

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; authorizing state universities and
4 Florida College System institutions to sponsor charter
5 schools under certain circumstances; revising the
6 contents of an annual report charter school sponsors
7 must provide to the Department of Education; revising
8 the date by which the department must post a specified
9 annual report; revising provisions relating to Florida
10 College System institutions operating charter schools;
11 requiring the board of trustees for a state university
12 or Florida College System institution that is
13 sponsoring a charter school to serve as the local
14 educational agency for such school; requiring the
15 department to develop a sponsor evaluation framework;
16 providing requirements for the framework; deleting
17 obsolete language; providing a calculation for the
18 operational funding for a charter school sponsored by
19 a state university or Florida College System
20 institution; providing that such funding is
21 discretionary and must be appropriated to the charter
22 school; providing for capital outlay funding for such
23 schools; conforming provisions to changes made by the
24 act; amending s. 1003.493, F.S.; authorizing a career
25 and professional academy to be offered by a charter

26 | school; providing an effective date.

27 |

28 | Be It Enacted by the Legislature of the State of Florida:

29 |

30 | Section 1. Paragraph (c) of subsection (2), subsection
 31 | (5), paragraph (b) of subsection (6), paragraphs (a) and (d) of
 32 | subsection (7), paragraphs (d) and (e) of subsection (8),
 33 | paragraphs (g) and (n) of subsection (9), paragraph (e) of
 34 | subsection (10), subsection (14), paragraph (c) of subsection
 35 | (15), subsection (17), paragraph (e) of subsection (18),
 36 | subsections (20) and (21), paragraph (a) of subsection (25), and
 37 | subsection (28) of section 1002.33, Florida Statutes, are
 38 | amended to read:

39 | 1002.33 Charter schools.—

40 | (2) GUIDING PRINCIPLES; PURPOSE.—

41 | (c) Charter schools may fulfill the following purposes:

42 | 1. Create innovative measurement tools.

43 | 2. Provide rigorous competition within the public school
 44 | system ~~district~~ to stimulate continual improvement in all public
 45 | schools.

46 | 3. Expand the capacity of the public school system.

47 | 4. Mitigate the educational impact created by the
 48 | development of new residential dwelling units.

49 | 5. Create new professional opportunities for teachers,
 50 | including ownership of the learning program at the school site.

51 (5) SPONSOR; DUTIES.—

52 (a) Sponsoring entities.—

53 1. A district school board may sponsor a charter school in
54 the county over which the district school board has
55 jurisdiction.

56 2. A state university may grant a charter to a lab school
57 created under s. 1002.32 and shall be considered to be the
58 school's sponsor. Such school shall be considered a charter lab
59 school.

60 3. Because needs relating to educational capacity,
61 workforce qualifications, and career education opportunities are
62 constantly changing and extend beyond school district
63 boundaries:

64 a. A state university may sponsor a charter school to meet
65 regional education or workforce demands by serving students from
66 multiple school districts.

67 b. A Florida College System institution may sponsor a
68 charter school in any county within its service area to meet
69 workforce demands and may offer postsecondary programs leading
70 to industry certifications to eligible charter school students.

71 (b) Sponsor duties.—

72 1.a. The sponsor shall monitor and review the charter
73 school in its progress toward the goals established in the
74 charter.

75 b. The sponsor shall monitor the revenues and expenditures

76 | of the charter school and perform the duties provided in s.
77 | 1002.345.

78 | c. The sponsor may approve a charter for a charter school
79 | before the applicant has identified space, equipment, or
80 | personnel, if the applicant indicates approval is necessary for
81 | it to raise working funds.

82 | d. The sponsor shall not apply its policies to a charter
83 | school unless mutually agreed to by both the sponsor and the
84 | charter school. If the sponsor subsequently amends any agreed-
85 | upon sponsor policy, the version of the policy in effect at the
86 | time of the execution of the charter, or any subsequent
87 | modification thereof, shall remain in effect and the sponsor may
88 | not hold the charter school responsible for any provision of a
89 | newly revised policy until the revised policy is mutually agreed
90 | upon.

91 | e. The sponsor shall ensure that the charter is innovative
92 | and consistent with the state education goals established by s.
93 | 1000.03(5).

94 | f. The sponsor shall ensure that the charter school
95 | participates in the state's education accountability system. If
96 | a charter school falls short of performance measures included in
97 | the approved charter, the sponsor shall report such shortcomings
98 | to the Department of Education.

99 | g. The sponsor shall not be liable for civil damages under
100 | state law for personal injury, property damage, or death

101 resulting from an act or omission of an officer, employee,
 102 agent, or governing body of the charter school.

103 h. The sponsor shall not be liable for civil damages under
 104 state law for any employment actions taken by an officer,
 105 employee, agent, or governing body of the charter school.

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

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

111 k. The sponsor shall submit an annual report to the
 112 Department of Education in a web-based format to be determined
 113 by the department.

114 (I) The report shall include the following information:

115 ~~(A) The number of draft applications received on or before~~
 116 ~~May 1 and each applicant's contact information.~~

117 (A)~~(B)~~ The number of ~~final~~ applications received on or
 118 before February ~~August~~ 1 and each applicant's contact
 119 information.

120 (B)~~(C)~~ The date each application was approved, denied, or
 121 withdrawn.

122 (C)~~(D)~~ The date each final contract was executed.

123 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
 124 ~~and each year thereafter,~~ the sponsor shall submit to the
 125 department the information for the applications submitted the

126 previous year.

127 (III) The department shall compile an annual report, by
128 sponsor district, and post the report on its website by January
129 15 November 1 of each year.

130 2. Immunity for the sponsor of a charter school under
131 subparagraph 1. applies only with respect to acts or omissions
132 not under the sponsor's direct authority as described in this
133 section.

134 3. This paragraph does not waive a sponsor's district
135 ~~school board's~~ sovereign immunity.

