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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RS | . | |
| 04/11/2014 | . | |
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Appropriations Subcommittee on Education (Thrasher) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraphs (a), (b), (c), and (h) of subsection (6), subsection (7), paragraphs (n) and (o) of subsection (9), paragraphs (e), (g), and (i) of subsection (10), paragraphs (b) and (c) of subsection (15), paragraph (c) of subsection (20), paragraph (a) of subsection (21), and subsection (25) of section 1002.33, Florida Statutes, are amended to read:



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11 1002.33 Charter schools.-

12 (6) APPLICATION PROCESS AND REVIEW.-Charter school
13 applications are subject to the following requirements:

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

17 1. Demonstrates how the school will use the guiding
18 principles and meet the statutorily defined purpose of a charter
19 school and describes the school's mission, the students to be
20 served, and the ages and grades to be included.

21 2. Describes the focus of the curriculum, the instructional
22 methods to be used, any distinctive instructional techniques to
23 be employed, and the identification and acquisition of
24 appropriate technologies needed to improve educational and
25 administrative performance, which include a means for promoting
26 safe, ethical, and appropriate uses of technology that comply
27 with legal and professional standards. The ~~Provides a detailed~~
28 curriculum plan must illustrate ~~that illustrates~~ how students
29 will be provided instruction on ~~services to attain the Sunshine~~
30 state standards.

31 a. Reading shall be a primary focus of the curriculum. The
32 curriculum plan must describe the differentiated strategies that
33 will be used for students reading at grade level or higher and a
34 separate curriculum and strategies for students who are reading
35 below grade level. Resources must be provided to identify and
36 provide specialized instruction for students who are reading
37 below grade level. The curriculum and instructional strategies
38 for reading must be consistent with state standards and grounded
39 in scientifically based reading research.



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40 b. In order to provide students with access to diverse
41 instructional delivery models, to facilitate the integration of
42 technology within traditional classroom instruction, and to
43 provide students with the skills they need to compete in the
44 21st century economy, the Legislature encourages instructional
45 methods for blended learning courses consisting of both
46 traditional classroom and virtual instructional techniques.
47 Charter schools may implement blended learning courses that
48 combine traditional classroom instruction and virtual
49 instruction. Students in a blended learning course must be full-
50 time students of the charter school and receive the virtual
51 instruction in a classroom setting at the charter school.
52 Instructional personnel certified pursuant to s. 1012.55 who
53 provide virtual instruction for blended learning courses may be
54 employees of the charter school or may be under contract to
55 provide instructional services to charter school students. At a
56 minimum, such instructional personnel must hold an active state
57 or school district adjunct certification under s. 1012.57 for
58 the subject area of the blended learning course. The funding and
59 performance accountability requirements for blended learning
60 courses are the same as those for traditional courses.

61 3. Contains goals and objectives for improving student
62 learning and measuring that improvement. These goals and
63 objectives must indicate how much academic improvement students
64 are expected to show each year, how success will be evaluated,
65 and the specific results to be attained through instruction.

66 4. Provides the methods used to identify the educational
67 strengths and needs of students and how well educational goals
68 and performance standards are met by students attending the



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69 charter school. The methods shall provide a means for the
70 charter school to ensure accountability to its constituents by
71 analyzing student performance data and by evaluating the
72 effectiveness and efficiency of its major educational programs.
73 Students in charter schools shall, at a minimum, participate in
74 the statewide assessment program created under s. 1008.22.

75 5. For the establishment of a secondary charter school,
76 provides a method for determining that a student has satisfied
77 the requirements for graduation in s. 1003.4282.

78 ~~4. Describes the reading curriculum and differentiated~~
79 ~~strategies that will be used for students reading at grade level~~
80 ~~or higher and a separate curriculum and strategies for students~~
81 ~~who are reading below grade level. A sponsor shall deny a~~
82 ~~charter if the school does not propose a reading curriculum that~~
83 ~~is consistent with effective teaching strategies that are~~
84 ~~grounded in scientifically based reading research.~~

85 ~~5. Contains an annual financial plan for each year~~
86 ~~requested by the charter for operation of the school for up to 5~~
87 ~~years. This plan must contain anticipated fund balances based on~~
88 ~~revenue projections, a spending plan based on projected revenues~~
89 ~~and expenses, and a description of controls that will safeguard~~
90 ~~finances and projected enrollment trends.~~

91 ~~6. Documents that the applicant has participated in the~~
92 ~~training required in subparagraph (f)2. A sponsor may require an~~
93 ~~applicant to provide additional information as an addendum to~~
94 ~~the charter school application described in this paragraph.~~

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



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98 7. Describes the admissions procedures and dismissal
99 procedures, including the school's code of student conduct.

100 8. Describes the ways by which the school will achieve a
101 racial/ethnic balance reflective of the community it serves or
102 within the racial/ethnic range of other public schools in the
103 same school district.

104 9. Contains an annual financial plan for each year that the
105 applicant intends to operate the school for up to 5 years. This
106 plan must contain anticipated fund balances based on revenue
107 projections, a spending plan based on projected revenues and
108 expenses, and a description of controls that will safeguard
109 finances and projected enrollment trends.

110 10. Describes the financial and administrative management
111 of the school, including a reasonable demonstration of the
112 professional experience or competence of those individuals or
113 organizations applying to operate the charter school or those
114 individuals or organizations hired or retained to perform such
115 professional services and a description of clearly delineated
116 responsibilities of those individuals or organizations and the
117 policies and practices needed to effectively manage the charter
118 school. A description of internal audit procedures and
119 establishment of controls to ensure that financial resources are
120 properly managed must be included. Both public sector and
121 private sector professional experience are equally valid in such
122 a consideration.

123 11. Describes procedures that identify various risks and
124 provide for a comprehensive approach to reduce the impact of
125 losses; plans to ensure the safety and security of students and
126 staff; plans to identify, minimize, and protect others from



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127 violent or disruptive student behavior; and the manner in which
128 the school will be insured, including whether the school will be
129 required to have liability insurance, and, if so, the terms and
130 conditions thereof and the amounts of coverage.

131 12. Includes the qualifications to be required of the
132 teachers and the potential strategies used to recruit, hire,
133 train, and retain qualified staff to achieve best value.

