

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 of 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; requiring the department to develop a
21 tool for state universities and Florida College System
22 institutions for specified purposes; providing that
23 such funding must be appropriated to the charter
24 school; providing for capital outlay funding for such
25 schools; conforming provisions to changes made by the

26 act; amending s. 1003.493, F.S.; authorizing a career
 27 and professional academy to be offered by a charter
 28 school; providing an effective date.

29
 30 Be It Enacted by the Legislature of the State of Florida:

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

41 1002.33 Charter schools.—

42 (2) GUIDING PRINCIPLES; PURPOSE.—

43 (c) Charter schools may fulfill the following purposes:

44 1. Create innovative measurement tools.

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

48 3. Expand the capacity of the public school system.

49 4. Mitigate the educational impact created by the
 50 development of new residential dwelling units.

51 5. Create new professional opportunities for teachers,
52 including ownership of the learning program at the school site.

53 (5) SPONSOR; DUTIES.—

54 (a) Sponsoring entities.—

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

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

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

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

69 b. A Florida College System institution may sponsor a
70 charter school in any county within its service area to meet
71 workforce demands and may offer postsecondary programs leading
72 to industry certifications to eligible charter school students.
73 A charter school established under subparagraph (b)4. is not
74 eligible to be sponsored by a Florida College System institution
75 until its existing charter with the school district expires as

76 | provided under subsection (7).

77 | (b) Sponsor duties.—

78 | 1.a. The sponsor shall monitor and review the charter
79 | school in its progress toward the goals established in the
80 | charter.

81 | b. The sponsor shall monitor the revenues and expenditures
82 | of the charter school and perform the duties provided in s.
83 | 1002.345.

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

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

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

100 | f. The sponsor shall ensure that the charter school

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

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

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

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

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

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

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

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

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

126 ~~(B)-(C)~~ The date each application was approved, denied, or
127 withdrawn.

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

129 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
130 ~~and each year thereafter,~~ the sponsor shall submit to the
131 department the information for the applications submitted the
132 previous year.

133 (III) The department shall compile an annual report, by
134 sponsor district, and post the report on its website by January
135 15 ~~November 1~~ of each year.

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

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

142 4. A Florida College System institution may work with the
143 school district or school districts in its designated service
144 area to develop charter schools that offer secondary education.
145 These charter schools must include an option for students to
146 receive an associate degree upon high school graduation. If a
147 Florida College System institution operates an approved teacher
148 preparation program under s. 1004.04 or s. 1004.85, the
149 institution may operate ~~no more than one~~ charter schools ~~school~~
150 that serve ~~serves~~ students in kindergarten through grade 12 in

151 any school district within the service area of the institution.
152 ~~In kindergarten through grade 8, the charter school shall~~
153 ~~implement innovative blended learning instructional models in~~
154 ~~which, for a given course, a student learns in part through~~
155 ~~online delivery of content and instruction with some element of~~
156 ~~student control over time, place, path, or pace and in part at a~~
157 ~~supervised brick-and-mortar location away from home. A student~~
158 ~~in a blended learning course must be a full-time student of the~~
159 ~~charter school and receive the online instruction in a classroom~~
160 ~~setting at the charter school.~~ District school boards shall
161 cooperate with and assist the Florida College System institution
162 on the charter application. Florida College System institution
163 applications for charter schools are not subject to the time
164 deadlines outlined in subsection (6) and may be approved by the
165 district school board at any time during the year. Florida
166 College System institutions may not report FTE for any students
167 participating under this subparagraph who receive FTE funding
168 through the Florida Education Finance Program.

169 5. A school district may enter into nonexclusive
170 interlocal agreements with federal and state agencies, counties,
171 municipalities, and other governmental entities that operate
172 within the geographical borders of the school district to act on
173 behalf of such governmental entities in the inspection,
174 issuance, and other necessary activities for all necessary
175 permits, licenses, and other permissions that a charter school

176 needs in order for development, construction, or operation. A
177 charter school may use, but may not be required to use, a school
178 district for these services. The interlocal agreement must
179 include, but need not be limited to, the identification of fees
180 that charter schools will be charged for such services. The fees
181 must consist of the governmental entity's fees plus a fee for
182 the school district to recover no more than actual costs for
183 providing such services. These services and fees are not
184 included within the services to be provided pursuant to
185 subsection (20).

186 6. The board of trustees of a sponsoring state university
187 or Florida College System institution under paragraph (a) is the
188 local educational agency for all charter schools it sponsors for
189 purposes of receiving federal funds and accepts full
190 responsibility for all local educational agency requirements and
191 the schools for which it will perform local educational agency
192 responsibilities.

