

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 solicit  
5           applications for and sponsor charter schools under  
6           certain circumstances; authorizing a state university  
7           or Florida College System institution to, at its  
8           discretion, deny an application for a charter school;  
9           revising the contents of an annual report that charter  
10          school sponsors must provide to the Department of  
11          Education; revising the date by which the department  
12          must post a specified annual report; revising  
13          provisions relating to Florida College System  
14          institutions that are operating charter schools;  
15          requiring the board of trustees of a state university  
16          or Florida College System institution that is  
17          sponsoring a charter school to serve as the local  
18          educational agency for such school; prohibiting  
19          certain charter school students from being included in  
20          specified school district grade calculations;  
21          requiring the department to develop a sponsor  
22          evaluation framework; providing requirements for the  
23          framework; deleting obsolete language; revising the  
24          student populations for which a charter school is  
25          authorized to limit the enrollment process; providing

26 a calculation for the operational funding for a  
27 charter school sponsored by a state university or  
28 Florida College System institution; requiring the  
29 department to develop a tool for state universities  
30 and Florida College System institutions for specified  
31 purposes relating to certain funding calculations;  
32 providing that such funding must be appropriated to  
33 the charter school; providing for capital outlay  
34 funding for such schools; conforming provisions to  
35 changes made by the act; amending s. 1003.493, F.S.;  
36 authorizing a career and professional academy to be  
37 offered by a charter school; providing an effective  
38 date.

39  
40 Be It Enacted by the Legislature of the State of Florida:

41  
42 Section 1. Paragraph (c) of subsection (2), subsection  
43 (5), paragraph (b) of subsection (6), paragraphs (a) and (d) of  
44 subsection (7), paragraphs (d) and (e) of subsection (8),  
45 paragraphs (g) and (n) of subsection (9), paragraph (e) of  
46 subsection (10), subsection (14), paragraph (c) of subsection  
47 (15), subsection (17), paragraph (e) of subsection (18),  
48 subsections (20) and (21), paragraph (a) of subsection (25), and  
49 subsection (28) of section 1002.33, Florida Statutes, are  
50 amended to read:

51 1002.33 Charter schools.—  
 52 (2) GUIDING PRINCIPLES; PURPOSE.—  
 53 (c) Charter schools may fulfill the following purposes:  
 54 1. Create innovative measurement tools.  
 55 2. Provide rigorous competition within the public school  
 56 system ~~district~~ to stimulate continual improvement in all public  
 57 schools.  
 58 3. Expand the capacity of the public school system.  
 59 4. Mitigate the educational impact created by the  
 60 development of new residential dwelling units.  
 61 5. Create new professional opportunities for teachers,  
 62 including ownership of the learning program at the school site.  
 63 (5) SPONSOR; DUTIES.—  
 64 (a) Sponsoring entities.—  
 65 1. A district school board may sponsor a charter school in  
 66 the county over which the district school board has  
 67 jurisdiction.  
 68 2. A state university may grant a charter to a lab school  
 69 created under s. 1002.32 and shall be considered to be the  
 70 school's sponsor. Such school shall be considered a charter lab  
 71 school.  
 72 3. Because needs relating to educational capacity,  
 73 workforce qualifications, and career education opportunities are  
 74 constantly changing and extend beyond school district  
 75 boundaries:

76 a. A state university may, upon approval by the Department  
 77 of Education, solicit applications and sponsor a charter school  
 78 to meet regional education or workforce demands by serving  
 79 students from multiple school districts.

80 b. A Florida College System institution may, upon approval  
 81 by the Department of Education, solicit applications and sponsor  
 82 a charter school in any county within its service area to meet  
 83 workforce demands and may offer postsecondary programs leading  
 84 to industry certifications to eligible charter school students.  
 85 A charter school established under subparagraph (b)4. may not be  
 86 sponsored by a Florida College System institution until its  
 87 existing charter with the school district expires as provided  
 88 under subsection (7).

89 c. Notwithstanding subsection (6) (b), a state university  
 90 or Florida College System institution may, at its discretion,  
 91 deny an application for a charter school.

92 (b) Sponsor duties.—

93 1.a. The sponsor shall monitor and review the charter  
 94 school in its progress toward the goals established in the  
 95 charter.

96 b. The sponsor shall monitor the revenues and expenditures  
 97 of the charter school and perform the duties provided in s.  
 98 1002.345.

99 c. The sponsor may approve a charter for a charter school  
 100 before the applicant has identified space, equipment, or

101 personnel, if the applicant indicates approval is necessary for  
102 it to raise working funds.

103 d. The sponsor shall not apply its policies to a charter  
104 school unless mutually agreed to by both the sponsor and the  
105 charter school. If the sponsor subsequently amends any agreed-  
106 upon sponsor policy, the version of the policy in effect at the  
107 time of the execution of the charter, or any subsequent  
108 modification thereof, shall remain in effect and the sponsor may  
109 not hold the charter school responsible for any provision of a  
110 newly revised policy until the revised policy is mutually agreed  
111 upon.

112 e. The sponsor shall ensure that the charter is innovative  
113 and consistent with the state education goals established by s.  
114 1000.03(5).

115 f. The sponsor shall ensure that the charter school  
116 participates in the state's education accountability system. If  
117 a charter school falls short of performance measures included in  
118 the approved charter, the sponsor shall report such shortcomings  
119 to the Department of Education.

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

124 h. The sponsor shall not be liable for civil damages under  
125 state law for any employment actions taken by an officer,

126 employee, agent, or governing body of the charter school.

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

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

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

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

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

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

141 (B) ~~(C)~~ The date each application was approved, denied, or  
142 withdrawn.

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

144 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~  
145 ~~and each year thereafter,~~ the sponsor shall submit to the  
146 department the information for the applications submitted the  
147 previous year.

148 (III) The department shall compile an annual report, by  
149 sponsor district, and post the report on its website by January  
150 15 ~~November 1~~ of each year.

151           2. Immunity for the sponsor of a charter school under  
152 subparagraph 1. applies only with respect to acts or omissions  
153 not under the sponsor's direct authority as described in this  
154 section.