134 13. Describes the governance structure of the school,
135 including the status of the charter school as a public or
136 private employer as required in paragraph (12) (i).

137 14. Includes a timetable for implementing the charter which
138 addresses the implementation of each element thereof and the
139 date by which the charter will be awarded in order to meet this
140 timetable.

141 15. In the case of an existing public school that is being
142 converted to charter status, includes alternative arrangements
143 for current students who choose not to attend the charter school
144 and for current teachers who choose not to teach in the charter
145 school after conversion in accordance with the existing
146 collective bargaining agreement or district school board rule in
147 the absence of a collective bargaining agreement. However,
148 alternative arrangements are not required for current teachers
149 who choose not to teach in a charter lab school, except as
150 authorized by the employment policies of the state university
151 that grants the charter to the lab school.

152 (b) A sponsor shall receive and review all applications for
153 a charter school using the ~~an~~ evaluation instrument developed by
154 the Department of Education. A sponsor shall receive and
155 consider charter school applications received on or before



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156 August 1 of each calendar year for charter schools to be opened
157 at the beginning of the school district's next school year, or
158 to be opened at a time agreed to by the applicant and the
159 sponsor. A sponsor may not refuse to receive a charter school
160 application submitted before August 1 and may receive an
161 application submitted later than August 1 if it chooses. In
162 order to facilitate greater collaboration in the application
163 process, an applicant may submit a draft charter school
164 application on or before May 1 with an application fee of \$500.
165 If a draft application is timely submitted, the sponsor shall
166 review and provide feedback as to material deficiencies in the
167 application by July 1. The applicant shall then have until
168 August 1 to resubmit a revised and final application. The
169 sponsor may approve the draft application. A sponsor may not
170 charge an applicant for a charter any fee for the processing or
171 consideration of an application, and a sponsor may not base its
172 consideration or approval of a final application upon the
173 promise of future payment of any kind. Before approving or
174 denying any final application, the sponsor shall allow the
175 applicant, upon receipt of written notification, at least 7
176 calendar days to make ~~technical or nonsubstantive~~ corrections
177 and clarifications to address any deficiencies, ~~including, but~~
178 ~~not limited to, corrections of grammatical, typographical, and~~
179 ~~like errors or missing signatures, if such errors are identified~~
180 by the sponsor as cause to deny the final application.

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



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185 In a further effort to facilitate an accurate budget projection,
186 within 15 calendar days after receipt of a charter school
187 application, a sponsor shall report to the Department of
188 Education the name of the applicant entity, the proposed charter
189 school location, and its projected FTE.

190 2. In order to ensure fiscal responsibility, an application
191 for a charter school shall include a full accounting of expected
192 assets, a projection of expected sources and amounts of income,
193 including income derived from projected student enrollments and
194 from community support, and an expense projection that includes
195 full accounting of the costs of operation, including start-up
196 costs.

197 3.a. A sponsor shall by a majority vote approve or deny an
198 application no later than 60 calendar days after the application
199 is received, unless the sponsor and the applicant mutually agree
200 in writing to temporarily postpone the vote to a specific date,
201 at which time the sponsor shall by a majority vote approve or
202 deny the application. If the sponsor fails to act on the
203 application, an applicant may appeal to the State Board of
204 Education as provided in paragraph (c). If an application is
205 denied, the sponsor shall, within 10 calendar days after such
206 denial, articulate in writing the specific reasons, based upon
207 good cause, supporting its denial of the charter application and
208 shall provide the letter of denial and supporting documentation
209 to the applicant and to the Department of Education.

210 b. An application submitted by a high-performing charter
211 school identified pursuant to s. 1002.331 or an application
212 submitted by or on behalf of a military-related or military
213 community-related organization to open a charter school on or



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214 near a military base may be denied by the sponsor only if the
215 sponsor demonstrates by clear and convincing evidence that:

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

218 (II) The charter school proposed in the application does
219 not materially comply with the requirements in paragraphs
220 (9) (a) - (f);

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

224 (IV) The applicant has made a material misrepresentation or
225 false statement or concealed an essential or material fact
226 during the application process; or

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

230

231 Material noncompliance is a failure to follow requirements or a
232 violation of prohibitions applicable to charter school
233 applications, which failure is quantitatively or qualitatively
234 significant either individually or when aggregated with other
235 noncompliance. An applicant is considered to be replicating a
236 high-performing charter school if the proposed school is
237 substantially similar to at least one of the applicant's high-
238 performing charter schools and the organization or individuals
239 involved in the establishment and operation of the proposed
240 school are significantly involved in the operation of replicated
241 schools.

242 c. If the sponsor denies an application submitted by a



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243 high-performing charter school, the sponsor must, within 10
244 calendar days after such denial, state in writing the specific
245 reasons, based upon the criteria in sub-subparagraph b.,
246 supporting its denial of the application and must provide the
247 letter of denial and supporting documentation to the applicant
248 and to the Department of Education. The applicant may appeal the
249 sponsor's denial of the application ~~directly~~ to the State Board
250 of Education pursuant to paragraph (c) and must provide the
251 sponsor with a copy of the appeal ~~sub-subparagraph (c)3.b.~~

252 4. For budget projection purposes, the sponsor shall report
253 to the Department of Education the approval or denial of a
254 charter application within 10 calendar days after such approval
255 or denial. In the event of approval, the report to the
256 Department of Education shall include the final projected FTE
257 for the approved charter school.

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

262 (c)1. An applicant may appeal any denial of that
263 applicant's application or failure to act on an application to
264 the State Board of Education within ~~no later than~~ 30 calendar
265 days after receipt of the sponsor's decision or failure to act
266 and shall notify the sponsor of its appeal. Any response of the
267 sponsor shall be submitted to the State Board of Education
268 within 30 calendar days after notification of the appeal. Upon
269 receipt of notification from the State Board of Education that a
270 charter school applicant is filing an appeal, the Commissioner
271 of Education shall convene a meeting of the Charter School



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272 Appeal Commission to study and make recommendations to the State
273 Board of Education regarding its pending decision about the
274 appeal. The commission shall forward its recommendation to the
275 state board at least 7 calendar days before the date on which
276 the appeal is to be heard. An appeal regarding the denial of an
277 application submitted by a high-performing charter school
278 pursuant to s. 1002.331 shall be conducted by the State Board of
279 Education in accordance with this paragraph, except that the
280 commission shall not convene to make recommendations regarding
281 the appeal. However, the Commissioner of Education shall review
282 the appeal and make a recommendation to the state board.

