

1 A bill to be entitled
2 An act relating to school choice; amending s. 1002.33,
3 F.S.; providing technical changes relating to
4 requirements for the creation of a virtual charter
5 school; conforming cross-references; revising required
6 contents of charter school applications; conforming
7 provisions regarding the appeal process for denial of
8 a high-performing charter school application;
9 requiring an applicant to provide the sponsor with a
10 copy of the appeal; authorizing a charter school to
11 defer opening; prohibiting a sponsor from requiring
12 written notice within a specified period; specifying
13 that the reading curriculum and instructional
14 strategies in a charter school's charter satisfy the
15 research-based reading plan requirement and that
16 charter schools are eligible for the research-based
17 reading allocation; revising provisions relating to
18 long-term charters and charter terminations; requiring
19 a charter school applicant to provide monthly
20 financial statements before opening; requiring a
21 sponsor to review charter school financial statements
22 to identify the existence of certain conditions;
23 providing for the automatic termination of a charter
24 if certain conditions are met; requiring a sponsor to
25 notify certain parties when a charter is terminated
26 for specific reasons; authorizing governing board

27 | members to participate in public meetings in person or
28 | through communications media technology; revising
29 | requirements for payments to charter schools; allowing
30 | for the use of certain surpluses and assets by
31 | specific entities for certain educational purposes;
32 | revising criteria for local educational agency status
33 | for certain charter school systems; amending s.
34 | 1002.331, F.S.; providing an exemption from the
35 | replication limitations for high-performing charter
36 | school; conforming a cross-reference; deleting
37 | obsolete provisions; amending s. 1002.37, F.S.;
38 | conforming a cross-reference; amending s. 1002.45,
39 | F.S.; conforming a cross-reference; revising
40 | conditions for termination of a virtual instruction
41 | provider's contract; repealing s. 1002.455, F.S.,
42 | relating to student eligibility for K-12 virtual
43 | instruction; amending s. 1003.498, F.S.; conforming a
44 | cross-reference; creating s. 1004.650; establishing
45 | the Florida Institute for Charter School Innovation;
46 | specifying requirements for the institute; providing
47 | for the appointment of a director of the institute;
48 | establishing duties of the director; requiring an
49 | annual report to the Governor and Legislature and an
50 | annual financial report to certain entities; amending
51 | s. 1011.62, F.S.; conforming cross-references;
52 | amending s. 1012.56, F.S.; specifying that a charter

53 school may develop and operate a professional
54 development certification and education competency
55 program; amending s. 1013.62, F.S.; revising
56 eligibility requirements for charter school capital
57 outlay funding; providing an appropriation; providing
58 an effective date.

59

60 Be It Enacted by the Legislature of the State of Florida:

61

62 Section 1. Subsection (1), paragraphs (a), (b), and (c) of
63 subsection (6), subsection (7), paragraphs (e), (f), and (g) of
64 subsection (8), paragraphs (g), (n), and (p) of subsection (9),
65 subsection (13), paragraphs (b) and (e) of subsection (17),
66 paragraph (a) of subsection (21), and subsection (25) of section
67 1002.33, Florida Statutes, are amended, and paragraph (h) is
68 added to subsection (8) of that section, to read:

69 1002.33 Charter schools.—

70 (1) AUTHORIZATION.—Charter schools shall be part of the
71 state's program of public education. All charter schools in
72 Florida are public schools. A charter school may be formed by
73 creating a new school or converting an existing public school to
74 charter status. A charter school may operate a virtual charter
75 school pursuant to s. 1002.45(1)(d) to provide full-time online
76 instruction to eligible students, ~~pursuant to s. 1002.455,~~ in
77 kindergarten through grade 12. An existing A charter school that
78 is seeking to become a virtual charter school must amend its

79 charter or submit a new application pursuant to subsection (6)
80 to become a virtual charter school. A virtual charter school is
81 subject to the requirements of this section; however, a virtual
82 charter school is exempt from subsections (18) and (19),
83 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
84 s. 1003.03. A public school may not use the term charter in its
85 name unless it has been approved under this section.

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

88 (a) A person or entity seeking ~~wishing~~ to open a charter
89 school shall prepare and submit an application on a model
90 application form prepared by the Department of Education which:

91 1. Demonstrates how the school will use the guiding
92 principles and meet the statutorily defined purpose of a charter
93 school.

