

By the Committee on Appropriations

576-02709-18

20182508__

1 A bill to be entitled
2 An act relating to K-12 education; amending s.
3 1002.333, F.S.; redefining the terms "persistently
4 low-performing school" and "school of hope"; revising
5 the contents of a school of hope notice of intent and
6 performance-based agreement; revising school of hope
7 facility requirements; specifying that certain schools
8 of hope are eligible to receive hope supplemental
9 service allocation funds; requiring the State Board of
10 Education to provide awards to all eligible schools
11 that meet certain requirements; conforming cross-
12 references; creating s. 1002.334, F.S.; defining the
13 term "franchise model school"; authorizing specified
14 schools to use a franchise model school as a
15 turnaround option; specifying requirements for a
16 franchise model school principal; amending s.
17 1007.273, F.S.; defining the term "structured
18 program"; providing additional options for students
19 participating in a structured program; prohibiting a
20 district school board from limiting the number of
21 public school students who may participate in a
22 structured program; revising contract requirements;
23 requiring each district school board to annually
24 notify students in certain grades of certain
25 information about the structured program, by a
26 specified date; revising provisions relating to
27 funding; requiring the state board to enforce
28 compliance with certain provisions by a specified date
29 each year; providing reporting requirements; amending

576-02709-18

20182508__

30 s. 1008.33, F.S.; revising the turnaround options
31 available for certain schools; amending s. 1011.62,
32 F.S.; creating the hope supplemental services
33 allocation; providing the purpose of the allocation;
34 specifying the services that may be funded by the
35 allocation; providing that implementation plans may
36 include certain models; providing requirements for
37 implementation plans; providing for the allocation of
38 funds in specified fiscal years; creating the mental
39 health assistance allocation; providing the purpose of
40 the allocation; providing for the annual allocation of
41 such funds on a specified basis; prohibiting the use
42 of allocated funds to supplant funds provided from
43 other operating funds, to increase salaries, or to
44 provide bonuses; providing requirements for school
45 districts and charter schools; providing that required
46 plans must include certain elements; requiring school
47 districts to annually submit approved plans to the
48 Commissioner of Education by a specified date;
49 requiring that entities that receive such allocations
50 annually submit a final report on program outcomes and
51 specific expenditures to the commissioner by a
52 specified date; creating the funding compression
53 allocation; providing the purpose of the allocation;
54 authorizing funding for the annual allocation for
55 specified purposes; providing the calculation for the
56 allocation; amending s. 1011.71, F.S.; increasing the
57 amount that a school district may expend from a
58 specified millage levy for certain expenses; amending

576-02709-18

20182508__

59 s. 1012.731, F.S.; deleting Florida Best and Brightest
60 Teacher Scholarship Program scholarship awards
61 authorized for specific school years; amending s.
62 1012.732, F.S.; specifying that a franchise model
63 school principal is eligible to receive a Florida Best
64 and Brightest Principal scholarship; requiring
65 specified awards for eligible principals; amending s.
66 1013.31, F.S.; authorizing a district to use certain
67 sources of funds for educational, auxiliary, and
68 ancillary plant capital outlay purposes without
69 needing a survey recommendation; amending s. 1013.62,
70 F.S.; revising the Department of Education's
71 calculation methodology for a school district's
72 distribution of discretionary millage to its eligible
73 charter schools; providing an effective date.
74

75 Be It Enacted by the Legislature of the State of Florida:
76

77 Section 1. Subsections (1) and (2), paragraph (a) of
78 subsection (4), paragraphs (b), (g), and (i) of subsection (5),
79 paragraph (a) of subsection (7), subsection (9), and paragraph
80 (b) of subsection (10) of section 1002.333, Florida Statutes,
81 are amended to read:

82 1002.333 Persistently low-performing schools.—

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

84 (a) "Hope operator" means an entity identified by the
85 department pursuant to subsection (2).

86 (b) "Persistently low-performing school" means a school
87 that has completed 2 school years of a district-managed

576-02709-18

20182508__

88 turnaround plan required under s. 1008.33(4) (a) and has not
89 improved its school grade to a "C" or higher, earned three
90 consecutive grades lower than a "C," pursuant to s. 1008.34, and
91 a school that was closed pursuant to s. 1008.33(4) within 2
92 years after the submission of a notice of intent.

93 (c) "School of hope" means:

94 1. A charter school operated by a hope operator which
95 serves students from one or more persistently low-performing
96 schools, ~~is located in the attendance zone of a persistently~~
97 ~~low-performing school or within a 5-mile radius of such school,~~
98 ~~whichever is greater;~~ and is a Title I eligible school; or

99 2. A school operated by a hope operator pursuant to s.
100 1008.33(4) (b) 3.b. ~~s. 1008.33(4) (b) 3.~~

101 (2) HOPE OPERATOR.—A hope operator is a nonprofit
102 organization with tax exempt status under s. 501(c)(3) of the
103 Internal Revenue Code which ~~that~~ operates three or more charter
104 schools that serve students in grades K-12 in Florida or other
105 states with a record of serving students from low-income
106 families and is designated by the State Board of Education as a
107 hope operator based on a determination that:

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

110 1. The achievement of enrolled students exceeds the
111 district and state averages of the states in which the
112 operator's schools operate;

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

116 3. The percentage of students eligible for a free or

576-02709-18

20182508__

117 reduced price lunch under the National School Lunch Act enrolled
118 at all schools currently operated by the operator exceeds 70
119 percent;

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

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

124 6. Other outcome measures as determined by the State Board
125 of Education;

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

130 (c) The operator receives funding through the National Fund
131 of the Charter School Growth Fund to accelerate the growth of
132 the nation's best charter schools; or

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

135

136 An entity that meets the requirements of paragraph (b),
137 paragraph (c), or paragraph (d) before the adoption by the state
138 board of measurable criteria pursuant to paragraph (a) shall be
139 designated as a hope operator. After the adoption of the
140 measurable criteria, an entity, including a governing board that
141 operates a school established pursuant to s. 1008.33(4)(b)3.b.
142 ~~s. 1008.33(4)(b)3.~~, shall be designated as a hope operator if it
143 meets the criteria of paragraph (a).