283 2. The Charter School Appeal Commission or, in the case of
284 an appeal regarding an application submitted by a high-
285 performing charter school, the State Board of Education may
286 reject an appeal submission for failure to comply with
287 procedural rules governing the appeals process. The rejection
288 shall describe the submission errors. The appellant shall have
289 15 calendar days after notice of rejection in which to resubmit
290 an appeal that meets the requirements set forth in State Board
291 of Education rule. An appeal submitted subsequent to such
292 rejection is considered timely if the original appeal was filed
293 within 30 calendar days after receipt of notice of the specific
294 reasons for the sponsor's denial of the charter application.

295 3.a. The State Board of Education shall by majority vote
296 accept or reject the decision of the sponsor no later than 90
297 calendar days after an appeal is filed in accordance with State
298 Board of Education rule. The State Board of Education shall
299 remand the application to the sponsor with its written decision
300 that the sponsor approve or deny the application. The sponsor



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301 shall implement the decision of the State Board of Education.
302 The decision of the State Board of Education is not subject to
303 the provisions of the Administrative Procedure Act, chapter 120.

304 b. If an appeal concerns an application submitted by a
305 high-performing charter school identified pursuant to s.
306 1002.331, the State Board of Education shall determine whether
307 the sponsor's denial of the application complies with the
308 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
309 clear and convincing evidence, that:

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

312 ~~(II) The charter school proposed in the application does~~
313 ~~not materially comply with the requirements in paragraphs~~
314 ~~(9)(a)-(f);~~

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

318 ~~(IV) The applicant has made a material misrepresentation or~~
319 ~~false statement or concealed an essential or material fact~~
320 ~~during the application process; or~~

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

324
325 The State Board of Education shall approve or reject the
326 sponsor's denial of an application no later than 90 calendar
327 days after an appeal is filed in accordance with State Board of
328 Education rule. The State Board of Education shall remand the
329 application to the sponsor with its written decision that the



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330 sponsor approve or deny the application. The sponsor shall
331 implement the decision of the State Board of Education. The
332 decision of the State Board of Education is not subject to the
333 Administrative Procedure Act, chapter 120.

334 (h) The terms and conditions for the operation of a charter
335 school shall be set forth by the sponsor and the applicant in a
336 written contractual agreement, called a charter. The sponsor may
337 not impose unreasonable rules or regulations that violate the
338 intent of giving charter schools greater flexibility to meet
339 educational goals. The sponsor has 30 days after approval of the
340 application to provide to the charter school a standard an
341 initial-proposed charter contract developed by the Department of
342 Education, which shall consist of the approved application and
343 any addenda and the elements specified in paragraph (7) (a) to
344 the charter school. The applicant and the sponsor have 40 days
345 thereafter to negotiate the remaining or additional terms and
346 notice the charter contract for final approval by the sponsor
347 unless both parties agree to an extension. The standard charter
348 contract shall become effective by operation of law only if the
349 parties have not come to a final agreement after the negotiation
350 period has expired. The proposed charter contract shall be
351 provided to the charter school at least 7 calendar days before
352 prior to the date of the meeting at which the charter is
353 scheduled to be voted upon by the sponsor. A provision of a
354 charter contract inconsistent with or prohibited by the
355 requirements of this section is void and unenforceable. The
356 department ~~of Education~~ shall provide mediation services for any
357 dispute regarding this section subsequent to the approval of a
358 charter application and for any dispute relating to the approved



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359 charter, except disputes regarding charter school application
360 denials. If the Commissioner of Education determines that the
361 dispute cannot be settled through mediation, the dispute may be
362 appealed to an administrative law judge appointed by the
363 Division of Administrative Hearings. The administrative law
364 judge has final order authority to rule on issues of equitable
365 treatment of the charter school as a public school, whether
366 proposed provisions of the charter violate the intended
367 flexibility granted charter schools by statute, or on any other
368 matter regarding this section except a charter school
369 application denial, a charter termination, or a charter
370 nonrenewal and shall award the prevailing party reasonable
371 attorney ~~attorney's~~ fees and costs incurred to be paid by the
372 losing party. The costs of the administrative hearing shall be
373 paid by the party whom the administrative law judge rules
374 against. The charter school may open and operate during the
375 pendency of any negotiation, mediation, or administrative
376 proceeding.

377 (7) CHARTER.— The major issues involving the operation of a
378 charter school shall be set forth in ~~considered in advance and~~
379 ~~written into~~ the charter. The governing board of the charter
380 school and the sponsor shall use the standard charter contract
381 developed by the department, which shall incorporate the
382 approved application and any addenda. Matters included in the
383 approved application and any addenda are deemed settled for
384 purposes of negotiating the charter; however, the parties may
385 agree to address such matters in the charter. The charter shall
386 be signed by the governing board of the charter school and the
387 sponsor, following a public hearing to ensure community input.



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388 (a) ~~The charter shall address and criteria for approval of~~
389 ~~the charter shall be based on:~~

390 1. ~~The school's mission, the students to be served, and the~~
391 ~~ages and grades to be included.~~

392 2. ~~The focus of the curriculum, the instructional methods~~
393 ~~to be used, any distinctive instructional techniques to be~~
394 ~~employed, and identification and acquisition of appropriate~~
395 ~~technologies needed to improve educational and administrative~~
396 ~~performance which include a means for promoting safe, ethical,~~
397 ~~and appropriate uses of technology which comply with legal and~~
398 ~~professional standards.~~

399 a. ~~The charter shall ensure that reading is a primary focus~~
400 ~~of the curriculum and that resources are provided to identify~~
401 ~~and provide specialized instruction for students who are reading~~
402 ~~below grade level. The curriculum and instructional strategies~~
403 ~~for reading must be consistent with the Next Generation Sunshine~~
404 ~~State Standards and grounded in scientifically based reading~~
405 ~~research.~~

