



1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; clarifying enforcement of policies
4 agreed to by the sponsor and charter school that are
5 subsequently amended; requiring a sponsor to annually
6 report specific information regarding charter
7 applications; authorizing a charter school operated by
8 a Florida College System institution to serve students
9 in kindergarten through grade 12 if certain criteria
10 are met; providing disclosure requirements for
11 applicants of previous charter schools subject to
12 corrective action or financial recovery plans;
13 revising provisions relating to the timely submission
14 of charter school applications; providing requirements
15 relating to the appeal of a denied application
16 submitted by a high-performing charter school;
17 reducing the amount of time for negotiation of a
18 charter; revising provisions relating to the issuance
19 of a final order in contract dispute cases; clarifying
20 instructional methods for blended learning courses;
21 providing a restriction relating to a required
22 certificate of occupancy; authorizing the
23 consolidation of multiple charters into a single
24 charter in certain circumstances; establishing student
25 academic achievement as a priority in determining
26 charter renewals and terminations; revising the
27 timeline for charter schools to submit waiver of
28 termination requests to the Department of Education;



29 | restricting expenditures upon nonrenewal, closure, or
30 | termination of a charter school; requiring an
31 | independent audit within a specified time after
32 | notification of nonrenewal, closure, or termination;
33 | prohibiting certain actions by a charter school;
34 | providing penalties; requiring a charter school to
35 | maintain specified information on a website; revising
36 | provisions relating to determination of a charter
37 | school's student enrollment; revising provisions
38 | requiring charter school compliance with statutes
39 | relating to education personnel compensation,
40 | contracts, and performance evaluations and workforce
41 | reductions; providing requirements for the
42 | reimbursement of federal funds to charter schools;
43 | providing restrictions on the membership of a
44 | governing board; amending s. 1002.331, F.S.; revising
45 | criteria for classification as a high-performing
46 | charter school; providing requirements for
47 | modification of the charter of a high-performing
48 | charter school; requiring the Commissioner of
49 | Education to annually review a high-performing charter
50 | school's eligibility for high-performing status;
51 | authorizing declassification as a high-performing
52 | charter school; amending s. 1002.332, F.S.; revising
53 | requirements for classification as a high-performing
54 | charter school system; authorizing an entity operating
55 | outside the state to obtain high-performing charter
56 | school system status under certain circumstances;



57 requiring the commissioner to annually review a high-
 58 performing charter school system's eligibility for
 59 high-performing status; authorizing declassification
 60 as a high-performing charter school system; requiring
 61 the department to develop a proposed statewide,
 62 standard charter contract; providing an effective
 63 date.

64

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

66

67 Section 1. Paragraph (b) of subsection (5), paragraphs
 68 (a), (b), (c), and (h) of subsection (6), paragraphs (a) and (c)
 69 of subsection (7), paragraph (a) of subsection (8), paragraph
 70 (n) of subsection (9), paragraphs (b), (h), and (i) of
 71 subsection (10), paragraph (b) of subsection (16), paragraph (c)
 72 of subsection (17), paragraph (a) of subsection (21), and
 73 subsection (27) of section 1002.33, Florida Statutes, are
 74 amended, paragraphs (o) and (p) are added to subsection (9), and
 75 paragraph (c) is added to subsection (26) of that section, to
 76 read:

77 1002.33 Charter schools.—

78 (5) SPONSOR; DUTIES.—

79 (b) Sponsor duties.—

80 1.a. The sponsor shall monitor and review the charter
 81 school in its progress toward the goals established in the
 82 charter.

83 b. The sponsor shall monitor the revenues and expenditures
 84 of the charter school and perform the duties provided in s.



85 1002.345.

86 c. The sponsor may approve a charter for a charter school
87 before the applicant has identified space, equipment, or
88 personnel, if the applicant indicates approval is necessary for
89 it to raise working funds.

90 d. The sponsor ~~sponsor's policies~~ shall not apply its
91 policies to a charter school unless mutually agreed to by both
92 the sponsor and the charter school. If the sponsor subsequently
93 amends any agreed-upon sponsor policy, the version of the policy
94 in effect at the time of the execution of the charter, or any
95 subsequent modification thereof, shall remain in effect and the
96 sponsor may not hold the charter school responsible for any
97 provision of a newly revised policy until the revised policy is
98 mutually agreed upon.

99 e. The sponsor shall ensure that the charter is innovative
100 and consistent with the state education goals established by s.
101 1000.03(5).

102 f. The sponsor shall ensure that the charter school
103 participates in the state's education accountability system. If
104 a charter school falls short of performance measures included in
105 the approved charter, the sponsor shall report such shortcomings
106 to the Department of Education.

107 g. The sponsor shall not be liable for civil damages under
108 state law for personal injury, property damage, or death
109 resulting from an act or omission of an officer, employee,
110 agent, or governing board ~~body~~ of the charter school.

111 h. The sponsor shall not be liable for civil damages under
112 state law for any employment actions taken by an officer,



113 employee, agent, or governing board ~~body~~ of the charter school.

114 i. The sponsor's duties to monitor the charter school
115 shall not constitute the basis for a private cause of action.

116 j. The sponsor shall not impose additional reporting
117 requirements on a charter school without providing reasonable
118 and specific justification in writing to the charter school.

119 k. The sponsor shall annually report to the Department of
120 Education the following information in a format to be determined
121 by the department:

122 (I) The number of draft applications received on or before
123 May 1, including each applicant's contact information.

124 (II) The number of final applications received on or
125 before August 1, including each applicant's contact information.

126 (III) The number of applications received after August 1,
127 including each applicant's contact information.

128 (IV) The date each application was approved, denied, or
129 withdrawn.

130 (V) The date each final contract was executed.

131
132 Beginning August 31, 2013, and each year thereafter, the sponsor
133 shall submit to the department the information for the
134 applications submitted the previous year. The department shall
135 compile an annual report, by district, and post the report on
136 its website by November 1 of each year.

137 2. Immunity for the sponsor of a charter school under
138 subparagraph 1. applies only with respect to acts or omissions
139 not under the sponsor's direct authority as described in this
140 section.



141 3. This paragraph does not waive a district school board's
142 sovereign immunity.