136 4. A Florida College System institution may work with the
137 school district or school districts in its designated service
138 area to develop charter schools that offer secondary education.
139 These charter schools must include an option for students to
140 receive an associate degree upon high school graduation. If a
141 Florida College System institution operates an approved teacher
142 preparation program under s. 1004.04 or s. 1004.85, the
143 institution may operate ~~no more than one~~ charter schools ~~school~~
144 that serve ~~serves~~ students in kindergarten through grade 12 in
145 any school district within the service area of the institution.
146 ~~In kindergarten through grade 8, the charter school shall~~
147 ~~implement innovative blended learning instructional models in~~
148 ~~which, for a given course, a student learns in part through~~
149 ~~online delivery of content and instruction with some element of~~
150 ~~student control over time, place, path, or pace and in part at a~~

151 ~~supervised brick-and-mortar location away from home. A student~~
152 ~~in a blended learning course must be a full-time student of the~~
153 ~~charter school and receive the online instruction in a classroom~~
154 ~~setting at the charter school.~~ District school boards shall
155 cooperate with and assist the Florida College System institution
156 on the charter application. Florida College System institution
157 applications for charter schools are not subject to the time
158 deadlines outlined in subsection (6) and may be approved by the
159 district school board at any time during the year. Florida
160 College System institutions may not report FTE for any students
161 participating under this subparagraph who receive FTE funding
162 through the Florida Education Finance Program.

163 5. A school district may enter into nonexclusive
164 interlocal agreements with federal and state agencies, counties,
165 municipalities, and other governmental entities that operate
166 within the geographical borders of the school district to act on
167 behalf of such governmental entities in the inspection,
168 issuance, and other necessary activities for all necessary
169 permits, licenses, and other permissions that a charter school
170 needs in order for development, construction, or operation. A
171 charter school may use, but may not be required to use, a school
172 district for these services. The interlocal agreement must
173 include, but need not be limited to, the identification of fees
174 that charter schools will be charged for such services. The fees
175 must consist of the governmental entity's fees plus a fee for

176 the school district to recover no more than actual costs for
177 providing such services. These services and fees are not
178 included within the services to be provided pursuant to
179 subsection (20).

180 6. The board of trustees of a sponsoring state university
181 or Florida College System institution under paragraph (a) is the
182 local educational agency for all charter schools it sponsors for
183 purposes of receiving federal funds and accepts full
184 responsibility for all local educational agency requirements and
185 the schools for which it will perform local educational agency
186 responsibilities.

187 (c) Sponsor accountability.—

188 1. The department shall, in collaboration with charter
189 school sponsors and charter school operators, develop a sponsor
190 evaluation framework that must address, at a minimum:

191 a. The sponsor's strategic vision for charter school
192 authorizing and the sponsor's progress toward that vision.

193 b. The alignment of the sponsor's policies and practices
194 to best practices for charter school authorizing.

195 c. The academic and financial performance of all operating
196 charter schools overseen by the sponsor.

197 d. The status of charter schools authorized by the
198 sponsor, including approved, operating, and closed schools.

199 2. The department shall compile the results, by sponsor,
200 and include the results in the report required under sub-sub-

201 subparagraph (b)1.k.(III).

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

204 (b) A sponsor shall receive and review all applications
205 for a charter school using the evaluation instrument developed
206 by the Department of Education. ~~A sponsor shall receive and
207 consider charter school applications received on or before
208 August 1 of each calendar year for charter schools to be opened
209 at the beginning of the school district's next school year, or
210 to be opened at a time agreed to by the applicant and the
211 sponsor. A sponsor may not refuse to receive a charter school
212 application submitted before August 1 and may receive an
213 application submitted later than August 1 if it chooses.~~
214 ~~Beginning in 2018 and thereafter,~~ A sponsor shall receive and
215 consider charter school applications received on or before
216 February 1 of each calendar year for charter schools to be
217 opened 18 months later at the beginning of the ~~school district's~~
218 school year, or to be opened at a time determined by the
219 applicant. A sponsor may not refuse to receive a charter school
220 application submitted before February 1 and may receive an
221 application submitted later than February 1 if it chooses. A
222 sponsor may not charge an applicant for a charter any fee for
223 the processing or consideration of an application, and a sponsor
224 may not base its consideration or approval of a final
225 application upon the promise of future payment of any kind.

226 Before approving or denying any application, the sponsor shall
227 allow the applicant, upon receipt of written notification, at
228 least 7 calendar days to make technical or nonsubstantive
229 corrections and clarifications, including, but not limited to,
230 corrections of grammatical, typographical, and like errors or
231 missing signatures, if such errors are identified by the sponsor
232 as cause to deny the final application.

233 1. In order to facilitate an accurate budget projection
234 process, a sponsor shall be held harmless for FTE students who
235 are not included in the FTE projection due to approval of
236 charter school applications after the FTE projection deadline.
237 In a further effort to facilitate an accurate budget projection,
238 within 15 calendar days after receipt of a charter school
239 application, a sponsor shall report to the Department of
240 Education the name of the applicant entity, the proposed charter
241 school location, and its projected FTE.

242 2. In order to ensure fiscal responsibility, an
243 application for a charter school shall include a full accounting
244 of expected assets, a projection of expected sources and amounts
245 of income, including income derived from projected student
246 enrollments and from community support, and an expense
247 projection that includes full accounting of the costs of
248 operation, including start-up costs.

249 3.a. A sponsor shall by a majority vote approve or deny an
250 application no later than 90 calendar days after the application

251 is received, unless the sponsor and the applicant mutually agree
252 in writing to temporarily postpone the vote to a specific date,
253 at which time the sponsor shall by a majority vote approve or
254 deny the application. If the sponsor fails to act on the
255 application, an applicant may appeal to the State Board of
256 Education as provided in paragraph (c). If an application is
257 denied, the sponsor shall, within 10 calendar days after such
258 denial, articulate in writing the specific reasons, based upon
259 good cause, supporting its denial of the application and shall
260 provide the letter of denial and supporting documentation to the
261 applicant and to the Department of Education.

262 b. An application submitted by a high-performing charter
263 school identified pursuant to s. 1002.331 or a high-performing
264 charter school system identified pursuant to s. 1002.332 may be
265 denied by the sponsor only if the sponsor demonstrates by clear
266 and convincing evidence that:

267 (I) The application of a high-performing charter school
268 does not materially comply with the requirements in paragraph
269 (a) or, for a high-performing charter school system, the
270 application does not materially comply with s. 1002.332(2)(b);

271 (II) The charter school proposed in the application does
272 not materially comply with the requirements in paragraphs
273 (9)(a)-(f);

274 (III) The proposed charter school's educational program
275 does not substantially replicate that of the applicant or one of

276 | the applicant's high-performing charter schools;

277 | (IV) The applicant has made a material misrepresentation
278 | or false statement or concealed an essential or material fact
279 | during the application process; or

280 | (V) The proposed charter school's educational program and
281 | financial management practices do not materially comply with the
282 | requirements of this section.