193 (c) Sponsor accountability.-

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

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

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

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

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

205 2. The department shall compile the results, by sponsor,
206 and include the results in the report required under sub-sub-
207 subparagraph (b)1.k.(III).

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

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

226 application submitted before February 1 and may receive an
227 application submitted later than February 1 if it chooses. A
228 sponsor may not charge an applicant for a charter any fee for
229 the processing or consideration of an application, and a sponsor
230 may not base its consideration or approval of a final
231 application upon the promise of future payment of any kind.
232 Before approving or denying any application, the sponsor shall
233 allow the applicant, upon receipt of written notification, at
234 least 7 calendar days to make technical or nonsubstantive
235 corrections and clarifications, including, but not limited to,
236 corrections of grammatical, typographical, and like errors or
237 missing signatures, if such errors are identified by the sponsor
238 as cause to deny the final application.

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

248 2. In order to ensure fiscal responsibility, an
249 application for a charter school shall include a full accounting
250 of expected assets, a projection of expected sources and amounts

251 of income, including income derived from projected student
252 enrollments and from community support, and an expense
253 projection that includes full accounting of the costs of
254 operation, including start-up costs.

255 3.a. A sponsor shall by a majority vote approve or deny an
256 application no later than 90 calendar days after the application
257 is received, unless the sponsor and the applicant mutually agree
258 in writing to temporarily postpone the vote to a specific date,
259 at which time the sponsor shall by a majority vote approve or
260 deny the application. If the sponsor fails to act on the
261 application, an applicant may appeal to the State Board of
262 Education as provided in paragraph (c). If an application is
263 denied, the sponsor shall, within 10 calendar days after such
264 denial, articulate in writing the specific reasons, based upon
265 good cause, supporting its denial of the application and shall
266 provide the letter of denial and supporting documentation to the
267 applicant and to the Department of Education.

268 b. An application submitted by a high-performing charter
269 school identified pursuant to s. 1002.331 or a high-performing
270 charter school system identified pursuant to s. 1002.332 may be
271 denied by the sponsor only if the sponsor demonstrates by clear
272 and convincing evidence that:

273 (I) The application of a high-performing charter school
274 does not materially comply with the requirements in paragraph
275 (a) or, for a high-performing charter school system, the

276 application does not materially comply with s. 1002.332(2)(b);

277 (II) The charter school proposed in the application does
278 not materially comply with the requirements in paragraphs
279 (9)(a)-(f);

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

283 (IV) The applicant has made a material misrepresentation
284 or false statement or concealed an essential or material fact
285 during the application process; or

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

289

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

301 c. If the sponsor denies an application submitted by a
302 high-performing charter school or a high-performing charter
303 school system, the sponsor must, within 10 calendar days after
304 such denial, state in writing the specific reasons, based upon
305 the criteria in sub-subparagraph b., supporting its denial of
306 the application and must provide the letter of denial and
307 supporting documentation to the applicant and to the Department
308 of Education. The applicant may appeal the sponsor's denial of
309 the application in accordance with paragraph (c).

310 4. For budget projection purposes, the sponsor shall
311 report to the Department of Education the approval or denial of
312 an application within 10 calendar days after such approval or
313 denial. In the event of approval, the report to the Department
314 of Education shall include the final projected FTE for the
315 approved charter school.

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

324 (7) CHARTER.—The terms and conditions for the operation of
325 a charter school shall be set forth by the sponsor and the

326 applicant in a written contractual agreement, called a charter.
327 The sponsor and the governing board of the charter school shall
328 use the standard charter contract pursuant to subsection (21),
329 which shall incorporate the approved application and any addenda
330 approved with the application. Any term or condition of a
331 proposed charter contract that differs from the standard charter
332 contract adopted by rule of the State Board of Education shall
333 be presumed a limitation on charter school flexibility. The
334 sponsor may not impose unreasonable rules or regulations that
335 violate the intent of giving charter schools greater flexibility
336 to meet educational goals. The charter shall be signed by the
337 governing board of the charter school and the sponsor, following
338 a public hearing to ensure community input.

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

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

343 2. The focus of the curriculum, the instructional methods
344 to be used, any distinctive instructional techniques to be
345 employed, and identification and acquisition of appropriate
346 technologies needed to improve educational and administrative
347 performance which include a means for promoting safe, ethical,
348 and appropriate uses of technology which comply with legal and
349 professional standards.

350 a. The charter shall ensure that reading is a primary

351 focus of the curriculum and that resources are provided to
352 identify and provide specialized instruction for students who
353 are reading below grade level. The curriculum and instructional
354 strategies for reading must be consistent with the Next
355 Generation Sunshine State Standards and grounded in
356 scientifically based reading research.

