



133024

581-02921E-13

Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to school district innovation;  
providing a short title; amending s. 196.1983, F.S.;  
granting school districts the ad valorem tax exemption  
given to charter schools; requiring a landlord to  
certify compliance by affidavit; amending s. 1002.31,  
F.S.; providing a calculation for compliance with  
class size maximums for a public school of choice;  
creating s. 1003.622, F.S.; creating innovation  
schools to allow school districts to earn flexibility  
for high academic achievement; specifying school and  
student eligibility requirements; limiting the number  
of innovation schools that may be operated and  
established in a school district; providing guiding  
principles for innovation schools; requiring  
innovation schools to personalize education for each  
student; establishing an application process;  
specifying requirements of a performance contract  
between the State Board of Education and a school  
district; establishing the term of the performance  
contract; requiring the State Board of Education to  
monitor innovation schools for compliance with the act  
and performance contracts; requiring the State Board  
of Education to adopt rules; providing that a  
participating school district has autonomy in certain  
areas; exempting innovation schools from ch. 1000-  
1013, F.S., subject to certain exceptions; exempting  
such districts from certain ad valorem taxes and other



133024

581-02921E-13

29 requirements; providing for funding; requiring a  
30 school district with an innovation school to submit an  
31 annual report to the State Board of Education and the  
32 Legislature; specifying requirements for such report;  
33 providing an effective date.  
34

35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. SHORT TITLE.—This act may be cited as the  
38 “Florida Innovation Schools Act.”

39 Section 2. Section 196.1983, Florida Statutes, is amended  
40 to read:

41 196.1983 Charter school and school district exemption from  
42 ad valorem taxes.—Any facility, or portion thereof, used to  
43 house a school district or a charter school whose charter has  
44 been approved by the sponsor and the governing board pursuant to  
45 s. 1002.33(7) is ~~shall be~~ exempt from ad valorem taxes. For  
46 leasehold properties, the landlord must certify by affidavit to  
47 the district or the charter school sponsor that the lease  
48 payments shall be reduced to the extent of the exemption  
49 received. The owner of the property shall disclose ~~to a charter~~  
50 ~~school~~ the full amount of the benefit derived from the exemption  
51 and the method for ensuring that the district or charter school  
52 receives such benefit. The charter school shall receive the full  
53 benefit derived from the exemption through either an annual or  
54 monthly credit to the district's or charter school's lease  
55 payments.

56 Section 3. Subsection (9) is added to section 1002.31,  
57 Florida Statutes, to read:



133024

581-02921E-13

58 1002.31 Public school parental choice.-

59 (9) For a school or program that is a public school of  
60 choice under this section, the calculation for compliance with  
61 maximum class size pursuant to s. 1003.03 is the average number  
62 of students at the school level.

63 Section 4. Section 1003.622, Florida Statutes, is created  
64 to read:

65 1003.622 District innovation schools.-

66 (1) PURPOSE AND ELIGIBILITY.-

67 (a) The purpose of an innovation school is to utilize  
68 innovation and enhance high academic achievement and  
69 accountability in exchange for flexibility and exemptions from  
70 specific statutes.

71 (b) An innovation school is a school that:

72 1. Operates as a public school of parental choice pursuant  
73 to s. 1002.31;

74 2. Focuses on teaching and learning infused with current  
75 technology;

76 3. Prepares students for a career or postsecondary  
77 education;

78 4. Utilizes innovation and enhances high student academic  
79 achievement and accountability;

80 5. Enhances academic success and financial efficiency by  
81 aligning responsibility with accountability;

82 6. Provides a parent with sufficient information for each  
83 year spent in the innovation school regarding the educational  
84 progress of his or her child, the child's reading grade level,  
85 and the child's performance toward achieving common core  
86 standards appropriate for the student's grade level;



133024

581-02921E-13

87           7. Has a theme or academic focus that is based on  
88 innovation and is unique in the district; and

89           8. Offers specialized programs and creates innovative  
90 learning approaches in a diverse environment.

91           (c) A district school board may apply to the State Board of  
92 Education for an innovation school if the district:

93           1. Has at least 20 percent of its total enrollment in  
94 public choice programs or at least 5 percent of its total  
95 enrollment in charter schools;

96           2. Has no material weaknesses or instances of material  
97 noncompliance noted in the annual financial audit conducted  
98 pursuant to s. 218.39; and

99           3. Has not received a district grade below B in the past 3  
100 years.

101           (d) A district school board may operate one innovation  
102 school upon an application being approved by the State Board of  
103 Education.