144 (4) ESTABLISHMENT OF SCHOOLS OF HOPE.—A hope operator
145 seeking to open a school of hope must submit a notice of intent

576-02709-18

20182508__

146 to the school district in which a persistently low-performing
 147 school has been identified by the State Board of Education
 148 pursuant to subsection (10).

149 (a) The notice of intent must include all of the following:

150 1. An academic focus and plan.

151 2. A financial plan.

152 3. Goals and objectives for increasing student achievement
 153 for the students from low-income families.

154 4. A completed or planned community outreach plan.

155 5. The organizational history of success in working with
 156 students with similar demographics.

157 6. The grade levels to be served and enrollment
 158 projections.

159 7. The specific ~~proposed~~ location or geographic area
 160 proposed for the school and its proximity to the persistently
 161 low-performing school or the plan to use the district-owned
 162 facilities of the persistently low-performing school.

163 8. A staffing plan.

164 9. An operations plan specifying the operator's intent to
 165 undertake the operations of the persistently low-performing
 166 school in its entirety or through limited components of the
 167 operations.

168 (5) PERFORMANCE-BASED AGREEMENT.—The following shall
 169 comprise the entirety of the performance-based agreement:

170 ~~(b) The location or geographic area proposed for the school~~
 171 ~~of hope and its proximity to the persistently low-performing~~
 172 ~~school.~~

173 (f) ~~(g)~~ The grounds for termination, including failure to
 174 meet the requirements for student performance established

576-02709-18

20182508__

175 pursuant to paragraph (d) ~~(e)~~, generally accepted standards of
176 fiscal management, or material violation of terms of the
177 agreement. The nonrenewal or termination of a performance-based
178 agreement must comply with the requirements of s. 1002.33(8).

179 (h) ~~(i)~~ A provision establishing the initial term as 5
180 years. The agreement must ~~shall~~ be renewed, upon the request of
181 the hope operator, unless the school fails to meet the
182 requirements for student performance established pursuant to
183 paragraph (d) ~~(e)~~ or generally accepted standards of fiscal
184 management or the school of hope materially violates the law or
185 the terms of the agreement.

186 (7) FACILITIES.—

187 (a) 1. A school of hope that meets the definition under
188 subparagraph (1)(c)1. shall use facilities that comply with the
189 Florida Building Code, except for the State Requirements for
190 Educational Facilities. ~~A school of hope that uses school~~
191 ~~district facilities must comply with the State Requirements for~~
192 ~~Educational Facilities only if the school district and the hope~~
193 ~~operator have entered into a mutual management plan for the~~
194 ~~reasonable maintenance of such facilities. The mutual management~~
195 ~~plan shall contain a provision by which the district school~~
196 ~~board agrees to maintain the school facilities in the same~~
197 ~~manner as its other public schools within the district.~~

198 2. A school of hope that meets the definition under
199 subparagraph (1)(c)2. and that receives funds from the hope
200 supplemental services allocation under s. 1011.62(16) shall use
201 the district-owned facilities of the persistently low-performing
202 school that the school of hope operates. A school of hope that
203 uses district-owned facilities must enter into a mutual

576-02709-18

20182508__

204 management plan with the school district for the reasonable
205 maintenance of the facilities. The mutual management plan must
206 contain a provision specifying that the district school board
207 agrees to maintain the school facilities in the same manner as
208 other public schools within the district.

209
210 The local governing authority shall not adopt or impose any
211 local building requirements or site-development restrictions,
212 such as parking and site-size criteria, student enrollment, and
213 occupant load, that are addressed by and more stringent than
214 those found in the State Requirements for Educational Facilities
215 of the Florida Building Code. A local governing authority must
216 treat schools of hope equitably in comparison to similar
217 requirements, restrictions, and site planning processes imposed
218 upon public schools. The agency having jurisdiction for
219 inspection of a facility and issuance of a certificate of
220 occupancy or use shall be the local municipality or, if in an
221 unincorporated area, the county governing authority. If an
222 official or employee of the local governing authority refuses to
223 comply with this paragraph, the aggrieved school or entity has
224 an immediate right to bring an action in circuit court to
225 enforce its rights by injunction. An aggrieved party that
226 receives injunctive relief may be awarded reasonable attorney
227 fees and court costs.

228 (9) FUNDING.—

229 (a) Schools of hope shall be funded in accordance with s.
230 1002.33(17).

231 (b) Schools of hope shall receive priority in the
232 department's Public Charter School Grant Program competitions.

576-02709-18

20182508__

233 (c) Schools of hope shall be considered charter schools for
234 purposes of s. 1013.62, except charter capital outlay may not be
235 used to purchase real property or for the construction of school
236 facilities.

237 (d) Schools of hope that meet the definition under
238 subparagraph (1)(c)1. are eligible to receive funds from the
239 Schools of Hope Program.

240 (e) Schools of hope that meet the definition under
241 subparagraph (1)(c)2. are eligible to receive funds from the
242 hope supplemental services allocation established under s.
243 1011.62(16).

244 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
245 is created within the Department of Education.