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

376 blended learning courses are the same as those for traditional
377 courses.

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

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

384 b. How these baseline rates will be compared to rates of
385 academic progress achieved by these same students while
386 attending the charter school.

387 c. To the extent possible, how these rates of progress
388 will be evaluated and compared with rates of progress of other
389 closely comparable student populations.

390

391 A ~~The~~ district school board is required to provide academic
392 student performance data to charter schools for each of their
393 students coming from the district school system, as well as
394 rates of academic progress of comparable student populations in
395 the district school system.

396 4. The methods used to identify the educational strengths
397 and needs of students and how well educational goals and
398 performance standards are met by students attending the charter
399 school. The methods shall provide a means for the charter school
400 to ensure accountability to its constituents by analyzing

401 student performance data and by evaluating the effectiveness and
402 efficiency of its major educational programs. Students in
403 charter schools shall, at a minimum, participate in the
404 statewide assessment program created under s. 1008.22.

405 5. In secondary charter schools, a method for determining
406 that a student has satisfied the requirements for graduation in
407 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

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

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

413 8. The ways by which the school will achieve a
414 racial/ethnic balance reflective of the community it serves or
415 within the racial/ethnic range of other nearby public schools ~~in~~
416 ~~the same school district.~~

417 9. The financial and administrative management of the
418 school, including a reasonable demonstration of the professional
419 experience or competence of those individuals or organizations
420 applying to operate the charter school or those hired or
421 retained to perform such professional services and the
422 description of clearly delineated responsibilities and the
423 policies and practices needed to effectively manage the charter
424 school. A description of internal audit procedures and
425 establishment of controls to ensure that financial resources are

426 properly managed must be included. Both public sector and
427 private sector professional experience shall be equally valid in
428 such a consideration.

429 10. The asset and liability projections required in the
430 application which are incorporated into the charter and shall be
431 compared with information provided in the annual report of the
432 charter school.

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

442 12. The term of the charter which shall provide for
443 cancellation of the charter if insufficient progress has been
444 made in attaining the student achievement objectives of the
445 charter and if it is not likely that such objectives can be
446 achieved before expiration of the charter. The initial term of a
447 charter shall be for 5 years, excluding 2 planning years. In
448 order to facilitate access to long-term financial resources for
449 charter school construction, charter schools that are operated
450 by a municipality or other public entity as provided by law are

451 eligible for up to a 15-year charter, subject to approval by the
452 sponsor ~~district school board~~. A charter lab school is eligible
453 for a charter for a term of up to 15 years. In addition, to
454 facilitate access to long-term financial resources for charter
455 school construction, charter schools that are operated by a
456 private, not-for-profit, s. 501(c)(3) status corporation are
457 eligible for up to a 15-year charter, subject to approval by the
458 sponsor ~~district school board~~. Such long-term charters remain
459 subject to annual review and may be terminated during the term
460 of the charter, but only according to the provisions set forth
461 in subsection (8).

462 13. The facilities to be used and their location. The
463 sponsor may not require a charter school to have a certificate
464 of occupancy or a temporary certificate of occupancy for such a
465 facility earlier than 15 calendar days before the first day of
466 school.

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

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

473 16. A timetable for implementing the charter which
474 addresses the implementation of each element thereof and the
475 date by which the charter shall be awarded in order to meet this

476 timetable.

477 17. In the case of an existing public school that is being
478 converted to charter status, alternative arrangements for
479 current students who choose not to attend the charter school and
480 for current teachers who choose not to teach in the charter
481 school after conversion in accordance with the existing
482 collective bargaining agreement or district school board rule in
483 the absence of a collective bargaining agreement. However,
484 alternative arrangements shall not be required for current
485 teachers who choose not to teach in a charter lab school, except
486 as authorized by the employment policies of the state university
487 which grants the charter to the lab school.

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

500 19. Implementation of the activities authorized under s.

501 1002.331 by the charter school when it satisfies the eligibility
502 requirements for a high-performing charter school. A high-
503 performing charter school shall notify its sponsor in writing by
504 March 1 if it intends to increase enrollment or expand grade
505 levels the following school year. The written notice shall
506 specify the amount of the enrollment increase and the grade
507 levels that will be added, as applicable.