94 2. Provides a detailed curriculum plan that illustrates
95 how students will be provided services to attain the Sunshine
96 State Standards.

97 3. Contains goals and objectives for improving student
98 learning and measuring that improvement. These goals and
99 objectives must indicate how much academic improvement students
100 are expected to show each year, how success will be evaluated,
101 and the specific results to be attained through instruction.

102 4. Describes the reading curriculum and differentiated
103 strategies that will be used for students reading at grade level
104 or higher and a separate curriculum and strategies for students

105 who are reading below grade level. A sponsor shall deny an
106 application ~~a charter~~ if the school does not propose a reading
107 curriculum that is consistent with effective teaching strategies
108 that are grounded in scientifically based reading research;
109 however, a sponsor may not require the school to implement the
110 reading curriculum adopted by the school district.

111 5. Contains an annual financial plan for each year
112 requested by the charter for operation of the school for up to 5
113 years. This plan must contain anticipated fund balances based on
114 revenue projections, a spending plan based on projected revenues
115 and expenses, and a description of controls that will safeguard
116 finances and projected enrollment trends.

117 6. Discloses the name of each applicant, governing board
118 member, and proposed management company, if any; the name and
119 sponsor of any charter school currently or previously operated
120 by each applicant, each governing board member, and the proposed
121 management company; and the academic and financial history of
122 such charter schools, which the sponsor shall consider in
123 deciding whether to approve or deny the application.

124 ~~7.6.~~ Contains additional information a sponsor may
125 require, which shall be attached as an addendum to the charter
126 school application described in this paragraph.

127 ~~8.7.~~ For the establishment of a virtual charter school,
128 documents that the applicant has contracted with a provider of
129 virtual instruction services pursuant to s. 1002.45(1)(d).

130 (b) A sponsor shall receive and review all applications

131 for a charter school using the ~~an~~ evaluation instrument
132 developed by the Department of Education. A sponsor shall
133 receive and consider charter school applications received on or
134 before August 1 of each calendar year for charter schools to be
135 opened at the beginning of the school district's next school
136 year, or to be opened at a time agreed to by the applicant and
137 the sponsor. A sponsor may not refuse to receive a charter
138 school application submitted before August 1 and may receive an
139 application submitted later than August 1 if it chooses. In
140 order to facilitate greater collaboration in the application
141 process, an applicant may submit a draft charter school
142 application on or before May 1 with an application fee of \$500.
143 If a draft application is timely submitted, the sponsor shall
144 review and provide feedback as to material deficiencies in the
145 application by July 1. The applicant shall then have until
146 August 1 to resubmit a revised and final application. The
147 sponsor may approve the draft application. Except as provided
148 for a draft application, a sponsor may not charge an applicant
149 for a charter any fee for the processing or consideration of an
150 application, and a sponsor may not base its consideration or
151 approval of a final application upon the promise of future
152 payment of any kind. Before approving or denying any final
153 application, the sponsor shall allow the applicant, upon receipt
154 of written notification, at least 7 calendar days to make
155 technical or nonsubstantive corrections and clarifications,
156 including, but not limited to, corrections of grammatical,

157 | typographical, and like errors or missing signatures, if such
158 | errors are identified by the sponsor as cause to deny the final
159 | application.

160 | 1. In order to facilitate an accurate budget projection
161 | process, a sponsor shall be held harmless for FTE students who
162 | are not included in the FTE projection due to approval of
163 | charter school applications after the FTE projection deadline.
164 | In a further effort to facilitate an accurate budget projection,
165 | within 15 calendar days after receipt of a charter school
166 | application, a sponsor shall report to the Department of
167 | Education the name of the applicant entity, the proposed charter
168 | school location, and its projected FTE.

169 | 2. In order to ensure fiscal responsibility, an
170 | application for a charter school shall include a full accounting
171 | of expected assets, a projection of expected sources and amounts
172 | of income, including income derived from projected student
173 | enrollments and from community support, and an expense
174 | projection that includes full accounting of the costs of
175 | operation, including start-up costs.