406 b. ~~In order to provide students with access to diverse~~
407 ~~instructional delivery models, to facilitate the integration of~~
408 ~~technology within traditional classroom instruction, and to~~
409 ~~provide students with the skills they need to compete in the~~
410 ~~21st century economy, the Legislature encourages instructional~~
411 ~~methods for blended learning courses consisting of both~~
412 ~~traditional classroom and online instructional techniques.~~
413 ~~Charter schools may implement blended learning courses which~~
414 ~~combine traditional classroom instruction and virtual~~
415 ~~instruction. Students in a blended learning course must be full-~~
416 ~~time students of the charter school and receive the online~~



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417 ~~instruction in a classroom setting at the charter school.~~
418 ~~Instructional personnel certified pursuant to s. 1012.55 who~~
419 ~~provide virtual instruction for blended learning courses may be~~
420 ~~employees of the charter school or may be under contract to~~
421 ~~provide instructional services to charter school students. At a~~
422 ~~minimum, such instructional personnel must hold an active state~~
423 ~~or school district adjunct certification under s. 1012.57 for~~
424 ~~the subject area of the blended learning course. The funding and~~
425 ~~performance accountability requirements for blended learning~~
426 ~~courses are the same as those for traditional courses.~~

427 ~~1.3.~~ The current incoming baseline standard of student
428 academic achievement, the outcomes to be achieved, and the
429 method of measurement that will be used. The criteria listed in
430 this subparagraph shall include a detailed description of:

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

433 b. How these baseline rates will be compared to rates of
434 academic progress achieved by these same students while
435 attending the charter school.

436 c. To the extent possible, how these rates of progress will
437 be evaluated and compared with rates of progress of other
438 closely comparable student populations.

439
440 The district school board is required to provide academic
441 student performance data to charter schools for each of their
442 students coming from the district school system, as well as
443 rates of academic progress of comparable student populations in
444 the district school system.

445 ~~4. The methods used to identify the educational strengths~~



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446 ~~and needs of students and how well educational goals and~~
447 ~~performance standards are met by students attending the charter~~
448 ~~school. The methods shall provide a means for the charter school~~
449 ~~to ensure accountability to its constituents by analyzing~~
450 ~~student performance data and by evaluating the effectiveness and~~
451 ~~efficiency of its major educational programs. Students in~~
452 ~~charter schools shall, at a minimum, participate in the~~
453 ~~statewide assessment program created under s. 1008.22.~~

454 ~~5. In secondary charter schools, a method for determining~~
455 ~~that a student has satisfied the requirements for graduation in~~
456 ~~s. 1003.428 or s. 1003.4282.~~

457 ~~2.6.~~ A method for resolving conflicts between the governing
458 board of the charter school and the sponsor.

459 ~~7. The admissions procedures and dismissal procedures,~~
460 ~~including the school's code of student conduct.~~

461 ~~8. The ways by which the school will achieve a~~
462 ~~racial/ethnic balance reflective of the community it serves or~~
463 ~~within the racial/ethnic range of other public schools in the~~
464 ~~same school district.~~

465 ~~9. The financial and administrative management of the~~
466 ~~school, including a reasonable demonstration of the professional~~
467 ~~experience or competence of those individuals or organizations~~
468 ~~applying to operate the charter school or those hired or~~
469 ~~retained to perform such professional services and the~~
470 ~~description of clearly delineated responsibilities and the~~
471 ~~policies and practices needed to effectively manage the charter~~
472 ~~school. A description of internal audit procedures and~~
473 ~~establishment of controls to ensure that financial resources are~~
474 ~~properly managed must be included. Both public sector and~~



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475 ~~private sector professional experience shall be equally valid in~~
476 ~~such a consideration.~~

477 ~~10. The asset and liability projections required in the~~
478 ~~application which are incorporated into the charter and shall be~~
479 ~~compared with information provided in the annual report of the~~
480 ~~charter school.~~

481 ~~11. A description of procedures that identify various risks~~
482 ~~and provide for a comprehensive approach to reduce the impact of~~
483 ~~losses; plans to ensure the safety and security of students and~~
484 ~~staff; plans to identify, minimize, and protect others from~~
485 ~~violent or disruptive student behavior; and the manner in which~~
486 ~~the school will be insured, including whether or not the school~~
487 ~~will be required to have liability insurance, and, if so, the~~
488 ~~terms and conditions thereof and the amounts of coverage.~~

489 ~~3.12. The term of the charter which shall provide for~~
490 ~~cancellation of the charter if insufficient progress has been~~
491 ~~made in attaining the student achievement objectives of the~~
492 ~~charter and if it is not likely that such objectives can be~~
493 ~~achieved before expiration of the charter. The initial term of~~
494 ~~the a charter, which shall be for 4 or 5 years. In order to~~
495 ~~facilitate access to long-term financial resources for charter~~
496 ~~school construction, Charter schools that are operated by a~~
497 ~~municipality or other public entity, as provided by law, or a~~
498 ~~private, not-for-profit, s. 501(c)(3) status corporation are~~
499 ~~eligible for up to a 15-year charter, subject to approval by the~~
500 ~~district school board, which consent may not unreasonably~~
501 ~~withheld. A charter lab school is also eligible for a charter~~
502 ~~for a term of up to 15 years. In addition, to facilitate access~~
503 ~~to long-term financial resources for charter school~~



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504 ~~construction, charter schools that are operated by a private,~~
505 ~~not-for-profit, s. 501(c)(3) status corporation are eligible for~~
506 ~~up to a 15-year charter, subject to approval by the district~~
507 ~~school board.~~ Such long-term charters remain subject to annual
508 review and may be terminated during the term of the charter, but
509 only according to ~~the provisions set forth in~~ subsection (8).

510 4. Termination or nonrenewal of the charter pursuant to
511 subsection (8), including termination for failure to make
512 sufficient progress towards attaining the student achievement
513 objectives of the charter or likely failure to meet such
514 objectives before expiration of the charter.

515 5.13. The facilities to be used and their location. The
516 sponsor may not require a charter school to have a certificate
517 of occupancy or a temporary certificate of occupancy for such a
518 facility earlier than 15 calendar days before the first day of
519 school.

