the online
 328 instruction in a classroom setting at the charter school.
 329 Instructional personnel certified pursuant to s. 1012.55 who
 330 provide virtual instruction for blended learning courses may be
 331 employees of the charter school or may be under contract to
 332 provide instructional services to charter school students. At a
 333 minimum, such instructional personnel must hold an active state
 334 or school district adjunct certification under s. 1012.57 for
 335 the subject area of the blended learning course. The funding and
 336 performance accountability requirements for blended learning
 337 courses are the same as those for traditional courses.

338 3. The current incoming baseline standard of student

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339 academic achievement, the outcomes to be achieved, and the
 340 method of measurement that will be used. The criteria listed in
 341 this subparagraph shall include a detailed description of:

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

344 b. How these baseline rates will be compared to rates of
 345 academic progress achieved by these same students while
 346 attending the charter school.

347 c. To the extent possible, how these rates of progress
 348 will be evaluated and compared with rates of progress of other
 349 closely comparable student populations.

350

351 The district school board is required to provide academic
 352 student performance data to charter schools for each of their
 353 students coming from the district school system, as well as
 354 rates of academic progress of comparable student populations in
 355 the district school system.

356 4. The methods used to identify the educational strengths
 357 and needs of students and how well educational goals and
 358 performance standards are met by students attending the charter
 359 school. The methods shall provide a means for the charter school
 360 to ensure accountability to its constituents by analyzing
 361 student performance data and by evaluating the effectiveness and
 362 efficiency of its major educational programs. Students in
 363 charter schools shall, at a minimum, participate in the
 364 statewide assessment program created under s. 1008.22.

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

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

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

372 8. The ways by which the school will achieve a
 373 racial/ethnic balance reflective of the community it serves or
 374 within the racial/ethnic range of other public schools in the
 375 same school district.

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

388 10. The asset and liability projections required in the
 389 application which are incorporated into the charter and shall be
 390 compared with information provided in the annual report of the

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391 charter school.

392 11. A description of procedures that identify various
 393 risks and provide for a comprehensive approach to reduce the
 394 impact of losses; plans to ensure the safety and security of
 395 students and staff; plans to identify, minimize, and protect
 396 others from violent or disruptive student behavior; and the
 397 manner in which the school will be insured, including whether or
 398 not the school will be required to have liability insurance,
 399 and, if so, the terms and conditions thereof and the amounts of
 400 coverage.

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

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417 school board. Such long-term charters remain subject to annual
 418 review and may be terminated during the term of the charter, but
 419 only according to the provisions set forth in subsection (8).

420 13. The facilities to be used and their location. The
 421 sponsor may not require a charter school to have a certificate
 422 of occupancy or a temporary certificate of occupancy for such a
 423 facility earlier than 15 calendar days before the first day of
 424 school.

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

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

431 16. A timetable for implementing the charter which
 432 addresses the implementation of each element thereof and the
 433 date by which the charter shall be awarded in order to meet this
 434 timetable.

435 17. In the case of an existing public school that is being
 436 converted to charter status, alternative arrangements for
 437 current students who choose not to attend the charter school and
 438 for current teachers who choose not to teach in the charter
 439 school after conversion in accordance with the existing
 440 collective bargaining agreement or district school board rule in
 441 the absence of a collective bargaining agreement. However,
 442 alternative arrangements shall not be required for current

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443 teachers who choose not to teach in a charter lab school, except
 444 as authorized by the employment policies of the state university
 445 which grants the charter to the lab school.

446 18. Full disclosure of the identity of all relatives
 447 employed by the charter school who are related to the charter
 448 school owner, president, chairperson of the governing board of
 449 directors, superintendent, governing board member, principal,
 450 assistant principal, or any other person employed by the charter
 451 school who has equivalent decisionmaking authority. For the
 452 purpose of this subparagraph, the term "relative" means father,
 453 mother, son, daughter, brother, sister, uncle, aunt, first
 454 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
 455 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
 456 stepfather, stepmother, stepson, stepdaughter, stepbrother,
 457 stepsister, half brother, or half sister.

458 19. Implementation of the activities authorized under s.
 459 1002.331 by the charter school when it satisfies the eligibility
 460 requirements for a high-performing charter school. A high-
 461 performing charter school shall notify its sponsor in writing by
 462 March 1 if it intends to increase enrollment or expand grade
 463 levels the following school year. The written notice shall
 464 specify the amount of the enrollment increase and the grade
 465 levels that will be added, as applicable.

466 (d)~~1~~. A charter may be terminated by a charter school's
 467 governing board through voluntary closure. The decision to cease
 468 operations shall be determined at a public meeting. The

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469 governing board shall notify the parents and sponsor of the
 470 public meeting in writing before the public meeting. The
 471 governing board must notify the sponsor, parents of enrolled
 472 students, and the department in writing within 24 hours after
 473 the public meeting of its determination. The notice shall state
 474 the charter school's intent to continue operations or the reason
 475 for the closure and acknowledge that the governing board agrees
 476 to follow the procedures for dissolution and reversion of public
 477 funds pursuant to paragraphs (8)(e)-(g) and (9)(o) Each charter
 478 ~~school's governing board must appoint a representative to~~
 479 ~~facilitate parental involvement, provide access to information,~~
 480 ~~assist parents and others with questions and concerns, and~~
 481 ~~resolve disputes. The representative must reside in the school~~
 482 ~~district in which the charter school is located and may be a~~
 483 ~~governing board member, charter school employee, or individual~~
 484 ~~contracted to represent the governing board. If the governing~~
 485 ~~board oversees multiple charter schools in the same school~~
 486 ~~district, the governing board must appoint a separate individual~~
 487 ~~representative for each charter school in the district. The~~
 488 ~~representative's contact information must be provided annually~~
 489 ~~in writing to parents and posted prominently on the charter~~
 490 ~~school's website if a website is maintained by the school. The~~
 491 ~~sponsor may not require that governing board members reside in~~
 492 ~~the school district in which the charter school is located if~~
 493 ~~the charter school complies with this paragraph.~~

494 ~~2. Each charter school's governing board must hold at~~

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495 ~~least two public meetings per school year in the school~~
 496 ~~district. The meetings must be noticed, open, and accessible to~~
 497 ~~the public, and attendees must be provided an opportunity to~~
 498 ~~receive information and provide input regarding the charter~~
 499 ~~school's operations. The appointed representative and charter~~
 500 ~~school principal or director, or his or her equivalent, must be~~
 501 ~~physically present at each meeting.~~

502 (9) CHARTER SCHOOL REQUIREMENTS.—

503 (g)1. In order to provide financial information that is
 504 comparable to that reported for other public schools, charter
 505 schools are to maintain all financial records that constitute
 506 their accounting system:

507 a. In accordance with the accounts and codes prescribed in
 508 the most recent issuance of the publication titled "Financial
 509 and Program Cost Accounting and Reporting for Florida Schools";
 510 or

511 b. At the discretion of the charter school's governing
 512 board, a charter school may elect to follow generally accepted
 513 accounting standards for not-for-profit organizations, but must
 514 reformat this information for reporting according to this
 515 paragraph.