143 4. A Florida College System institution may work with the
144 school district or school districts in its designated service
145 area to develop charter schools that offer secondary education.
146 These charter schools must include an option for students to
147 receive an associate degree upon high school graduation. If a
148 Florida College System institution operates an approved teacher
149 preparation program under s. 1004.04 or s. 1004.85, the
150 institution may operate no more than one charter school that
151 serves students in kindergarten through grade 12. In
152 kindergarten through grade 8, the charter school shall implement
153 innovative blended learning instructional models in which, for a
154 given course, a student learns in part through online delivery
155 of content and instruction with some element of student control
156 over time, place, path, or pace and in part at a supervised
157 brick-and-mortar location away from home. A student in a blended
158 learning course must be a full-time student of the charter
159 school and receive the online instruction in a classroom setting
160 at the charter school. District school boards shall cooperate
161 with and assist the Florida College System institution on the
162 charter application. Florida College System institution
163 applications for charter schools are not subject to the time
164 deadlines outlined in subsection (6) and may be approved by the
165 district school board at any time during the year. Florida
166 College System institutions may not report FTE for any students
167 who receive FTE funding through the Florida Education Finance
168 Program.



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

171 (a) A person or entity that wants ~~wishing~~ to open a
172 charter school shall prepare and submit an application on the a
173 model application form prepared by the Department of Education
174 which:

175 1. Demonstrates how the school will use the guiding
176 principles and meet the statutorily defined purpose of a charter
177 school.

178 2. Provides a detailed curriculum plan that illustrates
179 how students will be provided instruction on ~~services to attain~~
180 the Next Generation Sunshine State Standards.

181 3. Contains goals and objectives for improving student
182 learning and measuring that improvement. These goals and
183 objectives must indicate how much academic improvement students
184 are expected to show each year, how success will be evaluated,
185 and the specific results to be attained through instruction.

186 4. Describes the reading curriculum and differentiated
187 strategies that will be used for students reading at grade level
188 or higher and a separate curriculum and strategies for students
189 who are reading below grade level. A sponsor shall deny a
190 charter if the school does not propose a reading curriculum that
191 is consistent with effective teaching strategies that are
192 grounded in scientifically based reading research.

193 5. Contains an annual financial plan for each year that
194 the applicant intends to operate ~~requested by the charter for~~
195 ~~operation of~~ the school for up to 5 years. This plan must
196 contain anticipated fund balances based on revenue projections,



197 a spending plan based on projected revenues and expenses, and a
198 description of controls that will safeguard finances and
199 projected enrollment trends.

200 6. Discloses whether the applicant was a member of a
201 charter school governing board or was a person with
202 decisionmaking authority for a charter school that was subject
203 to corrective action pursuant to subparagraph (9)(n)2., a
204 corrective action plan pursuant to s. 1002.345(1)(c), or a
205 financial recovery plan pursuant to s. 1002.345(2)(a). The
206 applicant must include a detailed explanation of the
207 circumstances requiring a corrective action plan or financial
208 recovery plan and the resolution of the plan. Documents that the
209 applicant has participated in the training required in
210 subparagraph (f)2. A sponsor may require an applicant to provide
211 additional information as an addendum to the charter school
212 application described in this paragraph.

213 7. For the establishment of a virtual charter school,
214 documents that the applicant has contracted with a provider of
215 virtual instruction services pursuant to s. 1002.45(1)(d).

216
217 A sponsor may require an applicant to provide additional
218 information as an addendum to the charter school application
219 described in this paragraph.

220 (b) A sponsor shall receive and review all applications
221 for a charter school using the ~~an~~ evaluation instrument
222 developed by the Department of Education. A sponsor shall
223 receive and consider charter school applications received on or
224 before August 1 of each calendar year for charter schools to be



225 | opened at the beginning of the school district's next school
226 | year, or to be opened at a time agreed to by the applicant and
227 | the sponsor. A sponsor may not refuse to receive a charter
228 | school application submitted before August 1 and may receive an
229 | application submitted ~~applications~~ later than August 1 ~~this date~~
230 | if it chooses. In order to facilitate greater collaboration in
231 | the application process, an applicant may submit a draft charter
232 | school application on or before May 1 with an application fee of
233 | \$500. If a draft application is timely submitted, the sponsor
234 | shall review and provide feedback as to material deficiencies in
235 | the application by July 1. The applicant shall then have until
236 | August 1 to resubmit a revised and final application. The
237 | sponsor may approve the draft application. A sponsor may not
238 | charge an applicant for a charter any fee for the processing or
239 | consideration of an application, and a sponsor may not base its
240 | consideration or approval of a final ~~an~~ application upon the
241 | promise of future payment of any kind. Before approving or
242 | denying any final application, the sponsor shall allow the
243 | applicant, upon receipt of written notification, at least 7
244 | calendar days to make technical or nonsubstantive corrections
245 | and clarifications, including, but not limited to, corrections
246 | of grammatical, typographical, and like errors or missing
247 | signatures, if such errors are identified by the sponsor as
248 | cause to deny the final application.

249 | 1. In order to facilitate an accurate budget projection
250 | process, a sponsor shall be held harmless for FTE students who
251 | are not included in the FTE projection due to approval of
252 | charter school applications after the FTE projection deadline.



253 In a further effort to facilitate an accurate budget projection,
254 within 15 calendar days after receipt of a charter school
255 application, a sponsor shall report to the Department of
256 Education the name of the applicant entity, the proposed charter
257 school location, and its projected FTE.

258 2. In order to ensure fiscal responsibility, an
259 application for a charter school shall include a full accounting
260 of expected assets, a projection of expected sources and amounts
261 of income, including income derived from projected student
262 enrollments and from community support, and an expense
263 projection that includes full accounting of the costs of
264 operation, including start-up costs.

265 3.a. A sponsor shall by a majority vote approve or deny an
266 application no later than October 1 ~~60 calendar days after the~~
267 ~~application is received~~, unless the sponsor and the applicant
268 mutually agree in writing to temporarily postpone the vote to a
269 specific date, at which time the sponsor shall by a majority
270 vote approve or deny the application. If the sponsor fails to
271 act on the application, an applicant may appeal to the State
272 Board of Education as provided in paragraph (c). If an
273 application is denied, the sponsor shall, within 10 calendar
274 days after such denial, articulate in writing the specific
275 reasons, based upon good cause, supporting its denial of the
276 charter application and shall provide the letter of denial and
277 supporting documentation to the applicant and to the Department
278 of Education.