246 (b) A traditional public school that is required to submit
247 a plan for implementation pursuant to s. 1008.33(4) is eligible
248 to receive funding for services authorized up to \$2,000 per
249 full-time equivalent student from the hope supplemental services
250 allocation established under s. 1011.62(16) ~~Schools of Hope~~
251 ~~Program based upon the strength of the school's plan for~~
252 ~~implementation and its focus on evidence-based interventions~~
253 ~~that lead to student success by providing wrap-around services~~
254 ~~that leverage community assets, improve school and community~~
255 ~~collaboration, and develop family and community partnerships.~~
256 ~~Wrap-around services include, but are not limited to, tutorial~~
257 ~~and after-school programs, student counseling, nutrition~~
258 ~~education, parental counseling, and adult education. Plans for~~
259 ~~implementation may also include models that develop a culture of~~
260 ~~attending college, high academic expectations, character~~
261 ~~development, dress codes, and an extended school day and school~~

576-02709-18

20182508__

262 ~~year. At a minimum, a plan for implementation must:~~

263 ~~1. Establish wrap-around services that develop family and~~
264 ~~community partnerships.~~

265 ~~2. Establish clearly defined and measurable high academic~~
266 ~~and character standards.~~

267 ~~3. Increase parental involvement and engagement in the~~
268 ~~child's education.~~

269 ~~4. Describe how the school district will identify, recruit,~~
270 ~~retain, and reward instructional personnel. The state board may~~
271 ~~waive the requirements of s. 1012.22(1)(c)5., and suspend the~~
272 ~~requirements of s. 1012.34, to facilitate implementation of the~~
273 ~~plan.~~

274 ~~5. Identify a knowledge-rich curriculum that the school~~
275 ~~will use that focuses on developing a student's background~~
276 ~~knowledge.~~

277 ~~6. Provide professional development that focuses on~~
278 ~~academic rigor, direct instruction, and creating high academic~~
279 ~~and character standards.~~

280 Section 2. Section 1002.334, Florida Statutes, is created
281 to read:

282 1002.334 Franchise model schools.-

283 (1) As used in this section, the term "franchise model
284 school" means a persistently low-performing school, as defined
285 in s. 1002.333(1)(b), which is led by a highly effective
286 principal in addition to the principal's currently assigned
287 school. If a franchise model school achieves a grade of "C" or
288 higher, the school may retain its status as a franchise model
289 school at the discretion of the school district.

290 (2) A school district that has one or more persistently

576-02709-18

20182508__

291 low-performing schools may use a franchise model school as a
292 school turnaround option pursuant to s. 1008.33(4)(b)4.

293 (3) A franchise model school principal:

294 (a) Must be rated as highly effective pursuant to s.
295 1012.34;

296 (b) May lead two or more schools, including a persistently
297 low-performing school or a school that was considered a
298 persistently low-performing school before becoming a franchise
299 model school;

300 (c) May allocate resources and personnel between the
301 schools under his or her administration; however, he or she must
302 expend hope supplemental services allocation funds, authorized
303 under s. 1011.62(16), at the franchise model school; and

304 (d) Is eligible to receive a Best and Brightest Principal
305 award under s. 1012.732.

306 Section 3. Section 1007.273, Florida Statutes, is amended
307 to read:

308 1007.273 Structured high school acceleration programs
309 ~~Collegiate high school program.~~

310 ~~(1)~~ Each Florida College System institution shall work with
311 each district school board in its designated service area to
312 establish one or more structured programs, including, but not
313 limited to, collegiate high school programs. As used in this
314 section, the term "structured program" means a structured high
315 school acceleration program.

316 (1)~~(2)~~ PURPOSE.—At a minimum, structured ~~collegiate high~~
317 ~~school~~ programs must include an option for public school
318 students in grade 11 or grade 12 participating in the structured
319 program, for at least 1 full school year, to earn CAPE industry

576-02709-18

20182508__

320 certifications pursuant to s. 1008.44, and to successfully
321 complete at least 30 credit hours through the dual enrollment
322 program under s. 1007.271. The structured program must
323 prioritize dual enrollment courses that are applicable toward
324 general education core courses or common prerequisite course
325 requirements under s. 1007.25 over dual enrollment courses
326 applicable as electives toward at least the first year of
327 college for an associate degree or baccalaureate degree while
328 enrolled in the structured program. A district school board may
329 not limit the number of eligible public school students who may
330 enroll in such structured programs.

331 (2) ~~(3)~~ REQUIRED STRUCTURED PROGRAM CONTRACTS.-

332 (a) Each district school board and its local Florida
333 College System institution shall execute a contract to establish
334 one or more structured ~~collegiate high school~~ programs at a
335 mutually agreed upon location or locations. ~~Beginning with the~~
336 ~~2015-2016 school year,~~ If the local Florida College System
337 institution does not establish a structured program with a
338 district school board in its designated service area, another
339 Florida College System institution may execute a contract with
340 that district school board to establish the structured program.
341 The contract must be executed by January 1 of each school year
342 for implementation of the structured program during the next
343 school year. By August 1, 2018, a contract entered into before
344 January 1, 2018, for the 2018-2019 school year must be modified
345 to include the provisions of paragraph (b).

346 (b) The contract must:

347 1. ~~(a)~~ Identify the grade levels to be included in the
348 structured ~~collegiate high school~~ program; ~~which must, at a~~

576-02709-18

20182508__

349 ~~minimum, include grade 12.~~

350 2.(b) Describe the structured ~~collegiate high school~~
351 program, including a list of the meta-major academic pathways
352 approved pursuant to s. 1008.30(4), which are available to
353 participating students through the partner Florida College
354 System institution or other eligible partner postsecondary
355 institutions; the delineation of courses that must, at a
356 minimum, include general education core courses and common
357 prerequisite course requirements pursuant to s. 1007.25; and
358 industry certifications offered, including online course
359 availability; the high school and college credits earned for
360 each postsecondary course completed and industry certification
361 earned; student eligibility criteria; and the enrollment process
362 and relevant deadlines;~~;~~

363 3.(e) Describe the methods, medium, and process by which
364 students and their parents are annually informed about the
365 availability of the structured ~~collegiate high school~~ program,
366 the return on investment associated with participation in the
367 structured program, and the information described in
368 subparagraphs 1. and 2.; paragraphs (a) and (b).

369 4.(d) Identify the delivery methods for instruction and the
370 instructors for all courses;~~;~~

371 5.(e) Identify student advising services and progress
372 monitoring mechanisms;~~;~~

373 6.(f) Establish a program review and reporting mechanism
374 regarding student performance outcomes; ~~and.~~

375 7.(g) Describe the terms of funding arrangements to
376 implement the structured ~~collegiate high school~~ program pursuant
377 to paragraph (5) (a).