176 | 3.a. A sponsor shall by a majority vote approve or deny an
177 | application no later than 60 calendar days after the application
178 | is received, unless the sponsor and the applicant mutually agree
179 | in writing to temporarily postpone the vote to a specific date,
180 | at which time the sponsor shall by a majority vote approve or
181 | deny the application. If the sponsor fails to act on the
182 | application, an applicant may appeal to the State Board of

183 Education as provided in paragraph (c). If an application is
184 denied, the sponsor shall, within 10 calendar days after such
185 denial, articulate in writing the specific reasons, based upon
186 good cause, supporting its denial of the ~~charter~~ application and
187 shall provide the letter of denial and supporting documentation
188 to the applicant and to the Department of Education.

189 b. An application submitted by a high-performing charter
190 school identified pursuant to s. 1002.331 may be denied by the
191 sponsor only if the sponsor demonstrates by clear and convincing
192 evidence that:

193 (I) The application does not materially comply with the
194 requirements in paragraph (a);

195 (II) The charter school proposed in the application does
196 not materially comply with the requirements in paragraphs
197 (9) (a) - (f);

198 (III) The proposed charter school's educational program
199 does not substantially replicate that of the applicant or one of
200 the applicant's high-performing charter schools;

201 (IV) The applicant has made a material misrepresentation
202 or false statement or concealed an essential or material fact
203 during the application process; or

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

207
208 Material noncompliance is a failure to follow requirements or a

209 violation of prohibitions applicable to charter school
210 applications, which failure is quantitatively or qualitatively
211 significant either individually or when aggregated with other
212 noncompliance. An applicant is considered to be replicating a
213 high-performing charter school if the proposed school is
214 substantially similar to at least one of the applicant's high-
215 performing charter schools and the organization or individuals
216 involved in the establishment and operation of the proposed
217 school are significantly involved in the operation of replicated
218 schools.

219 c. If the sponsor denies an application submitted by a
220 high-performing charter school, the sponsor must, within 10
221 calendar days after such denial, state in writing the specific
222 reasons, based upon the criteria in sub-subparagraph b.,
223 supporting its denial of the application and must provide the
224 letter of denial and supporting documentation to the applicant
225 and to the Department of Education. The applicant may appeal the
226 sponsor's denial of the application directly to the State Board
227 of Education pursuant to paragraph (c). If an applicant files an
228 appeal, the applicant must provide the sponsor with a copy of
229 the appeal ~~sub-subparagraph (c)3.b.~~

230 4. For budget projection purposes, the sponsor shall
231 report to the Department of Education the approval or denial of
232 an a-charter application within 10 calendar days after such
233 approval or denial. In the event of approval, the report to the
234 Department of Education shall include the final projected FTE

235 for the approved charter school.

236 5. Upon approval of an ~~a charter~~ application, the initial
237 startup shall commence with the beginning of the public school
238 calendar for the district in which the charter is granted. A
239 charter school, at the school's option, may notify the sponsor
240 of its intent to defer the opening of the school's operations
241 for up to 2 years to provide time for adequate facility
242 planning. The sponsor may not require the charter school to
243 provide written notice of such intent earlier than 15 calendar
244 days before the first day of school ~~unless the sponsor allows a~~
245 ~~waiver of this subparagraph for good cause.~~

246 (c)1. An applicant may appeal any denial of that
247 applicant's application or failure to act on an application to
248 the State Board of Education no later than 30 calendar days
249 after receipt of the sponsor's decision or failure to act and
250 shall notify the sponsor of its appeal. Any response of the
251 sponsor shall be submitted to the State Board of Education
252 within 30 calendar days after notification of the appeal. Upon
253 receipt of notification from the State Board of Education that a
254 charter school applicant is filing an appeal, the Commissioner
255 of Education shall convene a meeting of the Charter School
256 Appeal Commission to study and make recommendations to the State
257 Board of Education regarding its pending decision about the
258 appeal. The commission shall forward its recommendation to the
259 state board at least 7 calendar days before the date on which
260 the appeal is to be heard. An appeal regarding the denial of an

261 application submitted by a high-performing charter school
262 pursuant to s. 1002.331 shall be conducted by the State Board of
263 Education in accordance with this paragraph, except that the
264 commission shall not convene to make recommendations regarding
265 the appeal. However, the Commissioner of Education shall review
266 the appeal and make a recommendation to the state board.