516 2. Charter schools shall provide annual financial report
 517 and program cost report information in the state-required
 518 formats for inclusion in district reporting in compliance with
 519 s. 1011.60(1). Charter schools that are operated by a
 520 municipality or are a component unit of a parent nonprofit

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521 organization may use the accounting system of the municipality
 522 or the parent but must reformat this information for reporting
 523 according to this paragraph.

524 3. A charter school shall, upon approval of the charter
 525 contract, provide the sponsor with a concise, uniform, monthly
 526 financial statement summary sheet that contains a balance sheet
 527 and a statement of revenue, expenditures, and changes in fund
 528 balance. The balance sheet and the statement of revenue,
 529 expenditures, and changes in fund balance shall be in the
 530 governmental funds format prescribed by the Governmental
 531 Accounting Standards Board. A high-performing charter school
 532 pursuant to s. 1002.331 may provide a quarterly financial
 533 statement in the same format and requirements as the uniform
 534 monthly financial statement summary sheet. The sponsor shall
 535 review each monthly or quarterly financial statement to identify
 536 the existence of any conditions identified in s. 1002.345(1)(a).

537 4. A charter school shall maintain and provide financial
 538 information as required in this paragraph. The financial
 539 statement required in subparagraph 3. must be in a form
 540 prescribed by the Department of Education.

541 (n)1. The director and a representative of the governing
 542 board of a charter school that has earned a grade of "D" or "F"
 543 pursuant to s. 1008.34 shall appear before the sponsor to
 544 present information concerning each contract component having
 545 noted deficiencies. The director and a representative of the
 546 governing board shall submit to the sponsor for approval a

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547 school improvement plan to raise student performance. Upon
 548 approval by the sponsor, the charter school shall begin
 549 implementation of the school improvement plan. The department
 550 shall offer technical assistance and training to the charter
 551 school and its governing board and establish guidelines for
 552 developing, submitting, and approving such plans.

553 2.a. If a charter school earns three consecutive grades of
 554 "D," two consecutive grades of "D" followed by a grade of "F,"
 555 or two nonconsecutive grades of "F" within a 3-year period, the
 556 charter school governing board shall choose one of the following
 557 corrective actions:

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

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

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

565 (IV) Voluntarily close the charter school.

566 b. The charter school must implement the corrective action
 567 in the school year following receipt of a third consecutive
 568 grade of "D," a grade of "F" following two consecutive grades of
 569 "D," or a second nonconsecutive grade of "F" within a 3-year
 570 period.

571 c. The sponsor may annually waive a corrective action if
 572 it determines that the charter school is likely to improve a

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573 letter grade if additional time is provided to implement the
 574 intervention and support strategies prescribed by the school
 575 improvement plan. Notwithstanding this sub-subparagraph, a
 576 charter school that earns a second consecutive grade of "F" is
 577 subject to subparagraph 4.

578 d. A charter school is no longer required to implement a
 579 corrective action if it improves by at least one letter grade.
 580 However, the charter school must continue to implement
 581 strategies identified in the school improvement plan. The
 582 sponsor must annually review implementation of the school
 583 improvement plan to monitor the school's continued improvement
 584 pursuant to subparagraph 5.

585 e. A charter school implementing a corrective action that
 586 does not improve by at least one letter grade after 2 full
 587 school years of implementing the corrective action must select a
 588 different corrective action. Implementation of the new
 589 corrective action must begin in the school year following the
 590 implementation period of the existing corrective action, unless
 591 the sponsor determines that the charter school is likely to
 592 improve a letter grade if additional time is provided to
 593 implement the existing corrective action. Notwithstanding this
 594 sub-subparagraph, a charter school that earns a second
 595 consecutive grade of "F" while implementing a corrective action
 596 is subject to subparagraph 4.

597 3. A charter school with a grade of "D" or "F" that
 598 improves by at least one letter grade must continue to implement

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599 the strategies identified in the school improvement plan. The
 600 sponsor must annually review implementation of the school
 601 improvement plan to monitor the school's continued improvement
 602 pursuant to subparagraph 5.

603 4. A charter school's charter contract is automatically
 604 terminated if the school earns two consecutive grades of "F"
 605 after all school grade appeals are final ~~The sponsor shall~~
 606 ~~terminate a charter if the charter school earns two consecutive~~
 607 ~~grades of "F" unless:~~

608 a. The charter school is established to turn around the
 609 performance of a district public school pursuant to s.
 610 1008.33(4)(b)3. Such charter schools shall be governed by s.
 611 1008.33;

612 b. The charter school serves a student population the
 613 majority of which resides in a school zone served by a district
 614 public school that earned a grade of "F" in the year before the
 615 charter school opened and the charter school earns at least a
 616 grade of "D" in its third year of operation. The exception
 617 provided under this sub-subparagraph does not apply to a charter
 618 school in its fourth year of operation and thereafter; or

619 c. The state board grants the charter school a waiver of
 620 termination. The charter school must request the waiver within
 621 15 days after the department's official release of school
 622 grades. The state board may waive termination if the charter
 623 school demonstrates that the Learning Gains of its students on
 624 statewide assessments are comparable to or better than the

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625 Learning Gains of similarly situated students enrolled in nearby
 626 district public schools. The waiver is valid for 1 year and may
 627 only be granted once. Charter schools that have been in
 628 operation for more than 5 years are not eligible for a waiver
 629 under this sub-subparagraph.

630
 631 The sponsor shall notify the charter school's governing board,
 632 the charter school principal, and the department in writing when
 633 a charter contract is terminated under this subparagraph. The
 634 letter of termination must meet the requirements of paragraph
 635 (8) (c). A charter terminated under this subparagraph must follow
 636 the procedures for dissolution and reversion of public funds
 637 pursuant to paragraphs (8) (e) - (g) and (9) (o).

638 5. The director and a representative of the governing
 639 board of a graded charter school that has implemented a school
 640 improvement plan under this paragraph shall appear before the
 641 sponsor at least once a year to present information regarding
 642 the progress of intervention and support strategies implemented
 643 by the school pursuant to the school improvement plan and
 644 corrective actions, if applicable. The sponsor shall communicate
 645 at the meeting, and in writing to the director, the services
 646 provided to the school to help the school address its
 647 deficiencies.

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

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651 (p)1. Each charter school shall maintain a website that
 652 enables the public to obtain information regarding the school;
 653 the school's academic performance; the names of the governing
 654 board members; the programs at the school; any management
 655 companies, service providers, or education management
 656 corporations associated with the school; the school's annual
 657 budget and its annual independent fiscal audit; the school's
 658 grade pursuant to s. 1008.34; and, on a quarterly basis, the
 659 minutes of governing board meetings.