279 b. An application submitted by a high-performing charter
280 school identified pursuant to s. 1002.331 may be denied by the



281 sponsor only if the sponsor demonstrates by clear and convincing
282 evidence that:

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

285 (II) The charter school proposed in the application does
286 not materially comply with the requirements in paragraphs
287 (9) (a)-(f);

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

291 (IV) The applicant has made a material misrepresentation
292 or false statement or concealed an essential or material fact
293 during the application process; or

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

297
298 Material noncompliance is a failure to follow requirements or a
299 violation of prohibitions applicable to charter school
300 applications, which failure is quantitatively or qualitatively
301 significant either individually or when aggregated with other
302 noncompliance. An applicant is considered to be replicating a
303 high-performing charter school if the proposed school is
304 substantially similar to at least one of the applicant's high-
305 performing charter schools and the organization or individuals
306 involved in the establishment and operation of the proposed
307 school are significantly involved in the operation of replicated
308 schools.



309 c. If the sponsor denies an application submitted by a
310 high-performing charter school, the sponsor must, within 10
311 calendar days after such denial, state in writing the specific
312 reasons, based upon the criteria in sub-subparagraph b.,
313 supporting ~~its~~ denial of the application and must provide the
314 letter of denial and supporting documentation to the applicant
315 and to the Department of Education. The applicant may appeal the
316 sponsor's denial of the application ~~directly~~ to the State Board
317 of Education pursuant to paragraph (c) and must provide the
318 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

319 4. For budget projection purposes, the sponsor shall
320 report to the Department of Education the approval or denial of
321 a charter application within 10 calendar days after such
322 approval or denial. In the event of approval, the report to the
323 Department of Education shall include the final projected FTE
324 for the approved charter school.

325 5. Upon approval of a charter application, the initial
326 startup shall commence with the beginning of the public school
327 calendar for the district in which the charter is granted unless
328 the sponsor allows a waiver of this subparagraph for good cause.

329 (c)1. An applicant may appeal any denial of that
330 applicant's application or failure to act on an application to
331 the State Board of Education within ~~no later than~~ 30 calendar
332 days after receipt of the sponsor's decision or failure to act
333 and shall notify the sponsor of its appeal. Any response of the
334 sponsor shall be submitted to the State Board of Education
335 within 30 calendar days after notification of the appeal. Upon
336 receipt of notification from the State Board of Education that a



337 charter school applicant is filing an appeal, the Commissioner
 338 of Education shall convene a meeting of the Charter School
 339 Appeal Commission to study and make recommendations to the State
 340 Board of Education regarding its pending decision about the
 341 appeal. The commission shall forward its recommendation to the
 342 state board within no later than 7 calendar days before ~~prior to~~
 343 the date on which the appeal is to be heard. An appeal regarding
 344 the denial of an application submitted by a high-performing
 345 charter school pursuant to s. 1002.331 shall be conducted by the
 346 State Board of Education in accordance with this paragraph,
 347 except that the commission shall not convene to make
 348 recommendations regarding the appeal. However, the Commissioner
 349 of Education shall review the appeal and make a recommendation
 350 to the state board.

351 2. The Charter School Appeal Commission or, in the case of
 352 an appeal regarding an application submitted by a high-
 353 performing charter school, the State Board of Education may
 354 reject an appeal submission for failure to comply with
 355 procedural rules governing the appeals process. The rejection
 356 shall describe the submission errors. The appellant shall have
 357 15 calendar days after notice of rejection in which to resubmit
 358 an appeal that meets the requirements set forth in State Board
 359 of Education rule. An appeal submitted subsequent to such
 360 rejection is considered timely if the original appeal was filed
 361 within 30 calendar days after receipt of notice of the specific
 362 reasons for the sponsor's denial of the charter application.

363 3.a. The State Board of Education shall by majority vote
 364 accept or reject the decision of the sponsor within no later



365 ~~than~~ 90 calendar days after an appeal is filed in accordance
 366 with State Board of Education rule. The State Board of Education
 367 shall remand the application to the sponsor with its written
 368 decision that the sponsor approve or deny the application. The
 369 sponsor shall implement the decision of the State Board of
 370 Education. The decision of the State Board of Education is not
 371 subject to ~~the provisions of~~ the Administrative Procedure Act,
 372 chapter 120.

373 b. If an appeal concerns an application submitted by a
 374 high-performing charter school ~~identified~~ pursuant to s.
 375 1002.331, the State Board of Education shall determine whether
 376 the sponsor's denial of the application complies with the
 377 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
 378 ~~clear and convincing evidence, that:~~

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

381 (II) ~~The charter school proposed in the application does~~
 382 ~~not materially comply with the requirements in paragraphs~~
 383 ~~(9) (a) - (f);~~

384 (III) ~~The proposed charter school's educational program~~
 385 ~~does not substantially replicate that of the applicant or one of~~
 386 ~~the applicant's high-performing charter schools;~~

387 (IV) ~~The applicant has made a material misrepresentation~~
 388 ~~or false statement or concealed an essential or material fact~~
 389 ~~during the application process; or~~

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



393
394 The State Board of Education shall approve or reject the
395 sponsor's denial of an application no later than 90 calendar
396 days after an appeal is filed in accordance with State Board of
397 Education rule. The State Board of Education shall remand the
398 application to the sponsor with its written decision that the
399 sponsor approve or deny the application. The sponsor shall
400 implement the decision of the State Board of Education. The
401 decision of the State Board of Education is not subject to the
402 Administrative Procedure Act, chapter 120.

