The Committee on Appropriations (Lee) recommended the following:

**Senate Amendment to Amendment (782410) (with title amendment)**

Between lines 201 and 202
insert:

Section 4. Paragraph (a) of subsection (7) of section 1002.33, Florida Statutes, is amended to read 1002.33 Charter schools.—

(7) CHARTER.—The terms and conditions for the operation of a charter school shall be set forth by the sponsor and the applicant in a written contractual agreement, called a charter.
The sponsor and the governing board of the charter school shall use the standard charter contract pursuant to subsection (21), which shall incorporate the approved application and any addenda approved with the application. Any term or condition of a proposed charter contract that differs from the standard charter contract adopted by rule of the State Board of Education shall be presumed a limitation on charter school flexibility. The sponsor may not impose unreasonable rules or regulations that violate the intent of giving charter schools greater flexibility to meet educational goals. The charter shall be signed by the governing board of the charter school and the sponsor, following a public hearing to ensure community input.

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

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

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

   a. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Next Generation Sunshine State Standards and grounded in scientifically based reading
b. In order to provide students with access to diverse instructional delivery models, to facilitate the integration of technology within traditional classroom instruction, and to provide students with the skills they need to compete in the 21st century economy, the Legislature encourages instructional methods for blended learning courses consisting of both traditional classroom and online instructional techniques. Charter schools may implement blended learning courses which combine traditional classroom instruction and virtual instruction. Students in a blended learning course must be full-time students of the charter school pursuant to s. 1011.61(1)(a)1. Instructional personnel certified pursuant to s. 1012.55 who provide virtual instruction for blended learning courses may be employees of the charter school or may be under contract to provide instructional services to charter school students. At a minimum, such instructional personnel must hold an active state or school district adjunct certification under s. 1012.57 for the subject area of the blended learning course. The funding and performance accountability requirements for blended learning courses are the same as those for traditional courses.

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

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

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

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

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

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

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

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

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

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

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

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

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

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been
128 made in attaining the student achievement objectives of the
129 charter and if it is not likely that such objectives can be
130 achieved before expiration of the charter. The initial term of a
131 charter shall be for 5 years, excluding 2 planning years. In
132 order to facilitate access to long-term financial resources for
133 charter school construction, charter schools that are operated
134 by a municipality or other public entity as provided by law are
135 eligible for up to a 15-year charter, subject to approval by the
136 district school board. A charter lab school is eligible for a
137 charter for a term of up to 15 years. In addition, to facilitate
138 access to long-term financial resources for charter school
139 construction, charter schools that are operated by a private,
140 not-for-profit, s. 501(c)(3) status corporation are eligible for
141 up to a 15-year charter, subject to approval by the district
142 school board. Such long-term charters remain subject to annual
143 review and may be terminated during the term of the charter, but
144 only according to the provisions set forth in subsection (8).
145
146 13. The facilities to be used and their location. The
147 applicant must identify the specific location for the proposed
148 charter school to ensure that the proposed charter school
149 locates in reasonable proximity to the student population
150 identified within the charter school application. The sponsor
151 may not require a charter school to have a certificate of
152 occupancy or a temporary certificate of occupancy for such a
153 facility earlier than 15 calendar days before the first day of
154 school.
155
156 14. The qualifications to be required of the teachers and
157 the potential strategies used to recruit, hire, train, and
158 retain qualified staff to achieve best value.
15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

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

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

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

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

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

And the title is amended as follows:

Delete line 2181

and insert:

private educational choice options; amending s. 1002.33, F.S.; authorizing school districts to condition approval of a charter upon certain criteria; amending s.