660 2. Each charter school's governing board must appoint a
 661 representative to facilitate parental involvement, provide
 662 access to information, assist parents and others with questions
 663 and concerns, and resolve disputes. The representative must
 664 reside in the school district in which the charter school is
 665 located and may be a governing board member, a charter school
 666 employee, or an individual contracted to represent the governing
 667 board. If the governing board oversees multiple charter schools
 668 in the same school district, the governing board must appoint a
 669 separate representative for each charter school in the district.
 670 The representative's contact information must be provided
 671 annually in writing to parents and posted prominently on the
 672 charter school's website. The sponsor may not require governing
 673 board members to reside in the school district in which the
 674 charter school is located if the charter school complies with
 675 this subparagraph.

676 3. Each charter school's governing board must hold at

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677 least two public meetings per school year in the school district
 678 where the charter school is located. The meetings must be
 679 noticed, open, and accessible to the public, and attendees must
 680 be provided an opportunity to receive information and provide
 681 input regarding the charter school's operations. The appointed
 682 representative and charter school principal or director, or his
 683 or her designee, must be physically present at each meeting.
 684 Members of the governing board may attend in person or by means
 685 of communications media technology used in accordance with rules
 686 adopted by the Administration Commission under s. 120.54(5).

687 (10) ELIGIBLE STUDENTS.—

688 (a) A charter school shall be open to any student covered
 689 in an interdistrict agreement or residing in the school district
 690 in which the charter school is located; however, in the case of
 691 a charter lab school, the charter lab school shall be open to
 692 any student eligible to attend the lab school as provided in s.
 693 1002.32 or who resides in the school district in which the
 694 charter lab school is located. Any eligible student shall be
 695 allowed interdistrict transfer to attend a charter school when
 696 based on good cause. Good cause shall include, but is not
 697 limited to, geographic proximity to a charter school in a
 698 neighboring school district. A charter school that has not
 699 reached capacity, as determined by the charter school's
 700 governing board, may be open for enrollment to any student in
 701 the state.

702 (d) A charter school may give enrollment preference to the

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703 following student populations:

704 1. Students who are siblings of a student enrolled in the
705 charter school.

706 2. Students who are the children of a member of the
707 governing board of the charter school.

708 3. Students who are the children of an employee of the
709 charter school.

710 4. Students who are the children of:

711 a. An employee of the business partner of a charter
712 school-in-the-workplace established under paragraph (15)(b) or a
713 resident of the municipality in which such charter school is
714 located; or

715 b. A resident of a municipality that operates a charter
716 school-in-a-municipality pursuant to paragraph (15)(c).

717 5. Students who have successfully completed a voluntary
718 prekindergarten education program under ss. 1002.51-1002.79
719 provided by the charter school or the charter school's governing
720 board during the previous year.

721 6. Students who are the children of an active duty member
722 of any branch of the United States Armed Forces.

723 7. Students who attended or are assigned to failing
724 schools pursuant to s. 1002.38(2).

725 (13) CHARTER SCHOOL COOPERATIVES.— Charter schools may
726 enter into cooperative agreements to form charter school
727 cooperative organizations that may provide ~~the following~~
728 services to further educational, operational, and administrative

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729 initiatives in which the participating charter schools share
 730 common interests: charter school planning and development,
 731 ~~direct instructional services, and contracts with charter school~~
 732 ~~governing boards to provide personnel administrative services,~~
 733 ~~payroll services, human resource management, evaluation and~~
 734 ~~assessment services, teacher preparation, and professional~~
 735 ~~development.~~

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

741 (b) The basis for the agreement for funding students
 742 enrolled in a charter school shall be the sum of the school
 743 district's operating funds from the Florida Education Finance
 744 Program as provided in s. 1011.62 and the General Appropriations
 745 Act, including gross state and local funds, discretionary
 746 lottery funds, and funds from the school district's current
 747 operating discretionary millage levy; divided by total funded
 748 weighted full-time equivalent students in the school district;
 749 multiplied by the weighted full-time equivalent students for the
 750 charter school. Charter schools whose students or programs meet
 751 the eligibility criteria in law are entitled to their
 752 proportionate share of categorical program funds included in the
 753 total funds available in the Florida Education Finance Program
 754 by the Legislature, including transportation, the research-based

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755 reading allocation, and the Florida digital classrooms
 756 allocation. Total funding for each charter school shall be
 757 recalculated during the year to reflect the revised calculations
 758 under the Florida Education Finance Program by the state and the
 759 actual weighted full-time equivalent students reported by the
 760 charter school during the full-time equivalent student survey
 761 periods designated by the Commissioner of Education. Any
 762 unrestricted surplus or unrestricted net assets identified in
 763 the charter school's annual audit may be used for K-12
 764 educational purposes for charter schools within the district
 765 operated by the not-for-profit or municipal entity operating the
 766 charter school with the surplus. Surplus operating funds shall
 767 be used in accordance with s. 1011.62 and surplus capital outlay
 768 funds shall be used in accordance with s. 1013.62(2).

769 (e) District school boards shall make timely and efficient
 770 payment and reimbursement to charter schools, including
 771 processing paperwork required to access special state and
 772 federal funding for which they may be eligible. Payments of
 773 funds under paragraph (b) shall be made monthly or twice a
 774 month, beginning with the start of the district school board's
 775 fiscal year. Each payment shall be one-twelfth, or one twenty-
 776 fourth, as applicable, of the total state and local funds
 777 described in paragraph (b) and adjusted as set forth therein.
 778 For the first 2 years of a charter school's operation, if a
 779 minimum of 75 percent of the projected enrollment is entered
 780 into the sponsor's student information system by the first day

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781 of the current month, the district school board shall ~~may~~
 782 distribute funds to the a charter school for the up to 3 months
 783 of July through October based on the projected full-time
 784 equivalent student membership of the charter school as submitted
 785 in the approved application. If less than 75 percent of the
 786 projected enrollment is entered into the sponsor's student
 787 information system by the first day of the current month, the
 788 sponsor shall base payments on the actual number of student
 789 enrollment entered into the sponsor's student information
 790 system. Thereafter, the results of full-time equivalent student
 791 membership surveys shall be used in adjusting the amount of
 792 funds distributed monthly to the charter school for the
 793 remainder of the fiscal year. The payments ~~payment~~ shall be
 794 issued no later than 10 working days after the district school
 795 board receives a distribution of state or federal funds or the
 796 date the payment is due pursuant to this subsection. If a
 797 warrant for payment is not issued within 10 working days after
 798 receipt of funding by the district school board, the school
 799 district shall pay to the charter school, in addition to the
 800 amount of the scheduled disbursement, interest at a rate of 1
 801 percent per month calculated on a daily basis on the unpaid
 802 balance from the expiration of the 10 working days until such
 803 time as the warrant is issued. The district school board may not
 804 delay payment to a charter school of any portion of the funds
 805 provided in paragraph (b) based on the timing of receipt of
 806 local funds by the district school board.