267 2. The Charter School Appeal Commission or, in the case of
268 an appeal regarding an application submitted by a high-
269 performing charter school, the State Board of Education may
270 reject an appeal submission for failure to comply with
271 procedural rules governing the appeals process. The rejection
272 shall describe the submission errors. The appellant shall have
273 15 calendar days after notice of rejection in which to resubmit
274 an appeal that meets the requirements set forth in State Board
275 of Education rule. An appeal submitted subsequent to such
276 rejection is considered timely if the original appeal was filed
277 within 30 calendar days after receipt of notice of the specific
278 reasons for the sponsor's denial of the ~~charter~~ application.

279 3.a. The State Board of Education shall by majority vote
280 accept or reject the decision of the sponsor no later than 90
281 calendar days after an appeal is filed in accordance with State
282 Board of Education rule. The State Board of Education shall
283 remand the application to the sponsor with its written decision
284 that the sponsor approve or deny the application. The sponsor
285 shall implement the decision of the State Board of Education.
286 The decision of the State Board of Education is not subject to

287 the provisions of the Administrative Procedure Act, chapter 120.

288 b. If an appeal concerns an application submitted by a
289 high-performing charter school identified pursuant to s.
290 1002.331, the State Board of Education shall determine whether
291 the sponsor's denial of the application complies with the
292 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
293 ~~clear and convincing evidence, that:~~

294 ~~(I) The application does not materially comply with the~~
295 ~~requirements in paragraph (a);~~

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 The State Board of Education shall approve or reject the
310 sponsor's denial of an application no later than 90 calendar
311 days after an appeal is filed in accordance with State Board of
312 Education rule. The State Board of Education shall remand the

313 application to the sponsor with its written decision that the
314 sponsor approve or deny the application. The sponsor shall
315 implement the decision of the State Board of Education. The
316 decision of the State Board of Education is not subject to the
317 Administrative Procedure Act, chapter 120.

318 (7) CHARTER.—The major issues involving the operation of a
319 charter school shall be considered in advance and written into
320 the charter. The charter shall be signed by the governing board
321 of the charter school and the sponsor, following a public
322 hearing to ensure community input.

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

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

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

334 a. The charter shall ensure that reading is a primary
335 focus of the curriculum and that resources are provided to
336 identify and provide specialized instruction for students who
337 are reading below grade level. The curriculum and instructional
338 strategies for reading must be consistent with the Next

339 Generation Sunshine State Standards and grounded in
340 scientifically based reading research. For purposes of
341 determining eligibility for the research-based reading
342 instruction allocation, the reading curriculum and instructional
343 strategies specified in the charter satisfy the research-based
344 reading plan requirement under s. 1011.62(9).

345 b. In order to provide students with access to diverse
346 instructional delivery models, to facilitate the integration of
347 technology within traditional classroom instruction, and to
348 provide students with the skills they need to compete in the
349 21st century economy, the Legislature encourages instructional
350 methods for blended learning courses consisting of both
351 traditional classroom and online instructional techniques.
352 Charter schools may implement blended learning courses which
353 combine traditional classroom instruction and virtual
354 instruction. Students in a blended learning course must be full-
355 time students of the charter school and receive the online
356 instruction in a classroom setting at the charter school.
357 Instructional personnel certified pursuant to s. 1012.55 who
358 provide virtual instruction for blended learning courses may be
359 employees of the charter school or may be under contract to
360 provide instructional services to charter school students. At a
361 minimum, such instructional personnel must hold an active state
362 or school district adjunct certification under s. 1012.57 for
363 the subject area of the blended learning course. The funding and
364 performance accountability requirements for blended learning

365 courses are the same as those for traditional courses.

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

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

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

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

378

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

384 4. The methods used to identify the educational strengths
385 and needs of students and how well educational goals and
386 performance standards are met by students attending the charter
387 school. The methods shall provide a means for the charter school
388 to ensure accountability to its constituents by analyzing
389 student performance data and by evaluating the effectiveness and
390 efficiency of its major educational programs. Students in

391 charter schools shall, at a minimum, participate in the
392 statewide assessment program created under s. 1008.22.

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

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

398 7. The admissions procedures and dismissal procedures,
399 including the school's code of student conduct.