520 ~~14. The qualifications to be required of the teachers and~~
521 ~~the potential strategies used to recruit, hire, train, and~~
522 ~~retain qualified staff to achieve best value.~~

523 ~~15. The governance structure of the school, including the~~
524 ~~status of the charter school as a public or private employer as~~
525 ~~required in paragraph (12)(i).~~

526 ~~16. A timetable for implementing the charter which~~
527 ~~addresses the implementation of each element thereof and the~~
528 ~~date by which the charter shall be awarded in order to meet this~~
529 ~~timetable.~~

530 ~~17. In the case of an existing public school that is being~~
531 ~~converted to charter status, alternative arrangements for~~
532 ~~current students who choose not to attend the charter school and~~



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533 ~~for current teachers who choose not to teach in the charter~~
534 ~~school after conversion in accordance with the existing~~
535 ~~collective bargaining agreement or district school board rule in~~
536 ~~the absence of a collective bargaining agreement. However,~~
537 ~~alternative arrangements shall not be required for current~~
538 ~~teachers who choose not to teach in a charter lab school, except~~
539 ~~as authorized by the employment policies of the state university~~
540 ~~which grants the charter to the lab school.~~

541 6.18. Full disclosure of the identity of all relatives
542 employed by the charter school who are related to the charter
543 school owner, president, chairperson of the governing board of
544 directors, superintendent, governing board member, principal,
545 assistant principal, or any other person employed by the charter
546 school who has equivalent decisionmaking authority. For the
547 purpose of this subparagraph, the term "relative" means father,
548 mother, son, daughter, brother, sister, uncle, aunt, first
549 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
550 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
551 stepfather, stepmother, stepson, stepdaughter, stepbrother,
552 stepsister, half brother, or half sister.

553 7.19. Implementation of the activities authorized under s.
554 1002.331 by the charter school when it satisfies the eligibility
555 requirements for a high-performing charter school. A high-
556 performing charter school shall notify its sponsor in writing by
557 March 1 if it intends to increase enrollment or expand grade
558 levels the following school year. The written notice shall
559 specify the amount of the enrollment increase and the grade
560 levels that will be added, as applicable.

561 (b)1. A charter may be renewed provided that a program



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562 review demonstrates that the criteria in paragraph (a) have been
563 successfully accomplished and that none of the grounds for
564 nonrenewal established by paragraph (8)(a) has been documented.
565 In order to facilitate long-term financing for charter school
566 construction, charter schools operating for a minimum of 3 years
567 and demonstrating exemplary academic programming and fiscal
568 management are eligible for a 15-year charter renewal. Such
569 long-term charter is subject to annual review and may be
570 terminated during the term of the charter.

571 2. The 15-year charter renewal that may be granted pursuant
572 to subparagraph 1. shall be granted to a charter school that has
573 received a school grade of "A" or "B" pursuant to s. 1008.34 in
574 3 of the past 4 years and is not in a state of financial
575 emergency or deficit position as defined by this section. Such
576 long-term charter is subject to annual review and may be
577 terminated during the term of the charter pursuant to subsection
578 (8).

579 (c) A charter may be modified during its initial term or
580 any renewal term upon the recommendation of the sponsor or the
581 charter school's governing board and the approval of both
582 parties to the agreement. Modification may include, but is not
583 limited to, consolidation of multiple charters into a single
584 charter if the charters are operated under the same governing
585 board and physically located on the same campus, regardless of
586 the renewal cycle.

587 (d)1. Each charter school's governing board must appoint a
588 representative to facilitate parental involvement, provide
589 access to information, assist parents and others with questions
590 and concerns, and resolve disputes. The representative must



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591 reside in the school district in which the charter school is
592 located and may be a governing board member, charter school
593 employee, or individual contracted to represent the governing
594 board. If the governing board oversees multiple charter schools
595 in the same school district, the governing board must appoint a
596 separate individual representative for each charter school in
597 the district. The representative's contact information must be
598 provided annually in writing to parents and posted prominently
599 on the charter school's website if a website is maintained by
600 the school. The sponsor may not require that governing board
601 members reside in the school district in which the charter
602 school is located if the charter school complies with this
603 paragraph.

604 2. Each charter school's governing board must hold at least
605 two public meetings per school year in the school district. The
606 meetings must be noticed, open, and accessible to the public,
607 and attendees must be provided an opportunity to receive
608 information and provide input regarding the charter school's
609 operations. The appointed representative and charter school
610 principal or director, or his or her equivalent, must be
611 physically present at each meeting.

612 (9) CHARTER SCHOOL REQUIREMENTS.—

613 (n)1. The director and a representative of the governing
614 board of a charter school that has earned a grade of "D" or "F"
615 pursuant to s. 1008.34(2) shall appear before the sponsor to
616 present information concerning each contract component having
617 noted deficiencies. The director and a representative of the
618 governing board shall submit to the sponsor for approval a
619 school improvement plan to raise student achievement. Upon



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620 approval by the sponsor, the charter school shall begin
621 implementation of the school improvement plan. The department
622 shall offer technical assistance and training to the charter
623 school and its governing board and establish guidelines for
624 developing, submitting, and approving such plans.

625 2.a. If a charter school earns three consecutive grades of
626 "D," two consecutive grades of "D" followed by a grade of "F,"
627 or two nonconsecutive grades of "F" within a 3-year period, the
628 charter school governing board shall choose one of the following
629 corrective actions:

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

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

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

637 (IV) Voluntarily close the charter school.

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

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



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649 subject to subparagraph 4.

650 d. A charter school is no longer required to implement a
651 corrective action if it improves by at least one letter grade.
652 However, the charter school must continue to implement
653 strategies identified in the school improvement plan. The
654 sponsor must annually review implementation of the school
655 improvement plan to monitor the school's continued improvement
656 pursuant to subparagraph 5.

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

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

675 4. A charter school's charter is automatically terminated
676 if the charter school earns a second consecutive grade of "F,"
677 after all school grade appeals are final, ~~The sponsor shall~~



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678 ~~terminate a charter if the charter school earns two consecutive~~
679 ~~grades of "F" unless:~~

680 a. The charter school is established to turn around the
681 performance of a district public school pursuant to s.
682 1008.33(4)(b)3. Such charter schools shall be governed by s.
683 1008.33;

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

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

702
703 The sponsor shall notify in writing the charter school's
704 governing board, the charter school principal, and the
705 department when a charter is terminated under this subparagraph.
706 A charter terminated under this subparagraph is governed by the



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707 requirements of paragraphs (8) (e)-(g) and (9) (o).