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807 (18) FACILITIES.—
808 (a) A startup charter school shall utilize facilities
809 which comply with the Florida Building Code pursuant to chapter
810 553 except for the State Requirements for Educational
811 Facilities. Conversion charter schools shall utilize facilities
812 that comply with the State Requirements for Educational
813 Facilities provided that the school district and the charter
814 school have entered into a mutual management plan for the
815 reasonable maintenance of such facilities. The mutual management
816 plan shall contain a provision by which the district school
817 board agrees to maintain charter school facilities in the same
818 manner as its other public schools within the district. Charter
819 schools, with the exception of conversion charter schools, are
820 not required to comply, but may choose to comply, with the State
821 Requirements for Educational Facilities of the Florida Building
822 Code adopted pursuant to s. 1013.37. The local governing
823 authority shall not adopt or impose any local building
824 requirements or site-development restrictions, such as parking
825 and site-size criteria, that are addressed by and more stringent
826 than those found in the State Requirements for Educational
827 Facilities of the Florida Building Code. ~~Beginning July 1, 2011,~~
828 A local governing authority must treat charter schools equitably
829 in comparison to similar requirements, restrictions, and
830 processes imposed upon public schools that are not charter
831 schools. The agency having jurisdiction for inspection of a
832 facility and issuance of a certificate of occupancy or use shall

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833 be the local municipality or, if in an unincorporated area, the
 834 county governing authority. If any official or employee of the
 835 local governing authority refuses to comply with this paragraph,
 836 the aggrieved school or entity has an immediate right to bring
 837 an action in circuit court to enforce its rights by injunction.
 838 Any aggrieved party that receives injunctive relief may be
 839 awarded attorney fees and court costs.

840 (20) SERVICES.—

841 (a)1. A sponsor shall provide certain administrative and
 842 educational services to charter schools. These services shall
 843 include contract management services; full-time equivalent and
 844 data reporting services; exceptional student education
 845 administration services; services related to eligibility and
 846 reporting duties required to ensure that school lunch services
 847 under the federal lunch program, consistent with the needs of
 848 the charter school, are provided by the school district at the
 849 request of the charter school, that any funds due to the charter
 850 school under the federal lunch program be paid to the charter
 851 school as soon as the charter school begins serving food under
 852 the federal lunch program, and that the charter school is paid
 853 at the same time and in the same manner under the federal lunch
 854 program as other public schools serviced by the sponsor or the
 855 school district; test administration services, including payment
 856 of the costs of state-required or district-required student
 857 assessments; processing of teacher certificate data services;
 858 and information services, including equal access to student

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859 information systems that are used by public schools in the
 860 district in which the charter school is located. Student
 861 performance data for each student in a charter school,
 862 including, but not limited to, FCAT scores, standardized test
 863 scores, previous public school student report cards, and student
 864 performance measures, shall be provided by the sponsor to a
 865 charter school in the same manner provided to other public
 866 schools in the district.

867 2. A total administrative fee for the provision of such
 868 services shall be calculated based upon up to 5 percent of the
 869 available funds defined in paragraph (17)(b) for all students,
 870 except that when 75 percent or more of the students enrolled in
 871 the charter school are exceptional students as defined in s.
 872 1003.01(3), the 5 percent of those available funds shall be
 873 calculated based on unweighted full-time equivalent students.
 874 However, a sponsor may only withhold up to a 5-percent
 875 administrative fee for enrollment for up to and including 250
 876 students. For charter schools with a population of 251 or more
 877 students, the difference between the total administrative fee
 878 calculation and the amount of the administrative fee withheld
 879 may only be used for capital outlay purposes specified in s.
 880 1013.62(2).

881 3. For high-performing charter schools, as defined in s.
 882 1002.331 ~~ch. 2011-232~~, a sponsor may withhold a total
 883 administrative fee of up to 2 percent for enrollment up to and
 884 including 250 students per school.

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885 4. In addition, a sponsor may withhold only up to a 5-
 886 percent administrative fee for enrollment for up to and
 887 including 500 students within a system of charter schools which
 888 meets all of the following:

889 a. Includes both conversion charter schools and
 890 nonconversion charter schools;

891 b. Has all schools located in the same county;

892 c. Has a total enrollment exceeding the total enrollment
 893 of at least one school district in the state;

894 d. Has the same governing board; and

895 e. Does not contract with a for-profit service provider
 896 for management of school operations.

897 5. The difference between the total administrative fee
 898 calculation and the amount of the administrative fee withheld
 899 pursuant to subparagraph 4. may be used for instructional and
 900 administrative purposes as well as for capital outlay purposes
 901 specified in s. 1013.62(2).

902 6. For a high-performing charter school system that also
 903 meets the requirements in subparagraph 4., a sponsor may
 904 withhold a 2-percent administrative fee for enrollments up to
 905 and including 500 students per system.

906 7. Sponsors shall not charge charter schools any
 907 additional fees or surcharges for administrative and educational
 908 services in addition to the maximum 5-percent administrative fee
 909 withheld pursuant to this paragraph.

910 8. The sponsor of a virtual charter school may withhold a

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911 fee of up to 5 percent. The funds shall be used to cover the
 912 cost of services provided under subparagraph 1. and
 913 implementation of the school district's digital classrooms plan
 914 pursuant to s. 1011.62.

915 9. A charter school whose initial application is submitted
 916 under s. 1002.331 and denied by the district school board is
 917 exempt from the administrative fee requirements of this
 918 paragraph.

919 Section 2. Paragraph (e) of subsection (2) and
 920 subsections (3), (4), and (5) of section 1002.331, Florida
 921 Statutes, are amended to read:

922 1002.331 High-performing charter schools.—

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

924 (e) Receive a modification of its charter to an additional
 925 a term of 15 years or a 15-year charter renewal. The charter may
 926 be modified or renewed for a shorter term at the option of the
 927 high-performing charter school. The sponsor has 30 days after
 928 the charter school receives its high-performing designation to
 929 provide a charter renewal to the charter school. The charter
 930 school and sponsor have 20 days to negotiate and notice the
 931 charter contract for final approval by the sponsor. The proposed
 932 charter contract must be provided to the charter school at least
 933 7 days before the date of the meeting at which the charter is
 934 scheduled for final approval by the sponsor. Any dispute may be
 935 appealed to an administrative law judge appointed by the
 936 Division of Administrative Hearings pursuant to s.

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937 1002.33(6)(h). The charter must be consistent with s.
 938 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
 939 review by the sponsor, and may be terminated during its term
 940 pursuant to s. 1002.33(8).

941

942 A high-performing charter school shall notify its sponsor in
 943 writing by March 1 if it intends to increase enrollment or
 944 expand grade levels the following school year. The written
 945 notice shall specify the amount of the enrollment increase and
 946 the grade levels that will be added, as applicable. If a charter
 947 school notifies the sponsor of its intent to expand, the sponsor
 948 shall modify the charter within 90 days to include the new
 949 enrollment maximum and may not make any other changes. The
 950 sponsor may deny a request to increase the enrollment of a high-
 951 performing charter school if the commissioner has declassified
 952 the charter school as high-performing. If a high-performing
 953 charter school requests to consolidate multiple charters, the
 954 sponsor shall have 40 days after receipt of that request to
 955 provide an initial draft charter to the charter school. The
 956 sponsor and charter school shall have 50 days thereafter to
 957 negotiate and notice the charter contract for final approval by
 958 the sponsor.