403 (h) The terms and conditions for the operation of a
404 charter school shall be set forth by the sponsor and the
405 applicant in a written contractual agreement, called a charter.
406 The sponsor shall not impose unreasonable rules or regulations
407 that violate the intent of giving charter schools greater
408 flexibility to meet educational goals. The sponsor shall have 30
409 ~~60~~ days after approval of the application to provide an initial
410 proposed charter contract to the charter school. The applicant
411 and the sponsor shall have 40 ~~75~~ days thereafter to negotiate
412 and notice the charter contract for final approval by the
413 sponsor unless both parties agree to an extension. The proposed
414 charter contract shall be provided to the charter school at
415 least 7 calendar days before ~~prior to~~ the date of the meeting at
416 which the charter is scheduled to be voted upon by the sponsor.
417 Any provision of a charter contract inconsistent with or
418 prohibited by the requirements of this section is void and
419 unenforceable. The Department of Education shall provide
420 mediation services for any dispute regarding this section



421 subsequent to the approval of a charter application and for any
422 dispute relating to the approved charter, except disputes
423 regarding charter school application denials. If the
424 Commissioner of Education determines that the dispute cannot be
425 settled through mediation, the dispute may be appealed to an
426 administrative law judge appointed by the Division of
427 Administrative Hearings. The administrative law judge has final
428 order authority to ~~may~~ rule on issues of equitable treatment of
429 the charter school as a public school, whether proposed
430 provisions of the charter violate the intended flexibility
431 granted charter schools by statute, or on any other matter
432 regarding this section except a charter school application
433 denial, a charter termination, or a charter nonrenewal and shall
434 award the prevailing party reasonable attorney ~~attorney's~~ fees
435 and costs incurred to be paid by the losing party. The costs of
436 the administrative hearing shall be paid by the party whom the
437 administrative law judge rules against.

438 (7) CHARTER.—The major issues involving the operation of a
439 charter school shall be considered in advance and written into
440 the charter. The charter shall be signed by the governing board
441 of the charter school and the sponsor, following a public
442 hearing to ensure community input.

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

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

447 2. The focus of the curriculum, the instructional methods
448 to be used, any distinctive instructional techniques to be



449 employed, and identification and acquisition of appropriate
450 technologies needed to improve educational and administrative
451 performance, which include a means for promoting safe, ethical,
452 and appropriate uses of technology which comply with legal and
453 professional standards.

454 a. The charter shall ensure that reading is a primary
455 focus of the curriculum and that resources are provided to
456 identify and provide specialized instruction for students who
457 are reading below grade level. The curriculum and instructional
458 strategies for reading must be consistent with the Next
459 Generation Sunshine State Standards and grounded in
460 scientifically based reading research.

461 b. In order to provide students with access to diverse
462 instructional delivery models, to facilitate the integration of
463 technology within traditional classroom instruction, and to
464 provide students with the skills they need to compete in the
465 21st century economy, the Legislature encourages instructional
466 methods for blended learning courses in which a student learns
467 in part through online delivery of content and instruction with
468 some element of student control over time, place, path, or pace
469 and in part at a supervised brick-and-mortar location away from
470 home consisting of both traditional classroom and online
471 instructional techniques. Charter schools may implement blended
472 learning courses that ~~which~~ combine traditional classroom
473 instruction and virtual instruction. Students in a blended
474 learning course must be full-time students of the charter school
475 and receive the online instruction in a classroom setting at the
476 charter school. Instructional personnel certified pursuant to s.



477 1012.55 who provide virtual instruction for blended learning
478 courses may be employees of the charter school or may be under
479 contract to provide instructional services to charter school
480 students. At a minimum, such instructional personnel must hold
481 an active state or school district adjunct certification under
482 s. 1012.57 for the subject area of the blended learning course.
483 The funding and performance accountability requirements for
484 blended learning courses are the same as those for traditional
485 courses.

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

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

492 b. How these baseline rates will be compared to rates of
493 academic progress achieved by these same students while
494 attending the charter school.

495 c. To the extent possible, how these rates of progress
496 will be evaluated and compared with rates of progress of other
497 closely comparable student populations.

498
499 The district school board is required to provide academic
500 student performance data to charter schools for each of their
501 students coming from the district school system, as well as
502 rates of academic progress of comparable student populations in
503 the district school system.

504 4. The methods used to identify the educational strengths



505 and needs of students and how well educational goals and
506 performance standards are met by students attending the charter
507 school. The methods shall provide a means for the charter school
508 to ensure accountability to its constituents by analyzing
509 student performance data and by evaluating the effectiveness and
510 efficiency of its major educational programs. Students in
511 charter schools shall, at a minimum, participate in the
512 statewide assessment program created under s. 1008.22.

513 5. In secondary charter schools, a method for determining
514 that a student has satisfied the requirements for graduation in
515 s. 1003.428, s. 1003.429, or s. 1003.43.

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

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

520 8. The ways by which the school will achieve a
521 racial/ethnic balance reflective of the community it serves or
522 within the racial/ethnic range of other public schools in the
523 same school district.

524 9. The financial and administrative management of the
525 school, including a reasonable demonstration of the professional
526 experience or competence of those individuals or organizations
527 applying to operate the charter school or those hired or
528 retained to perform such professional services and the
529 description of clearly delineated responsibilities and the
530 policies and practices needed to effectively manage the charter
531 school. A description of internal audit procedures and
532 establishment of controls to ensure that financial resources are



533 properly managed must be included. Both public sector and
534 private sector professional experience shall be equally valid in
535 such a consideration.

536 10. The asset and liability projections required in the
537 application which are incorporated into the charter and shall be
538 compared with information provided in the annual report of the
539 charter school.

540 11. A description of procedures that identify various
541 risks and provide for a comprehensive approach to reduce the
542 impact of losses; plans to ensure the safety and security of
543 students and staff; plans to identify, minimize, and protect
544 others from violent or disruptive student behavior; and the
545 manner in which the school will be insured, including whether or
546 not the school will be required to have liability insurance,
547 and, if so, the terms and conditions thereof and the amounts of
548 coverage.

549 12. The term of the charter, which shall provide for
550 termination ~~cancellation~~ of the charter if insufficient progress
551 has been made in attaining the student achievement objectives of
552 the charter and if it is not likely that such objectives can be
553 achieved before expiration of the charter. The initial term of a
554 charter shall be for 4 or 5 years. ~~In order to facilitate access~~
555 ~~to long-term financial resources for charter school~~
556 ~~construction,~~ Charter schools that are operated by a
557 municipality or other public entity as provided by law are
558 eligible for up to a 15-year charter, subject to approval by the
559 district school board. A charter lab school is eligible for a
560 charter for a term of up to 15 years. In addition, ~~to facilitate~~



561 ~~access to long-term financial resources for charter school~~
562 ~~construction~~, charter schools that are operated by a private,
563 not-for-profit, s. 501(c)(3) status corporation are eligible for
564 up to a 15-year charter, subject to approval by the district
565 school board. Such long-term charters remain subject to annual
566 review and may be terminated during the term of the charter, but
567 only according to ~~the provisions set forth in~~ subsection (8).