576-02709-18

20182508__

378 (3) STUDENT PERFORMANCE CONTRACT AND NOTIFICATION.—
379 (a) ~~(4)~~ Each student participating in a structured
380 collegiate ~~high school~~ program must enter into a student
381 performance contract which must be signed by the student, the
382 parent, and a representative of the school district and the
383 applicable Florida College System institution, state university,
384 or other institution participating pursuant to subsection (4)
385 ~~(5)~~. The performance contract must, at a minimum, specify
386 ~~include~~ the schedule of courses, by semester, and industry
387 certifications to be taken by the student, if any; student
388 attendance requirements; ~~and~~ course grade requirements; and the
389 applicability of such courses to an associate degree or a
390 baccalaureate degree.

391 (b) By September 1 of each school year, each district
392 school board must notify each student enrolled in grades 9, 10,
393 11, and 12 in a public school within the school district about
394 the structured program, including, but not limited to:

395 1. The method for earning college credit through
396 participation in the structured program. The notification must
397 include website links to the dual enrollment course equivalency
398 list approved by the State Board of Education; the common degree
399 program prerequisite requirements published by the Articulation
400 Coordinating Committee pursuant to s. 1007.01(3)(f); the
401 industry certification articulation agreements adopted by the
402 State Board of Education in rule; and the approved meta-major
403 academic pathways of the partner Florida College System
404 institution and other eligible partner postsecondary
405 institutions participating pursuant to subsection (4); and
406 2. The estimated cost savings to students and their

576-02709-18

20182508__

407 families resulting from students successfully completing 30
408 credit hours applicable toward general education core courses or
409 common prerequisite course requirements before graduating from
410 high school versus the cost of earning such credit hours after
411 graduating from high school.

412 (4) ~~(5)~~ AUTHORIZED STRUCTURED PROGRAM CONTRACTS.—In addition
413 to executing a contract with the local Florida College System
414 institution under this section, a district school board may
415 execute a contract to establish a structured ~~collegiate high~~
416 ~~school~~ program with a state university or an institution that is
417 eligible to participate in the William L. Boyd, IV, Florida
418 Resident Access Grant Program, that is a nonprofit independent
419 college or university located and chartered in this state, and
420 that is accredited by the Commission on Colleges of the Southern
421 Association of Colleges and Schools to grant baccalaureate
422 degrees. Such university or institution must meet the
423 requirements specified under subsections (2) ~~(3)~~ and (3) ~~(4)~~. A
424 charter school may execute a contract directly with the local
425 Florida College System institution or another institution as
426 authorized under this section to establish a structured program
427 at a mutually agreed upon location.

428 (5) FUNDING.—

429 (a) ~~(6)~~ The structured ~~collegiate high school~~ program shall
430 be funded pursuant to ss. 1007.271 and 1011.62. The State Board
431 of Education shall enforce compliance with this section by
432 withholding the transfer of funds for the school districts ~~and~~
433 ~~the Florida College System institutions~~ in accordance with s.
434 1008.32. Annually, by December 31, the State Board of Education
435 shall enforce compliance with this section by withholding the

576-02709-18

20182508__

436 transfer of funds for the Florida College System institutions in
437 accordance with s. 1001.602.

438 (b) A student who enrolls in the structured program and
439 successfully completes at least 30 college credit hours during a
440 school year through the dual enrollment program under s.
441 1007.271 generates a 0.5 full-time equivalent (FTE) bonus. A
442 student who enrolls in the structured program and successfully
443 completes an additional 30 college credit hours during a school
444 year, resulting in at least 60 college credit hours through the
445 dual enrollment program under s. 1007.271 applicable toward
446 fulfilling the requirements for an associate in arts degree or
447 an associate in science degree or a baccalaureate degree
448 pursuant to the student performance contract under subsection
449 (3), before graduating from high school, generates an additional
450 0.5 FTE bonus. Each district school board that is a contractual
451 partner with a Florida College System institution or other
452 eligible postsecondary institution shall report to the
453 commissioner the total FTE bonus for each structured program for
454 the students from that school district. The total FTE bonus
455 shall be added to each school district's total weighted FTE for
456 funding in the subsequent fiscal year.

457 (c) For any industry certification a student attains under
458 this section, the FTE bonus shall be calculated and awarded in
459 accordance with s. 1011.62(1)(o).

460 (6) REPORTING REQUIREMENTS.-

461 (a) By September 1 of each school year, each district
462 school superintendent shall report to the commissioner, at a
463 minimum, the following information on each structured program
464 administered during the prior school year:

576-02709-18

20182508__

465 1. The number of students in public schools within the
466 school district who enrolled in the structured program, and the
467 partnering postsecondary institutions pursuant to subsections
468 (2) and (4);

469 2. The total and average number of dual enrollment courses
470 completed, high school and college credits earned, standard high
471 school diplomas and associate and baccalaureate degrees awarded,
472 and the number of industry certifications attained, if any, by
473 the students who enrolled in the structured program;

474 3. The projected student enrollment in the structured
475 program during the next school year; and

476 4. Any barriers to executing contracts to establish one or
477 more structured programs.

478 (b) By November 30 of each school year, the commissioner
479 must report to the Governor, the President of the Senate, and
480 the Speaker of the House of Representatives the status of
481 structured programs, including, at a minimum, a summary of
482 student enrollment and completion information pursuant to this
483 subsection; barriers, if any, to establishing such programs; and
484 recommendations for expanding access to such programs statewide.

485 Section 4. Paragraph (c) of subsection (3) and subsection
486 (4) of section 1008.33, Florida Statutes, are amended to read:

487 1008.33 Authority to enforce public school improvement.—

488 (3)

489 (c) The state board shall adopt by rule a differentiated
490 matrix of intervention and support strategies for assisting
491 traditional public schools identified under this section and
492 rules for implementing s. 1002.33(9)(n), relating to charter
493 schools.

576-02709-18

20182508__

494 1. The intervention and support strategies must address
495 efforts to improve student performance through one or more of
496 the following strategies: and may include

497 a. Improvement planning;

498 b. Leadership quality improvement;

499 c. Educator quality improvement;

500 d. Professional development;

501 e. Curriculum review, pacing, and alignment across grade
502 levels to improve background knowledge in social studies,
503 science, and the arts; and

504 f. The use of continuous improvement and monitoring plans
505 and processes.