283 |

284 | Material noncompliance is a failure to follow requirements or a
285 | violation of prohibitions applicable to charter school
286 | applications, which failure is quantitatively or qualitatively
287 | significant either individually or when aggregated with other
288 | noncompliance. An applicant is considered to be replicating a
289 | high-performing charter school if the proposed school is
290 | substantially similar to at least one of the applicant's high-
291 | performing charter schools and the organization or individuals
292 | involved in the establishment and operation of the proposed
293 | school are significantly involved in the operation of replicated
294 | schools.

295 | c. If the sponsor denies an application submitted by a
296 | high-performing charter school or a high-performing charter
297 | school system, the sponsor must, within 10 calendar days after
298 | such denial, state in writing the specific reasons, based upon
299 | the criteria in sub-subparagraph b., supporting its denial of
300 | the application and must provide the letter of denial and

301 supporting documentation to the applicant and to the Department
302 of Education. The applicant may appeal the sponsor's denial of
303 the application in accordance with paragraph (c).

304 4. For budget projection purposes, the sponsor shall
305 report to the Department of Education the approval or denial of
306 an application within 10 calendar days after such approval or
307 denial. In the event of approval, the report to the Department
308 of Education shall include the final projected FTE for the
309 approved charter school.

310 5. ~~Upon approval of an application, the initial startup~~
311 ~~shall commence with the beginning of the public school calendar~~
312 ~~for the district in which the charter is granted.~~ A charter
313 school may defer the opening of the school's operations for up
314 to 3 years to provide time for adequate facility planning. The
315 charter school must provide written notice of such intent to the
316 sponsor and the parents of enrolled students at least 30
317 calendar days before the first day of school.

318 (7) CHARTER.—The terms and conditions for the operation of
319 a charter school shall be set forth by the sponsor and the
320 applicant in a written contractual agreement, called a charter.
321 The sponsor and the governing board of the charter school shall
322 use the standard charter contract pursuant to subsection (21),
323 which shall incorporate the approved application and any addenda
324 approved with the application. Any term or condition of a
325 proposed charter contract that differs from the standard charter

326 contract adopted by rule of the State Board of Education shall
327 be presumed a limitation on charter school flexibility. The
328 sponsor may not impose unreasonable rules or regulations that
329 violate the intent of giving charter schools greater flexibility
330 to meet educational goals. The charter shall be signed by the
331 governing board of the charter school and the sponsor, following
332 a public hearing to ensure community input.

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

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

337 2. The focus of the curriculum, the instructional methods
338 to be used, any distinctive instructional techniques to be
339 employed, and identification and acquisition of appropriate
340 technologies needed to improve educational and administrative
341 performance which include a means for promoting safe, ethical,
342 and appropriate uses of technology which comply with legal and
343 professional standards.

344 a. The charter shall ensure that reading is a primary
345 focus of the curriculum and that resources are provided to
346 identify and provide specialized instruction for students who
347 are reading below grade level. The curriculum and instructional
348 strategies for reading must be consistent with the Next
349 Generation Sunshine State Standards and grounded in
350 scientifically based reading research.

351 b. In order to provide students with access to diverse
352 instructional delivery models, to facilitate the integration of
353 technology within traditional classroom instruction, and to
354 provide students with the skills they need to compete in the
355 21st century economy, the Legislature encourages instructional
356 methods for blended learning courses consisting of both
357 traditional classroom and online instructional techniques.
358 Charter schools may implement blended learning courses which
359 combine traditional classroom instruction and virtual
360 instruction. Students in a blended learning course must be full-
361 time students of the charter school pursuant to s.
362 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
363 1012.55 who provide virtual instruction for blended learning
364 courses may be employees of the charter school or may be under
365 contract to provide instructional services to charter school
366 students. At a minimum, such instructional personnel must hold
367 an active state or school district adjunct certification under
368 s. 1012.57 for the subject area of the blended learning course.
369 The funding and performance accountability requirements for
370 blended learning courses are the same as those for traditional
371 courses.

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

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

378 b. How these baseline rates will be compared to rates of
379 academic progress achieved by these same students while
380 attending the charter school.

381 c. To the extent possible, how these rates of progress
382 will be evaluated and compared with rates of progress of other
383 closely comparable student populations.

384

385 A ~~The~~ district school board is required to provide academic
386 student performance data to charter schools for each of their
387 students coming from the district school system, as well as
388 rates of academic progress of comparable student populations in
389 the district school system.

390 4. The methods used to identify the educational strengths
391 and needs of students and how well educational goals and
392 performance standards are met by students attending the charter
393 school. The methods shall provide a means for the charter school
394 to ensure accountability to its constituents by analyzing
395 student performance data and by evaluating the effectiveness and
396 efficiency of its major educational programs. Students in
397 charter schools shall, at a minimum, participate in the
398 statewide assessment program created under s. 1008.22.

399 5. In secondary charter schools, a method for determining
400 that a student has satisfied the requirements for graduation in

401 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

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

404 7. The admissions procedures and dismissal procedures,
405 including the school's code of student conduct. Admission or
406 dismissal must not be based on a student's academic performance.

407 8. The ways by which the school will achieve a
408 racial/ethnic balance reflective of the community it serves or
409 within the racial/ethnic range of other nearby public schools ~~in~~
410 ~~the same school district~~.

411 9. The financial and administrative management of the
412 school, including a reasonable demonstration of the professional
413 experience or competence of those individuals or organizations
414 applying to operate the charter school or those hired or
415 retained to perform such professional services and the
416 description of clearly delineated responsibilities and the
417 policies and practices needed to effectively manage the charter
418 school. A description of internal audit procedures and
419 establishment of controls to ensure that financial resources are
420 properly managed must be included. Both public sector and
421 private sector professional experience shall be equally valid in
422 such a consideration.

423 10. The asset and liability projections required in the
424 application which are incorporated into the charter and shall be
425 compared with information provided in the annual report of the

426 charter school.

