

By the Committee on Education; and Senator Diaz

581-03256-19

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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" during each of the
25 previous 3 school years ~~or received at least two consecutive~~
26 ~~school grades of "A" in the most recent 2 school 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.