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

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

416 10. The asset and liability projections required in the

417 application which are incorporated into the charter and shall be
418 compared with information provided in the annual report of the
419 charter school.

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

429 12. ~~The term of the charter which shall provide for~~
430 ~~cancellation of the charter if insufficient progress has been~~
431 ~~made in attaining the student achievement objectives of the~~
432 ~~charter and if it is not likely that such objectives can be~~
433 ~~achieved before expiration of the charter.~~ The initial term of
434 the a charter is either shall be for 4 or 5 years. ~~In order to~~
435 ~~facilitate access to long term financial resources for charter~~
436 ~~school construction,~~ Charter schools that are operated by a
437 municipality or other public entity, as provided by law, or a
438 private, not-for-profit, s. 501(c)(3) status corporation are
439 eligible for up to a 15-year charter, subject to approval by the
440 district school board. A charter lab school is also eligible for
441 a charter for a term of up to 15 years. ~~In addition, to~~
442 ~~facilitate access to long term financial resources for charter~~

443 ~~school construction, charter schools that are operated by a~~
444 ~~private, not-for-profit, s. 501(c)(3) status corporation are~~
445 ~~eligible for up to a 15-year charter, subject to approval by the~~
446 ~~district school board.~~ Such long-term charters remain subject to
447 annual review and may be terminated during the term of the
448 charter, but only according to ~~the provisions set forth in~~
449 subsection (8) or paragraph (9) (n).

450 13. Termination or nonrenewal of the charter pursuant to
451 subsection (8) or paragraph (9) (n).

452 14.13. The facilities to be used and their location. The
453 sponsor may not require a charter school to have a certificate
454 of occupancy or a temporary certificate of occupancy for such a
455 facility earlier than 15 calendar days before the first day of
456 school.

457 15.14. The qualifications to be required of the teachers
458 and the potential strategies used to recruit, hire, train, and
459 retain qualified staff to achieve best value.

460 16.15. The governance structure of the school, including
461 the status of the charter school as a public or private employer
462 as required in paragraph (12) (i).

463 17.16. A timetable for implementing the charter which
464 addresses the implementation of each element thereof and the
465 date by which the charter shall be awarded in order to meet this
466 timetable.

467 18.17. In the case of an existing public school that is
468 being converted to charter status, alternative arrangements for

469 current students who choose not to attend the charter school and
470 for current teachers who choose not to teach in the charter
471 school after conversion in accordance with the existing
472 collective bargaining agreement or district school board rule in
473 the absence of a collective bargaining agreement. However,
474 alternative arrangements shall not be required for current
475 teachers who choose not to teach in a charter lab school, except
476 as authorized by the employment policies of the state university
477 which grants the charter to the lab school.

478 ~~19.18.~~ Full disclosure of the identity of all relatives
479 employed by the charter school who are related to the charter
480 school owner, president, chairperson of the governing board of
481 directors, superintendent, governing board member, principal,
482 assistant principal, or any other person employed by the charter
483 school who has equivalent decisionmaking authority. For the
484 purpose of this subparagraph, the term "relative" means father,
485 mother, son, daughter, brother, sister, uncle, aunt, first
486 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
487 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
488 stepfather, stepmother, stepson, stepdaughter, stepbrother,
489 stepsister, half brother, or half sister.

490 ~~20.19.~~ Implementation of the activities authorized under
491 s. 1002.331 by the charter school when it satisfies the
492 eligibility requirements for a high-performing charter school. A
493 high-performing charter school shall notify its sponsor in
494 writing by March 1 if it intends to increase enrollment or

495 expand grade levels the following school year. The written
496 notice shall specify the amount of the enrollment increase and
497 the grade levels that will be added, as applicable.

498 (b)1. A charter may be renewed provided that a program
499 review demonstrates that the criteria in paragraph (a) have been
500 successfully accomplished and that none of the grounds for
501 nonrenewal established by paragraph (8)(a) has been documented.
502 ~~In order to facilitate long-term financing for charter school~~
503 ~~construction,~~ Charter schools operating for a minimum of 3 years
504 and demonstrating exemplary academic programming and fiscal
505 management are eligible for a 15-year charter renewal. Such
506 long-term charter is subject to annual review and may be
507 terminated during the term of the charter.

