

By Senator Diaz

36-01751-19

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1                   A bill to be entitled  
2           An act relating to high-performing charter schools;  
3           amending s. 1002.331, F.S.; revising requirements for  
4           a high-performing charter school; revising the  
5           facility capacity measurement used when a high-  
6           performing charter school increases its student  
7           enrollment; revising the number of charter schools  
8           that a high-performing charter school may establish in  
9           any year from two to one; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Subsection (1), paragraph (a) of subsection (2),  
14           and paragraph (b) of subsection (3) of section 1002.331, Florida  
15           Statutes, are amended to read:

16           1002.331 High-performing charter schools.—

17           (1) A charter school is a high-performing charter school if  
18           it:

19           (a) Received at least two school grades of "A" and no  
20           school grade below "B," pursuant to s. 1008.34, during each of  
21           the previous 3 school years or, for charter schools that receive  
22           a school improvement rating under s. 1008.341, at least two  
23           school improvement ratings of "commendable" and no school  
24           improvement rating below "maintaining" or received at least two  
25           ~~consecutive school grades of "A" in the most recent 2 school~~  
26           ~~years.~~

27           (b) Received an unqualified opinion on each annual  
28           financial audit required under s. 218.39 in the most recent 3  
29           fiscal years for which such audits are available.

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30 (c) Did not receive a financial audit that revealed one or  
31 more of the financial emergency conditions set forth in s.  
32 218.503(1) in the most recent 3 fiscal years for which such  
33 audits are available. However, this requirement is deemed met  
34 for a charter school-in-the-workplace if there is a finding in  
35 an audit that the school has the monetary resources available to  
36 cover any reported deficiency or that the deficiency does not  
37 result in a deteriorating financial condition pursuant to s.  
38 1002.345(1)(a)3.

39  
40 ~~For purposes of determining initial eligibility, the~~  
41 ~~requirements of paragraphs (b) and (c) only apply for the most~~  
42 ~~recent 2 fiscal years if the charter school earns two~~  
43 ~~consecutive grades of "A."~~ A virtual charter school established  
44 under s. 1002.33 is not eligible for designation as a high-  
45 performing charter school.

46 (2) A high-performing charter school is authorized to:

47 (a) Increase its student enrollment once per school year to  
48 more than the capacity identified in the charter, but student  
49 enrollment may not exceed the current facility capacity ~~of the~~  
50 ~~facility at the time the enrollment increase will take effect.~~  
51 Facility capacity for purposes of grade level expansion shall  
52 include any improvements to an existing facility or any new  
53 facility in which a majority of the students of the high-  
54 performing charter school will enroll.

55  
56 A high-performing charter school shall notify its sponsor in  
57 writing by March 1 if it intends to increase enrollment or  
58 expand grade levels the following school year. The written

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59 notice shall specify the amount of the enrollment increase and  
60 the grade levels that will be added, as applicable. If a charter  
61 school notifies the sponsor of its intent to expand, the sponsor  
62 shall modify the charter within 90 days to include the new  
63 enrollment maximum and may not make any other changes. The  
64 sponsor may deny a request to increase the enrollment of a high-  
65 performing charter school if the commissioner has declassified  
66 the charter school as high-performing. If a high-performing  
67 charter school requests to consolidate multiple charters, the  
68 sponsor shall have 40 days after receipt of that request to  
69 provide an initial draft charter to the charter school. The  
70 sponsor and charter school shall have 50 days thereafter to  
71 negotiate and notice the charter contract for final approval by  
72 the sponsor.

73 (3)

74 (b) A high-performing charter school may not establish more  
75 than one charter school ~~two charter schools~~ within the state  
76 under paragraph (a) in any year. A subsequent application to  
77 establish a charter school under paragraph (a) may not be  
78 submitted unless each charter school established in this manner  
79 achieves high-performing charter school status. However, a high-  
80 performing charter school may establish more than one charter  
81 school within the state under paragraph (a) in any year if it  
82 operates in the area of a persistently low-performing school and  
83 serves students from that school.

84 Section 2. This act shall take effect July 1, 2019.