506 2. ~~In addition,~~ The state board may prescribe reporting
507 requirements to review and monitor the progress of the schools.
508 The rule must define the intervention and support strategies for
509 school improvement for schools earning a grade of "D" or "F" and
510 the roles for the district and department.

511 (4) (a) The state board shall apply intensive intervention
512 and support strategies tailored to the needs of schools earning
513 two consecutive grades of "D" or a grade of "F." In the first
514 full school year after a school initially earns two consecutive
515 grades of "D" or a grade of "F," the school district must
516 immediately implement intervention and support strategies
517 prescribed in rule under paragraph (3) (c) and, by September 1,
518 provide the department with the memorandum of understanding
519 negotiated pursuant to s. 1001.42(21) and, by October 1, a
520 district-managed turnaround plan for approval by the state
521 board. The district-managed turnaround plan may include a
522 proposal for the district to implement an extended school day, a

576-02709-18

20182508__

523 summer program, or a combination of an extended school day and
524 summer program. Upon approval by the state board, the school
525 district must implement the plan for the remainder of the school
526 year and continue the plan for 1 full school year. The state
527 board may allow a school an additional year of implementation
528 before the school must implement a turnaround option required
529 under paragraph (b) if it determines that the school is likely
530 to improve to a grade of "C" or higher after the first full
531 school year of implementation.

532 (b) Unless an additional year of implementation is provided
533 pursuant to paragraph (a), a school that has completed 2 school
534 years of a district-managed turnaround plan required under
535 paragraph (a) and has not improved its school grade to a "C" or
536 higher, pursuant to s. 1008.34, earns three consecutive grades
537 below a "C" must implement one of the following options:

538 1. Reassign students to another school and monitor the
539 progress of each reassigned student.†

540 2. Close the school and reopen the school as one or more
541 charter schools, each with a governing board that has a
542 demonstrated record of effectiveness. Such charter schools are
543 eligible for funding from the hope supplemental services
544 allocation established under s. 1011.62(16).† or

545 3. Contract with an outside entity that has a demonstrated
546 record of effectiveness to operate the school. An outside entity
547 may include:

548 a. A district-managed charter school in which all
549 instructional personnel are not employees of the school
550 district, but are employees of an independent governing board
551 composed of members who did not participate in the review or

576-02709-18

20182508__

552 approval of the charter. A district-managed charter school is
553 eligible for funding from the hope supplemental services
554 allocation established in s. 1011.62(16); or

555 b. A hope operator that submits to a school district a
556 notice of intent of a performance-based agreement pursuant to s.
557 1002.333. A school of hope established pursuant to this sub-
558 subparagraph is eligible for funding from the hope supplemental
559 services allocation for up to 5 years, beginning in the school
560 year in which the school of hope is established, if the school
561 of hope:

562 (I) Is established at the district-owned facilities of the
563 persistently low-performing school;

564 (II) Gives priority enrollment to students who are enrolled
565 in, or are eligible to attend and are living in the attendance
566 area of, the persistently low-performing school that the school
567 of hope operates, consistent with the enrollment lottery
568 exemption provided under s. 1002.333(5)(c); and

569 (III) Meets the requirements of its performance-based
570 agreement pursuant to s. 1002.333.

571 4. Implement a franchise model school in which a highly
572 effective principal, pursuant to s. 1012.34, leads the
573 persistently low-performing school in addition to the
574 principal's currently assigned school. The franchise model
575 school principal may allocate resources and personnel between
576 the schools he or she leads. The persistently low-performing
577 school is eligible for funding from the hope supplemental
578 services allocation established under s. 1011.62(16).

579 (c) Implementation of the turnaround option is no longer
580 required if the school improves to a grade of "C" or higher.

576-02709-18

20182508__

581 (d) If a school ~~earning two consecutive grades of "D" or a~~
582 ~~grade of "F"~~ does not improve to a grade of "C" or higher after
583 2 full school years of implementing the turnaround option
584 selected by the school district under paragraph (b), the school
585 district must implement another turnaround option.
586 Implementation of the turnaround option must begin the school
587 year following the implementation period of the existing
588 turnaround option, unless the state board determines that the
589 school is likely to improve to a grade of "C" or higher if
590 additional time is provided to implement the existing turnaround
591 option.

592 Section 5. Present subsections (16) and (17) of section
593 1011.62, Florida Statutes, are redesignated as subsections (19)
594 and (20), respectively, new subsections (16) and (17) and
595 subsection (18) are added to that section, and paragraph (a) of
596 subsection (4) and subsection (14) of that section are amended,
597 to read:

598 1011.62 Funds for operation of schools.—If the annual
599 allocation from the Florida Education Finance Program to each
600 district for operation of schools is not determined in the
601 annual appropriations act or the substantive bill implementing
602 the annual appropriations act, it shall be determined as
603 follows:

604 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
605 Legislature shall prescribe the aggregate required local effort
606 for all school districts collectively as an item in the General
607 Appropriations Act for each fiscal year. The amount that each
608 district shall provide annually toward the cost of the Florida
609 Education Finance Program for kindergarten through grade 12

576-02709-18

20182508__

610 programs shall be calculated as follows:

611 (a) *Estimated taxable value calculations.*—

612 1.a. Not later than 2 working days before July 19, the
613 Department of Revenue shall certify to the Commissioner of
614 Education its most recent estimate of the taxable value for
615 school purposes in each school district and the total for all
616 school districts in the state for the current calendar year
617 based on the latest available data obtained from the local
618 property appraisers. The value certified shall be the taxable
619 value for school purposes for that year, and no further
620 adjustments shall be made, except those made pursuant to
621 paragraphs (c) and (d), or an assessment roll change required by
622 final judicial decisions as specified in paragraph (19) (b)
623 ~~(16) (b)~~. Not later than July 19, the Commissioner of Education
624 shall compute a millage rate, rounded to the next highest one
625 one-thousandth of a mill, which, when applied to 96 percent of
626 the estimated state total taxable value for school purposes,
627 would generate the prescribed aggregate required local effort
628 for that year for all districts. The Commissioner of Education
629 shall certify to each district school board the millage rate,
630 computed as prescribed in this subparagraph, as the minimum
631 millage rate necessary to provide the district required local
632 effort for that year.