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

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

519 (d) When a charter is not renewed or is terminated, the
520 school shall be dissolved under the provisions of law under
521 which the school was organized, and any unencumbered public
522 funds, except for capital outlay funds and federal charter
523 school program grant funds, from the charter school shall revert
524 to the sponsor. Capital outlay funds provided pursuant to s.
525 1013.62 and federal charter school program grant funds that are

526 unencumbered shall revert to the department to be redistributed
527 among eligible charter schools. In the event a charter school is
528 dissolved or is otherwise terminated, all sponsor ~~district~~
529 ~~school board~~ property and improvements, furnishings, and
530 equipment purchased with public funds shall automatically revert
531 to full ownership by the sponsor ~~district school board~~, subject
532 to complete satisfaction of any lawful liens or encumbrances.
533 Any unencumbered public funds from the charter school, ~~district~~
534 ~~school board~~ property and improvements, furnishings, and
535 equipment purchased with public funds, or financial or other
536 records pertaining to the charter school, in the possession of
537 any person, entity, or holding company, other than the charter
538 school, shall be held in trust upon the sponsor's ~~district~~
539 ~~school board's~~ request, until any appeal status is resolved.

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

548 (9) CHARTER SCHOOL REQUIREMENTS.—

549 (g)1. In order to provide financial information that is
550 comparable to that reported for other public schools, charter

551 schools are to maintain all financial records that constitute
552 their accounting system:

553 a. In accordance with the accounts and codes prescribed in
554 the most recent issuance of the publication titled "Financial
555 and Program Cost Accounting and Reporting for Florida Schools";
556 or

557 b. At the discretion of the charter school's governing
558 board, a charter school may elect to follow generally accepted
559 accounting standards for not-for-profit organizations, but must
560 reformat this information for reporting according to this
561 paragraph.

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

570 3. A charter school shall, upon approval of the charter
571 contract, provide the sponsor with a concise, uniform, monthly
572 financial statement summary sheet that contains a balance sheet
573 and a statement of revenue, expenditures, and changes in fund
574 balance. The balance sheet and the statement of revenue,
575 expenditures, and changes in fund balance shall be in the

576 governmental funds format prescribed by the Governmental
577 Accounting Standards Board. A high-performing charter school
578 pursuant to s. 1002.331 may provide a quarterly financial
579 statement in the same format and requirements as the uniform
580 monthly financial statement summary sheet. The sponsor shall
581 review each monthly or quarterly financial statement to identify
582 the existence of any conditions identified in s. 1002.345(1)(a).

583 4. A charter school shall maintain and provide financial
584 information as required in this paragraph. The financial
585 statement required in subparagraph 3. must be in a form
586 prescribed by the Department of Education.

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

599 2.a. If a charter school earns three consecutive grades
600 below a "C," the charter school governing board shall choose one

601 of the following corrective actions:

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

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

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

609 (IV) Voluntarily close the charter school.

610 b. The charter school must implement the corrective action
611 in the school year following receipt of a third consecutive
612 grade below a "C."

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

620 d. A charter school is no longer required to implement a
621 corrective action if it improves to a "C" or higher. However,
622 the charter school must continue to implement strategies
623 identified in the school improvement plan. The sponsor must
624 annually review implementation of the school improvement plan to
625 monitor the school's continued improvement pursuant to

626 | subparagraph 4.

627 | e. A charter school implementing a corrective action that
 628 | does not improve to a "C" or higher after 2 full school years of
 629 | implementing the corrective action must select a different
 630 | corrective action. Implementation of the new corrective action
 631 | must begin in the school year following the implementation
 632 | period of the existing corrective action, unless the sponsor
 633 | determines that the charter school is likely to improve to a "C"
 634 | or higher if additional time is provided to implement the
 635 | existing corrective action. Notwithstanding this sub-
 636 | subparagraph, a charter school that earns a second consecutive
 637 | grade of "F" while implementing a corrective action is subject
 638 | to subparagraph 3.

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

642 | a. The charter school is established to turn around the
 643 | performance of a district public school pursuant to s.
 644 | 1008.33(4)(b)2. Such charter schools shall be governed by s.
 645 | 1008.33;

646 | b. The charter school serves a student population the
 647 | majority of which resides in a school zone served by a district
 648 | public school subject to s. 1008.33(4) and the charter school
 649 | earns at least a grade of "D" in its third year of operation.
 650 | The exception provided under this sub-subparagraph does not

651 apply to a charter school in its fourth year of operation and
652 thereafter; or

653 c. The state board grants the charter school a waiver of
654 termination. The charter school must request the waiver within
655 15 days after the department's official release of school
656 grades. The state board may waive termination if the charter
657 school demonstrates that the Learning Gains of its students on
658 statewide assessments are comparable to or better than the
659 Learning Gains of similarly situated students enrolled in nearby
660 ~~district~~ public schools. The waiver is valid for 1 year and may
661 only be granted once. Charter schools that have been in
662 operation for more than 5 years are not eligible for a waiver
663 under this sub-subparagraph.