427 11. A description of procedures that identify various
428 risks and provide for a comprehensive approach to reduce the
429 impact of losses; plans to ensure the safety and security of
430 students and staff; plans to identify, minimize, and protect
431 others from violent or disruptive student behavior; and the
432 manner in which the school will be insured, including whether or
433 not the school will be required to have liability insurance,
434 and, if so, the terms and conditions thereof and the amounts of
435 coverage.

436 12. The term of the charter which shall provide for
437 cancellation of the charter if insufficient progress has been
438 made in attaining the student achievement objectives of the
439 charter and if it is not likely that such objectives can be
440 achieved before expiration of the charter. The initial term of a
441 charter shall be for 5 years, excluding 2 planning years. In
442 order to facilitate access to long-term financial resources for
443 charter school construction, charter schools that are operated
444 by a municipality or other public entity as provided by law are
445 eligible for up to a 15-year charter, subject to approval by the
446 sponsor ~~district school board~~. A charter lab school is eligible
447 for a charter for a term of up to 15 years. In addition, to
448 facilitate access to long-term financial resources for charter
449 school construction, charter schools that are operated by a
450 private, not-for-profit, s. 501(c)(3) status corporation are

451 eligible for up to a 15-year charter, subject to approval by the
452 sponsor ~~district school board~~. Such long-term charters remain
453 subject to annual review and may be terminated during the term
454 of the charter, but only according to the provisions set forth
455 in subsection (8).

456 13. The facilities to be used and their location. The
457 sponsor may not require a charter school to have a certificate
458 of occupancy or a temporary certificate of occupancy for such a
459 facility earlier than 15 calendar days before the first day of
460 school.

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

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

467 16. A timetable for implementing the charter which
468 addresses the implementation of each element thereof and the
469 date by which the charter shall be awarded in order to meet this
470 timetable.

471 17. In the case of an existing public school that is being
472 converted to charter status, alternative arrangements for
473 current students who choose not to attend the charter school and
474 for current teachers who choose not to teach in the charter
475 school after conversion in accordance with the existing

476 collective bargaining agreement or district school board rule in
477 the absence of a collective bargaining agreement. However,
478 alternative arrangements shall not be required for current
479 teachers who choose not to teach in a charter lab school, except
480 as authorized by the employment policies of the state university
481 which grants the charter to the lab school.

482 18. Full disclosure of the identity of all relatives
483 employed by the charter school who are related to the charter
484 school owner, president, chairperson of the governing board of
485 directors, superintendent, governing board member, principal,
486 assistant principal, or any other person employed by the charter
487 school who has equivalent decisionmaking authority. For the
488 purpose of this subparagraph, the term "relative" means father,
489 mother, son, daughter, brother, sister, uncle, aunt, first
490 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
491 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
492 stepfather, stepmother, stepson, stepdaughter, stepbrother,
493 stepsister, half brother, or half sister.

494 19. Implementation of the activities authorized under s.
495 1002.331 by the charter school when it satisfies the eligibility
496 requirements for a high-performing charter school. A high-
497 performing charter school shall notify its sponsor in writing by
498 March 1 if it intends to increase enrollment or expand grade
499 levels the following school year. The written notice shall
500 specify the amount of the enrollment increase and the grade

501 levels that will be added, as applicable.

502 (d) A charter may be modified during its initial term or
503 any renewal term upon the recommendation of the sponsor or the
504 charter school's governing board and the approval of both
505 parties to the agreement. Modification during any term may
506 include, but is not limited to, consolidation of multiple
507 charters into a single charter if the charters are operated
508 under the same governing board, regardless of the renewal cycle.
509 A charter school that is not subject to a school improvement
510 plan and that closes as part of a consolidation shall be
511 reported by the sponsor ~~school district~~ as a consolidation.

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

513 (d) When a charter is not renewed or is terminated, the
514 school shall be dissolved under the provisions of law under
515 which the school was organized, and any unencumbered public
516 funds, except for capital outlay funds and federal charter
517 school program grant funds, from the charter school shall revert
518 to the sponsor. Capital outlay funds provided pursuant to s.
519 1013.62 and federal charter school program grant funds that are
520 unencumbered shall revert to the department to be redistributed
521 among eligible charter schools. In the event a charter school is
522 dissolved or is otherwise terminated, all sponsor ~~district~~
523 ~~school board~~ property and improvements, furnishings, and
524 equipment purchased with public funds shall automatically revert
525 to full ownership by the sponsor ~~district school board~~, subject

526 to complete satisfaction of any lawful liens or encumbrances.
527 Any unencumbered public funds from the charter school, ~~district~~
528 ~~school board~~ property and improvements, furnishings, and
529 equipment purchased with public funds, or financial or other
530 records pertaining to the charter school, in the possession of
531 any person, entity, or holding company, other than the charter
532 school, shall be held in trust upon the sponsor's ~~district~~
533 ~~school board's~~ request, until any appeal status is resolved.

534 (e) If a charter is not renewed or is terminated, the
535 charter school is responsible for all debts of the charter
536 school. The sponsor ~~district~~ may not assume the debt from any
537 contract made between the governing body of the school and a
538 third party, except for a debt that is previously detailed and
539 agreed upon in writing by both the sponsor ~~district~~ and the
540 governing body of the school and that may not reasonably be
541 assumed to have been satisfied by the sponsor ~~district~~.

542 (9) CHARTER SCHOOL REQUIREMENTS.—

543 (g)1. In order to provide financial information that is
544 comparable to that reported for other public schools, charter
545 schools are to maintain all financial records that constitute
546 their accounting system:

547 a. In accordance with the accounts and codes prescribed in
548 the most recent issuance of the publication titled "Financial
549 and Program Cost Accounting and Reporting for Florida Schools";
550 or

551 b. At the discretion of the charter school's governing
552 board, a charter school may elect to follow generally accepted
553 accounting standards for not-for-profit organizations, but must
554 reformat this information for reporting according to this
555 paragraph.

556 2. Charter schools shall provide annual financial report
557 and program cost report information in the state-required
558 formats for inclusion in sponsor ~~district~~ reporting in
559 compliance with s. 1011.60(1). Charter schools that are operated
560 by a municipality or are a component unit of a parent nonprofit
561 organization may use the accounting system of the municipality
562 or the parent but must reformat this information for reporting
563 according to this paragraph.