633 b. The General Appropriations Act shall direct the
634 computation of the statewide adjusted aggregate amount for
635 required local effort for all school districts collectively from
636 ad valorem taxes to ensure that no school district's revenue
637 from required local effort millage will produce more than 90
638 percent of the district's total Florida Education Finance

576-02709-18

20182508__

639 Program calculation as calculated and adopted by the
640 Legislature, and the adjustment of the required local effort
641 millage rate of each district that produces more than 90 percent
642 of its total Florida Education Finance Program entitlement to a
643 level that will produce only 90 percent of its total Florida
644 Education Finance Program entitlement in the July calculation.

645 2. On the same date as the certification in sub-
646 subparagraph 1.a., the Department of Revenue shall certify to
647 the Commissioner of Education for each district:

648 a. Each year for which the property appraiser has certified
649 the taxable value pursuant to s. 193.122(2) or (3), if
650 applicable, since the prior certification under sub-subparagraph
651 1.a.

652 b. For each year identified in sub-subparagraph a., the
653 taxable value certified by the appraiser pursuant to s.
654 193.122(2) or (3), if applicable, since the prior certification
655 under sub-subparagraph 1.a. This is the certification that
656 reflects all final administrative actions of the value
657 adjustment board.

658 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may
659 annually in the General Appropriations Act determine a
660 percentage increase in funds per K-12 unweighted FTE as a
661 minimum guarantee to each school district. The guarantee shall
662 be calculated from prior year base funding per unweighted FTE
663 student which shall include the adjusted FTE dollars as provided
664 in subsection (19) ~~(16)~~, quality guarantee funds, and actual
665 nonvoted discretionary local effort from taxes. From the base
666 funding per unweighted FTE, the increase shall be calculated for
667 the current year. The current year funds from which the

576-02709-18

20182508__

668 guarantee shall be determined shall include the adjusted FTE
669 dollars as provided in subsection (19) ~~(16)~~ and potential
670 nonvoted discretionary local effort from taxes. A comparison of
671 current year funds per unweighted FTE to prior year funds per
672 unweighted FTE shall be computed. For those school districts
673 which have less than the legislatively assigned percentage
674 increase, funds shall be provided to guarantee the assigned
675 percentage increase in funds per unweighted FTE student. Should
676 appropriated funds be less than the sum of this calculated
677 amount for all districts, the commissioner shall prorate each
678 district's allocation. This provision shall be implemented to
679 the extent specifically funded.

680 (16) HOPE SUPPLEMENTAL SERVICES ALLOCATION.-The hope
681 supplemental services allocation is created to provide district-
682 managed turnaround schools, as required under s. 1008.33(4)(a),
683 charter schools authorized under s. 1008.33(4)(b)2., district-
684 managed charter schools authorized under s. 1008.33(4)(b)3.a.,
685 schools of hope authorized under s. 1008.33(4)(b)3.b., and
686 franchise model schools as authorized under s. 1008.33(4)(b)4.,
687 with funds to offer services designed to improve the overall
688 academic and community welfare of the schools' students and
689 their families.

690 (a) Services funded by the allocation may include, but are
691 not limited to, tutorial and after-school programs, student
692 counseling, nutrition education, and parental counseling. In
693 addition, services may also include models that develop a
694 culture that encourages students to complete high school and to
695 attend college or career training, set high academic
696 expectations, inspire character development, and include an

576-02709-18

20182508__

697 extended school day and school year.

698 (b) Prior to distribution of the allocation, a school
699 district, for a district turnaround school and persistently low-
700 performing schools that use a franchise model; a hope operator,
701 for a school of hope; or the charter school governing board for
702 a charter school, as applicable, shall develop and submit a plan
703 for implementation to its respective governing body for approval
704 no later than August 1 of the fiscal year.

705 (c) At a minimum, the plans required under paragraph (b)
706 must:

707 1. Establish comprehensive support services that develop
708 family and community partnerships;

709 2. Establish clearly defined and measurable high academic
710 and character standards;

711 3. Increase parental involvement and engagement in the
712 child's education;

713 4. Describe how instructional personnel will be identified,
714 recruited, retained, and rewarded;

715 5. Provide professional development that focuses on
716 academic rigor, direct instruction, and creating high academic
717 and character standards; and

718 6. Provide focused instruction to improve student academic
719 proficiency, which may include additional instruction time
720 beyond the normal school day or school year.

721 (d) Each school district and hope operator shall submit
722 approved plans to the commissioner by September 1 of each fiscal
723 year.

724 (e) For the 2018-2019 fiscal year, a school that is
725 selected to receive funding in the 2017-2018 fiscal year

576-02709-18

20182508

726 pursuant to s. 1002.333(10)(c) shall receive \$2,000 per FTE. A
727 district-managed turnaround school required under s.
728 1008.33(4)(a), charter school authorized under s.
729 1008.33(4)(b)2., district-managed charter school authorized
730 under s. 1008.33(4)(b)3.a., school of hope authorized under s.
731 1008.33(4)(b)3.b., and franchise model school authorized under
732 s. 1008.33(4)(b)4. are eligible for the remaining funds based on
733 the school's unweighted FTE, up to \$2,000 per FTE or as provided
734 in the General Appropriations Act.

735 (f) For the 2019-2020 fiscal year and thereafter, each
736 school district's allocation shall be based on the unweighted
737 FTE student enrollment at the eligible schools and a per-FTE
738 funding amount of up to \$2,000 per FTE or as provided in the
739 General Appropriations Act. If the calculated funds for
740 unweighted FTE student enrollment at the eligible schools exceed
741 the per-FTE funds appropriated, the allocation of funds to each
742 school district must be prorated based on each school district's
743 share of the total unweighted FTE student enrollment for the
744 eligible schools.