664

665 The sponsor shall notify the charter school's governing board,
666 the charter school principal, and the department in writing when
667 a charter contract is terminated under this subparagraph. A
668 charter terminated under this subparagraph must follow the
669 procedures for dissolution and reversion of public funds
670 pursuant to paragraphs (8) (d)-(f) and (9) (o).

671 4. The director and a representative of the governing
672 board of a graded charter school that has implemented a school
673 improvement plan under this paragraph shall appear before the
674 sponsor at least once a year to present information regarding
675 the progress of intervention and support strategies implemented

676 by the school pursuant to the school improvement plan and
677 corrective actions, if applicable. The sponsor shall communicate
678 at the meeting, and in writing to the director, the services
679 provided to the school to help the school address its
680 deficiencies.

681 5. Notwithstanding any provision of this paragraph except
682 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter
683 at any time pursuant to subsection (8).

684 (10) ELIGIBLE STUDENTS.—

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

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

688 2. Students considered at risk of dropping out of school
689 or academic failure. Such students shall include exceptional
690 education students.

691 3. Students enrolling in a charter school-in-the-workplace
692 or charter school-in-a-municipality established pursuant to
693 subsection (15).

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

701 ~~the same school district.~~

702 5. Students who meet reasonable academic, artistic, or
703 other eligibility standards established by the charter school
704 and included in the charter school application and charter or,
705 in the case of existing charter schools, standards that are
706 consistent with the school's mission and purpose. Such standards
707 shall be in accordance with current state law and practice in
708 public schools and may not discriminate against otherwise
709 qualified individuals.

710 6. Students articulating from one charter school to
711 another pursuant to an articulation agreement between the
712 charter schools that has been approved by the sponsor.

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

724 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
725 INDEMNIFICATION OF THE STATE AND SPONSOR ~~SCHOOL DISTRICT~~; CREDIT

726 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into
727 to borrow or otherwise secure funds for a charter school
728 authorized in this section from a source other than the state or
729 a sponsor ~~school district~~ shall indemnify the state and the
730 sponsor ~~school district~~ from any and all liability, including,
731 but not limited to, financial responsibility for the payment of
732 the principal or interest. Any loans, bonds, or other financial
733 agreements are not obligations of the state or the sponsor
734 ~~school district~~ but are obligations of the charter school
735 authority and are payable solely from the sources of funds
736 pledged by such agreement. The credit or taxing power of the
737 state or the sponsor ~~school district~~ shall not be pledged and no
738 debts shall be payable out of any moneys except those of the
739 legal entity in possession of a valid charter approved by a
740 sponsor ~~district school board~~ pursuant to this section.

741 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
742 A-MUNICIPALITY.—

743 (c) A charter school-in-a-municipality designation may be
744 granted to a municipality that possesses a charter; enrolls
745 students based upon a random lottery that involves all of the
746 children of the residents of that municipality who are seeking
747 enrollment, as provided for in subsection (10); and enrolls
748 students according to the racial/ethnic balance provisions
749 described in subparagraph (7)(a)8. When a municipality has
750 submitted charter applications for the establishment of a

751 charter school feeder pattern, consisting of elementary, middle,
752 and senior high schools, and each individual charter application
753 is approved by the sponsor ~~district school board~~, such schools
754 shall then be designated as one charter school for all purposes
755 listed pursuant to this section. Any portion of the land and
756 facility used for a public charter school shall be exempt from
757 ad valorem taxes, as provided for in s. 1013.54, for the
758 duration of its use as a public school.

759 (17) FUNDING.—Students enrolled in a charter school,
760 regardless of the sponsorship, shall be funded as if they are in
761 a basic program or a special program, the same as students
762 enrolled in other public schools in a ~~the~~ school district.
763 Funding for a charter lab school shall be as provided in s.
764 1002.32.

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

775 (b) 1. The basis for the agreement for funding students

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

801 shall be used in accordance with s. 1011.62, and any
802 unrestricted capital assets shall be used in accordance with s.
803 1013.62(2).

804 2.a. Students enrolled in a charter school sponsored by a
805 state university or Florida College System institution pursuant
806 to paragraph (5)(a) shall be funded as if they are in a basic
807 program or a special program in the school district. The basis
808 for funding these students is the sum of the total operating
809 funds from the Florida Education Finance Program for the school
810 district in which the school is located as provided in s.
811 1011.62 and the General Appropriations Act, including gross
812 state and local funds, discretionary lottery funds, and funds
813 from each school district's current operating discretionary
814 millage levy; divided by total funded weighted full-time
815 equivalent students in the district; and multiplied by the full-
816 time equivalent membership of the charter school. The Department
817 of Education shall develop a tool that each state university or
818 Florida College System institution sponsoring a charter school
819 shall use for purposes of calculating the funding amount for
820 each eligible charter school student. The total amount obtained
821 from the calculation must be appropriated from state funds in
822 the General Appropriations Act to the charter school.