104           1. A district school board may apply to the State Board of  
105 Education to establish additional innovation schools if each  
106 existing innovation school in the district:

107           a. Meets all requirements in this section and in the  
108 performance contract;

109           b. Has a grade of "A" or "B"; and

110           c. Has at least 50 percent of its students exceed the state  
111 average on the statewide assessment program pursuant to s.  
112 1008.22. This comparison may take student subgroups, as defined  
113 in the federal Elementary and Secondary Education Act (ESEA), 20  
114 U.S.C. s. 6311(b) (2) (C) (v) (II), into specific consideration so  
115 that at least 50 percent of students in each student subgroup



133024

581-02921E-13

116 meet or exceed the statewide average performance, rounded to the  
117 nearest whole number, of that particular subgroup.

118 2. Notwithstanding subparagraph 1., the number of  
119 innovation schools in a school district may not exceed:

120 a. Seven in a school district that has 100,000 or more  
121 students.

122 b. Five in a school district that has 50,000 to 99,999  
123 students.

124 c. Three in a school district that has fewer than 50,000  
125 students.

126 (e) An innovation school must be open to any student  
127 covered in an interdistrict agreement or residing in the school  
128 district in which the innovation school is located. An  
129 innovation school shall enroll an eligible student who submits a  
130 timely application if the number of applications does not exceed  
131 the capacity of a program, class, grade level, or building. If  
132 the number of applications exceeds capacity, all applicants  
133 shall have an equal chance of being admitted through a public  
134 random selection process. However, a district may give  
135 enrollment preference to students who identify the innovation  
136 school as the student's preferred choice pursuant to the  
137 district's controlled open enrollment plan.

138 (2) GUIDING PRINCIPLES.—

139 (a) An innovation school shall be guided by the following  
140 principles:

141 1. Student learning is aligned with the Next Generation  
142 Sunshine State Standards.

143 2. Students advance by demonstrating skills, abilities, and  
144 knowledge necessary to ensure a successful career.



133024

581-02921E-13

145       3. Teachers, advisors, students, and parents manage a  
146 personalized learning plan that accounts for each student's  
147 preferred pace and learning style.

148       4. Each student learns in the way he or she learns best,  
149 such as independently, one-on-one with a coach, collaboratively  
150 in small groups, online, through internships or early college  
151 courses, or in other real-world contexts.

152       5. Instructional personnel take on roles as learning  
153 coaches, advisors, and content and assessment experts.

154       (b) An innovation school shall:

155       1. Meet high standards of student achievement.

156       2. Implement innovative learning methods, including blended  
157 learning, and assessment tools to implement a schoolwide  
158 transformation to improve student learning and academic  
159 achievement.

160       3. Measure student performance based on student learning  
161 growth, or based on student achievement if student learning  
162 growth cannot be measured.

163       4. Incorporate industry certifications and similar  
164 recognitions into performance expectations.

165       5. Tailor the program to students at the school,  
166 personalize education for each student, and empower students to  
167 plan and manage their own studies in a variety of ways.

168       (c) Classroom teachers, as defined in s. 1012.01(2)(a),  
169 shall be evaluated based on performance pursuant to s. 1012.34.  
170 However, an innovation school may use an equally appropriate  
171 formula pursuant to s. 1012.34(7)(b) to make such evaluation.

172       (d) An innovation school may operate as a virtual school.

173       (3) APPLICATION PROCESS AND PERFORMANCE CONTRACT.—A school



133024

581-02921E-13

174 district that meets the eligibility requirements of subsection  
175 (1) may apply to the State Board of Education at any time to  
176 enter into a performance contract to operate an innovation  
177 school.

178 (a) The application must, at a minimum:

179 1. Demonstrate how the school district meets and will  
180 continue to meet the requirements of this section;

181 2. Identify how the school will accomplish the purposes and  
182 guiding principles of this section;

183 3. Identify the statutes or rules from which the district  
184 is seeking a waiver for the school;

185 4. Identify and provide supporting documentation for the  
186 purpose and impact of each waiver, how each waiver would enable  
187 the school to achieve the purpose and guiding principles of this  
188 section, and how the school would not be able to achieve the  
189 purpose and guiding principles of this section without each  
190 waiver; and

191 5. Confirm that the school board remains responsible for  
192 the operation, control, and supervision of the school in  
193 accordance with all applicable laws, rules, and district  
194 procedures not waived pursuant to this section or waived  
195 pursuant to other applicable law.

196 (b) The State Board of Education shall approve or deny the  
197 application within 90 days or, with the agreement of the school  
198 district, at a later date.

199 (c) The performance contract must address the terms under  
200 which the State Board of Education may cancel the contract and,  
201 at a minimum, the methods by which:

202 1. Upon execution of the performance contract, the school



133024

581-02921E-13

203 district will plan the program during the first year, begin at  
204 least partial implementation of the program during the second  
205 year, and fully implement the program by the third year. A  
206 district may implement the program sooner than specified in this  
207 paragraph if authorized in the performance contract.