564 3. A charter school shall, upon approval of the charter
565 contract, provide the sponsor with a concise, uniform, monthly
566 financial statement summary sheet that contains a balance sheet
567 and a statement of revenue, expenditures, and changes in fund
568 balance. The balance sheet and the statement of revenue,
569 expenditures, and changes in fund balance shall be in the
570 governmental funds format prescribed by the Governmental
571 Accounting Standards Board. A high-performing charter school
572 pursuant to s. 1002.331 may provide a quarterly financial
573 statement in the same format and requirements as the uniform
574 monthly financial statement summary sheet. The sponsor shall
575 review each monthly or quarterly financial statement to identify

576 the existence of any conditions identified in s. 1002.345(1)(a).

577 4. A charter school shall maintain and provide financial
578 information as required in this paragraph. The financial
579 statement required in subparagraph 3. must be in a form
580 prescribed by the Department of Education.

581 (n)1. The director and a representative of the governing
582 board of a charter school that has earned a grade of "D" or "F"
583 pursuant to s. 1008.34 shall appear before the sponsor to
584 present information concerning each contract component having
585 noted deficiencies. The director and a representative of the
586 governing board shall submit to the sponsor for approval a
587 school improvement plan to raise student performance. Upon
588 approval by the sponsor, the charter school shall begin
589 implementation of the school improvement plan. The department
590 shall offer technical assistance and training to the charter
591 school and its governing board and establish guidelines for
592 developing, submitting, and approving such plans.

593 2.a. If a charter school earns three consecutive grades
594 below a "C," the charter school governing board shall choose one
595 of the following corrective actions:

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

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

601 (III) Reorganize the school under a new director or
602 principal who is authorized to hire new staff; or
603 (IV) Voluntarily close the charter school.

604 b. The charter school must implement the corrective action
605 in the school year following receipt of a third consecutive
606 grade below a "C."

607 c. The sponsor may annually waive a corrective action if
608 it determines that the charter school is likely to improve a
609 letter grade if additional time is provided to implement the
610 intervention and support strategies prescribed by the school
611 improvement plan. Notwithstanding this sub-subparagraph, a
612 charter school that earns a second consecutive grade of "F" is
613 subject to subparagraph 3.

614 d. A charter school is no longer required to implement a
615 corrective action if it improves to a "C" or higher. However,
616 the charter school must continue to implement strategies
617 identified in the school improvement plan. The sponsor must
618 annually review implementation of the school improvement plan to
619 monitor the school's continued improvement pursuant to
620 subparagraph 4.

621 e. A charter school implementing a corrective action that
622 does not improve to a "C" or higher after 2 full school years of
623 implementing the corrective action must select a different
624 corrective action. Implementation of the new corrective action
625 must begin in the school year following the implementation

626 | period of the existing corrective action, unless the sponsor
627 | determines that the charter school is likely to improve to a "C"
628 | or higher if additional time is provided to implement the
629 | existing corrective action. Notwithstanding this sub-
630 | subparagraph, a charter school that earns a second consecutive
631 | grade of "F" while implementing a corrective action is subject
632 | to subparagraph 3.

633 | 3. A charter school's charter contract is automatically
634 | terminated if the school earns two consecutive grades of "F"
635 | after all school grade appeals are final unless:

636 | a. The charter school is established to turn around the
637 | performance of a district public school pursuant to s.
638 | 1008.33(4)(b)2. Such charter schools shall be governed by s.
639 | 1008.33;

640 | b. The charter school serves a student population the
641 | majority of which resides in a school zone served by a district
642 | public school subject to s. 1008.33(4) and the charter school
643 | earns at least a grade of "D" in its third year of operation.
644 | The exception provided under this sub-subparagraph does not
645 | apply to a charter school in its fourth year of operation and
646 | thereafter; or

647 | c. The state board grants the charter school a waiver of
648 | termination. The charter school must request the waiver within
649 | 15 days after the department's official release of school
650 | grades. The state board may waive termination if the charter

651 school demonstrates that the Learning Gains of its students on
652 statewide assessments are comparable to or better than the
653 Learning Gains of similarly situated students enrolled in nearby
654 ~~district~~ public schools. The waiver is valid for 1 year and may
655 only be granted once. Charter schools that have been in
656 operation for more than 5 years are not eligible for a waiver
657 under this sub-subparagraph.

658
659 The sponsor shall notify the charter school's governing board,
660 the charter school principal, and the department in writing when
661 a charter contract is terminated under this subparagraph. A
662 charter terminated under this subparagraph must follow the
663 procedures for dissolution and reversion of public funds
664 pursuant to paragraphs (8)(d)-(f) and (9)(o).

665 4. The director and a representative of the governing
666 board of a graded charter school that has implemented a school
667 improvement plan under this paragraph shall appear before the
668 sponsor at least once a year to present information regarding
669 the progress of intervention and support strategies implemented
670 by the school pursuant to the school improvement plan and
671 corrective actions, if applicable. The sponsor shall communicate
672 at the meeting, and in writing to the director, the services
673 provided to the school to help the school address its
674 deficiencies.

675 5. Notwithstanding any provision of this paragraph except

676 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter
677 at any time pursuant to subsection (8).

678 (10) ELIGIBLE STUDENTS.—

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

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

682 2. Students considered at risk of dropping out of school
683 or academic failure. Such students shall include exceptional
684 education students.

685 3. Students enrolling in a charter school-in-the-workplace
686 or charter school-in-a-municipality established pursuant to
687 subsection (15).

688 4. Students residing within a reasonable distance of the
689 charter school, as described in paragraph (20)(c). Such students
690 shall be subject to a random lottery and to the racial/ethnic
691 balance provisions described in subparagraph (7)(a)8. or any
692 federal provisions that require a school to achieve a
693 racial/ethnic balance reflective of the community it serves or
694 within the racial/ethnic range of other nearby public schools ~~in~~
695 ~~the same school district.~~

696 5. Students who meet reasonable academic, artistic, or
697 other eligibility standards established by the charter school
698 and included in the charter school application and charter or,
699 in the case of existing charter schools, standards that are
700 consistent with the school's mission and purpose. Such standards

701 shall be in accordance with current state law and practice in
702 public schools and may not discriminate against otherwise
703 qualified individuals.

704 6. Students articulating from one charter school to
705 another pursuant to an articulation agreement between the
706 charter schools that has been approved by the sponsor.