708 5. The director and a representative of the governing board
709 of a graded charter school that has implemented a school
710 improvement plan under this paragraph shall appear before the
711 sponsor at least once a year to present information regarding
712 the progress of intervention and support strategies implemented
713 by the school pursuant to the school improvement plan and
714 corrective actions, if applicable. The sponsor shall communicate
715 at the meeting, and in writing to the director, the services
716 provided to the school to help the school address its
717 deficiencies.

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

721 (o)1. Upon initial notification of nonrenewal, closure, or
722 termination of its charter, a charter school may not expend more
723 than \$10,000 per expenditure without prior written approval from
724 the sponsor unless such expenditure was included within the
725 annual budget submitted to the sponsor pursuant to the charter
726 contract, is for reasonable attorney fees and costs during the
727 pendency of any hearing or appeal, or is for reasonable fees and
728 costs to conduct an independent audit.

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

732 3. A provision in a charter contract that contains an
733 acceleration clause requiring the expenditure of funds based
734 upon closure or upon notification of nonrenewal or termination
735 is void and unenforceable.



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736 4. A charter school may not enter into a contract with an
737 employee that exceeds the term of the school's charter contract
738 with its sponsor.

739 5. A violation of this paragraph triggers a reversion or
740 clawback power by the sponsor allowing for collection of an
741 amount equal to or less than the accelerated amount that exceeds
742 normal expenditures. The reversion or clawback plus legal fees
743 and costs shall be levied against the person or entity receiving
744 the accelerated amount.

745 (10) ELIGIBLE STUDENTS.—

746 (e) A charter school may limit the enrollment process only
747 to target the following student populations:

748 1. Students within specific age groups or grade levels.

749 2. Students considered at risk of dropping out of school or
750 academic failure. Such students shall include exceptional
751 education students.

752 3. Students enrolling in a charter school-in-the-workplace,
753 ~~or~~ charter school-in-a-municipality established pursuant to
754 subsection (15).

755 4. Students residing within a reasonable distance of the
756 charter school, as described in paragraph (20)(c). Such students
757 shall be subject to a random lottery and to the racial/ethnic
758 balance provisions described in subparagraph (6)(a)8. ~~(7)(a)8.~~
759 or any federal provisions that require a school to achieve a
760 racial/ethnic balance reflective of the community it serves or
761 within the racial/ethnic range of other public schools in the
762 same school district.

763 5. Students who meet reasonable academic, artistic, or
764 other eligibility standards established by the charter school



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765 and included in the charter school application and charter or,
766 in the case of existing charter schools, standards that are
767 consistent with the school's mission and purpose. Such standards
768 shall be in accordance with current state law and practice in
769 public schools and may not discriminate against otherwise
770 qualified individuals.

771 6. Students articulating from one charter school to another
772 pursuant to an articulation agreement between the charter
773 schools that has been approved by the sponsor.

774 7. Students living in a development in which a business
775 entity provides the school facility and related property having
776 an appraised value of at least \$10 million to be used as a
777 charter school for the development. Students living in the
778 development shall be entitled to 50 percent of the student
779 stations in the charter school. The students who are eligible
780 for enrollment are subject to a random lottery, the
781 racial/ethnic balance provisions, or any federal provisions, as
782 described in subparagraph 4. The remainder of the student
783 stations shall be filled in accordance with subparagraph 4.

784 (g)1. A student may withdraw from a charter school at any
785 time and enroll in another public school as determined by
786 district school board rule. A charter school must request, but
787 may not require, that the student withdrawing or the parent of
788 the student withdrawing complete a survey and provide
789 information concerning the student's experiences at the charter
790 school and reasons for withdrawal. A charter school must provide
791 in its annual report to its sponsor and the Department of
792 Education the total number of students that leave the charter
793 school and their reasons for leaving the charter school,



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794 including but not limited to, withdrawal, suspension, and
795 dismissal, if known.

796 2. A student may only receive disciplinary action,
797 including but not limited to suspension or dismissal, for the
798 grounds and in the manner specified in the charter school's code
799 of student conduct.

800 (i) The capacity of a high-performing charter school
801 identified pursuant to s. 1002.331 shall be determined annually
802 by the governing board of the charter school. The governing
803 board shall notify the sponsor of any increase in enrollment by
804 March 1 of the school year preceding the increase. A sponsor may
805 not require a charter school to identify the names of students
806 to be enrolled or to limit enrollment or capacity to enroll
807 those students enrolled before the start of the school year as a
808 condition of approval or renewal of a charter.

809 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
810 A-MUNICIPALITY.—

811 (b) A charter school-in-the-workplace may be established
812 when a business partner provides the school facility to be used;
813 enrolls students based upon a random lottery that involves all
814 of the children of employees of that business or corporation who
815 are seeking enrollment, as provided for in subsection (10); and
816 enrolls students according to the racial/ethnic balance
817 provisions described in subparagraph (6) (a) 8. ~~(7) (a) 8.~~ Any
818 portion of a facility used for a public charter school shall be
819 exempt from ad valorem taxes, as provided for in s. 1013.54, for
820 the duration of its use as a public school.

821 (c) A charter school-in-a-municipality designation may be
822 granted to a municipality that possesses a charter; enrolls



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823 students based upon a random lottery that involves all of the
824 children of the residents of that municipality who are seeking
825 enrollment, as provided for in subsection (10); and enrolls
826 students according to the racial/ethnic balance provisions
827 described in subparagraph (6)(a)8. ~~(7)(a)8.~~ When a municipality
828 has submitted charter applications for the establishment of a
829 charter school feeder pattern, consisting of elementary, middle,
830 and senior high schools, and each individual charter application
831 is approved by the district school board, such schools shall
832 then be designated as one charter school for all purposes listed
833 pursuant to this section. Any portion of the land and facility
834 used for a public charter school shall be exempt from ad valorem
835 taxes, as provided for in s. 1013.54, for the duration of its
836 use as a public school.