959 (3)(a) A high-performing charter school may submit an
 960 application pursuant to s. 1002.33(6) in any school district in
 961 the state to establish and operate a new charter school that
 962 will substantially replicate its educational program. An

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963 application submitted by a high-performing charter school must
 964 state that the application is being submitted pursuant to this
 965 paragraph and must include the verification letter provided by
 966 the Commissioner of Education pursuant to subsection ~~(4)~~(5). If
 967 the sponsor fails to act on the application within 60 days after
 968 receipt, the application is deemed approved and the procedure in
 969 s. 1002.33(6)(h) applies. If the sponsor denies the application,
 970 the high-performing charter school may appeal pursuant to s.
 971 1002.33(6).

972 (b) A high-performing charter school may not establish
 973 more than one charter school within the state under paragraph
 974 (a) in any year. A subsequent application to establish a charter
 975 school under paragraph (a) may not be submitted unless each
 976 charter school established in this manner achieves high-
 977 performing charter school status. This paragraph does not apply
 978 to charter schools established by a high-performing charter
 979 school in the attendance zone of a public school that earns a
 980 grade of "F" or three consecutive grades of "D" pursuant to s.
 981 1008.34 or to meet capacity needs or needs for innovative school
 982 choice options identified by the district school board.

983 ~~(4) A high performing charter school may not increase~~
 984 ~~enrollment or expand grade levels following any school year in~~
 985 ~~which it receives a school grade of "C" or below. If the charter~~
 986 ~~school receives a school grade of "C" or below in any 2 years~~
 987 ~~during the term of the charter awarded under subsection (2), the~~
 988 ~~term of the charter may be modified by the sponsor and the~~

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989 ~~charter school loses its high-performing charter school status~~
 990 ~~until it regains that status under subsection (1).~~

991 (4)~~(5)~~ The Commissioner of Education, upon request by a
 992 charter school, shall verify that the charter school meets the
 993 criteria in subsection (1) and provide a letter to the charter
 994 school and the sponsor stating that the charter school is a
 995 high-performing charter school pursuant to this section. The
 996 commissioner shall annually determine whether a high-performing
 997 charter school under subsection (1) continues to meet the
 998 criteria in that subsection. Such high-performing charter school
 999 shall maintain its high-performing status unless the
 1000 commissioner determines that the charter school no longer meets
 1001 the criteria in subsection (1), at which time the commissioner
 1002 shall send a letter to the charter school and its sponsor
 1003 providing notification that the charter school has been
 1004 declassified ~~of its declassification~~ as a high-performing
 1005 charter school.

1006 Section 3. Section 1002.333, Florida Statutes, is created
 1007 to read:

1008 1002.333 High Impact Charter Network.-

1009 (1) As used in this section, the term:

1010 (a) "Critical Need Area" means an area that is served by
 1011 one or more nonalternative, traditional public schools that
 1012 received a school grade of "D" or "F" pursuant to s. 1008.34 in
 1013 4 of the last 5 years.

1014 (b) "Entity" means a nonprofit organization with tax

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1015 exempt status under s. 501(c)(3) of the Internal Revenue Code
 1016 that is authorized by law to operate a public charter school.

1017 (2) An entity that successfully operates a system of
 1018 charter schools that primarily serves educationally
 1019 disadvantaged students, as defined in the Elementary and
 1020 Secondary Education Act, 20 U.S.C. s. 1115(b)(2), may apply to
 1021 the state board for status as a High Impact Charter Network. The
 1022 state board shall adopt rules prescribing a process for
 1023 determining whether the entity meets the requirements of this
 1024 subsection by reviewing student demographic and academic and
 1025 financial performance data. The process shall include a review
 1026 of all schools currently or previously operated by the entity,
 1027 including schoolwide and subgroup performance on all statewide,
 1028 standardized assessments for the most recent 3 years as compared
 1029 to all at the same grade level, and as compared with other
 1030 schools serving similar demographics of students, and school-
 1031 level financial performance. The review may also include
 1032 performance on nationally norm-referenced assessments, student
 1033 attendance and retention rates, graduation rates, college
 1034 attendance rates, college persistence rates, and other outcome
 1035 measures as determined by the state board.

1036 (3) An entity that is designated as a High Impact Charter
 1037 Network pursuant to this subsection may submit an application
 1038 pursuant to s. 1002.33 to establish and operate charter schools
 1039 in critical need areas. Notwithstanding s. 1013.62(1)(a), a
 1040 charter school operated by a High Impact Charter Network in a

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1041 critical need area is eligible to receive charter school capital
 1042 outlay.

1043 (4) The administrative fee provided for in s.
 1044 1002.33(20)(a)2., shall be waived for a charter school
 1045 established by a High Impact Charter Network in a critical need
 1046 area as long as the network maintains its status as a High
 1047 Impact Charter Network.

1048 (5) The department shall give priority to charter schools
 1049 operated by a High Impact Charter Network in the department's
 1050 Public Charter School Grant Program competitions. Priority shall
 1051 only be provided for new charter schools that will operate in a
 1052 critical need area.

1053 (6) The initial High Impact Charter Network status is
 1054 valid for up to 4 years. If an entity seeks renewal of its
 1055 status, the state board shall review the academic and financial
 1056 performance of the charter schools established in areas of
 1057 critical need pursuant to subsection (2).

1058 (7) For purposes of determining areas of critical need,
 1059 school grades issued for the 2014-2015 school year may not be
 1060 considered.

1061 (8) The State Board of Education shall adopt rules to
 1062 administer this section.

1063 Section 4. Paragraph (a) of subsection (3) and paragraph
 1064 (a) of subsection (8) of section 1002.37, Florida Statutes, are
 1065 amended to read:

1066 1002.37 The Florida Virtual School.—

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1067 (3) Funding for the Florida Virtual School shall be
 1068 provided as follows:

1069 (a)1. The calculation of "full-time equivalent student"
 1070 shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject
 1071 to s. 1011.61(4) For a student in grades 9 through 12, a "full-
 1072 time equivalent student" is one student who has successfully
 1073 completed six full credit courses that count toward the minimum
 1074 number of credits required for high school graduation. A student
 1075 who completes fewer than six full credit courses is a fraction
 1076 of a full-time equivalent student. Half-credit course
 1077 completions shall be included in determining a full-time
 1078 equivalent student.