707 7. Students living in a development in which a business
708 entity provides the school facility and related property having
709 an appraised value of at least \$5 million to be used as a
710 charter school to mitigate the educational impact created by the
711 development of new residential dwelling units. Students living
712 in the development shall be entitled to no more than 50 percent
713 of the student stations in the charter school. The students who
714 are eligible for enrollment are subject to a random lottery, the
715 racial/ethnic balance provisions, or any federal provisions, as
716 described in subparagraph 4. The remainder of the student
717 stations shall be filled in accordance with subparagraph 4.

718 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
719 INDEMNIFICATION OF THE STATE AND SPONSOR ~~SCHOOL DISTRICT~~; CREDIT
720 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into
721 to borrow or otherwise secure funds for a charter school
722 authorized in this section from a source other than the state or
723 a sponsor ~~school district~~ shall indemnify the state and the
724 sponsor ~~school district~~ from any and all liability, including,
725 but not limited to, financial responsibility for the payment of

726 the principal or interest. Any loans, bonds, or other financial
727 agreements are not obligations of the state or the sponsor
728 ~~school district~~ but are obligations of the charter school
729 authority and are payable solely from the sources of funds
730 pledged by such agreement. The credit or taxing power of the
731 state or the sponsor ~~school district~~ shall not be pledged and no
732 debts shall be payable out of any moneys except those of the
733 legal entity in possession of a valid charter approved by a
734 sponsor ~~district school board~~ pursuant to this section.

735 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
736 A-MUNICIPALITY.—

737 (c) A charter school-in-a-municipality designation may be
738 granted to a municipality that possesses a charter; enrolls
739 students based upon a random lottery that involves all of the
740 children of the residents of that municipality who are seeking
741 enrollment, as provided for in subsection (10); and enrolls
742 students according to the racial/ethnic balance provisions
743 described in subparagraph (7)(a)8. When a municipality has
744 submitted charter applications for the establishment of a
745 charter school feeder pattern, consisting of elementary, middle,
746 and senior high schools, and each individual charter application
747 is approved by the sponsor ~~district school board~~, such schools
748 shall then be designated as one charter school for all purposes
749 listed pursuant to this section. Any portion of the land and
750 facility used for a public charter school shall be exempt from

751 ad valorem taxes, as provided for in s. 1013.54, for the
752 duration of its use as a public school.

753 (17) FUNDING.—Students enrolled in a charter school,
754 regardless of the sponsorship, shall be funded as if they are in
755 a basic program or a special program, the same as students
756 enrolled in other public schools in a ~~the~~ school district.
757 Funding for a charter lab school shall be as provided in s.
758 1002.32.

759 (a) Each charter school shall report its student
760 enrollment to the sponsor as required in s. 1011.62, and in
761 accordance with the definitions in s. 1011.61. The sponsor shall
762 include each charter school's enrollment in the sponsor's
763 ~~district's~~ report of student enrollment. All charter schools
764 submitting student record information required by the Department
765 of Education shall comply with the Department of Education's
766 guidelines for electronic data formats for such data, and all
767 sponsors ~~districts~~ shall accept electronic data that complies
768 with the Department of Education's electronic format.

769 (b)1. The basis for the agreement for funding students
770 enrolled in a charter school shall be the sum of the school
771 district's operating funds from the Florida Education Finance
772 Program as provided in s. 1011.62 and the General Appropriations
773 Act, including gross state and local funds, discretionary
774 lottery funds, and funds from the school district's current
775 operating discretionary millage levy; divided by total funded

776 weighted full-time equivalent students in the school district;
777 and multiplied by the weighted full-time equivalent students for
778 the charter school. Charter schools whose students or programs
779 meet the eligibility criteria in law are entitled to their
780 proportionate share of categorical program funds included in the
781 total funds available in the Florida Education Finance Program
782 by the Legislature, including transportation, the research-based
783 reading allocation, and the Florida digital classrooms
784 allocation. Total funding for each charter school shall be
785 recalculated during the year to reflect the revised calculations
786 under the Florida Education Finance Program by the state and the
787 actual weighted full-time equivalent students reported by the
788 charter school during the full-time equivalent student survey
789 periods designated by the Commissioner of Education. For charter
790 schools operated by a not-for-profit or municipal entity, any
791 unrestricted current and capital assets identified in the
792 charter school's annual financial audit may be used for other
793 charter schools operated by the not-for-profit or municipal
794 entity within the school district. Unrestricted current assets
795 shall be used in accordance with s. 1011.62, and any
796 unrestricted capital assets shall be used in accordance with s.
797 1013.62(2).

798 2.a. Operational funding for a charter school sponsored by
799 a state university or Florida College System institution
800 pursuant to paragraph (5) (a) is the sum of the state's total

801 operating funds from the Florida Education Finance Program as
802 provided in s. 1011.62 and the General Appropriations Act,
803 including gross state and local funds, discretionary lottery
804 funds, and funds from each school district's current operating
805 discretionary millage levy; divided by total funded weighted
806 full-time equivalent students in the state; and multiplied by
807 the full-time equivalent membership of the charter school. The
808 total obtained from the calculation is discretionary operating
809 funds and must be appropriated from state funds in the General
810 Appropriations Act to the school.

811 b. Capital outlay funding for a charter school sponsored
812 by a state university or Florida College System institution
813 pursuant to paragraph (5) (a) is determined pursuant to s.
814 1013.62 and the General Appropriations Act.

815 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
816 schools shall receive all federal funding for which the school
817 is otherwise eligible, including Title I funding, not later than
818 5 months after the charter school first opens and within 5
819 months after any subsequent expansion of enrollment. Unless
820 otherwise mutually agreed to by the charter school and its
821 sponsor, and consistent with state and federal rules and
822 regulations governing the use and disbursement of federal funds,
823 the sponsor shall reimburse the charter school on a monthly
824 basis for all invoices submitted by the charter school for
825 federal funds available to the sponsor for the benefit of the

826 charter school, the charter school's students, and the charter
827 school's students as public school students in the school
828 district. Such federal funds include, but are not limited to,
829 Title I, Title II, and Individuals with Disabilities Education
830 Act (IDEA) funds. To receive timely reimbursement for an
831 invoice, the charter school must submit the invoice to the
832 sponsor at least 30 days before the monthly date of
833 reimbursement set by the sponsor. In order to be reimbursed, any
834 expenditures made by the charter school must comply with all
835 applicable state rules and federal regulations, including, but
836 not limited to, the applicable federal Office of Management and
837 Budget Circulars; the federal Education Department General
838 Administrative Regulations; and program-specific statutes,
839 rules, and regulations. Such funds may not be made available to
840 the charter school until a plan is submitted to the sponsor for
841 approval of the use of the funds in accordance with applicable
842 federal requirements. The sponsor has 30 days to review and
843 approve any plan submitted pursuant to this paragraph.