837 (20) SERVICES.—

838 (c) Transportation of charter school students shall be
839 provided, at by the charter school's discretion, and shall be
840 ~~school~~ consistent with the requirements of subpart I.E. of
841 chapter 1006 and s. 1012.45. The governing body of the charter
842 school may provide transportation through an agreement or
843 contract with the district school board, a private provider, or
844 parents. The charter school and the sponsor shall cooperate in
845 making arrangements that ensure that transportation is not a
846 barrier to equal access for all students residing within a
847 reasonable distance of the charter school as determined in its
848 charter.

849 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

850 (a) The Department of Education shall provide information
851 to the public, directly and through sponsors, on how to form and



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852 operate a charter school and how to enroll in a charter school
853 once it is created. This information shall include a model
854 application form, standard charter contract, standard
855 application evaluation instrument, and standard charter renewal
856 contract, which shall include the information specified in
857 subsections (6) and ~~subsection~~ (7), as applicable, and shall be
858 developed by consulting and negotiating with both school
859 districts and charter schools before implementation. The model
860 application form, standard charter contract, standard
861 application evaluation instrument, and standard charter renewal
862 contract must clearly identify the specific statutes and rules
863 from which charter schools are statutorily exempted from
864 compliance. The department shall develop a model application
865 form, standard charter contract, standard application evaluation
866 instrument, and standard charter renewal contract uniquely
867 tailored to virtual charter schools established under subsection
868 (1) and high-performing charter schools under s. 1002.331(3).
869 The charter and charter renewal contracts shall be used by
870 charter school sponsors.

871 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
872 SCHOOL SYSTEMS.—A charter school system shall be designated a
873 local educational agency for the purpose of receiving federal
874 funds, the same as though the charter school system were a
875 school district, if the governing board of the charter school
876 system has adopted and filed a resolution with its sponsoring
877 district school board and the Department of Education in which
878 the governing board of the charter school system accepts the
879 full responsibility for all local education agency requirements
880 and the charter school system meets all of the following:



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881 (a) ~~Includes both conversion charter schools and~~
882 ~~nonconversion charter schools;~~
883 ~~(b) Has all schools located in the same county;~~
884 ~~(c) Has a total enrollment exceeding the total enrollment~~
885 ~~of at least one school district in the state; and~~
886 ~~(b) (d) Has the same governing board; and~~
887 ~~(c) Does not contract with a for-profit service provider~~
888 ~~for management of school operations.~~

889
890 Such designation does not apply to other provisions unless
891 specifically provided in law.

892 Section 2. Subsection (1), paragraph (e) of subsection (2),
893 and subsection (5) of section 1002.331, Florida Statutes, are
894 amended to read:

895 1002.331 High-performing charter schools.—

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

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

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

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



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910 cover any reported deficiency or that the deficiency does not
911 result in a deteriorating financial condition pursuant to s.
912 1002.345(1)(a)3.

913
914 A virtual charter school established under s. 1002.33 is not
915 eligible for designation as a high-performing charter school. A
916 charter school that is established in this state and operated by
917 an entity classified as a high-performing charter school system
918 pursuant to s. 1002.332(2) is deemed a high-performing charter
919 school during its first 3 years of operation. Beginning in the
920 fourth year of operation and thereafter, such a charter school
921 must meet the criteria in this subsection to maintain the
922 designation.

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

924 (e) Receive a modification of its charter to a term of 15
925 years or a 15-year charter renewal. The charter may be modified
926 or renewed for a shorter term at the option of the high-
927 performing charter school. The charter must be consistent with
928 s. 1002.33(7)(a)7. ~~1002.33(7)(a)19.~~ and (10)(h) and (i), is
929 subject to annual review by the sponsor, and may be terminated
930 during its term pursuant to s. 1002.33(8).

931
932 A high-performing charter school shall notify its sponsor in
933 writing by March 1 if it intends to increase enrollment or
934 expand grade levels the following school year. The written
935 notice shall specify the amount of the enrollment increase and
936 the grade levels that will be added, as applicable. If a charter
937 school notifies the sponsor of its intent to expand, the sponsor
938 shall modify the charter within 90 days to include the new



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939 enrollment maximum and may not make any other changes. The
940 sponsor may deny a request to increase the enrollment of a high-
941 performing charter school if the commissioner has declassified
942 the charter school as high-performing. If a high-performing
943 charter school requests to consolidate multiple charters, the
944 sponsor shall have 40 days after receipt of that request to
945 provide an initial draft charter to the charter school. The
946 sponsor and charter school shall have 50 days thereafter to
947 negotiate and notice the charter contract for final approval by
948 the sponsor.

949 (5) The Commissioner of Education, upon request by a
950 charter school, shall verify that the charter school meets the
951 criteria in subsection (1) and provide a letter to the charter
952 school and the sponsor stating that the charter school is a
953 high-performing charter school pursuant to this section. The
954 commissioner shall annually determine whether a high-performing
955 charter school under subsection (1) continues to meet the
956 criteria in that subsection. Such high-performing charter school
957 shall maintain its high-performing status unless the
958 commissioner determines that the charter school no longer meets
959 the criteria in subsection (1), at which time the commissioner
960 shall send a letter to the charter school and its sponsor
961 providing notification that the charter school has been
962 declassified ~~of its declassification~~ as a high-performing
963 charter school.

964 Section 3. Paragraph (d) of subsection (8) of section
965 1002.45, Florida Statutes, is amended to read:

966 1002.45 Virtual instruction programs.-

967 (8) ASSESSMENT AND ACCOUNTABILITY.-



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968 (d) An approved provider's contract is automatically ~~must~~
969 ~~be~~ terminated if the provider earns two consecutive school
970 grades of ~~receives a school grade of "D" or "F" under s.~~
971 1008.34, two consecutive ~~or a school improvement ratings rating~~
972 of "Declining" under s. 1008.341, ~~for 2 years during any~~
973 ~~consecutive 4-year period~~ or has violated any qualification
974 requirement pursuant to subsection (2). A provider that has a
975 contract terminated under this paragraph may not be an approved
976 provider for a period of at least 1 year after the date upon
977 which the contract was terminated and until the department
978 determines that the provider is in compliance with subsection
979 (2) and has corrected each cause of the provider's low
980 performance.