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

157           4. A Florida College System institution may work with the  
158 school district or school districts in its designated service  
159 area to develop charter schools that offer secondary education.  
160 These charter schools must include an option for students to  
161 receive an associate degree upon high school graduation. If a  
162 Florida College System institution operates an approved teacher  
163 preparation program under s. 1004.04 or s. 1004.85, the  
164 institution may operate ~~no more than one~~ charter schools ~~school~~  
165 that serve ~~serves~~ students in kindergarten through grade 12 in  
166 any school district within the service area of the institution.  
167 ~~In kindergarten through grade 8, the charter school shall~~  
168 ~~implement innovative blended learning instructional models in~~  
169 ~~which, for a given course, a student learns in part through~~  
170 ~~online delivery of content and instruction with some element of~~  
171 ~~student control over time, place, path, or pace and in part at a~~  
172 ~~supervised brick-and-mortar location away from home. A student~~  
173 ~~in a blended learning course must be a full-time student of the~~  
174 ~~charter school and receive the online instruction in a classroom~~  
175 ~~setting at the charter school.~~ District school boards shall

176 cooperate with and assist the Florida College System institution  
177 on the charter application. Florida College System institution  
178 applications for charter schools are not subject to the time  
179 deadlines outlined in subsection (6) and may be approved by the  
180 district school board at any time during the year. Florida  
181 College System institutions may not report FTE for any students  
182 participating under this subparagraph who receive FTE funding  
183 through the Florida Education Finance Program.

184 5. A school district may enter into nonexclusive  
185 interlocal agreements with federal and state agencies, counties,  
186 municipalities, and other governmental entities that operate  
187 within the geographical borders of the school district to act on  
188 behalf of such governmental entities in the inspection,  
189 issuance, and other necessary activities for all necessary  
190 permits, licenses, and other permissions that a charter school  
191 needs in order for development, construction, or operation. A  
192 charter school may use, but may not be required to use, a school  
193 district for these services. The interlocal agreement must  
194 include, but need not be limited to, the identification of fees  
195 that charter schools will be charged for such services. The fees  
196 must consist of the governmental entity's fees plus a fee for  
197 the school district to recover no more than actual costs for  
198 providing such services. These services and fees are not  
199 included within the services to be provided pursuant to  
200 subsection (20).



201       6. The board of trustees of a sponsoring state university  
202 or Florida College System institution under paragraph (a) is the  
203 local educational agency for all charter schools it sponsors for  
204 purposes of receiving federal funds and accepts full  
205 responsibility for all local educational agency requirements and  
206 the schools for which it will perform local educational agency  
207 responsibilities. A student enrolled in a charter school that is  
208 sponsored by a state university or Florida College System  
209 institution may not be included in the calculation of the school  
210 district's grade under s. 1008.34(5) for the school district in  
211 which he or she resides.

212       (c) Sponsor accountability.—

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

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

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

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

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

224       2. The department shall compile the results, by sponsor,  
225 and include the results in the report required under sub-sub-

226 subparagraph (b)1.k.(III).

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

229 (b) A sponsor shall receive and review all applications  
230 for a charter school using the evaluation instrument developed  
231 by the Department of Education. ~~A sponsor shall receive and  
232 consider charter school applications received on or before  
233 August 1 of each calendar year for charter schools to be opened  
234 at the beginning of the school district's next school year, or  
235 to be opened at a time agreed to by the applicant and the  
236 sponsor. A sponsor may not refuse to receive a charter school  
237 application submitted before August 1 and may receive an  
238 application submitted later than August 1 if it chooses.  
239 Beginning in 2018 and thereafter,~~ A sponsor shall receive and  
240 consider charter school applications received on or before  
241 February 1 of each calendar year for charter schools to be  
242 opened 18 months later at the beginning of the ~~school district's~~  
243 school year, or to be opened at a time determined by the  
244 applicant. A sponsor may not refuse to receive a charter school  
245 application submitted before February 1 and may receive an  
246 application submitted later than February 1 if it chooses. A  
247 sponsor may not charge an applicant for a charter any fee for  
248 the processing or consideration of an application, and a sponsor  
249 may not base its consideration or approval of a final  
250 application upon the promise of future payment of any kind.

251 Before approving or denying any application, the sponsor shall  
252 allow the applicant, upon receipt of written notification, at  
253 least 7 calendar days to make technical or nonsubstantive  
254 corrections and clarifications, including, but not limited to,  
255 corrections of grammatical, typographical, and like errors or  
256 missing signatures, if such errors are identified by the sponsor  
257 as cause to deny the final application.

258 1. In order to facilitate an accurate budget projection  
259 process, a sponsor shall be held harmless for FTE students who  
260 are not included in the FTE projection due to approval of  
261 charter school applications after the FTE projection deadline.  
262 In a further effort to facilitate an accurate budget projection,  
263 within 15 calendar days after receipt of a charter school  
264 application, a sponsor shall report to the Department of  
265 Education the name of the applicant entity, the proposed charter  
266 school location, and its projected FTE.

267 2. In order to ensure fiscal responsibility, an  
268 application for a charter school shall include a full accounting  
269 of expected assets, a projection of expected sources and amounts  
270 of income, including income derived from projected student  
271 enrollments and from community support, and an expense  
272 projection that includes full accounting of the costs of  
273 operation, including start-up costs.

274 3.a. A sponsor shall by a majority vote approve or deny an  
275 application no later than 90 calendar days after the application

276 is received, unless the sponsor and the applicant mutually agree  
277 in writing to temporarily postpone the vote to a specific date,  
278 at which time the sponsor shall by a majority vote approve or  
279 deny the application. If the sponsor fails to act on the  
280 application, an applicant may appeal to the State Board of  
281 Education as provided in paragraph (c). If an application is  
282 denied, the sponsor shall, within 10 calendar days after such  
283 denial, articulate in writing the specific reasons, based upon  
284 good cause, supporting its denial of the application and shall  
285 provide the letter of denial and supporting documentation to the  
286 applicant and to the Department of Education.

