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LEGISLATIVE ACTION

Senate	.	House
Comm: OO	.	
04/11/2014	.	
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Appropriations Subcommittee on Education (Sachs) recommended the following:

**Senate Amendment (with directory and title amendments)**

Between lines 76 and 77

insert:

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

(a) The charter shall address and criteria for approval of



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11 the charter shall be based on:

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

14 2. The focus of the curriculum, the instructional methods  
15 to be used, any distinctive instructional techniques to be  
16 employed, and identification and acquisition of appropriate  
17 technologies needed to improve educational and administrative  
18 performance which include a means for promoting safe, ethical,  
19 and appropriate uses of technology which comply with legal and  
20 professional standards.

21 a. The charter shall ensure that reading is a primary focus  
22 of the curriculum and that resources are provided to identify  
23 and provide specialized instruction for students who are reading  
24 below grade level. The curriculum and instructional strategies  
25 for reading must be consistent with the Next Generation Sunshine  
26 State Standards and grounded in scientifically based reading  
27 research.

28 b. In order to provide students with access to diverse  
29 instructional delivery models, to facilitate the integration of  
30 technology within traditional classroom instruction, and to  
31 provide students with the skills they need to compete in the  
32 21st century economy, the Legislature encourages instructional  
33 methods for blended learning courses consisting of both  
34 traditional classroom and online instructional techniques.  
35 Charter schools may implement blended learning courses which  
36 combine traditional classroom instruction and virtual  
37 instruction. Students in a blended learning course must be full-  
38 time students of the charter school and receive the online  
39 instruction in a classroom setting at the charter school.



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40 Instructional personnel certified pursuant to s. 1012.55 who  
41 provide virtual instruction for blended learning courses may be  
42 employees of the charter school or may be under contract to  
43 provide instructional services to charter school students. At a  
44 minimum, such instructional personnel must hold an active state  
45 or school district adjunct certification under s. 1012.57 for  
46 the subject area of the blended learning course. The funding and  
47 performance accountability requirements for blended learning  
48 courses are the same as those for traditional courses.

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

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

55 b. How these baseline rates will be compared to rates of  
56 academic progress achieved by these same students while  
57 attending the charter school.

58 c. To the extent possible, how these rates of progress will  
59 be evaluated and compared with rates of progress of other  
60 closely comparable student populations.

61

62 The district school board is required to provide academic  
63 student performance data to charter schools for each of their  
64 students coming from the district school system, as well as  
65 rates of academic progress of comparable student populations in  
66 the district school system.

67 4. The methods used to identify the educational strengths  
68 and needs of students and how well educational goals and



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

76 5. In secondary charter schools, a method for determining  
77 that a student has satisfied the requirements for graduation in  
78 s. 1003.428 or s. 1003.4282.

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

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

83 8. The ways by which the school will achieve a  
84 racial/ethnic balance reflective of the community it serves or  
85 within the racial/ethnic range of other public schools in the  
86 same school district.

87 9. The financial and administrative management of the  
88 school, including a reasonable demonstration of the professional  
89 experience or competence of those individuals or organizations  
90 applying to operate the charter school or those hired or  
91 retained to perform such professional services and the  
92 description of clearly delineated responsibilities and the  
93 policies and practices needed to effectively manage the charter  
94 school. A description of internal audit procedures and  
95 establishment of controls to ensure that financial resources are  
96 properly managed must be included. Both public sector and  
97 private sector professional experience shall be equally valid in



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98 such a consideration.

99 10. The asset and liability projections required in the  
100 application which are incorporated into the charter and shall be  
101 compared with information provided in the annual report of the  
102 charter school.

103 11. A description of procedures that identify various risks  
104 and provide for a comprehensive approach to reduce the impact of  
105 losses; plans to ensure the safety and security of students and  
106 staff; plans to identify, minimize, and protect others from  
107 violent or disruptive student behavior; and the manner in which  
108 the school will be insured, including whether or not the school  
109 will be required to have liability insurance, and, if so, the  
110 terms and conditions thereof and the amounts of coverage.

111 12. The term of the charter which shall provide for  
112 cancellation of the charter if insufficient progress has been  
113 made in attaining the student achievement objectives of the  
114 charter and if it is not likely that such objectives can be  
115 achieved before expiration of the charter. The initial term of a  
116 charter shall be for 4 or 5 years. In order to facilitate access  
117 to long-term financial resources for charter school  
118 construction, charter schools that are operated by a  
119 municipality or other public entity as provided by law are  
120 eligible for up to a 15-year charter, subject to approval by the  
121 district school board. A charter lab school is eligible for a  
122 charter for a term of up to 15 years. In addition, to facilitate  
123 access to long-term financial resources for charter school  
124 construction, charter schools that are operated by a private,  
125 not-for-profit, s. 501(c)(3) status corporation are eligible for  
126 up to a 15-year charter, subject to approval by the district



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

130 13. The facilities to be used and their location. The  
131 ~~sponsor may not require a~~ charter school must submit to the  
132 sponsor to have a certificate of occupancy or a temporary  
133 certificate of occupancy no later for such a facility earlier  
134 than 15 calendar days before the first day of school. If such  
135 documentation is not received 15 calendar days before the first  
136 day of school, the charter contract automatically reverts to a  
137 planning year for the first year of the charter's 5-year  
138 contract.

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

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

145 16. A timetable for implementing the charter which  
146 addresses the implementation of each element thereof and the  
147 date by which the charter shall be awarded in order to meet this  
148 timetable.

149 17. In the case of an existing public school that is being  
150 converted to charter status, alternative arrangements for  
151 current students who choose not to attend the charter school and  
152 for current teachers who choose not to teach in the charter  
153 school after conversion in accordance with the existing  
154 collective bargaining agreement or district school board rule in  
155 the absence of a collective bargaining agreement. However,



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

160 18. Full disclosure of the identity of all relatives  
161 employed by the charter school who are related to the charter  
162 school owner, president, chairperson of the governing board of  
163 directors, superintendent, governing board member, principal,  
164 assistant principal, or any other person employed by the charter  
165 school who has equivalent decisionmaking authority. For the  
166 purpose of this subparagraph, the term "relative" means father,  
167 mother, son, daughter, brother, sister, uncle, aunt, first  
168 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
169 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
170 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
171 stepsister, half brother, or half sister.

172 19. Implementation of the activities authorized under s.  
173 1002.331 by the charter school when it satisfies the eligibility  
174 requirements for a high-performing charter school. A high-  
175 performing charter school shall notify its sponsor in writing by  
176 March 1 if it intends to increase enrollment or expand grade  
177 levels the following school year. The written notice shall  
178 specify the amount of the enrollment increase and the grade  
179 levels that will be added, as applicable.

180  
181 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

182 And the directory clause is amended as follows:

183 Delete line 17

184 and insert:



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185           Section 1. Paragraph (h) of subsection (6), paragraph (a)  
186 of subsection (7), and paragraph

187  
188 ===== T I T L E   A M E N D M E N T =====

189 And the title is amended as follows:

190           Delete line 5

191 and insert:

192           for summary final order; requiring a charter school to  
193           submit a certificate of occupancy to a sponsor within  
194           a specified timeframe; specifying a penalty if such  
195           documentation is not provided; requiring a charter  
196           school to