568 13. The facilities to be used and their location. The
569 sponsor may not require a charter school to have a certificate
570 of occupancy for such a facility earlier than 15 calendar days
571 before the first day of school.

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

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

578 16. A timetable for implementing the charter which
579 addresses the implementation of each element thereof and the
580 date by which the charter shall be awarded in order to meet this
581 timetable.

582 17. In the case of an existing public school that is being
583 converted to charter status, alternative arrangements for
584 current students who choose not to attend the charter school and
585 for current teachers who choose not to teach in the charter
586 school after conversion in accordance with the existing
587 collective bargaining agreement or district school board rule in
588 the absence of a collective bargaining agreement. However,



589 alternative arrangements shall not be required for current
590 teachers who choose not to teach in a charter lab school, except
591 as authorized by the employment policies of the state university
592 which grants the charter to the lab school.

593 18. Full disclosure of the identity of all relatives
594 employed by the charter school who are related to the charter
595 school owner, president, chairperson of the governing board of
596 directors, superintendent, governing board member, principal,
597 assistant principal, or any other person employed by the charter
598 school who has equivalent decisionmaking authority. For the
599 purpose of this subparagraph, the term "relative" means father,
600 mother, son, daughter, brother, sister, uncle, aunt, first
601 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
602 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
603 stepfather, stepmother, stepson, stepdaughter, stepbrother,
604 stepsister, half brother, or half sister.

605 19. Implementation of the activities authorized under s.
606 1002.331 by the charter school when it satisfies the eligibility
607 requirements for a high-performing charter school. A high-
608 performing charter school shall notify its sponsor in writing by
609 March 1 if it intends to increase enrollment or expand grade
610 levels the following school year. The written notice shall
611 specify the amount of the enrollment increase and the grade
612 levels that will be added, as applicable.

613 (c) A charter may be modified during its initial term or
614 any renewal term upon the recommendation of the sponsor or the
615 charter school's governing board and the approval of both
616 parties to the agreement. Modification may include, but is not



617 limited to, consolidation of multiple charters into a single
618 charter if the charters are operated under the same governing
619 board and physically located on the same campus, regardless of
620 the renewal cycle.

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

622 (a) The sponsor shall make student academic achievement
623 for all students the most important factor when determining
624 whether to renew or terminate the charter. However, the sponsor
625 may also choose not to renew or may terminate the charter for
626 any of the following grounds:

627 1. Failure to participate in the state's education
628 accountability system created in s. 1008.31, as required in this
629 section, or failure to meet the requirements for student
630 performance stated in the charter.

631 2. Failure to meet generally accepted standards of fiscal
632 management.

633 3. Violation of law.

634 4. Other good cause shown.

635 (9) CHARTER SCHOOL REQUIREMENTS.—

636 (n)1. The director and a representative of the governing
637 board of a charter school that has earned a grade of "D" or "F"
638 pursuant to s. 1008.34(2) shall appear before the sponsor to
639 present information concerning each contract component having
640 noted deficiencies. The director and a representative of the
641 governing board shall submit to the sponsor for approval a
642 school improvement plan to raise student achievement. Upon
643 approval by the sponsor, the charter school shall begin
644 implementation of the school improvement plan. The department



645 shall offer technical assistance and training to the charter
646 school and its governing board and establish guidelines for
647 developing, submitting, and approving such plans.

648 2.a. If a charter school earns three consecutive grades of
649 "D," two consecutive grades of "D" followed by a grade of "F,"
650 or two nonconsecutive grades of "F" within a 3-year period, the
651 charter school governing board shall choose one of the following
652 corrective actions:

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

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

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

660 (IV) Voluntarily close the charter school.

661 b. The charter school must implement the corrective action
662 in the school year following receipt of a third consecutive
663 grade of "D," a grade of "F" following two consecutive grades of
664 "D," or a second nonconsecutive grade of "F" within a 3-year
665 period.

666 c. The sponsor may annually waive a corrective action if
667 it determines that the charter school is likely to improve a
668 letter grade if additional time is provided to implement the
669 intervention and support strategies prescribed by the school
670 improvement plan. Notwithstanding this sub-subparagraph, a
671 charter school that earns a second consecutive grade of "F" is
672 subject to subparagraph 4.



673 | d. A charter school is no longer required to implement a
674 | corrective action if it improves by at least one letter grade.
675 | However, the charter school must continue to implement
676 | strategies identified in the school improvement plan. The
677 | sponsor must annually review implementation of the school
678 | improvement plan to monitor the school's continued improvement
679 | pursuant to subparagraph 5.

680 | e. A charter school implementing a corrective action that
681 | does not improve by at least one letter grade after 2 full
682 | school years of implementing the corrective action must select a
683 | different corrective action. Implementation of the new
684 | corrective action must begin in the school year following the
685 | implementation period of the existing corrective action, unless
686 | the sponsor determines that the charter school is likely to
687 | improve a letter grade if additional time is provided to
688 | implement the existing corrective action. Notwithstanding this
689 | sub-subparagraph, a charter school that earns a second
690 | consecutive grade of "F" while implementing a corrective action
691 | is subject to subparagraph 4.

692 | 3. A charter school with a grade of "D" or "F" that
693 | improves by at least one letter grade must continue to implement
694 | the strategies identified in the school improvement plan. The
695 | sponsor must annually review implementation of the school
696 | improvement plan to monitor the school's continued improvement
697 | pursuant to subparagraph 5.