287 b. An application submitted by a high-performing charter  
288 school identified pursuant to s. 1002.331 or a high-performing  
289 charter school system identified pursuant to s. 1002.332 may be  
290 denied by the sponsor only if the sponsor demonstrates by clear  
291 and convincing evidence that:

292 (I) The application of a high-performing charter school  
293 does not materially comply with the requirements in paragraph  
294 (a) or, for a high-performing charter school system, the  
295 application does not materially comply with s. 1002.332(2)(b);

296 (II) The charter school proposed in the application does  
297 not materially comply with the requirements in paragraphs  
298 (9)(a)-(f);

299 (III) The proposed charter school's educational program  
300 does not substantially replicate that of the applicant or one of

301 the applicant's high-performing charter schools;

302 (IV) The applicant has made a material misrepresentation  
 303 or false statement or concealed an essential or material fact  
 304 during the application process; or

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

308

309 Material noncompliance is a failure to follow requirements or a  
 310 violation of prohibitions applicable to charter school  
 311 applications, which failure is quantitatively or qualitatively  
 312 significant either individually or when aggregated with other  
 313 noncompliance. An applicant is considered to be replicating a  
 314 high-performing charter school if the proposed school is  
 315 substantially similar to at least one of the applicant's high-  
 316 performing charter schools and the organization or individuals  
 317 involved in the establishment and operation of the proposed  
 318 school are significantly involved in the operation of replicated  
 319 schools.

320 c. If the sponsor denies an application submitted by a  
 321 high-performing charter school or a high-performing charter  
 322 school system, the sponsor must, within 10 calendar days after  
 323 such denial, state in writing the specific reasons, based upon  
 324 the criteria in sub-subparagraph b., supporting its denial of  
 325 the application and must provide the letter of denial and

326 supporting documentation to the applicant and to the Department  
327 of Education. The applicant may appeal the sponsor's denial of  
328 the application in accordance with paragraph (c).

329 4. For budget projection purposes, the sponsor shall  
330 report to the Department of Education the approval or denial of  
331 an application within 10 calendar days after such approval or  
332 denial. In the event of approval, the report to the Department  
333 of Education shall include the final projected FTE for the  
334 approved charter school.

335 5. ~~Upon approval of an application, the initial startup~~  
336 ~~shall commence with the beginning of the public school calendar~~  
337 ~~for the district in which the charter is granted.~~ A charter  
338 school may defer the opening of the school's operations for up  
339 to 3 years to provide time for adequate facility planning. The  
340 charter school must provide written notice of such intent to the  
341 sponsor and the parents of enrolled students at least 30  
342 calendar days before the first day of school.

343 (7) CHARTER.—The terms and conditions for the operation of  
344 a charter school shall be set forth by the sponsor and the  
345 applicant in a written contractual agreement, called a charter.  
346 The sponsor and the governing board of the charter school shall  
347 use the standard charter contract pursuant to subsection (21),  
348 which shall incorporate the approved application and any addenda  
349 approved with the application. Any term or condition of a  
350 proposed charter contract that differs from the standard charter

351 contract adopted by rule of the State Board of Education shall  
352 be presumed a limitation on charter school flexibility. The  
353 sponsor may not impose unreasonable rules or regulations that  
354 violate the intent of giving charter schools greater flexibility  
355 to meet educational goals. The charter shall be signed by the  
356 governing board of the charter school and the sponsor, following  
357 a public hearing to ensure community input.

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

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

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

369 a. The charter shall ensure that reading is a primary  
370 focus of the curriculum and that resources are provided to  
371 identify and provide specialized instruction for students who  
372 are reading below grade level. The curriculum and instructional  
373 strategies for reading must be consistent with the Next  
374 Generation Sunshine State Standards and grounded in  
375 scientifically based reading research.

376           b. In order to provide students with access to diverse  
377 instructional delivery models, to facilitate the integration of  
378 technology within traditional classroom instruction, and to  
379 provide students with the skills they need to compete in the  
380 21st century economy, the Legislature encourages instructional  
381 methods for blended learning courses consisting of both  
382 traditional classroom and online instructional techniques.  
383 Charter schools may implement blended learning courses which  
384 combine traditional classroom instruction and virtual  
385 instruction. Students in a blended learning course must be full-  
386 time students of the charter school pursuant to s.  
387 1011.61(1)(a)1. Instructional personnel certified pursuant to s.  
388 1012.55 who provide virtual instruction for blended learning  
389 courses may be employees of the charter school or may be under  
390 contract to provide instructional services to charter school  
391 students. At a minimum, such instructional personnel must hold  
392 an active state or school district adjunct certification under  
393 s. 1012.57 for the subject area of the blended learning course.  
394 The funding and performance accountability requirements for  
395 blended learning courses are the same as those for traditional  
396 courses.

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



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

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

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

409

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

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

424 5. In secondary charter schools, a method for determining  
425 that a student has satisfied the requirements for graduation in

426 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

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

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

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

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

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

451 charter school.

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

461 12. The term of the charter which shall provide for  
462 cancellation of the charter if insufficient progress has been  
463 made in attaining the student achievement objectives of the  
464 charter and if it is not likely that such objectives can be  
465 achieved before expiration of the charter. The initial term of a  
466 charter shall be for 5 years, excluding 2 planning years. In  
467 order to facilitate access to long-term financial resources for  
468 charter school construction, charter schools that are operated  
469 by a municipality or other public entity as provided by law are  
470 eligible for up to a 15-year charter, subject to approval by the  
471 sponsor ~~district school board~~. A charter lab school is eligible  
472 for a charter for a term of up to 15 years. In addition, to  
473 facilitate access to long-term financial resources for charter  
474 school construction, charter schools that are operated by a  
475 private, not-for-profit, s. 501(c)(3) status corporation are

476 eligible for up to a 15-year charter, subject to approval by the  
477 sponsor ~~district school board~~. Such long-term charters remain  
478 subject to annual review and may be terminated during the term  
479 of the charter, but only according to the provisions set forth  
480 in subsection (8).

481 13. The facilities to be used and their location. The  
482 sponsor may not require a charter school to have a certificate  
483 of occupancy or a temporary certificate of occupancy for such a  
484 facility earlier than 15 calendar days before the first day of  
485 school.

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

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

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

496 17. In the case of an existing public school that is being  
497 converted to charter status, alternative arrangements for  
498 current students who choose not to attend the charter school and  
499 for current teachers who choose not to teach in the charter  
500 school after conversion in accordance with the existing

501 collective bargaining agreement or district school board rule in  
502 the absence of a collective bargaining agreement. However,  
503 alternative arrangements shall not be required for current  
504 teachers who choose not to teach in a charter lab school, except  
505 as authorized by the employment policies of the state university  
506 which grants the charter to the lab school.