823 b. Capital outlay funding for a charter school sponsored
824 by a state university or Florida College System institution
825 pursuant to paragraph (5)(a) is determined pursuant to s.

826 | 1013.62 and the General Appropriations Act.

827 | (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
828 | schools shall receive all federal funding for which the school
829 | is otherwise eligible, including Title I funding, not later than
830 | 5 months after the charter school first opens and within 5
831 | months after any subsequent expansion of enrollment. Unless
832 | otherwise mutually agreed to by the charter school and its
833 | sponsor, and consistent with state and federal rules and
834 | regulations governing the use and disbursement of federal funds,
835 | the sponsor shall reimburse the charter school on a monthly
836 | basis for all invoices submitted by the charter school for
837 | federal funds available to the sponsor for the benefit of the
838 | charter school, the charter school's students, and the charter
839 | school's students as public school students in the school
840 | district. Such federal funds include, but are not limited to,
841 | Title I, Title II, and Individuals with Disabilities Education
842 | Act (IDEA) funds. To receive timely reimbursement for an
843 | invoice, the charter school must submit the invoice to the
844 | sponsor at least 30 days before the monthly date of
845 | reimbursement set by the sponsor. In order to be reimbursed, any
846 | expenditures made by the charter school must comply with all
847 | applicable state rules and federal regulations, including, but
848 | not limited to, the applicable federal Office of Management and
849 | Budget Circulars; the federal Education Department General
850 | Administrative Regulations; and program-specific statutes,

851 rules, and regulations. Such funds may not be made available to
852 the charter school until a plan is submitted to the sponsor for
853 approval of the use of the funds in accordance with applicable
854 federal requirements. The sponsor has 30 days to review and
855 approve any plan submitted pursuant to this paragraph.

856 (d) Charter schools shall be included by the Department of
857 Education and the district school board in requests for federal
858 stimulus funds in the same manner as district school board-
859 operated public schools, including Title I and IDEA funds and
860 shall be entitled to receive such funds. Charter schools are
861 eligible to participate in federal competitive grants that are
862 available as part of the federal stimulus funds.

863 (e) Sponsors ~~District school boards~~ shall make timely and
864 efficient payment and reimbursement to charter schools,
865 including processing paperwork required to access special state
866 and federal funding for which they may be eligible. Payments of
867 funds under paragraph (b) shall be made monthly or twice a
868 month, beginning with the start of the sponsor's ~~district school~~
869 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
870 twenty-fourth, as applicable, of the total state and local funds
871 described in paragraph (b) and adjusted as set forth therein.
872 For the first 2 years of a charter school's operation, if a
873 minimum of 75 percent of the projected enrollment is entered
874 into the sponsor's student information system by the first day
875 of the current month, the sponsor ~~district school board~~ shall

876 distribute funds to the school for the months of July through
877 October based on the projected full-time equivalent student
878 membership of the charter school as submitted in the approved
879 application. If less than 75 percent of the projected enrollment
880 is entered into the sponsor's student information system by the
881 first day of the current month, the sponsor shall base payments
882 on the actual number of student enrollment entered into the
883 sponsor's student information system. Thereafter, the results of
884 full-time equivalent student membership surveys shall be used in
885 adjusting the amount of funds distributed monthly to the charter
886 school for the remainder of the fiscal year. The payments shall
887 be issued no later than 10 working days after the sponsor
888 ~~district school board~~ receives a distribution of state or
889 federal funds or the date the payment is due pursuant to this
890 subsection. If a warrant for payment is not issued within 10
891 working days after receipt of funding by the sponsor ~~district~~
892 ~~school board~~, the sponsor ~~school district~~ shall pay to the
893 charter school, in addition to the amount of the scheduled
894 disbursement, interest at a rate of 1 percent per month
895 calculated on a daily basis on the unpaid balance from the
896 expiration of the 10 working days until such time as the warrant
897 is issued. The district school board may not delay payment to a
898 charter school of any portion of the funds provided in paragraph
899 (b) based on the timing of receipt of local funds by the
900 district school board.