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

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



701 performance of a district public school pursuant to s.
702 1008.33(4)(b)3. Such charter schools shall be governed by s.
703 1008.33;

704 b. The charter school serves a student population the
705 majority of which resides in a school zone served by a district
706 public school that earned a grade of "F" in the year before the
707 charter school opened and the charter school earns at least a
708 grade of "D" in its third year of operation. The exception
709 provided under this sub-subparagraph does not apply to a charter
710 school in its fourth year of operation and thereafter; or

711 c. The state board grants the charter school a waiver of
712 termination. The charter school must request the waiver within
713 15 ~~30~~ days after the department's official release ~~completion~~ of
714 school grades ~~grade appeals~~. The state board may waive
715 termination if the charter school demonstrates that the learning
716 gains of its students on statewide assessments are comparable to
717 or better than the learning gains of similarly situated students
718 enrolled in nearby district public schools. The waiver is valid
719 for 1 year and may only be granted once. Charter schools that
720 have been in operation for more than 5 years are not eligible
721 for a waiver under this sub-subparagraph.

722 5. The director and a representative of the governing
723 board of a graded charter school that has implemented a school
724 improvement plan under this paragraph shall appear before the
725 sponsor at least once a year to present information regarding
726 the progress of intervention and support strategies implemented
727 by the school pursuant to the school improvement plan and
728 corrective actions, if applicable. The sponsor shall communicate



729 at the meeting, and in writing to the director, the services
730 provided to the school to help the school address its
731 deficiencies.

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

735 (o)1. Upon initial notification of nonrenewal, closure, or
736 termination of its charter, a charter school may not expend more
737 than \$10,000 per expenditure without prior written approval from
738 the sponsor unless such expenditure was included within the
739 annual budget submitted to the sponsor pursuant to the charter
740 contract, is for reasonable attorney fees and costs during the
741 pendency of any appeal, or is for reasonable fees and costs to
742 conduct an independent audit.

743 2. An independent audit shall be completed within 30 days
744 after notice of nonrenewal, closure, or termination to account
745 for all public funds and assets.

746 3. A provision in a charter contract that contains an
747 acceleration clause requiring the expenditure of funds based
748 upon closure or upon notification of nonrenewal or termination
749 is void and unenforceable.

750 4. A charter school may not enter into a contract with an
751 employee that exceeds the term of the school's charter contract
752 with its sponsor.

753 5. A violation of this paragraph triggers a reversion or
754 clawback power by the sponsor allowing for collection of an
755 amount equal to or less than the accelerated amount that exceeds
756 normal expenditures. The reversion or clawback plus legal fees



757 and costs shall be levied against the person or entity receiving
758 the accelerated amount.

759 (p) Each charter school shall maintain a website that
760 enables the public to obtain information regarding the school,
761 its personnel, and its programs. The website shall include
762 information or online links to information regarding any entity
763 that owns, operates, or manages the school, including any
764 nonprofit or for-profit entity; the names of all governing
765 officers and administrative personnel of the entity; and any
766 fees the school pays to the entity. The information or online
767 links must be prominently displayed and easily accessible to
768 visitors of the website.

769 (10) ELIGIBLE STUDENTS.—

770 (b) The charter school shall enroll an eligible student
771 who submits a timely application, unless the number of
772 applications exceeds the capacity of a program, class, grade
773 level, or building. In such case, all applicants shall have an
774 equal chance of being admitted through a random selection
775 process. The selection process must be audited by an independent
776 third party chosen by the sponsor or charter, observed by the
777 sponsor, or observed by a third party mutually agreed to by the
778 charter school and sponsor. The charter school shall choose the
779 option to apply to the selection process. These requirements
780 apply to the initial selection process for each new school year.

781 (h) The capacity of the charter school shall be determined
782 annually by the governing board, in conjunction with the
783 sponsor, of the charter school in consideration of the factors
784 identified in this subsection unless the charter school is



785 designated as a high-performing charter school pursuant to s.
786 1002.331. A sponsor may not require a charter school to waive
787 the provisions of s. 1002.331 or require a student enrollment
788 cap that prohibits a high-performing charter school from
789 increasing enrollment in accordance with s. 1002.331(3)
790 ~~1002.331(2)~~ as a condition of approval or renewal of a charter.

791 (i) The capacity of a high-performing charter school
792 identified pursuant to s. 1002.331 shall be determined annually
793 by the governing board of the charter school. The governing
794 board shall notify the sponsor of any increase in enrollment by
795 March 1 of the school year preceding the increase. A sponsor may
796 not require a charter school to identify the names of students
797 to be enrolled or to enroll those students before the start of
798 the school year as a condition of approval or renewal of a
799 charter.

800 (16) EXEMPTION FROM STATUTES.—

801 (b) Additionally, a charter school shall be in compliance
802 with the following statutes:

803 1. Section 286.011, relating to public meetings and
804 records, public inspection, and criminal and civil penalties.

805 2. Chapter 119, relating to public records.

806 3. Section 1003.03, relating to the maximum class size,
807 except that the calculation for compliance pursuant to s.
808 1003.03 shall be the average at the school level.

809 4. Section 1012.22(1)(c)5.b. ~~1012.22(1)(e)~~, relating to
810 the implementation of a compensation system that requires annual
811 salary adjustments for instructional personnel to be based upon
812 performance and ~~salary schedules.~~



813 | 5. Section 1012.33(5), relating to workforce reductions,
814 | if the charter school awards contracts to instructional
815 | personnel and the term of a contract exceeds 1 year.

816 | 6. Section 1012.335, relating to contracts with
817 | instructional personnel hired on or after July 1, 2011, if the
818 | charter school awards contracts to instructional personnel and
819 | the term of a contract exceeds 1 year.

820 | 7. Section 1012.34(2), (3), and (7) ~~1012.34~~, relating to
821 | ~~the substantive requirements for~~ performance evaluations for
822 | instructional personnel and school administrators. For purposes
823 | of compliance with this subparagraph, the duties assigned to a
824 | district school superintendent apply to a charter school
825 | principal or his or her equivalent, and the duties assigned to a
826 | district school board apply to a charter school's governing
827 | board.

828 | (17) FUNDING.—Students enrolled in a charter school,
829 | regardless of the sponsorship, shall be funded as if they are in
830 | a basic program or a special program, the same as students
831 | enrolled in other public schools in the school district. Funding
832 | for a charter lab school shall be as provided in s. 1002.32.