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

519 19. Implementation of the activities authorized under s.  
520 1002.331 by the charter school when it satisfies the eligibility  
521 requirements for a high-performing charter school. A high-  
522 performing charter school shall notify its sponsor in writing by  
523 March 1 if it intends to increase enrollment or expand grade  
524 levels the following school year. The written notice shall  
525 specify the amount of the enrollment increase and the grade

526 | levels that will be added, as applicable.

527 |       (d) A charter may be modified during its initial term or  
528 | any renewal term upon the recommendation of the sponsor or the  
529 | charter school's governing board and the approval of both  
530 | parties to the agreement. Modification during any term may  
531 | include, but is not limited to, consolidation of multiple  
532 | charters into a single charter if the charters are operated  
533 | under the same governing board, regardless of the renewal cycle.  
534 | A charter school that is not subject to a school improvement  
535 | plan and that closes as part of a consolidation shall be  
536 | reported by the sponsor ~~school district~~ as a consolidation.

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

538 |       (d) When a charter is not renewed or is terminated, the  
539 | school shall be dissolved under the provisions of law under  
540 | which the school was organized, and any unencumbered public  
541 | funds, except for capital outlay funds and federal charter  
542 | school program grant funds, from the charter school shall revert  
543 | to the sponsor. Capital outlay funds provided pursuant to s.  
544 | 1013.62 and federal charter school program grant funds that are  
545 | unencumbered shall revert to the department to be redistributed  
546 | among eligible charter schools. In the event a charter school is  
547 | dissolved or is otherwise terminated, all sponsor ~~district~~  
548 | ~~school board~~ property and improvements, furnishings, and  
549 | equipment purchased with public funds shall automatically revert  
550 | to full ownership by the sponsor ~~district school board~~, subject

551 to complete satisfaction of any lawful liens or encumbrances.  
552 Any unencumbered public funds from the charter school, ~~district~~  
553 ~~school board~~ property and improvements, furnishings, and  
554 equipment purchased with public funds, or financial or other  
555 records pertaining to the charter school, in the possession of  
556 any person, entity, or holding company, other than the charter  
557 school, shall be held in trust upon the sponsor's ~~district~~  
558 ~~school board's~~ request, until any appeal status is resolved.

559 (e) If a charter is not renewed or is terminated, the  
560 charter school is responsible for all debts of the charter  
561 school. The sponsor ~~district~~ may not assume the debt from any  
562 contract made between the governing body of the school and a  
563 third party, except for a debt that is previously detailed and  
564 agreed upon in writing by both the sponsor ~~district~~ and the  
565 governing body of the school and that may not reasonably be  
566 assumed to have been satisfied by the sponsor ~~district~~.

567 (9) CHARTER SCHOOL REQUIREMENTS.—

568 (g)1. In order to provide financial information that is  
569 comparable to that reported for other public schools, charter  
570 schools are to maintain all financial records that constitute  
571 their accounting system:

572 a. In accordance with the accounts and codes prescribed in  
573 the most recent issuance of the publication titled "Financial  
574 and Program Cost Accounting and Reporting for Florida Schools";  
575 or

576           b. At the discretion of the charter school's governing  
577 board, a charter school may elect to follow generally accepted  
578 accounting standards for not-for-profit organizations, but must  
579 reformat this information for reporting according to this  
580 paragraph.

581           2. Charter schools shall provide annual financial report  
582 and program cost report information in the state-required  
583 formats for inclusion in sponsor ~~district~~ reporting in  
584 compliance with s. 1011.60(1). Charter schools that are operated  
585 by a municipality or are a component unit of a parent nonprofit  
586 organization may use the accounting system of the municipality  
587 or the parent but must reformat this information for reporting  
588 according to this paragraph.

589           3. A charter school shall, upon approval of the charter  
590 contract, provide the sponsor with a concise, uniform, monthly  
591 financial statement summary sheet that contains a balance sheet  
592 and a statement of revenue, expenditures, and changes in fund  
593 balance. The balance sheet and the statement of revenue,  
594 expenditures, and changes in fund balance shall be in the  
595 governmental funds format prescribed by the Governmental  
596 Accounting Standards Board. A high-performing charter school  
597 pursuant to s. 1002.331 may provide a quarterly financial  
598 statement in the same format and requirements as the uniform  
599 monthly financial statement summary sheet. The sponsor shall  
600 review each monthly or quarterly financial statement to identify



601 the existence of any conditions identified in s. 1002.345(1)(a).

602 4. A charter school shall maintain and provide financial  
603 information as required in this paragraph. The financial  
604 statement required in subparagraph 3. must be in a form  
605 prescribed by the Department of Education.

606 (n)1. The director and a representative of the governing  
607 board of a charter school that has earned a grade of "D" or "F"  
608 pursuant to s. 1008.34 shall appear before the sponsor to  
609 present information concerning each contract component having  
610 noted deficiencies. The director and a representative of the  
611 governing board shall submit to the sponsor for approval a  
612 school improvement plan to raise student performance. Upon  
613 approval by the sponsor, the charter school shall begin  
614 implementation of the school improvement plan. The department  
615 shall offer technical assistance and training to the charter  
616 school and its governing board and establish guidelines for  
617 developing, submitting, and approving such plans.

618 2.a. If a charter school earns three consecutive grades  
619 below a "C," the charter school governing board shall choose one  
620 of the following corrective actions:

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

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

626 (III) Reorganize the school under a new director or  
627 principal who is authorized to hire new staff; or  
628 (IV) Voluntarily close the charter school.

629 b. The charter school must implement the corrective action  
630 in the school year following receipt of a third consecutive  
631 grade below a "C."

632 c. The sponsor may annually waive a corrective action if  
633 it determines that the charter school is likely to improve a  
634 letter grade if additional time is provided to implement the  
635 intervention and support strategies prescribed by the school  
636 improvement plan. Notwithstanding this sub-subparagraph, a  
637 charter school that earns a second consecutive grade of "F" is  
638 subject to subparagraph 3.