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

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

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

909 (18) FACILITIES.—

910 (e) If a district school board facility or property is
911 available because it is surplus, marked for disposal, or
912 otherwise unused, it shall be provided for a charter school's
913 use on the same basis as it is made available to other public
914 schools in the district. A charter school receiving property
915 from the sponsor ~~school district~~ may not sell or dispose of such
916 property without written permission of the sponsor ~~school~~
917 ~~district~~. Similarly, for an existing public school converting to
918 charter status, no rental or leasing fee for the existing
919 facility or for the property normally inventoried to the
920 conversion school may be charged by the district school board to
921 the parents and teachers organizing the charter school. The
922 charter school shall agree to reasonable maintenance provisions
923 in order to maintain the facility in a manner similar to
924 district school board standards. The Public Education Capital
925 Outlay maintenance funds or any other maintenance funds

926 | generated by the facility operated as a conversion school shall
 927 | remain with the conversion school.

928 | (20) SERVICES.—

929 | (a)1. A sponsor shall provide certain administrative and
 930 | educational services to charter schools. These services shall
 931 | include contract management services; full-time equivalent and
 932 | data reporting services; exceptional student education
 933 | administration services; services related to eligibility and
 934 | reporting duties required to ensure that school lunch services
 935 | under the National School Lunch Program, consistent with the
 936 | needs of the charter school, are provided by the sponsor ~~school~~
 937 | ~~district~~ at the request of the charter school, that any funds
 938 | due to the charter school under the National School Lunch
 939 | Program be paid to the charter school as soon as the charter
 940 | school begins serving food under the National School Lunch
 941 | Program, and that the charter school is paid at the same time
 942 | and in the same manner under the National School Lunch Program
 943 | as other public schools serviced by the sponsor or the school
 944 | district; test administration services, including payment of the
 945 | costs of state-required or district-required student
 946 | assessments; processing of teacher certificate data services;
 947 | and information services, including equal access to the
 948 | sponsor's student information systems that are used by public
 949 | schools in the district in which the charter school is located
 950 | or by schools in the sponsor's portfolio of charter schools if

951 the sponsor is not a school district. Student performance data
952 for each student in a charter school, including, but not limited
953 to, FCAT scores, standardized test scores, previous public
954 school student report cards, and student performance measures,
955 shall be provided by the sponsor to a charter school in the same
956 manner provided to other public schools in the district or by
957 schools in the sponsor's portfolio of charter schools if the
958 sponsor is not a school district.

959 2. A sponsor may withhold an administrative fee for the
960 provision of such services which shall be a percentage of the
961 available funds defined in paragraph (17)(b) calculated based on
962 weighted full-time equivalent students. If the charter school
963 serves 75 percent or more exceptional education students as
964 defined in s. 1003.01(3), the percentage shall be calculated
965 based on unweighted full-time equivalent students. The
966 administrative fee shall be calculated as follows:

967 a. Up to 5 percent for:

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

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

972 (A) Includes conversion charter schools and nonconversion
973 charter schools.

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

975 (C) Has a total enrollment exceeding the total enrollment

976 | of at least one school district in the state.

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

978 | (E) Does not contract with a for-profit service provider
979 | for management of school operations.

980 | (III) Enrollment of up to and including 250 students in a
981 | virtual charter school.

982 | b. Up to 2 percent for enrollment of up to and including
983 | 250 students in a high-performing charter school as defined in
984 | s. 1002.331.

985 | 3. A sponsor may not charge charter schools any additional
986 | fees or surcharges for administrative and educational services
987 | in addition to the maximum percentage of administrative fees
988 | withheld pursuant to this paragraph.

989 | 4. A sponsor shall provide to the department by September
990 | 15 of each year the total amount of funding withheld from
991 | charter schools pursuant to this subsection for the prior fiscal
992 | year. The department must include the information in the report
993 | required under sub-sub-subparagraph (5) (b)1.k. (III).

994 | (b) If goods and services are made available to the
995 | charter school through the contract with the sponsor ~~school~~
996 | ~~district~~, they shall be provided to the charter school at a rate
997 | no greater than the sponsor's ~~district's~~ actual cost unless
998 | mutually agreed upon by the charter school and the sponsor in a
999 | contract negotiated separately from the charter. When mediation
1000 | has failed to resolve disputes over contracted services or

1001 contractual matters not included in the charter, an appeal may
1002 be made to an administrative law judge appointed by the Division
1003 of Administrative Hearings. The administrative law judge has
1004 final order authority to rule on the dispute. The administrative
1005 law judge shall award the prevailing party reasonable attorney
1006 fees and costs incurred during the mediation process,
1007 administrative proceeding, and any appeals, to be paid by the
1008 party whom the administrative law judge rules against. To
1009 maximize the use of state funds, sponsors ~~school districts~~ shall
1010 allow charter schools to participate in the sponsor's bulk
1011 purchasing program if applicable.