833 | (c) If the district school board is providing programs or
834 | services to students funded by federal funds, any eligible
835 | students enrolled in charter schools in the school district
836 | shall be provided federal funds for the same level of service
837 | provided students in the schools operated by the district school
838 | board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all
839 | charter schools shall receive all federal funding for which the
840 | school is otherwise eligible, including Title I funding, not



841 later than 5 months after the charter school first opens and
842 within 5 months after any subsequent expansion of enrollment.
843 Unless otherwise mutually agreed to by the charter school and
844 its sponsor, and consistent with state and federal rules and
845 regulations governing the use and disbursement of federal funds,
846 the sponsor shall reimburse the charter school on a monthly
847 basis for all invoices submitted by the charter school for
848 federal funds available to the sponsor for the benefit of the
849 charter school, the charter school's students, and the charter
850 school's students as public school students in the school
851 district. Such federal funds include, but are not limited to,
852 Title I, Title II, and Individuals with Disabilities Education
853 Act (IDEA) funds. To receive timely reimbursement for an
854 invoice, the charter school must submit the invoice to the
855 sponsor at least 30 days before the monthly date of
856 reimbursement set by the sponsor. In order to be reimbursed, any
857 expenditure made by the charter school must comply with all
858 applicable state and federal rules and regulations, including,
859 but not limited to, the applicable federal Office of Management
860 and Budget Circulars, the federal Education Department General
861 Administrative Regulations, and program-specific statutes,
862 rules, and regulations. Such funds may not be made available to
863 the charter school until a plan is submitted to the sponsor for
864 approval of the use of the funds in accordance with applicable
865 federal requirements. The sponsor has 30 days to review and
866 approve any plan submitted pursuant to this paragraph.

867 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

868 (a) The Department of Education shall provide information



869 to the public, directly and through sponsors, on how to form and
870 operate a charter school and how to enroll in a charter school
871 once it is created. This information shall include a model
872 ~~standard~~ application form ~~format~~, standard charter contract
873 ~~format~~, standard evaluation instrument, and standard charter
874 renewal contract ~~format~~, which shall include the information
875 specified in subsection (7) and shall be developed by consulting
876 and negotiating with both school districts and charter schools
877 before implementation. The charter and charter renewal contracts
878 ~~formats~~ shall be used by charter school sponsors.

879 (26) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

880 (c) An employee of a charter school or his or her spouse
881 or an employee of a charter management organization or his or
882 her spouse may not be a member of the charter school governing
883 board.

884 (27) RULEMAKING.—The Department of Education, after
885 consultation with school districts and charter school directors,
886 shall recommend that the State Board of Education adopt rules to
887 implement specific subsections of this section. Such rules shall
888 require minimum paperwork and shall not limit charter school
889 flexibility authorized by statute. The State Board of Education
890 shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to
891 implement a charter model application form, standard evaluation
892 instrument, and standard charter and charter renewal contracts
893 ~~formats~~ in accordance with this section.

894 Section 2. Section 1002.331, Florida Statutes, amended to
895 read:

896 1002.331 High-performing charter schools.—



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

899 (a) Received at least two school grades of "A" and no
900 school grade below "B," pursuant to s. 1008.34, during each of
901 the previous 3 school years.

902 (b) Received an unqualified opinion on each annual
903 financial audit required under s. 218.39 in the most recent 3
904 fiscal years for which such audits are available.

905 (c) Did not receive a financial audit that revealed one or
906 more of the financial emergency conditions set forth in s.
907 218.503(1) in the most recent 3 fiscal years for which such
908 audits are available. However, this requirement is deemed met
909 for a charter school-in-the-workplace if there is a finding in
910 an audit that the school has the monetary resources available to
911 cover any reported deficiency or that the deficiency does not
912 result in a deteriorating financial condition pursuant to s.
913 1002.345(1)(a)3.

914
915 A virtual charter school established under s. 1002.33 is not
916 eligible for designation as a high-performing charter school.

917 (2) A charter school is a high-performing charter school
918 if it is established primarily to serve students in the
919 attendance zone of a school identified in need of intervention
920 and support pursuant to s. 1008.33(3)(b) and is operated by an
921 entity classified as a high-performing charter school system by
922 the State Board of Education pursuant to s. 1002.332(2).

923 (3)~~(2)~~ A high-performing charter school is authorized to:

924 (a) Increase its student enrollment more than the capacity



925 identified in the charter once per school year in an amount not
926 to exceed the current facility capacity ~~by up to 15 percent more~~
927 ~~than the capacity identified in the charter.~~

928 (b) Expand grade levels within kindergarten through grade
929 12 to add grade levels not already served if any annual
930 enrollment increase resulting from grade level expansion is
931 within the limit established in paragraph (a).

932 (c) Submit a quarterly, rather than a monthly, financial
933 statement to the sponsor pursuant to s. 1002.33(9)(g).

934 (d) Consolidate under a single charter the charters of
935 multiple high-performing charter schools operated in the same
936 school district by the charter schools' governing board
937 regardless of the renewal cycle.

938 (e) Receive a modification of its charter to a term of 15
939 years or a 15-year charter renewal. The charter may be modified
940 or renewed for a shorter term at the option of the high-
941 performing charter school. The charter must be consistent with
942 s. 1002.33(7)(a)19. and (10)(h) and (i), is subject to annual
943 review by the sponsor, and may be terminated during its term
944 pursuant to s. 1002.33(8).

945
946 A high-performing charter school shall notify its sponsor in
947 writing by March 1 if it intends to increase enrollment or
948 expand grade levels the following school year. The written
949 notice shall specify the amount of the enrollment increase and
950 the grade levels that will be added, as applicable. If a high-
951 performing charter school requests to consolidate multiple
952 charters or to modify its charter pursuant to this subsection,



953 the sponsor shall have 40 days after receipt of that request to
954 provide an initial draft charter to the charter school. The
955 sponsor and charter school shall have 50 days thereafter to
956 negotiate and notice the charter contract for final approval by
957 the sponsor.