981 Section 4. Paragraph (a) of subsection (1) of section
982 1013.62, Florida Statutes, is amended to read:

983 1013.62 Charter schools capital outlay funding.-

984 (1) In each year in which funds are appropriated for
985 charter school capital outlay purposes, the Commissioner of
986 Education shall allocate the funds among eligible charter
987 schools.

988 (a) To be eligible for a funding allocation, a charter
989 school must:

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

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

994 c. Be an expanded feeder chain of a charter school within
995 the same school district that is currently receiving charter
996 school capital outlay funds;



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

999 e. Serve students in facilities that are provided by a
1000 business partner for a charter school-in-the-workplace pursuant
1001 to s. 1002.33(15) (b) .

1002 2. For the most recent fiscal year for which an audit is
1003 available, have an audit that does not reveal one or more of the
1004 following emergency financial conditions: ~~stability for future~~
1005 operation as a charter school.

1006 a. During that fiscal year, failure to pay short-term loans
1007 and failure to timely make bond debt service or other long-term
1008 debt payments due to a lack of funds.

1009 b. Failure to pay uncontested claims from creditors within
1010 90 days after the claim is presented due to a lack of funds.

1011 c. Failure to transfer at the appropriate time, due to lack
1012 of funds:

1013 (I) Taxes withheld on the income of employees; or

1014 (II) Employer and employee contributions for federal social
1015 security or any other pension, retirement, or benefit plan of an
1016 employee.

1017 d. Failure for one pay period to pay, due to lack of funds:

1018 (I) Wages and salaries owed to employees; or

1019 (II) Retirement benefits owed to former employees.

1020 3. Have satisfactory student achievement based on state
1021 accountability standards applicable to the charter school.

1022 4. Have received final approval from its sponsor pursuant
1023 to s. 1002.33 for operation during that fiscal year.

1024 5. Serve students in facilities that are not provided by
1025 the charter school's sponsor.



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1026 Section 5. Subsection (14) of section 1003.01, Florida
1027 Statutes, is amended to read:
1028 1003.01 Definitions.—As used in this chapter, the term:
1029 (14) “Core-curricula courses” means:
1030 (a) Courses in language arts/reading, mathematics, social
1031 studies, and science in prekindergarten through grade 3,
1032 excluding any extracurricular courses pursuant to subsection
1033 (15);
1034 (b) Courses in grades 4 through 8 in subjects that are
1035 measured by state assessment at any grade level and courses
1036 required for middle school promotion, excluding any
1037 extracurricular courses pursuant to subsection (15);
1038 (c) Courses in grades 9 through 12 in subjects that are
1039 measured by state assessment at any grade level and courses that
1040 are specifically identified by name in statute as required for
1041 high school graduation and that are not measured by state
1042 assessment, excluding any extracurricular courses pursuant to
1043 subsection (15);
1044 (d) Exceptional student education courses; and
1045 (e) English for Speakers of Other Languages courses.
1046
1047 The term is limited in meaning and used for the sole purpose of
1048 designating classes that are subject to the maximum class size
1049 requirements established in s. 1, Art. IX of the State
1050 Constitution. This term does not include courses offered under
1051 ss. 1002.321(4)(e), 1002.33(6)(a)2.b. ~~1002.33(7)(a)2.b.~~,
1052 1002.37, 1002.415, 1002.45, and 1003.499.
1053 Section 6. This act shall take effect July 1, 2014.
1054



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1055 ===== T I T L E A M E N D M E N T =====

1056 And the title is amended as follows:

1057 Delete everything before the enacting clause

1058 and insert:

1059 A bill to be entitled

1060 An act relating to school choice; amending s. 1002.33,
1061 F.S.; revising required contents of charter school
1062 applications and charter contracts; authorizing a
1063 sponsor to require an applicant to provide additional
1064 information as an addendum to a charter school
1065 application; requiring a sponsor to allow an applicant
1066 an opportunity to correct both material and technical
1067 deficiencies in the application; conforming provisions
1068 regarding the appeal process for denial of high-
1069 performing charter school applications; requiring
1070 sponsors and applicants to use a standard charter
1071 contract; specifying that the standard charter
1072 contract consists of the approved application and
1073 addenda and other specified elements; conforming
1074 provisions; specifying that a charter contract
1075 provision that is inconsistent with or prohibited by
1076 law is void and unenforceable; authorizing a sponsor
1077 and applicant to negotiate additional terms after
1078 charter approval; authorizing a charter school to open
1079 and operate during such negotiation; providing that
1080 matters included in the approved application and
1081 addenda are deemed settled for purposes of negotiating
1082 the charter; clarifying provisions regarding long-term
1083 charters and charter terminations; specifying that a



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1084 charter is automatically terminated when a charter
1085 school earns a second consecutive grade of "F" after
1086 all appeals unless an exception applies; specifying
1087 requirements regarding such terminations; conforming
1088 cross-references; prohibiting a sponsor from requiring
1089 a high-performing charter school to limit enrollment
1090 or capacity to students enrolled before the start of
1091 the school year; clarifying that sponsors must make
1092 unused school facilities available to charter schools;
1093 specifying requirements for such use of facilities;
1094 providing that a charter school may only discipline
1095 students for the grounds and in the manner specified
1096 in the code of student conduct; specifying that a
1097 charter school provide transportation for students at
1098 its discretion; requiring the Department of Education
1099 to develop a model application form, standard charter
1100 contract, standard application evaluation instrument,
1101 and standard charter renewal contract; requiring the
1102 department to develop such documents for virtual
1103 charter schools; revising requirements determining a
1104 charter school system's designation as a local
1105 educational agency; amending s. 1002.331, F.S.;
1106 specifying that charter schools established by certain
1107 high-performing charter school systems qualify for
1108 high-performing charter school status for the first 3
1109 years of operation; correcting a cross-reference;
1110 specifying the reasons for which a high-performing
1111 charter school may submit an application to establish
1112 and operate a new charter school in a school district;



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1113 amending s. 1002.45, F.S.; specifying conditions under
1114 which an approved virtual instruction provider's
1115 contract is automatically terminated; amending s.
1116 1013.62, F.S.; requiring that a charter school not
1117 have financial emergency conditions on an annual audit
1118 in order to qualify for capital outlay funding;
1119 amending s. 1003.01, F.S.; correcting a cross-
1120 reference; providing an effective date.