508 2. The 15-year charter renewal that may be granted
509 pursuant to subparagraph 1. shall be granted to a charter school
510 that has received a school grade of "A" or "B" pursuant to s.
511 1008.34 in 3 of the past 4 years and is not in a state of
512 financial emergency or deficit position as defined by this
513 section. Such long-term charter is subject to annual review and
514 may be terminated during the term of the charter pursuant to
515 subsection (8).

516 (c) A charter may be modified during its initial term or
517 any renewal term upon the recommendation of the sponsor or the
518 charter school's governing board and the approval of both
519 parties to the agreement. Modification may include, but is not
520 limited to, consolidation of multiple charters into a single

521 charter if the charters are operated under the same governing
522 board and physically located on the same campus, regardless of
523 the renewal cycle.

524 ~~(d)1. Each charter school's governing board must appoint a~~
525 ~~representative to facilitate parental involvement, provide~~
526 ~~access to information, assist parents and others with questions~~
527 ~~and concerns, and resolve disputes. The representative must~~
528 ~~reside in the school district in which the charter school is~~
529 ~~located and may be a governing board member, charter school~~
530 ~~employee, or individual contracted to represent the governing~~
531 ~~board. If the governing board oversees multiple charter schools~~
532 ~~in the same school district, the governing board must appoint a~~
533 ~~separate individual representative for each charter school in~~
534 ~~the district. The representative's contact information must be~~
535 ~~provided annually in writing to parents and posted prominently~~
536 ~~on the charter school's website if a website is maintained by~~
537 ~~the school. The sponsor may not require that governing board~~
538 ~~members reside in the school district in which the charter~~
539 ~~school is located if the charter school complies with this~~
540 ~~paragraph.~~

541 ~~2. Each charter school's governing board must hold at~~
542 ~~least two public meetings per school year in the school~~
543 ~~district. The meetings must be noticed, open, and accessible to~~
544 ~~the public, and attendees must be provided an opportunity to~~
545 ~~receive information and provide input regarding the charter~~
546 ~~school's operations. The appointed representative and charter~~

547 ~~school principal or director, or his or her equivalent, must be~~
548 ~~physically present at each meeting.~~

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

550 (e) When a charter is not renewed or is terminated, or a
551 charter school is closed voluntarily by the operator, the school
552 shall be dissolved under the provisions of law under which the
553 school was organized, and any unencumbered public funds, except
554 for capital outlay funds and federal charter school program
555 grant funds, from the charter school shall revert to the
556 sponsor. Capital outlay funds provided pursuant to s. 1013.62
557 and federal charter school program grant funds that are
558 unencumbered shall revert to the department to be redistributed
559 among eligible charter schools. In the event a charter school is
560 dissolved or is otherwise terminated, all district school board
561 property and improvements, furnishings, and equipment purchased
562 with public funds shall automatically revert to full ownership
563 by the district school board, subject to complete satisfaction
564 of any lawful liens or encumbrances. Any unencumbered public
565 funds from the charter school, district school board property
566 and improvements, furnishings, and equipment purchased with
567 public funds, or financial or other records pertaining to the
568 charter school, in the possession of any person, entity, or
569 holding company, other than the charter school, shall be held in
570 trust upon the district school board's request, until any appeal
571 status is resolved.

572 (f) If a charter is not renewed or is terminated, or a

573 charter school is closed voluntarily by the operator, the
574 charter school is responsible for all debts of the charter
575 school. The district may not assume the debt from any contract
576 made between the governing body of the school and a third party,
577 except for a debt that is previously detailed and agreed upon in
578 writing by both the district and the governing body of the
579 school and that may not reasonably be assumed to have been
580 satisfied by the district.

581 (g) If a charter is not renewed or is terminated, or a
582 charter school is closed voluntarily by the operator, a student
583 who attended the school may apply to, and shall be enrolled in,
584 another public school. Normal application deadlines shall be
585 disregarded under such circumstances.

586 (h) The governing board of a charter school that closes
587 voluntarily shall notify the sponsor and the department in
588 writing within 7 calendar days of its decision to cease
589 operations. The notice shall state the reasons for the closure
590 and acknowledge that the governing board agrees to follow the
591 procedures for dissolution and reversion of public funds
592 pursuant to this subsection and paragraph (9) (o).