639 d. A charter school is no longer required to implement a  
640 corrective action if it improves to a "C" or higher. However,  
641 the charter school must continue to implement strategies  
642 identified in the school improvement plan. The sponsor must  
643 annually review implementation of the school improvement plan to  
644 monitor the school's continued improvement pursuant to  
645 subparagraph 4.

646 e. A charter school implementing a corrective action that  
647 does not improve to a "C" or higher after 2 full school years of  
648 implementing the corrective action must select a different  
649 corrective action. Implementation of the new corrective action  
650 must begin in the school year following the implementation

651 period of the existing corrective action, unless the sponsor  
652 determines that the charter school is likely to improve to a "C"  
653 or higher if additional time is provided to implement the  
654 existing corrective action. Notwithstanding this sub-  
655 subparagraph, a charter school that earns a second consecutive  
656 grade of "F" while implementing a corrective action is subject  
657 to subparagraph 3.

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

661 a. The charter school is established to turn around the  
662 performance of a district public school pursuant to s.  
663 1008.33(4)(b)2. Such charter schools shall be governed by s.  
664 1008.33;

665 b. The charter school serves a student population the  
666 majority of which resides in a school zone served by a district  
667 public school subject to s. 1008.33(4) and the charter school  
668 earns at least a grade of "D" in its third year of operation.  
669 The exception provided under this sub-subparagraph does not  
670 apply to a charter school in its fourth year of operation and  
671 thereafter; or

672 c. The state board grants the charter school a waiver of  
673 termination. The charter school must request the waiver within  
674 15 days after the department's official release of school  
675 grades. The state board may waive termination if the charter

676 school demonstrates that the Learning Gains of its students on  
677 statewide assessments are comparable to or better than the  
678 Learning Gains of similarly situated students enrolled in nearby  
679 ~~district~~ public schools. The waiver is valid for 1 year and may  
680 only be granted once. Charter schools that have been in  
681 operation for more than 5 years are not eligible for a waiver  
682 under this sub-subparagraph.

683

684 The sponsor shall notify the charter school's governing board,  
685 the charter school principal, and the department in writing when  
686 a charter contract is terminated under this subparagraph. A  
687 charter terminated under this subparagraph must follow the  
688 procedures for dissolution and reversion of public funds  
689 pursuant to paragraphs (8) (d)-(f) and (9) (o).

690 4. The director and a representative of the governing  
691 board of a graded charter school that has implemented a school  
692 improvement plan under this paragraph shall appear before the  
693 sponsor at least once a year to present information regarding  
694 the progress of intervention and support strategies implemented  
695 by the school pursuant to the school improvement plan and  
696 corrective actions, if applicable. The sponsor shall communicate  
697 at the meeting, and in writing to the director, the services  
698 provided to the school to help the school address its  
699 deficiencies.

700 5. Notwithstanding any provision of this paragraph except

701 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter  
702 at any time pursuant to subsection (8).

703 (10) ELIGIBLE STUDENTS.—

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

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

707 2. Students considered at risk of dropping out of school  
708 or academic failure. Such students shall include exceptional  
709 education students.

710 3. Students enrolling in a charter school-in-the-workplace  
711 or charter school-in-a-municipality established pursuant to  
712 subsection (15).

713 4. Students residing within a reasonable distance of the  
714 charter school, as described in paragraph (20)(c). Such students  
715 shall be subject to a random lottery and to the racial/ethnic  
716 balance provisions described in subparagraph (7)(a)8. or any  
717 federal provisions that require a school to achieve a  
718 racial/ethnic balance reflective of the community it serves or  
719 within the racial/ethnic range of other nearby public schools ~~in~~  
720 ~~the same school district.~~

721 5. Students who meet reasonable academic, artistic, or  
722 other eligibility standards established by the charter school  
723 and included in the charter school application and charter or,  
724 in the case of existing charter schools, standards that are  
725 consistent with the school's mission and purpose. Such standards

726 shall be in accordance with current state law and practice in  
 727 public schools and may not discriminate against otherwise  
 728 qualified individuals.

729 6. Students articulating from one charter school to  
 730 another pursuant to an articulation agreement between the  
 731 charter schools that has been approved by the sponsor.

732 7. Students living in a development in which a developer,  
 733 including any affiliated business entity or charitable  
 734 foundation, contributes to the formation, acquisition,  
 735 construction, or operation of one or more charter schools or  
 736 charter ~~provides the school facilities facility~~ and related  
 737 property in an amount equal to or having a total ~~an~~ appraised  
 738 value of at least \$5 million to be used as ~~a~~ charter schools  
 739 ~~school~~ to mitigate the educational impact created by the  
 740 development of new residential dwelling units. Students living  
 741 in the development are ~~shall be~~ entitled to ~~no more than~~ 50  
 742 percent of the student stations in the charter schools ~~school~~.  
 743 The students who are eligible for enrollment are subject to a  
 744 random lottery, the racial/ethnic balance provisions, or any  
 745 federal provisions, as described in subparagraph 4. The  
 746 remainder of the student stations must ~~shall~~ be filled in  
 747 accordance with subparagraph 4.

748 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;  
 749 INDEMNIFICATION OF THE STATE AND SPONSOR SCHOOL DISTRICT; CREDIT  
 750 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into

751 to borrow or otherwise secure funds for a charter school  
752 authorized in this section from a source other than the state or  
753 a sponsor ~~school district~~ shall indemnify the state and the  
754 sponsor ~~school district~~ from any and all liability, including,  
755 but not limited to, financial responsibility for the payment of  
756 the principal or interest. Any loans, bonds, or other financial  
757 agreements are not obligations of the state or the sponsor  
758 ~~school district~~ but are obligations of the charter school  
759 authority and are payable solely from the sources of funds  
760 pledged by such agreement. The credit or taxing power of the  
761 state or the sponsor ~~school district~~ shall not be pledged and no  
762 debts shall be payable out of any moneys except those of the  
763 legal entity in possession of a valid charter approved by a  
764 sponsor ~~district school board~~ pursuant to this section.

