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
research.

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
99 racial/ethnic balance reflective of the community it serves or
100 within the racial/ethnic range of other public schools in the
101 same school district.

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

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

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

12. The term of the charter which shall provide for
123 cancellation of the charter if insufficient progress has been
128 made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 5 years, excluding 2 planning years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location. The applicant must identify a specific school zone within the district for the proposed charter school to ensure that the proposed charter school locates in reasonable proximity to the student population identified within the charter school application. The sponsor may not require a charter school to have a certificate of occupancy or a temporary certificate of occupancy for such a facility earlier than 15 calendar days before the first day of school.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and 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.

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.

---------------- 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.