1079 2. ~~For a student in kindergarten through grade 8, a "full-~~
 1080 ~~time equivalent student" is one student who has successfully~~
 1081 ~~completed six courses or the prescribed level of content that~~
 1082 ~~counts toward promotion to the next grade. A student who~~
 1083 ~~completes fewer than six courses or the prescribed level of~~
 1084 ~~content shall be a fraction of a full-time equivalent student.~~

1085 2.3. For a student in a home education program, funding
 1086 shall be provided in accordance with this subsection upon course
 1087 completion if the parent verifies, upon enrollment for each
 1088 course, that the student is registered with the school district
 1089 as a home education student pursuant to s. 1002.41(1)(a).
 1090 ~~Beginning in the 2016-2017 fiscal year, the reported full-time~~
 1091 ~~equivalent students and associated funding of students enrolled~~
 1092 ~~in courses requiring passage of an end-of-course assessment~~

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1093 ~~under s. 1003.4282 to earn a standard high school diploma shall~~
 1094 ~~be adjusted if the student does not pass the end of course~~
 1095 ~~assessment. However, no adjustment shall be made for home~~
 1096 ~~education program students who choose not to take an end of~~
 1097 ~~course assessment or for a student who enrolls in a segmented~~
 1098 ~~remedial course delivered online.~~

1099
 1100 ~~For purposes of this paragraph, the calculation of "full-time~~
 1101 ~~equivalent student" shall be as prescribed in s.~~
 1102 ~~1011.61(1)(c)1.b.(V) and is subject to the requirements in s.~~
 1103 ~~1011.61(4).~~

1104 (8)(a) The Florida Virtual School may provide full-time
 1105 and part-time instruction for students in kindergarten through
 1106 grade 12. ~~To receive part time instruction in kindergarten~~
 1107 ~~through grade 5, a student must meet at least one of the~~
 1108 ~~eligibility criteria in s. 1002.455(2).~~

1109 Section 5. Subsection (5) and paragraphs (c) and (d) of
 1110 subsection (8) of section 1002.45, Florida Statutes, are amended
 1111 to read:

1112 1002.45 Virtual instruction programs.—

1113 (5) STUDENT ELIGIBILITY.—Students in kindergarten through
 1114 grade 12 ~~A student~~ may enroll in a virtual instruction program
 1115 provided by the school district or by a virtual charter school
 1116 operated in the district in which he or she resides ~~if the~~
 1117 ~~student meets eligibility requirements for virtual instruction~~
 1118 ~~pursuant to s. 1002.455.~~

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1119 (8) ASSESSMENT AND ACCOUNTABILITY.—

1120 (c) An approved provider that receives a school grade of
 1121 "D" or "F" under s. 1008.34 or a school improvement rating of
 1122 "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a
 1123 school improvement plan with the department for consultation to
 1124 determine the causes for low performance and to develop a plan
 1125 for correction and improvement.

1126 (d) An approved provider's contract is automatically ~~must~~
 1127 ~~be terminated~~ if the provider earns two consecutive school
 1128 grades of ~~receives a school grade of "D" or "F"~~ under s.
 1129 1008.34, receives two consecutive ~~or a school improvement~~
 1130 ratings ~~rating of "unsatisfactory"~~ ~~"Declining"~~ under s.
 1131 1008.341, ~~for 2 years during any consecutive 4-year period~~ or
 1132 has violated any qualification requirement pursuant to
 1133 subsection (2). A provider that has a contract terminated under
 1134 this paragraph may not be an approved provider for a period of
 1135 at least 1 year after the date upon which the contract was
 1136 terminated and until the department determines that the provider
 1137 is in compliance with subsection (2) and has corrected each
 1138 cause of the provider's low performance.

1139 Section 6. Section 1002.455, Florida Statutes, is
 1140 repealed.

1141 Section 7. Subsection (3) of section 1003.4295, Florida
 1142 Statutes, is amended to read:

1143 1003.4295 Acceleration options.—

1144 (3) The Credit Acceleration Program (CAP) is created for

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1145 the purpose of allowing a student to earn high school credit in
 1146 courses required for high school graduation through passage of
 1147 an end-of-course assessment Algebra I, Algebra II, geometry,
 1148 ~~United States history, or biology if the student passes the~~
 1149 ~~statewide, standardized assessment~~ administered under s. 1008.22
 1150 or an Advanced Placement Examination. Notwithstanding s.
 1151 1003.436, a school district shall award course credit to a
 1152 student who is not enrolled in the course, or who has not
 1153 completed the course, if the student attains a passing score on
 1154 the corresponding end-of-course assessment or Advanced Placement
 1155 Examination statewide, standardized assessment. The school
 1156 district shall permit a public school or home education student
 1157 who is not enrolled in the course, or who has not completed the
 1158 course, to take the assessment during the regular administration
 1159 of the assessment.

1160 Section 8. Subsection (2) of section 1003.498, Florida
 1161 Statutes, is amended to read:

1162 1003.498 School district virtual course offerings.-

1163 (2) School districts may offer virtual courses for
 1164 students enrolled in the school district. These courses must be
 1165 identified in the course code directory. ~~Students who meet the~~
 1166 ~~eligibility requirements of s. 1002.455 may participate in these~~
 1167 ~~virtual course offerings.~~

1168 (a) Any eligible student who is enrolled in a school
 1169 district may register and enroll in an online course offered by
 1170 his or her school district.

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1171 (b)1. Any eligible student who is enrolled in a school
 1172 district may register and enroll in an online course offered by
 1173 any other school district in the state. The school district in
 1174 which the student completes the course shall report the
 1175 student's completion of that course for funding pursuant to s.
 1176 1011.61(1)(c)1.b.(VI), and the home school district shall not
 1177 report the student for funding for that course.

1178 2. The full-time equivalent student membership calculated
 1179 under this subsection is subject to the requirements in s.
 1180 1011.61(4). The Department of Education shall establish
 1181 procedures to enable interdistrict coordination for the delivery
 1182 and funding of this online option.

1183 Section 9. Section 1004.650, Florida Statutes, is created
 1184 to read:

1185 1004.650 Florida Institute for Charter School Innovation.—

1186 (1) There is established the Florida Institute for Charter
 1187 School Innovation. The primary mission of the institute is to
 1188 advance charter school accountability, quality, and innovation
 1189 by providing support for and technical assistance to charter
 1190 school applicants and authorizers. Additionally, the institute
 1191 shall conduct research for the development and promotion of best
 1192 practices for the authorizing, accountability, financing,
 1193 management, operation, and instructional practices of charter
 1194 schools and may provide opportunities for aspiring teachers to
 1195 experience teaching in schools of choice.

1196 (2) The institute:

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1197 (a) Shall provide technical assistance and support to
 1198 charter school applicants and authorizers.

1199 (b) Shall collect data and conduct research on all
 1200 voluntary closures under s. 1002.33(7)(d) and all charter
 1201 schools that close within the first 3 years of operation;
 1202 analyze the circumstances that led to the closures, including
 1203 actions of the charter school and the authorizer; and, based on
 1204 those results, provide guidance and technical assistance to
 1205 future applicants and authorizers. Charter schools and
 1206 authorizers must provide all requested information to the
 1207 institute.

1208 (c) Shall research and analyze best practices among
 1209 authorizers and, based upon the results of the research, create
 1210 and conduct professional development for authorizers.

1211 (d) Shall conduct research to inform policy and practices
 1212 related to charter school authorizing, accountability,
 1213 instructional practices, financing, management, and operations.