593 (9) CHARTER SCHOOL REQUIREMENTS.—

594 (g)1. In order to provide financial information that is
595 comparable to that reported for other public schools, charter
596 schools are to maintain all financial records that constitute
597 their accounting system:

598 a. In accordance with the accounts and codes prescribed in

599 | the most recent issuance of the publication titled "Financial
600 | and Program Cost Accounting and Reporting for Florida Schools";
601 | or

602 | b. At the discretion of the charter school's governing
603 | board, a charter school may elect to follow generally accepted
604 | accounting standards for not-for-profit organizations, but must
605 | reformat this information for reporting according to this
606 | paragraph.

607 | 2. Charter schools shall provide annual financial report
608 | and program cost report information in the state-required
609 | formats for inclusion in district reporting in compliance with
610 | s. 1011.60(1). Charter schools that are operated by a
611 | municipality or are a component unit of a parent nonprofit
612 | organization may use the accounting system of the municipality
613 | or the parent but must reformat this information for reporting
614 | according to this paragraph.

615 | 3. A charter school shall, upon approval of the contract,
616 | provide the sponsor with a concise, uniform, monthly financial
617 | statement summary sheet that contains a balance sheet and a
618 | statement of revenue, expenditures, and changes in fund balance.
619 | The balance sheet and the statement of revenue, expenditures,
620 | and changes in fund balance shall be in the governmental funds
621 | format prescribed by the Governmental Accounting Standards
622 | Board. A high-performing charter school pursuant to s. 1002.331
623 | may provide a quarterly financial statement in the same format
624 | and requirements as the uniform monthly financial statement

625 summary sheet. The sponsor shall review each monthly or
626 quarterly financial statement to identify the existence of any
627 conditions identified in s. 1002.345(1)(a).

628 4. A charter school shall maintain and provide financial
629 information as required in this paragraph. The financial
630 statement required in subparagraph 3. must be in a form
631 prescribed by the Department of Education.

632 (n)1. The director and a representative of the governing
633 board of a charter school that has earned a grade of "D" or "F"
634 pursuant to s. 1008.34 shall appear before the sponsor to
635 present information concerning each contract component having
636 noted deficiencies. The director and a representative of the
637 governing board shall submit to the sponsor for approval a
638 school improvement plan to raise student performance. Upon
639 approval by the sponsor, the charter school shall begin
640 implementation of the school improvement plan. The department
641 shall offer technical assistance and training to the charter
642 school and its governing board and establish guidelines for
643 developing, submitting, and approving such plans.

644 2.a. If a charter school earns three consecutive grades of
645 "D," two consecutive grades of "D" followed by a grade of "F,"
646 or two nonconsecutive grades of "F" within a 3-year period, the
647 charter school governing board shall choose one of the following
648 corrective actions:

649 (I) Contract for educational services to be provided
650 directly to students, instructional personnel, and school

651 administrators, as prescribed in state board rule;

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

654 (III) Reorganize the school under a new director or
655 principal who is authorized to hire new staff; or

656 (IV) Voluntarily close the charter school.

657 b. The charter school must implement the corrective action
658 in the school year following receipt of a third consecutive
659 grade of "D," a grade of "F" following two consecutive grades of
660 "D," or a second nonconsecutive grade of "F" within a 3-year
661 period.

662 c. The sponsor may annually waive a corrective action if
663 it determines that the charter school is likely to improve a
664 letter grade if additional time is provided to implement the
665 intervention and support strategies prescribed by the school
666 improvement plan. Notwithstanding this sub-subparagraph, a
667 charter school that earns a second consecutive grade of "F" is
668 subject to subparagraph 4.

669 d. A charter school is no longer required to implement a
670 corrective action if it improves by at least one letter grade.
671 However, the charter school must continue to implement
672 strategies identified in the school improvement plan. The
673 sponsor must annually review implementation of the school
674 improvement plan to monitor the school's continued improvement
675 pursuant to subparagraph 5.

676 e. A charter school implementing a corrective action that

677 does not improve by at least one letter grade after 2 full
678 school years of implementing the corrective action must select a
679 different corrective action. Implementation of the new
680 corrective action must begin in the school year following the
681 implementation period of the existing corrective action, unless
682 the sponsor determines that the charter school is likely to
683 improve a letter grade if additional time is provided to
684 implement the existing corrective action. Notwithstanding this
685 sub-subparagraph, a charter school that earns a second
686 consecutive grade of "F" while implementing a corrective action
687 is subject to subparagraph 4.