765 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-  
766 A-MUNICIPALITY.—

767 (c) A charter school-in-a-municipality designation may be  
768 granted to a municipality that possesses a charter; enrolls  
769 students based upon a random lottery that involves all of the  
770 children of the residents of that municipality who are seeking  
771 enrollment, as provided for in subsection (10); and enrolls  
772 students according to the racial/ethnic balance provisions  
773 described in subparagraph (7)(a)8. When a municipality has  
774 submitted charter applications for the establishment of a  
775 charter school feeder pattern, consisting of elementary, middle,

776 and senior high schools, and each individual charter application  
777 is approved by the sponsor ~~district school board~~, such schools  
778 shall then be designated as one charter school for all purposes  
779 listed pursuant to this section. Any portion of the land and  
780 facility used for a public charter school shall be exempt from  
781 ad valorem taxes, as provided for in s. 1013.54, for the  
782 duration of its use as a public school.

783 (17) FUNDING.—Students enrolled in a charter school,  
784 regardless of the sponsorship, shall be funded as if they are in  
785 a basic program or a special program, the same as students  
786 enrolled in other public schools in a ~~the~~ school district.  
787 Funding for a charter lab school shall be as provided in s.  
788 1002.32.

789 (a) Each charter school shall report its student  
790 enrollment to the sponsor as required in s. 1011.62, and in  
791 accordance with the definitions in s. 1011.61. The sponsor shall  
792 include each charter school's enrollment in the sponsor's  
793 ~~district's~~ report of student enrollment. All charter schools  
794 submitting student record information required by the Department  
795 of Education shall comply with the Department of Education's  
796 guidelines for electronic data formats for such data, and all  
797 sponsors ~~districts~~ shall accept electronic data that complies  
798 with the Department of Education's electronic format.

799 (b) 1. The basis for the agreement for funding students  
800 enrolled in a charter school shall be the sum of the school



801 district's operating funds from the Florida Education Finance  
802 Program as provided in s. 1011.62 and the General Appropriations  
803 Act, including gross state and local funds, discretionary  
804 lottery funds, and funds from the school district's current  
805 operating discretionary millage levy; divided by total funded  
806 weighted full-time equivalent students in the school district;  
807 and multiplied by the weighted full-time equivalent students for  
808 the charter school. Charter schools whose students or programs  
809 meet the eligibility criteria in law are entitled to their  
810 proportionate share of categorical program funds included in the  
811 total funds available in the Florida Education Finance Program  
812 by the Legislature, including transportation, the research-based  
813 reading allocation, and the Florida digital classrooms  
814 allocation. Total funding for each charter school shall be  
815 recalculated during the year to reflect the revised calculations  
816 under the Florida Education Finance Program by the state and the  
817 actual weighted full-time equivalent students reported by the  
818 charter school during the full-time equivalent student survey  
819 periods designated by the Commissioner of Education. For charter  
820 schools operated by a not-for-profit or municipal entity, any  
821 unrestricted current and capital assets identified in the  
822 charter school's annual financial audit may be used for other  
823 charter schools operated by the not-for-profit or municipal  
824 entity within the school district. Unrestricted current assets  
825 shall be used in accordance with s. 1011.62, and any

826 | unrestricted capital assets shall be used in accordance with s.  
827 | 1013.62(2).

828 |       2.a. Students enrolled in a charter school sponsored by a  
829 | state university or Florida College System institution pursuant  
830 | to paragraph (5)(a) shall be funded as if they are in a basic  
831 | program or a special program in the school district. The basis  
832 | for funding these students is the sum of the total operating  
833 | funds from the Florida Education Finance Program for the school  
834 | district in which the school is located as provided in s.  
835 | 1011.62 and the General Appropriations Act, including gross  
836 | state and local funds, discretionary lottery funds, and funds  
837 | from each school district's current operating discretionary  
838 | millage levy; divided by total funded weighted full-time  
839 | equivalent students in the district; and multiplied by the full-  
840 | time equivalent membership of the charter school. The Department  
841 | of Education shall develop a tool that each state university or  
842 | Florida College System institution sponsoring a charter school  
843 | shall use for purposes of calculating the funding amount for  
844 | each eligible charter school student. The total amount obtained  
845 | from the calculation must be appropriated from state funds in  
846 | the General Appropriations Act to the charter school.

847 |       b. Capital outlay funding for a charter school sponsored  
848 | by a state university or Florida College System institution  
849 | pursuant to paragraph (5)(a) is determined pursuant to s.  
850 | 1013.62 and the General Appropriations Act.

851 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter  
852 schools shall receive all federal funding for which the school  
853 is otherwise eligible, including Title I funding, not later than  
854 5 months after the charter school first opens and within 5  
855 months after any subsequent expansion of enrollment. Unless  
856 otherwise mutually agreed to by the charter school and its  
857 sponsor, and consistent with state and federal rules and  
858 regulations governing the use and disbursement of federal funds,  
859 the sponsor shall reimburse the charter school on a monthly  
860 basis for all invoices submitted by the charter school for  
861 federal funds available to the sponsor for the benefit of the  
862 charter school, the charter school's students, and the charter  
863 school's students as public school students in the school  
864 district. Such federal funds include, but are not limited to,  
865 Title I, Title II, and Individuals with Disabilities Education  
866 Act (IDEA) funds. To receive timely reimbursement for an  
867 invoice, the charter school must submit the invoice to the  
868 sponsor at least 30 days before the monthly date of  
869 reimbursement set by the sponsor. In order to be reimbursed, any  
870 expenditures made by the charter school must comply with all  
871 applicable state rules and federal regulations, including, but  
872 not limited to, the applicable federal Office of Management and  
873 Budget Circulars; the federal Education Department General  
874 Administrative Regulations; and program-specific statutes,  
875 rules, and regulations. Such funds may not be made available to

876 the charter school until a plan is submitted to the sponsor for  
877 approval of the use of the funds in accordance with applicable  
878 federal requirements. The sponsor has 30 days to review and  
879 approve any plan submitted pursuant to this paragraph.

880 (d) Charter schools shall be included by the Department of  
881 Education and the district school board in requests for federal  
882 stimulus funds in the same manner as district school board-  
883 operated public schools, including Title I and IDEA funds and  
884 shall be entitled to receive such funds. Charter schools are  
885 eligible to participate in federal competitive grants that are  
886 available as part of the federal stimulus funds.