844 (d) Charter schools shall be included by the Department of
845 Education and the district school board in requests for federal
846 stimulus funds in the same manner as district school board-
847 operated public schools, including Title I and IDEA funds and
848 shall be entitled to receive such funds. Charter schools are
849 eligible to participate in federal competitive grants that are
850 available as part of the federal stimulus funds.

851 (e) Sponsors ~~District school boards~~ shall make timely and
852 efficient payment and reimbursement to charter schools,
853 including processing paperwork required to access special state
854 and federal funding for which they may be eligible. Payments of
855 funds under paragraph (b) shall be made monthly or twice a
856 month, beginning with the start of the sponsor's ~~district school~~
857 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
858 twenty-fourth, as applicable, of the total state and local funds
859 described in paragraph (b) and adjusted as set forth therein.
860 For the first 2 years of a charter school's operation, if a
861 minimum of 75 percent of the projected enrollment is entered
862 into the sponsor's student information system by the first day
863 of the current month, the sponsor ~~district school board~~ shall
864 distribute funds to the school for the months of July through
865 October based on the projected full-time equivalent student
866 membership of the charter school as submitted in the approved
867 application. If less than 75 percent of the projected enrollment
868 is entered into the sponsor's student information system by the
869 first day of the current month, the sponsor shall base payments
870 on the actual number of student enrollment entered into the
871 sponsor's student information system. Thereafter, the results of
872 full-time equivalent student membership surveys shall be used in
873 adjusting the amount of funds distributed monthly to the charter
874 school for the remainder of the fiscal year. The payments shall
875 be issued no later than 10 working days after the sponsor

876 ~~district school board~~ receives a distribution of state or
877 federal funds or the date the payment is due pursuant to this
878 subsection. If a warrant for payment is not issued within 10
879 working days after receipt of funding by the sponsor ~~district~~
880 ~~school board~~, the sponsor ~~school district~~ shall pay to the
881 charter school, in addition to the amount of the scheduled
882 disbursement, interest at a rate of 1 percent per month
883 calculated on a daily basis on the unpaid balance from the
884 expiration of the 10 working days until such time as the warrant
885 is issued. The district school board may not delay payment to a
886 charter school of any portion of the funds provided in paragraph
887 (b) based on the timing of receipt of local funds by the
888 district school board.

889 (f) Funding for a virtual charter school shall be as
890 provided in s. 1002.45(7).

891 (g) To be eligible for public education capital outlay
892 (PECO) funds, a charter school must be located in the State of
893 Florida.

894 (h) A charter school that implements a schoolwide standard
895 student attire policy pursuant to s. 1011.78 is eligible to
896 receive incentive payments.

897 (18) FACILITIES.—

898 (e) If a district school board facility or property is
899 available because it is surplus, marked for disposal, or
900 otherwise unused, it shall be provided for a charter school's

901 use on the same basis as it is made available to other public
902 schools in the district. A charter school receiving property
903 from the sponsor ~~school-district~~ may not sell or dispose of such
904 property without written permission of the sponsor ~~school~~
905 ~~district~~. Similarly, for an existing public school converting to
906 charter status, no rental or leasing fee for the existing
907 facility or for the property normally inventoried to the
908 conversion school may be charged by the district school board to
909 the parents and teachers organizing the charter school. The
910 charter school shall agree to reasonable maintenance provisions
911 in order to maintain the facility in a manner similar to
912 district school board standards. The Public Education Capital
913 Outlay maintenance funds or any other maintenance funds
914 generated by the facility operated as a conversion school shall
915 remain with the conversion school.

916 (20) SERVICES.—

917 (a)1. A sponsor shall provide certain administrative and
918 educational services to charter schools. These services shall
919 include contract management services; full-time equivalent and
920 data reporting services; exceptional student education
921 administration services; services related to eligibility and
922 reporting duties required to ensure that school lunch services
923 under the National School Lunch Program, consistent with the
924 needs of the charter school, are provided by the sponsor ~~school~~
925 ~~district~~ at the request of the charter school, that any funds

926 | due to the charter school under the National School Lunch
927 | Program be paid to the charter school as soon as the charter
928 | school begins serving food under the National School Lunch
929 | Program, and that the charter school is paid at the same time
930 | and in the same manner under the National School Lunch Program
931 | as other public schools serviced by the sponsor or the school
932 | district; test administration services, including payment of the
933 | costs of state-required or district-required student
934 | assessments; processing of teacher certificate data services;
935 | and information services, including equal access to the
936 | sponsor's student information systems that are used by public
937 | schools in the district in which the charter school is located
938 | or by schools in the sponsor's portfolio of charter schools if
939 | the sponsor is not a school district. Student performance data
940 | for each student in a charter school, including, but not limited
941 | to, FCAT scores, standardized test scores, previous public
942 | school student report cards, and student performance measures,
943 | shall be provided by the sponsor to a charter school in the same
944 | manner provided to other public schools in the district or by
945 | schools in the sponsor's portfolio of charter schools if the
946 | sponsor is not a school district.

947 | 2. A sponsor may withhold an administrative fee for the
948 | provision of such services which shall be a percentage of the
949 | available funds defined in paragraph (17) (b) calculated based on
950 | weighted full-time equivalent students. If the charter school

951 serves 75 percent or more exceptional education students as
 952 defined in s. 1003.01(3), the percentage shall be calculated
 953 based on unweighted full-time equivalent students. The
 954 administrative fee shall be calculated as follows:

955 a. Up to 5 percent for:

956 (I) Enrollment of up to and including 250 students in a
 957 charter school as defined in this section.

958 (II) Enrollment of up to and including 500 students within
 959 a charter school system which meets all of the following:

960 (A) Includes conversion charter schools and nonconversion
 961 charter schools.

962 (B) Has all of its schools located in the same county.

963 (C) Has a total enrollment exceeding the total enrollment
 964 of at least one school district in the state.