208 2. The school will integrate technology into instruction,  
209 assessment, and professional development. The school may also  
210 restructure the school day or school year in a way that allows  
211 it to best accomplish its goals.

212 3. The school and district will monitor performance  
213 progress based on skills that help students succeed in college  
214 and careers, including problem solving, research,  
215 interpretation, and communication.

216 4. The school will allow students to advance based on  
217 student competency and understanding of the content.

218 5. The learning environment will allow for innovation.

219 6. The resources will enable personalization and increase  
220 student achievement and college and career readiness.

221 7. The school will incorporate industry certifications and  
222 similar recognitions into performance expectations.

223 (d) The State Board of Education shall monitor innovation  
224 schools to ensure that the respective school district is in  
225 compliance with this section and the performance contract.

226 (e) The State Board of Education shall adopt rules pursuant  
227 to ss. 120.536(1) and 120.54 to implement this section,  
228 including, but not limited to, an application, evaluation  
229 instrument, and renewal evaluation instrument.

230 (f) This section does not supersede the provisions of s.  
231 768.28.





133024

581-02921E-13

232       (4) TERM OF PERFORMANCE CONTRACT.—An innovation school may  
233 operate pursuant to a performance contract with the State Board  
234 of Education for a period of 5 years.

235       (a) Before expiration of the performance contract, the  
236 school's performance shall be evaluated against the eligibility  
237 criteria, purpose, guiding principles, and compliance with the  
238 contract to determine whether the contract may be renewed. The  
239 contract may be renewed every 5 years.

240       (b) The performance contract shall be terminated by the  
241 State Board of Education if:

242       1. The school receives a school grade as an innovation  
243 school of "F" for 2 consecutive years;

244       2. The school or district fails to comply with the criteria  
245 in this section;

246       3. The school or district does not comply with terms of the  
247 contract which specify that a violation results in termination;  
248 or

249       4. Other good cause is shown.

250       (5) EXEMPTION FROM STATUTES.—

251       (a) An innovation school is generally exempt from chapters  
252 1000-1013, and shall have autonomy in the budget, staffing,  
253 governance, curriculum, assessment, and school calendar.  
254 However, an innovation school shall comply with the following  
255 provisions of those chapters:

256       1. Laws pertaining to the following:

257       a. Innovation schools, including this section.

258       b. Student assessment program and school grading system.

259       c. Services to students who have disabilities.

260       d. Civil rights, including s. 1000.05, relating to



133024

581-02921E-13

261 discrimination.  
262 e. Student health, safety, and welfare.  
263 2. Laws governing the election and compensation of district  
264 school board members and election or appointment and  
265 compensation of district school superintendents.  
266 3. Section 1003.03, governing maximum class size, except  
267 that the calculation for compliance pursuant to s. 1003.03 is  
268 the average at the school level.  
269 4. Sections 1012.22(1)(c) and 1012.27(2), relating to  
270 compensation and salary schedules.  
271 5. Section 1012.33(5), relating to workforce reductions.  
272 6. Section 1012.335, relating to contracts with  
273 instructional personnel hired on or after July 1, 2011.  
274 (b) An innovation school shall also comply with chapter 119  
275 and section 286.011, relating to public meetings and records,  
276 public inspection, and criminal and civil penalties.  
277 (c) An innovation school is exempt from ad valorem taxes  
278 and the State Requirements for Educational Facilities when  
279 leasing facilities.  
280 (6) FUNDING.—A district school board operating an  
281 innovation school shall report full-time equivalent students to  
282 the department in a manner prescribed by the department. As with  
283 other schools in the district, funding shall be provided through  
284 the Florida Education Finance Program described in ss. 1011.61  
285 and 1011.62. An innovation school may seek and receive  
286 additional funding through incentive grants or public or private  
287 partnerships.  
288 (7) REPORTS.—The school district of an innovation school  
289 shall submit to the State Board of Education, the President of



133024

581-02921E-13

290 the Senate, and the Speaker of the House of Representatives an  
291 annual report by December 1 of each year which delineates the  
292 performance of the innovation school as it relates to the  
293 academic performance of students. The annual report shall be  
294 submitted in a format prescribed by the Department of Education  
295 and must include, but need not be limited to, the following:

296 (a) Evidence of compliance with this section.

297 (b) Efforts to close the achievement gap.

298 (c) Longitudinal performance of students, by grade level  
299 and subgroup, in mathematics, reading, writing, science, and any  
300 other subject that is included as a part of the statewide  
301 assessment program in s. 1008.22.

302 (d) Longitudinal performance for students who take an  
303 Advanced Placement Examination, organized by age, gender, and  
304 race, and for students who participate in the National School  
305 Lunch Program.

306 (e) Number and percentage of students who take an Advanced  
307 Placement Examination.

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