745 (17) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health
746 assistance allocation is created to provide supplemental funding
747 to assist school districts in establishing or expanding
748 comprehensive school-based mental health programs that increase
749 awareness of mental health issues among children and school-age
750 youth; train educators and other school staff in detecting and
751 responding to mental health issues; and connect children, youth,
752 and families who may experience behavioral health issues with
753 appropriate services. These funds may be allocated annually in
754 the General Appropriations Act to each eligible school district

576-02709-18

20182508__

755 and developmental research school based on each entity's
756 proportionate share of Florida Education Finance Program base
757 funding. The district funding allocation must include a minimum
758 amount as specified in the General Appropriations Act. Upon
759 submission and approval of a plan that includes the elements
760 specified in paragraph (b), charter schools are also entitled to
761 a proportionate share of district funding for this program. The
762 allocated funds may not supplant funds that are provided for
763 this purpose from other operating funds and may not be used to
764 increase salaries or provide bonuses.

765 (a) Prior to the distribution of the allocation:

766 1. The district must annually develop and submit a detailed
767 plan outlining the local program and planned expenditures to the
768 district school board for approval.

769 2. A charter school must annually develop and submit a
770 detailed plan outlining the local program and planned
771 expenditures of the funds in the plan to its governing body for
772 approval. After the plan is approved by the governing body, it
773 must be provided to its school district for submission to the
774 commissioner.

775 (b) The plans required under paragraph (a) must include, at
776 a minimum, all of the following elements:

777 1. A collaborative effort or partnership between the school
778 district and at least one local community program or agency
779 involved in mental health to provide or to improve prevention,
780 diagnosis, and treatment services for students;

781 2. Programs to assist students in dealing with bullying,
782 trauma, and violence;

783 3. Strategies or programs to reduce the likelihood of at-

576-02709-18

20182508__

784 risk students developing social, emotional, or behavioral health
785 problems or substance use disorders;

786 4. Strategies to improve the early identification of
787 social, emotional, or behavioral problems or substance use
788 disorders and to improve the provision of early intervention
789 services;

790 5. Strategies to enhance the availability of school-based
791 crisis intervention services and appropriate referrals for
792 students in need of mental health services; and

793 6. Training opportunities for school personnel in the
794 techniques and supports needed to identify students who have
795 trauma histories and who have or are at risk of having a mental
796 illness, and in the use of referral mechanisms that effectively
797 link such students to appropriate treatment and intervention
798 services in the school and in the community.

799 (c) The districts shall submit approved plans to the
800 commissioner by August 1 of each fiscal year.

801 (d) Beginning September 30, 2019, and by each September 30
802 thereafter, each entity that receives an allocation under this
803 subsection shall submit to the commissioner, in a format
804 prescribed by the department, a final report on its program
805 outcomes and its expenditures for each element of the program.

806 (18) FUNDING COMPRESSION ALLOCATION.—The Legislature may
807 provide an annual funding compression allocation in the General
808 Appropriations Act. The allocation is created to provide
809 additional funding to school districts and developmental
810 research schools whose total funds per FTE in the prior year
811 were less than the statewide average. Using the most recent
812 prior year FEFP calculation for each eligible school district,

576-02709-18

20182508__

813 the total funds per FTE shall be subtracted from the state
814 average funds per FTE, not including any adjustments made
815 pursuant to paragraph (19) (b). The resulting funds per FTE
816 difference, or a portion thereof, as designated in the General
817 Appropriations Act, shall then be multiplied by the school
818 district's total unweighted FTE to provide the allocation. If
819 the calculated funds are greater than the amount included in the
820 General Appropriations Act, they must be prorated to the
821 appropriation amount based on each participating school
822 district's share.

823 Section 6. Subsection (5) of section 1011.71, Florida
824 Statutes, is amended to read:

825 1011.71 District school tax.—

826 (5) ~~Effective July 1, 2008,~~ A school district may expend,
827 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per
828 unweighted full-time equivalent student from the revenue
829 generated by the millage levy authorized by subsection (2) to
830 fund, in addition to expenditures authorized in paragraphs
831 (2) (a)-(j), expenses for the following:

832 (a) The purchase, lease-purchase, or lease of driver's
833 education vehicles; motor vehicles used for the maintenance or
834 operation of plants and equipment; security vehicles; or
835 vehicles used in storing or distributing materials and
836 equipment.

837 (b) Payment of the cost of premiums, as defined in s.
838 627.403, for property and casualty insurance necessary to insure
839 school district educational and ancillary plants. As used in
840 this paragraph, casualty insurance has the same meaning as in s.
841 624.605 (1) (d), (f), (g), (h), and (m). Operating revenues that

576-02709-18

20182508__

842 are made available through the payment of property and casualty
843 insurance premiums from revenues generated under this subsection
844 may be expended only for nonrecurring operational expenditures
845 of the school district.

846 Section 7. Paragraph (c) of subsection (3) of section
847 1012.731, Florida Statutes, is amended to read:

848 1012.731 The Florida Best and Brightest Teacher Scholarship
849 Program.—

850 (3)

851 ~~(c) Notwithstanding the requirements of this subsection,~~
852 ~~for the 2017-2018, 2018-2019, and 2019-2020 school years, any~~
853 ~~classroom teacher who:~~

854 1. ~~Was evaluated as highly effective pursuant to s. 1012.34~~
855 ~~in the school year immediately preceding the year in which the~~
856 ~~scholarship will be awarded shall receive a scholarship of~~
857 ~~\$1200, including a classroom teacher who received an award~~
858 ~~pursuant to paragraph (a).~~

859 2. ~~Was evaluated as effective pursuant to s. 1012.34 in the~~
860 ~~school year immediately preceding the year in which the~~
861 ~~scholarship will be awarded a scholarship of up to \$800. If the~~
862 ~~number of eligible classroom teachers under this subparagraph~~
863 ~~exceeds the total allocation, the department shall prorate the~~
864 ~~per teacher scholarship amount.~~

865

866 ~~This paragraph expires July 1, 2020.~~

867 Section 8. Subsections (2), (3), and (4) of section
868 1012.732, Florida Statutes, are amended to read:

869 1012.732 The Florida Best and Brightest Principal
870 Scholarship Program.—

576-02709-18

20182508__

871 (2) There is created the Florida Best and Brightest
872 Principal Scholarship Program to be administered by the
873 Department of Education. The program shall provide categorical
874 funding for scholarships to be awarded to school principals, as
875 defined in s. 1012.01(3)(c)1., who are serving as a franchise
876 model school principal or who have recruited and retained a high
877 percentage of best and brightest teachers.