1214 (e) May partner with state-approved teacher preparation
 1215 programs around the state to provide opportunities for aspiring
 1216 teachers to experience teaching in schools of choice.

1217 (3) The commissioner shall appoint a director of the
 1218 institute. The director is responsible for the overall
 1219 management of the institute and for developing and executing the
 1220 work of the institute consistent with this section.

1221 (4) By October 1 of each year, the institute shall publish
 1222 on its website a report of its activities for the preceding

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1223 year, which shall include, but need not be limited to, the
 1224 number of applicants and authorizers served, the number of
 1225 teachers provided opportunities to experience teaching in
 1226 schools of choice, significant research findings, detailed
 1227 expenditures of state funds, and specific recommendations for
 1228 improving the state's charter school policies and the
 1229 institute's ability to fulfill its mission.

1230 (5) Within 180 days after completion of the institute's
 1231 fiscal year, the institute must provide to the Auditor General
 1232 and the State Board of Education a report on the results of an
 1233 annual financial audit conducted by an independent certified
 1234 public accountant in accordance with s. 11.45.

1235 Section 10. Subsection (1) of section 1011.61, Florida
 1236 Statutes, is amended to read:

1237 1011.61 Definitions.—Notwithstanding the provisions of s.
 1238 1000.21, the following terms are defined as follows for the
 1239 purposes of the Florida Education Finance Program:

1240 (1) A "full-time equivalent student" in each program of
 1241 the district is defined in terms of full-time students and part-
 1242 time students as follows:

1243 (a) A "full-time student" is one student on the membership
 1244 roll of one school program or a combination of school programs
 1245 listed in s. 1011.62(1)(c) for the school year or the equivalent
 1246 for:

1247 1. Instruction in a standard school, comprising not less
 1248 than 900 net hours for a student in or at the grade level of 4

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1249 through 12, or not less than 720 net hours for a student in or
 1250 at the grade level of kindergarten through grade 3 or in an
 1251 authorized prekindergarten exceptional program; or

1252 ~~2. Instruction in a double-session school or a school~~
 1253 ~~utilizing an experimental school calendar approved by the~~
 1254 ~~Department of Education, comprising not less than the equivalent~~
 1255 ~~of 810 net hours in grades 4 through 12 or not less than 630 net~~
 1256 ~~hours in kindergarten through grade 3; or~~

1257 2. ~~3.~~ Instruction comprising the appropriate number of net
 1258 hours set forth in subparagraph 1. ~~or subparagraph 2.~~ for
 1259 students who, within the past year, have moved with their
 1260 parents for the purpose of engaging in the farm labor or fish
 1261 industries, if a plan furnishing such an extended school day or
 1262 week, or a combination thereof, has been approved by the
 1263 commissioner. Such plan may be approved to accommodate the needs
 1264 of migrant students only or may serve all students in schools
 1265 having a high percentage of migrant students. The plan described
 1266 in this subparagraph is optional for any school district and is
 1267 not mandated by the state.

1268 (b) A "part-time student" is a student on the active
 1269 membership roll of a school program or combination of school
 1270 programs listed in s. 1011.62(1)(c) who is less than a full-time
 1271 student. A student who receives instruction in a school that
 1272 operates for less than the minimum term shall generate a full-
 1273 time equivalent student proportional to the amount of
 1274 instructional hours provided by the school divided by the

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1275 minimum term requirement as provided in s. 1011.60(2).

1276 (c)1. A "full-time equivalent student" is:

1277 a. A full-time student in any one of the programs listed
1278 in s. 1011.62(1)(c); or

1279 b. A combination of full-time or part-time students in any
1280 one of the programs listed in s. 1011.62(1)(c) which is the
1281 equivalent of one full-time student based on the following
1282 calculations:

1283 (I) A full-time student in a combination of programs
1284 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
1285 equivalent membership in each special program equal to the
1286 number of net hours per school year for which he or she is a
1287 member, divided by the appropriate number of hours set forth in
1288 subparagraph (a)1. or subparagraph (a)2. The difference between
1289 that fraction or sum of fractions and the maximum value as set
1290 forth in subsection (4) for each full-time student is presumed
1291 to be the balance of the student's time not spent in a special
1292 program and shall be recorded as time in the appropriate basic
1293 program.

1294 (II) A prekindergarten student with a disability shall
1295 meet the requirements specified for kindergarten students.

1296 (III) A full-time equivalent student for students in
1297 kindergarten through grade 12 in a full-time virtual instruction
1298 program under s. 1002.45 or a virtual charter school under s.
1299 1002.33 shall consist of six full-credit completions or the
1300 prescribed level of content that counts toward promotion to the

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1301 next grade in programs listed in s. 1011.62(1)(c). Credit
 1302 completions may be a combination of full-credit courses or half-
 1303 credit courses. Beginning in the 2016-2017 fiscal year, the
 1304 reported full-time equivalent students and associated funding of
 1305 students enrolled in courses requiring passage of an end-of-
 1306 course assessment under s. 1003.4282 to earn a standard high
 1307 school diploma shall be adjusted if the student does not pass
 1308 the end-of-course assessment. However, no adjustment shall be
 1309 made for a student who enrolls in a segmented remedial course
 1310 delivered online.

1311 (IV) A full-time equivalent student for students in
 1312 kindergarten through grade 12 in a part-time virtual instruction
 1313 program under s. 1002.45 shall consist of six full-credit
 1314 completions in programs listed in s. 1011.62(1)(c)1. and 3.
 1315 Credit completions may be a combination of full-credit courses
 1316 or half-credit courses. ~~Beginning in the 2016-2017 fiscal year,~~
 1317 ~~the reported full time equivalent students and associated~~
 1318 ~~funding of students enrolled in courses requiring passage of an~~
 1319 ~~end of course assessment under s. 1003.4282 to earn a standard~~
 1320 ~~high school diploma shall be adjusted if the student does not~~
 1321 ~~pass the end of course assessment. However, no adjustment shall~~
 1322 ~~be made for a student who enrolls in a segmented remedial course~~
 1323 ~~delivered online.~~

1324 (V) A Florida Virtual School full-time equivalent student
 1325 shall consist of six full-credit completions or the prescribed
 1326 level of content that counts toward promotion to the next grade

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1327 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
 1328 participating in kindergarten through grade 12 part-time virtual
 1329 instruction and the programs listed in s. 1011.62(1)(c) for
 1330 students participating in kindergarten through grade 12 full-
 1331 time virtual instruction. Credit completions may be a
 1332 combination of full-credit courses or half-credit courses.

1333 ~~Beginning in the 2016-2017 fiscal year, the reported full-time~~
 1334 ~~equivalent students and associated funding of students enrolled~~
 1335 ~~in courses requiring passage of an end-of-course assessment~~
 1336 ~~under s. 1003.4282 to earn a standard high school diploma shall~~
 1337 ~~be adjusted if the student does not pass the end-of-course~~
 1338 ~~assessment. However, no adjustment shall be made for a student~~
 1339 ~~who enrolls in a segmented remedial course delivered online.~~

1340 (VI) Each successfully completed full-credit course earned
 1341 through an online course delivered by a district other than the
 1342 one in which the student resides shall be calculated as 1/6
 1343 FTE.