887 (e) Sponsors ~~District school boards~~ shall make timely and  
888 efficient payment and reimbursement to charter schools,  
889 including processing paperwork required to access special state  
890 and federal funding for which they may be eligible. Payments of  
891 funds under paragraph (b) shall be made monthly or twice a  
892 month, beginning with the start of the sponsor's ~~district school~~  
893 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one  
894 twenty-fourth, as applicable, of the total state and local funds  
895 described in paragraph (b) and adjusted as set forth therein.  
896 For the first 2 years of a charter school's operation, if a  
897 minimum of 75 percent of the projected enrollment is entered  
898 into the sponsor's student information system by the first day  
899 of the current month, the sponsor ~~district school board~~ shall  
900 distribute funds to the school for the months of July through

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901 | October based on the projected full-time equivalent student  
902 | membership of the charter school as submitted in the approved  
903 | application. If less than 75 percent of the projected enrollment  
904 | is entered into the sponsor's student information system by the  
905 | first day of the current month, the sponsor shall base payments  
906 | on the actual number of student enrollment entered into the  
907 | sponsor's student information system. Thereafter, the results of  
908 | full-time equivalent student membership surveys shall be used in  
909 | adjusting the amount of funds distributed monthly to the charter  
910 | school for the remainder of the fiscal year. The payments shall  
911 | be issued no later than 10 working days after the sponsor  
912 | ~~district school board~~ receives a distribution of state or  
913 | federal funds or the date the payment is due pursuant to this  
914 | subsection. If a warrant for payment is not issued within 10  
915 | working days after receipt of funding by the sponsor ~~district~~  
916 | ~~school board~~, the sponsor ~~school district~~ shall pay to the  
917 | charter school, in addition to the amount of the scheduled  
918 | disbursement, interest at a rate of 1 percent per month  
919 | calculated on a daily basis on the unpaid balance from the  
920 | expiration of the 10 working days until such time as the warrant  
921 | is issued. The district school board may not delay payment to a  
922 | charter school of any portion of the funds provided in paragraph  
923 | (b) based on the timing of receipt of local funds by the  
924 | district school board.

925 | (f) Funding for a virtual charter school shall be as

926 | provided in s. 1002.45(7).

927 |       (g) To be eligible for public education capital outlay  
 928 | (PECO) funds, a charter school must be located in the State of  
 929 | Florida.

930 |       (h) A charter school that implements a schoolwide standard  
 931 | student attire policy pursuant to s. 1011.78 is eligible to  
 932 | receive incentive payments.

933 |       (18) FACILITIES.—

934 |       (e) If a district school board facility or property is  
 935 | available because it is surplus, marked for disposal, or  
 936 | otherwise unused, it shall be provided for a charter school's  
 937 | use on the same basis as it is made available to other public  
 938 | schools in the district. A charter school receiving property  
 939 | from the sponsor ~~school district~~ may not sell or dispose of such  
 940 | property without written permission of the sponsor ~~school~~  
 941 | ~~district~~. Similarly, for an existing public school converting to  
 942 | charter status, no rental or leasing fee for the existing  
 943 | facility or for the property normally inventoried to the  
 944 | conversion school may be charged by the district school board to  
 945 | the parents and teachers organizing the charter school. The  
 946 | charter school shall agree to reasonable maintenance provisions  
 947 | in order to maintain the facility in a manner similar to  
 948 | district school board standards. The Public Education Capital  
 949 | Outlay maintenance funds or any other maintenance funds  
 950 | generated by the facility operated as a conversion school shall

951 remain with the conversion school.

952 (20) SERVICES.—

953 (a)1. A sponsor shall provide certain administrative and  
954 educational services to charter schools. These services shall  
955 include contract management services; full-time equivalent and  
956 data reporting services; exceptional student education  
957 administration services; services related to eligibility and  
958 reporting duties required to ensure that school lunch services  
959 under the National School Lunch Program, consistent with the  
960 needs of the charter school, are provided by the sponsor ~~school~~  
961 ~~district~~ at the request of the charter school, that any funds  
962 due to the charter school under the National School Lunch  
963 Program be paid to the charter school as soon as the charter  
964 school begins serving food under the National School Lunch  
965 Program, and that the charter school is paid at the same time  
966 and in the same manner under the National School Lunch Program  
967 as other public schools serviced by the sponsor or the school  
968 district; test administration services, including payment of the  
969 costs of state-required or district-required student  
970 assessments; processing of teacher certificate data services;  
971 and information services, including equal access to the  
972 sponsor's student information systems that are used by public  
973 schools in the district in which the charter school is located  
974 or by schools in the sponsor's portfolio of charter schools if  
975 the sponsor is not a school district. Student performance data

976 for each student in a charter school, including, but not limited  
977 to, FCAT scores, standardized test scores, previous public  
978 school student report cards, and student performance measures,  
979 shall be provided by the sponsor to a charter school in the same  
980 manner provided to other public schools in the district or by  
981 schools in the sponsor's portfolio of charter schools if the  
982 sponsor is not a school district.

983 2. A sponsor may withhold an administrative fee for the  
984 provision of such services which shall be a percentage of the  
985 available funds defined in paragraph (17)(b) calculated based on  
986 weighted full-time equivalent students. If the charter school  
987 serves 75 percent or more exceptional education students as  
988 defined in s. 1003.01(3), the percentage shall be calculated  
989 based on unweighted full-time equivalent students. The  
990 administrative fee shall be calculated as follows:

991 a. Up to 5 percent for:

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

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

996 (A) Includes conversion charter schools and nonconversion  
997 charter schools.

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

999 (C) Has a total enrollment exceeding the total enrollment  
1000 of at least one school district in the state.



1001 (D) Has the same governing board for all of its schools.

1002 (E) Does not contract with a for-profit service provider  
1003 for management of school operations.

1004 (III) Enrollment of up to and including 250 students in a  
1005 virtual charter school.

1006 b. Up to 2 percent for enrollment of up to and including  
1007 250 students in a high-performing charter school as defined in  
1008 s. 1002.331.

1009 3. A sponsor may not charge charter schools any additional  
1010 fees or surcharges for administrative and educational services  
1011 in addition to the maximum percentage of administrative fees  
1012 withheld pursuant to this paragraph.