965 (D) Has the same governing board for all of its schools.

966 (E) Does not contract with a for-profit service provider
 967 for management of school operations.

968 (III) Enrollment of up to and including 250 students in a
 969 virtual charter school.

970 b. Up to 2 percent for enrollment of up to and including
 971 250 students in a high-performing charter school as defined in
 972 s. 1002.331.

973 3. A sponsor may not charge charter schools any additional
 974 fees or surcharges for administrative and educational services
 975 in addition to the maximum percentage of administrative fees

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976 withheld pursuant to this paragraph.

977 4. A sponsor shall provide to the department by September
978 15 of each year the total amount of funding withheld from
979 charter schools pursuant to this subsection for the prior fiscal
980 year. The department must include the information in the report
981 required under sub-sub-subparagraph (5) (b) 1.k. (III).

982 (b) If goods and services are made available to the
983 charter school through the contract with the sponsor ~~school~~
984 ~~district~~, they shall be provided to the charter school at a rate
985 no greater than the sponsor's ~~district's~~ actual cost unless
986 mutually agreed upon by the charter school and the sponsor in a
987 contract negotiated separately from the charter. When mediation
988 has failed to resolve disputes over contracted services or
989 contractual matters not included in the charter, an appeal may
990 be made to an administrative law judge appointed by the Division
991 of Administrative Hearings. The administrative law judge has
992 final order authority to rule on the dispute. The administrative
993 law judge shall award the prevailing party reasonable attorney
994 fees and costs incurred during the mediation process,
995 administrative proceeding, and any appeals, to be paid by the
996 party whom the administrative law judge rules against. To
997 maximize the use of state funds, sponsors ~~school districts~~ shall
998 allow charter schools to participate in the sponsor's bulk
999 purchasing program if applicable.

1000 (c) Transportation of charter school students shall be

1001 provided by the charter school consistent with the requirements
 1002 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
 1003 body of the charter school may provide transportation through an
 1004 agreement or contract with the sponsor ~~district school board~~, a
 1005 private provider, or parents. The charter school and the sponsor
 1006 shall cooperate in making arrangements that ensure that
 1007 transportation is not a barrier to equal access for all students
 1008 residing within a reasonable distance of the charter school as
 1009 determined in its charter.

1010 (d) Each charter school shall annually complete and submit
 1011 a survey, provided in a format specified by the Department of
 1012 Education, to rate the timeliness and quality of services
 1013 provided by the sponsor ~~district~~ in accordance with this
 1014 section. The department shall compile the results, by sponsor
 1015 ~~district~~, and include the results in the report required under
 1016 sub-sub-subparagraph (5) (b)1.k.(III).

1017 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1018 (a) The Department of Education shall provide information
 1019 to the public, directly and through sponsors, on how to form and
 1020 operate a charter school and how to enroll in a charter school
 1021 once it is created. This information shall include the standard
 1022 application form, standard charter contract, standard evaluation
 1023 instrument, and standard charter renewal contract, which shall
 1024 include the information specified in subsection (7) and shall be
 1025 developed by consulting and negotiating with both sponsors

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1026 ~~school districts~~ and charter schools before implementation. The
1027 charter and charter renewal contracts shall be used by charter
1028 school sponsors.

1029 (b)1. The Department of Education shall report to each
1030 charter school receiving a school grade pursuant to s. 1008.34
1031 or a school improvement rating pursuant to s. 1008.341 the
1032 school's student assessment data.

1033 2. The charter school shall report the information in
1034 subparagraph 1. to each parent of a student at the charter
1035 school, the parent of a child on a waiting list for the charter
1036 school, the sponsor ~~district in which the charter school is~~
1037 ~~located~~, and the governing board of the charter school. This
1038 paragraph does not abrogate the provisions of s. 1002.22,
1039 relating to student records, or the requirements of 20 U.S.C. s.
1040 1232g, the Family Educational Rights and Privacy Act.

1041 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1042 SCHOOL SYSTEMS.—

1043 (a) A charter school system's governing board shall be
1044 designated a local educational agency for the purpose of
1045 receiving federal funds, the same as though the charter school
1046 system were a school district, if the governing board of the
1047 charter school system has adopted and filed a resolution with
1048 its sponsor ~~sponsoring district school board~~ and the Department
1049 of Education in which the governing board of the charter school
1050 system accepts the full responsibility for all local education

1051 agency requirements and the charter school system meets all of
 1052 the following:

- 1053 1. Has all schools located in the same county;
- 1054 2. Has a total enrollment exceeding the total enrollment
 1055 of at least one school district in the state; and
- 1056 3. Has the same governing board.

1057
 1058 Such designation does not apply to other provisions unless
 1059 specifically provided in law.

1060 (28) RULEMAKING.—The Department of Education, after
 1061 consultation with sponsors ~~school districts~~ and charter school
 1062 directors, shall recommend that the State Board of Education
 1063 adopt rules to implement specific subsections of this section.
 1064 Such rules shall require minimum paperwork and shall not limit
 1065 charter school flexibility authorized by statute. The State
 1066 Board of Education shall adopt rules, pursuant to ss. 120.536(1)
 1067 and 120.54, to implement a standard charter application form,
 1068 standard application form for the replication of charter schools
 1069 in a high-performing charter school system, standard evaluation
 1070 instrument, and standard charter and charter renewal contracts
 1071 in accordance with this section.

1072 Section 2. Paragraph (a) of subsection (1) of section
 1073 1003.493, Florida Statutes, is amended to read:

1074 1003.493 Career and professional academies and career-
 1075 themed courses.—

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1076 (1) (a) A "career and professional academy" is a research-
1077 based program that integrates a rigorous academic curriculum
1078 with an industry-specific curriculum aligned directly to
1079 priority workforce needs established by the local workforce
1080 development board or the Department of Economic Opportunity.
1081 Career and professional academies shall be offered by public
1082 schools and school districts. Career and professional academies
1083 may be offered by charter schools. The Florida Virtual School is
1084 encouraged to develop and offer rigorous career and professional
1085 courses as appropriate. Students completing career and
1086 professional academy programs must receive a standard high
1087 school diploma, the highest available industry certification,
1088 and opportunities to earn postsecondary credit if the academy
1089 partners with a postsecondary institution approved to operate in
1090 the state.

1091 Section 3. This act shall take effect July 1, 2019.