958 (4)~~(3)~~(a) A high-performing charter school may submit an
959 application pursuant to s. 1002.33(6) in any school district in
960 the state to establish and operate a new charter school that
961 will substantially replicate its educational program. An
962 application submitted by a high-performing charter school must
963 state that the application is being submitted pursuant to this
964 paragraph and must include the verification letter provided by
965 the Commissioner of Education pursuant to subsection (6) ~~(5)~~. If
966 the sponsor fails to act on the application within 60 days after
967 receipt, the application is deemed approved and the procedure in
968 s. 1002.33(6)(h) applies. If the sponsor denies the application,
969 the high-performing charter school may appeal pursuant to s.
970 1002.33(6).

971 (b) A high-performing charter school may not establish
972 more than one charter school within the state under paragraph
973 (a) in any year. A subsequent application to establish a charter
974 school under paragraph (a) may not be submitted unless each
975 charter school established in this manner achieves high-
976 performing charter school status.

977 (5)~~(4)~~ A high-performing charter school may not increase
978 enrollment or expand grade levels following any school year in
979 which it receives a school grade of "C" or below. If the charter
980 school receives a school grade of "C" or below in any 2 years



981 during the term of the charter awarded under subsection (3) ~~(2)~~,
 982 the term of the charter may be modified by the sponsor ~~and the~~
 983 ~~charter school loses its high-performing charter school status~~
 984 ~~until it regains that status under subsection (1).~~

985 (6) ~~(5)~~ The Commissioner of Education, upon request by a
 986 charter school, shall verify that the charter school meets the
 987 criteria in subsection (1) and provide a letter to the charter
 988 school and the sponsor stating that the charter school is a
 989 high-performing charter school pursuant to this section. The
 990 commissioner shall annually determine whether a high-performing
 991 charter school under subsection (1) continues to meet the
 992 criteria in that subsection. Such high-performing charter school
 993 shall maintain its high-performing status unless the
 994 commissioner determines that the charter school no longer meets
 995 the criteria in subsection (1), at which time the commissioner
 996 shall send a letter providing notification of its
 997 declassification as a high-performing charter school.

998 (7) ~~(6)~~ A high-performing charter school replicated under
 999 this section may not be replicated as a virtual charter school.

1000 Section 3. Section 1002.332, Florida Statutes, is amended
 1001 to read:

1002 1002.332 High-performing charter school system.—

1003 (1) For purposes of this section, the term:

1004 (a) "Entity" means a municipality or other public entity
 1005 that is authorized by law to operate a charter school; a
 1006 private, nonprofit corporation with tax-exempt status under s.
 1007 501(c)(3) of the Internal Revenue Code; or a private, for-profit
 1008 education management corporation.



1009 (b) "High-performing charter school system" means an
 1010 entity that:

1011 1. Operated ~~Operates~~ at least three high-performing
 1012 charter schools in the state during each of the previous 3
 1013 school years;

1014 2. Operated ~~Operates~~ a system of charter schools in which
 1015 at least 50 percent of the charter schools were ~~are~~ high-
 1016 performing charter schools pursuant to s. 1002.331 and no
 1017 charter school earned a school grade of "D" or "F" pursuant to
 1018 s. 1008.34 in any of the previous 3 school years, except that:

1019 a. If the entity ~~has~~ assumed operation of a public school
 1020 pursuant to s. 1008.33(4)(b)3. with a school grade of "F," that
 1021 school's grade may not be considered in determining high-
 1022 performing charter school system status for a period of 3 years.

1023 b. If the entity established ~~establishes~~ a new charter
 1024 school that served ~~serves~~ a student population the majority of
 1025 which resided ~~resides~~ in a school zone served by a public school
 1026 that earned a grade of "F" or three consecutive grades of "D"
 1027 pursuant to s. 1008.34, that charter school's grade may not be
 1028 considered in determining high-performing charter school system
 1029 status if it attained ~~attains~~ and maintained ~~maintains~~ a school
 1030 grade that was ~~is~~ higher than that of the public school serving
 1031 that school zone within 3 years after establishment; and

1032 3. Did ~~Has~~ not receive ~~received~~ a financial audit that
 1033 revealed one or more of the financial emergency conditions set
 1034 forth in s. 218.503(1) for any charter school assumed or
 1035 established by the entity in the most recent 3 fiscal years for
 1036 which such audits are available.



1037 (2) An entity that successfully operates a system of
 1038 charter schools outside the state may apply to the State Board
 1039 of Education for status as a high-performing charter school
 1040 system solely for the purpose of establishing a charter school
 1041 that primarily serves students in the attendance zone of a
 1042 school identified in need of intervention and support pursuant
 1043 to s. 1008.33(3) (b). The State Board of Education shall adopt
 1044 rules prescribing a process for determining whether the entity
 1045 meets the requirements of this subsection by reviewing student
 1046 demographic and performance data from all schools operated by
 1047 the entity. To the extent practicable, the State Board of
 1048 Education shall develop a rubric for the approval of such
 1049 entities that aligns with the priorities of the Federal Charter
 1050 Schools Program Grants for Replication and Expansion of High-
 1051 Quality Charter Schools, found in the Federal Register, Volume
 1052 76, Number 133.

1053 (3)~~(2)~~ (a) The Commissioner of Education, ~~upon request by~~
 1054 ~~an entity,~~ shall verify all charter schools served by an entity
 1055 and verify that the entity meets the criteria in this section
 1056 ~~subsection (1)~~ for the previous ~~prior~~ school year and provide a
 1057 letter to the entity stating that it is a high-performing
 1058 charter school system. The commissioner shall annually determine
 1059 whether a high-performing charter school system continues to
 1060 meet the criteria in this section. A high-performing charter
 1061 school system shall maintain its high-performing status unless
 1062 the commissioner determines that the charter school system no
 1063 longer meets the criteria in this section, at which time the
 1064 commissioner shall send a letter providing notification of its



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1065 declassification as a high-performing charter school system.

1066 (b) A high-performing charter school system may replicate
1067 its high-performing charter schools pursuant to s. 1002.331(4)
1068 ~~1002.331(3)~~.

1069 Section 4. The Department of Education shall develop a
1070 proposed statewide, standard charter contract by consulting and
1071 negotiating with school districts and charter schools and
1072 provide the proposed charter contract to the Governor, the
1073 President of the Senate, and the Speaker of the House of
1074 Representatives by November 1, 2013.

1075 Section 5. This act shall take effect July 1, 2013.