1013 4. A sponsor shall provide to the department by September  
1014 15 of each year the total amount of funding withheld from  
1015 charter schools pursuant to this subsection for the prior fiscal  
1016 year. The department must include the information in the report  
1017 required under sub-sub-subparagraph (5) (b)1.k.(III).

1018 (b) If goods and services are made available to the  
1019 charter school through the contract with the sponsor ~~school~~  
1020 ~~district~~, they shall be provided to the charter school at a rate  
1021 no greater than the sponsor's ~~district's~~ actual cost unless  
1022 mutually agreed upon by the charter school and the sponsor in a  
1023 contract negotiated separately from the charter. When mediation  
1024 has failed to resolve disputes over contracted services or  
1025 contractual matters not included in the charter, an appeal may

1026 be made to an administrative law judge appointed by the Division  
1027 of Administrative Hearings. The administrative law judge has  
1028 final order authority to rule on the dispute. The administrative  
1029 law judge shall award the prevailing party reasonable attorney  
1030 fees and costs incurred during the mediation process,  
1031 administrative proceeding, and any appeals, to be paid by the  
1032 party whom the administrative law judge rules against. To  
1033 maximize the use of state funds, sponsors ~~school districts~~ shall  
1034 allow charter schools to participate in the sponsor's bulk  
1035 purchasing program if applicable.

1036 (c) Transportation of charter school students shall be  
1037 provided by the charter school consistent with the requirements  
1038 of subpart I.E. of chapter 1006 and s. 1012.45. The governing  
1039 body of the charter school may provide transportation through an  
1040 agreement or contract with the sponsor ~~district school board~~, a  
1041 private provider, or parents. The charter school and the sponsor  
1042 shall cooperate in making arrangements that ensure that  
1043 transportation is not a barrier to equal access for all students  
1044 residing within a reasonable distance of the charter school as  
1045 determined in its charter.

1046 (d) Each charter school shall annually complete and submit  
1047 a survey, provided in a format specified by the Department of  
1048 Education, to rate the timeliness and quality of services  
1049 provided by the sponsor ~~district~~ in accordance with this  
1050 section. The department shall compile the results, by sponsor

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1051 ~~district~~, and include the results in the report required under  
1052 sub-sub-subparagraph (5) (b)1.k.(III).

1053 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1054 (a) The Department of Education shall provide information  
1055 to the public, directly and through sponsors, on how to form and  
1056 operate a charter school and how to enroll in a charter school  
1057 once it is created. This information shall include the standard  
1058 application form, standard charter contract, standard evaluation  
1059 instrument, and standard charter renewal contract, which shall  
1060 include the information specified in subsection (7) and shall be  
1061 developed by consulting and negotiating with both sponsors  
1062 ~~school districts~~ and charter schools before implementation. The  
1063 charter and charter renewal contracts shall be used by charter  
1064 school sponsors.

1065 (b)1. The Department of Education shall report to each  
1066 charter school receiving a school grade pursuant to s. 1008.34  
1067 or a school improvement rating pursuant to s. 1008.341 the  
1068 school's student assessment data.

1069 2. The charter school shall report the information in  
1070 subparagraph 1. to each parent of a student at the charter  
1071 school, the parent of a child on a waiting list for the charter  
1072 school, the sponsor ~~district in which the charter school is~~  
1073 ~~located~~, and the governing board of the charter school. This  
1074 paragraph does not abrogate the provisions of s. 1002.22,  
1075 relating to student records, or the requirements of 20 U.S.C. s.

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1076 | 1232g, the Family Educational Rights and Privacy Act.

1077 |       (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER  
1078 | SCHOOL SYSTEMS.—

1079 |       (a) A charter school system's governing board shall be  
1080 | designated a local educational agency for the purpose of  
1081 | receiving federal funds, the same as though the charter school  
1082 | system were a school district, if the governing board of the  
1083 | charter school system has adopted and filed a resolution with  
1084 | its sponsor ~~sponsoring district school board~~ and the Department  
1085 | of Education in which the governing board of the charter school  
1086 | system accepts the full responsibility for all local education  
1087 | agency requirements and the charter school system meets all of  
1088 | the following:

- 1089 |           1. Has all schools located in the same county;
- 1090 |           2. Has a total enrollment exceeding the total enrollment  
1091 | of at least one school district in the state; and
- 1092 |           3. Has the same governing board.

1093 |  
1094 | Such designation does not apply to other provisions unless  
1095 | specifically provided in law.

1096 |       (28) RULEMAKING.—The Department of Education, after  
1097 | consultation with sponsors ~~school districts~~ and charter school  
1098 | directors, shall recommend that the State Board of Education  
1099 | adopt rules to implement specific subsections of this section.  
1100 | Such rules shall require minimum paperwork and shall not limit

1101 charter school flexibility authorized by statute. The State  
 1102 Board of Education shall adopt rules, pursuant to ss. 120.536(1)  
 1103 and 120.54, to implement a standard charter application form,  
 1104 standard application form for the replication of charter schools  
 1105 in a high-performing charter school system, standard evaluation  
 1106 instrument, and standard charter and charter renewal contracts  
 1107 in accordance with this section.

1108 Section 2. Paragraph (a) of subsection (1) of section  
 1109 1003.493, Florida Statutes, is amended to read:

1110 1003.493 Career and professional academies and career-  
 1111 themed courses.—

1112 (1) (a) A "career and professional academy" is a research-  
 1113 based program that integrates a rigorous academic curriculum  
 1114 with an industry-specific curriculum aligned directly to  
 1115 priority workforce needs established by the local workforce  
 1116 development board or the Department of Economic Opportunity.  
 1117 Career and professional academies shall be offered by public  
 1118 schools and school districts. Career and professional academies  
 1119 may be offered by charter schools. The Florida Virtual School is  
 1120 encouraged to develop and offer rigorous career and professional  
 1121 courses as appropriate. Students completing career and  
 1122 professional academy programs must receive a standard high  
 1123 school diploma, the highest available industry certification,  
 1124 and opportunities to earn postsecondary credit if the academy  
 1125 partners with a postsecondary institution approved to operate in

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1126 | the state.

1127 |       Section 3. This act shall take effect July 1, 2021.