1344 (VII) A full-time equivalent student for courses requiring
 1345 passage of a statewide, standardized end-of-course assessment
 1346 under s. 1003.4282 to earn a standard high school diploma shall
 1347 be defined and reported based on the number of instructional
 1348 hours as provided in this subsection until the 2016-2017 fiscal
 1349 year. ~~Beginning in the 2016-2017 fiscal year, the FTE for the~~
 1350 ~~course shall be assessment based and shall be equal to 1/6 FTE.~~
 1351 ~~The reported FTE shall be adjusted if the student does not pass~~
 1352 ~~the end-of-course assessment. However, no adjustment shall be~~

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1353 ~~made for a student who enrolls in a segmented remedial course~~
 1354 ~~delivered online.~~

1355 (VIII) For students enrolled in a school district as a
 1356 full-time student, the district may report 1/6 FTE for each
 1357 student who passes a statewide, standardized end-of-course
 1358 assessment without being enrolled in the corresponding course.

1359 2. A student in membership in a program scheduled for more
 1360 or less than 180 school days or the equivalent on an hourly
 1361 basis as specified by rules of the State Board of Education is a
 1362 fraction of a full-time equivalent membership equal to the
 1363 number of instructional hours in membership divided by the
 1364 appropriate number of hours set forth in subparagraph (a)1.;
 1365 however, for the purposes of this subparagraph, membership in
 1366 programs scheduled for more than 180 days is limited to students
 1367 enrolled in:

- 1368 a. Juvenile justice education programs.
- 1369 b. The Florida Virtual School.
- 1370 c. Virtual instruction programs and virtual charter
- 1371 schools for the purpose of course completion and credit recovery
- 1372 pursuant to ss. 1002.45 and 1003.498. Course completion applies
- 1373 only to a student who is reported during the second or third
- 1374 membership surveys and who does not complete a virtual education
- 1375 course by the end of the regular school year. The course must be
- 1376 completed no later than the deadline for amending the final
- 1377 student enrollment survey for that year. Credit recovery applies
- 1378 only to a student who has unsuccessfully completed a traditional

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1379 or virtual education course during the regular school year and
 1380 must re-take the course in order to be eligible to graduate with
 1381 the student's class.

1382
 1383 The full-time equivalent student enrollment calculated under
 1384 this subsection is subject to the requirements in subsection
 1385 (4).

1386
 1387 The department shall determine and implement an equitable method
 1388 of equivalent funding for ~~experimental schools and for schools~~
 1389 operating under emergency conditions, which schools have been
 1390 approved by the department to operate for less than the minimum
 1391 term as provided in s. 1011.60(2) ~~school-day~~.

1392 Section 11. Subsection (11) of section 1011.62, Florida
 1393 Statutes, is amended to read:

1394 1011.62 Funds for operation of schools.—If the annual
 1395 allocation from the Florida Education Finance Program to each
 1396 district for operation of schools is not determined in the
 1397 annual appropriations act or the substantive bill implementing
 1398 the annual appropriations act, it shall be determined as
 1399 follows:

1400 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 1401 annually provide in the Florida Education Finance Program a
 1402 virtual education contribution. The amount of the virtual
 1403 education contribution shall be the difference between the
 1404 amount per FTE established in the General Appropriations Act for

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1405 virtual education and the amount per FTE for each district and
 1406 the Florida Virtual School, which may be calculated by taking
 1407 the sum of the base FEFP allocation, the discretionary local
 1408 effort, the state-funded discretionary contribution, the
 1409 discretionary millage compression supplement, the research-based
 1410 reading instruction allocation, and the instructional materials
 1411 allocation, and then dividing by the total unweighted FTE. This
 1412 difference shall be multiplied by the virtual education
 1413 unweighted FTE for programs and options identified in ss.
 1414 1002.33(1), 1002.45(1)(b), and 1003.498 ~~s. 1002.455(3)~~ and the
 1415 Florida Virtual School and its franchises to equal the virtual
 1416 education contribution and shall be included as a separate
 1417 allocation in the funding formula.

1418 Section 12. Paragraph (b) of subsection (8) of section
 1419 1012.56, Florida Statutes, is amended to read:

1420 1012.56 Educator certification requirements.—

1421 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 1422 COMPETENCY PROGRAM.—

1423 (b)1. Each school district must and a private school or
 1424 state-supported ~~state-supported~~ public school, including a
 1425 charter school, or a private school may develop and maintain a
 1426 system by which members of the instructional staff may
 1427 demonstrate mastery of professional preparation and education
 1428 competence as required by law. Each program must be based on
 1429 classroom application of the Florida Educator Accomplished
 1430 Practices and instructional performance and, for public schools,

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1431 must be aligned with the district's or state-supported public
 1432 school's evaluation system established ~~approved~~ under s.
 1433 1012.34, as applicable.

1434 2. The Commissioner of Education shall determine the
 1435 continued approval of programs implemented under this paragraph,
 1436 based upon the department's review of performance data. The
 1437 department shall review the performance data as a part of the
 1438 periodic review of each school district's professional
 1439 development system required under s. 1012.98.

1440 Section 13. Paragraph (a) of subsection (1) of section
 1441 1013.62, Florida Statutes, is amended to read:

1442 1013.62 Charter schools capital outlay funding.—

1443 (1) In each year in which funds are appropriated for
 1444 charter school capital outlay purposes, the Commissioner of
 1445 Education shall allocate the funds among eligible charter
 1446 schools.

1447 (a) To be eligible for a funding allocation, a charter
 1448 school must:

1449 1.a. Have been in operation for 3 or more years;

1450 b. Be governed by a governing board established in the
 1451 state for 3 or more years which operates both charter schools
 1452 and conversion charter schools within the state;

1453 c. Be an expanded feeder chain of a charter school within
 1454 the same school district that is currently receiving charter
 1455 school capital outlay funds;

1456 d. Have been accredited by the Commission on Schools of

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1457 the Southern Association of Colleges and Schools; or
 1458 e. Serve students in facilities that are provided by a
 1459 business partner for a charter school-in-the-workplace pursuant
 1460 to s. 1002.33(15)(b).

1461 2. Have an annual audit that does not reveal any of the
 1462 financial emergency conditions provided in s. 218.503(1) for the
 1463 most recent fiscal year for which such audit results are
 1464 available ~~stability for future operation as a charter school.~~

1465 3. Have satisfactory student achievement based on state
 1466 accountability standards applicable to the charter school.

1467 4. Have received final approval from its sponsor pursuant
 1468 to s. 1002.33 for operation during that fiscal year.

1469 5. Serve students in facilities that are not provided by
 1470 the charter school's sponsor.

1471 Section 14. This act shall take effect July 1, 2016.