1012 (c) Transportation of charter school students shall be
1013 provided by the charter school consistent with the requirements
1014 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
1015 body of the charter school may provide transportation through an
1016 agreement or contract with the sponsor ~~district school board~~, a
1017 private provider, or parents. The charter school and the sponsor
1018 shall cooperate in making arrangements that ensure that
1019 transportation is not a barrier to equal access for all students
1020 residing within a reasonable distance of the charter school as
1021 determined in its charter.

1022 (d) Each charter school shall annually complete and submit
1023 a survey, provided in a format specified by the Department of
1024 Education, to rate the timeliness and quality of services
1025 provided by the sponsor ~~district~~ in accordance with this

1026 section. The department shall compile the results, by sponsor
 1027 ~~district~~, and include the results in the report required under
 1028 sub-sub-subparagraph (5) (b)1.k.(III).

1029 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1030 (a) The Department of Education shall provide information
 1031 to the public, directly and through sponsors, on how to form and
 1032 operate a charter school and how to enroll in a charter school
 1033 once it is created. This information shall include the standard
 1034 application form, standard charter contract, standard evaluation
 1035 instrument, and standard charter renewal contract, which shall
 1036 include the information specified in subsection (7) and shall be
 1037 developed by consulting and negotiating with both sponsors
 1038 ~~school districts~~ and charter schools before implementation. The
 1039 charter and charter renewal contracts shall be used by charter
 1040 school sponsors.

1041 (b)1. The Department of Education shall report to each
 1042 charter school receiving a school grade pursuant to s. 1008.34
 1043 or a school improvement rating pursuant to s. 1008.341 the
 1044 school's student assessment data.

1045 2. The charter school shall report the information in
 1046 subparagraph 1. to each parent of a student at the charter
 1047 school, the parent of a child on a waiting list for the charter
 1048 school, the sponsor district ~~in which the charter school is~~
 1049 ~~located~~, and the governing board of the charter school. This
 1050 paragraph does not abrogate the provisions of s. 1002.22,

1051 relating to student records, or the requirements of 20 U.S.C. s.
 1052 1232g, the Family Educational Rights and Privacy Act.

1053 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 1054 SCHOOL SYSTEMS.—

1055 (a) A charter school system's governing board shall be
 1056 designated a local educational agency for the purpose of
 1057 receiving federal funds, the same as though the charter school
 1058 system were a school district, if the governing board of the
 1059 charter school system has adopted and filed a resolution with
 1060 its sponsor ~~sponsoring district school board~~ and the Department
 1061 of Education in which the governing board of the charter school
 1062 system accepts the full responsibility for all local education
 1063 agency requirements and the charter school system meets all of
 1064 the following:

- 1065 1. Has all schools located in the same county;
- 1066 2. Has a total enrollment exceeding the total enrollment
 1067 of at least one school district in the state; and
- 1068 3. Has the same governing board.

1069
 1070 Such designation does not apply to other provisions unless
 1071 specifically provided in law.

1072 (28) RULEMAKING.—The Department of Education, after
 1073 consultation with sponsors ~~school districts~~ and charter school
 1074 directors, shall recommend that the State Board of Education
 1075 adopt rules to implement specific subsections of this section.

1076 Such rules shall require minimum paperwork and shall not limit
1077 charter school flexibility authorized by statute. The State
1078 Board of Education shall adopt rules, pursuant to ss. 120.536(1)
1079 and 120.54, to implement a standard charter application form,
1080 standard application form for the replication of charter schools
1081 in a high-performing charter school system, standard evaluation
1082 instrument, and standard charter and charter renewal contracts
1083 in accordance with this section.

1084 Section 2. Paragraph (a) of subsection (1) of section
1085 1003.493, Florida Statutes, is amended to read:

1086 1003.493 Career and professional academies and career-
1087 themed courses.—

1088 (1) (a) A "career and professional academy" is a research-
1089 based program that integrates a rigorous academic curriculum
1090 with an industry-specific curriculum aligned directly to
1091 priority workforce needs established by the local workforce
1092 development board or the Department of Economic Opportunity.
1093 Career and professional academies shall be offered by public
1094 schools and school districts. Career and professional academies
1095 may be offered by charter schools. The Florida Virtual School is
1096 encouraged to develop and offer rigorous career and professional
1097 courses as appropriate. Students completing career and
1098 professional academy programs must receive a standard high
1099 school diploma, the highest available industry certification,
1100 and opportunities to earn postsecondary credit if the academy

CS/HB 1197

2019

1101 | partners with a postsecondary institution approved to operate in
1102 | the state.

1103 | Section 3. This act shall take effect July 1, 2019.