878 (3)(a) A school principal identified pursuant to s.
879 1012.731(4)(c) is eligible to receive a scholarship under this
880 section if he or she has served as school principal at his or
881 her school for at least 2 consecutive school years including the
882 current school year and his or her school has a ratio of best
883 and brightest teachers to other classroom teachers that is at
884 the 80th percentile or higher for schools within the same grade
885 group, statewide, including elementary schools, middle schools,
886 high schools, and schools with a combination of grade levels.

887 (b) A principal of a franchise model school, as defined in
888 s. 1002.334, is eligible to receive a scholarship under this
889 section.

890 (4) Annually, by February 1, the department shall identify
891 eligible school principals and disburse funds to each school
892 district for each eligible school principal to receive a
893 scholarship.

894 (a) A scholarship of \$10,000 ~~\$5,000~~ must be awarded to each
895 franchise model school principal who is ~~every~~ eligible under
896 paragraph (3)(b).

897 (b) A scholarship of \$5,000 must be awarded to each school
898 principal assigned to a Title I school and a scholarship of
899 \$4,000 to each ~~every~~ eligible school principal who is not

576-02709-18

20182508__

900 assigned to a Title I school and who is eligible under paragraph
901 (3) (a).

902 Section 9. Present paragraphs (a) through (d) of subsection
903 (1) of section 1013.31, Florida Statutes, are redesignated as
904 paragraphs (b) through (e), respectively, and a new paragraph
905 (a) is added to that subsection, to read:

906 1013.31 Educational plant survey; localized need
907 assessment; PECO project funding.—

908 (1) At least every 5 years, each board shall arrange for an
909 educational plant survey, to aid in formulating plans for
910 housing the educational program and student population, faculty,
911 administrators, staff, and auxiliary and ancillary services of
912 the district or campus, including consideration of the local
913 comprehensive plan. The Department of Education shall document
914 the need for additional career and adult education programs and
915 the continuation of existing programs before facility
916 construction or renovation related to career or adult education
917 may be included in the educational plant survey of a school
918 district or Florida College System institution that delivers
919 career or adult education programs. Information used by the
920 Department of Education to establish facility needs must
921 include, but need not be limited to, labor market data, needs
922 analysis, and information submitted by the school district or
923 Florida College System institution.

924 (a) Educational plant survey and localized need assessment
925 for capital outlay purposes.—A district may only use funds from
926 the following sources for educational, auxiliary, and ancillary
927 plant capital outlay purposes without needing a survey
928 recommendation:

576-02709-18

20182508__

- 929 1. The local capital outlay improvement fund, consisting of
- 930 funds that come from and are a part of the district's basic
- 931 operating budget;
- 932 2. If a board decides to build an educational, auxiliary,
- 933 or ancillary facility without a survey recommendation and the
- 934 taxpayers approve a bond referendum, the voted bond referendum;
- 935 3. One-half cent sales surtax revenue;
- 936 4. One cent local governmental surtax revenue;
- 937 5. Impact fees; and
- 938 6. Private gifts or donations.

939 Section 10. Subsection (3) of section 1013.62, Florida
 940 Statutes, is amended to read:

941 1013.62 Charter schools capital outlay funding.—

942 (3) If the school board levies the discretionary millage
 943 authorized in s. 1011.71(2), the department shall use the
 944 following calculation methodology to determine the amount of
 945 revenue that a school district must distribute to each eligible
 946 charter school:

947 (a) Reduce the total discretionary millage revenue by the
 948 school district's annual debt service obligation incurred as of
 949 March 1, 2017, and any amount of participation requirement
 950 pursuant to s. 1013.64(2)(a)8. that is being satisfied by
 951 revenues raised by the discretionary millage.

952 (b) Divide the school district's adjusted discretionary
 953 millage revenue by the district's total capital outlay full-time
 954 equivalent membership and the total number of unweighted full-
 955 time equivalent students of each eligible charter school to
 956 determine a capital outlay allocation per full-time equivalent
 957 student.

576-02709-18

20182508__

958 (c) Multiply the capital outlay allocation per full-time
959 equivalent student by the total number of full-time equivalent
960 students for all ~~of each~~ eligible charter schools within the
961 district school to determine the total charter school capital
962 outlay allocation for each district charter school.

963 (d) If applicable, reduce the capital outlay allocation
964 identified in paragraph (c) by the total amount of state funds
965 allocated pursuant to subsection (2) to all ~~each~~ eligible
966 charter schools within a district school ~~in subsection (2)~~ to
967 determine the net total ~~maximum~~ calculated capital outlay
968 allocation from local funds. If state funds are not allocated
969 pursuant to subsection (2), the amount determined in paragraph
970 (c) is equal to the net total calculated capital outlay
971 allocation from local funds for each district.

972 (e) For each charter school within each district, the net
973 capital outlay amount from local funds shall be calculated in
974 the same manner as the state funds in paragraphs (2) (a)-(d),
975 except that the base charter school per weighted FTE allocation
976 amount shall be determined by dividing the net total capital
977 outlay amount from local funds by the total weighted FTE for all
978 eligible charter schools within the district. The per weighted
979 FTE allocation amount from local funds shall be multiplied by
980 the weighted FTE for each charter school to determine each
981 charter school's capital outlay allocation from local funds.

982 ~~(f)~~ School districts shall distribute capital outlay
983 funds to charter schools no later than February 1 of each year,
984 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year~~.

985 Section 11. This act shall take effect July 1, 2018.

986