688 3. A charter school with a grade of "D" or "F" that
689 improves by at least one letter grade must continue to implement
690 the strategies identified in the school improvement plan. The
691 sponsor must annually review implementation of the school
692 improvement plan to monitor the school's continued improvement
693 pursuant to subparagraph 5.

694 4. A charter school's charter is automatically terminated
695 if the school earns two consecutive grades of "F" after all
696 school grade appeals are final ~~The sponsor shall terminate a~~
697 ~~charter if the charter school earns two consecutive grades of~~
698 ~~"F" unless:~~

699 a. The charter school is established to turn around the
700 performance of a district public school pursuant to s.
701 1008.33(4)(b)3. Such charter schools shall be governed by s.
702 1008.33;

703 b. The charter school serves a student population the
704 majority of which resides in a school zone served by a district
705 public school that earned a grade of "F" in the year before the
706 charter school opened and the charter school earns at least a
707 grade of "D" in its third year of operation. The exception
708 provided under this sub-subparagraph does not apply to a charter
709 school in its fourth year of operation and thereafter; or

710 c. The state board grants the charter school a waiver of
711 termination. The charter school must request the waiver within
712 15 days after the department's official release of school
713 grades. The state board may waive termination if the charter
714 school demonstrates that the Learning Gains of its students on
715 statewide assessments are comparable to or better than the
716 Learning Gains of similarly situated students enrolled in nearby
717 district public schools. The waiver is valid for 1 year and may
718 only be granted once. Charter schools that have been in
719 operation for more than 5 years are not eligible for a waiver
720 under this sub-subparagraph.

721
722 The sponsor shall notify the charter school's governing board,
723 the charter school principal, and the department in writing when
724 a charter is terminated under this subparagraph. A charter
725 terminated under this subparagraph is governed by the
726 requirements of paragraphs (8) (e)-(g) and (9) (o).

727 5. The director and a representative of the governing
728 board of a graded charter school that has implemented a school

729 improvement plan under this paragraph shall appear before the
730 sponsor at least once a year to present information regarding
731 the progress of intervention and support strategies implemented
732 by the school pursuant to the school improvement plan and
733 corrective actions, if applicable. The sponsor shall communicate
734 at the meeting, and in writing to the director, the services
735 provided to the school to help the school address its
736 deficiencies.

737 6. Notwithstanding any provision of this paragraph except
738 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter
739 at any time pursuant to subsection (8).

740 (p)1. Each charter school shall maintain a website that
741 enables the public to obtain information regarding the school;
742 the school's academic performance; the names of the governing
743 board members; the programs at the school; any management
744 companies, service providers, or education management
745 corporations associated with the school; the school's annual
746 budget and its annual independent fiscal audit; the school's
747 grade pursuant to s. 1008.34; and, on a quarterly basis, the
748 minutes of governing board meetings.

749 2. Each charter school's governing board must appoint a
750 representative to facilitate parental involvement, provide
751 access to information, assist parents and others with questions
752 and concerns, and resolve disputes. The representative must
753 reside in the school district in which the charter school is
754 located and may be a governing board member, a charter school

755 employee, or an individual contracted to represent the governing
756 board. If the governing board oversees multiple charter schools
757 in the same school district, the governing board must appoint a
758 separate representative for each charter school in the district.
759 The representative's contact information must be provided
760 annually, in writing to parents and posted prominently on the
761 charter school's website. The sponsor may not require governing
762 board members to reside in the school district in which the
763 charter school is located if the charter school complies with
764 this subparagraph.

765 3. Each charter school's governing board must hold at
766 least two public meetings per school year in the school district
767 where the charter school is located. The meetings must be
768 noticed, open, and accessible to the public, and attendees must
769 be provided an opportunity to receive information and provide
770 input regarding the charter school's operations. The appointed
771 representative and charter school principal or director, or his
772 or her designee, must be physically present at each meeting.
773 Members of the governing board may attend in person or by means
774 of communications media technology used in accordance with rules
775 adopted by the Administration Commission under s. 120.54(5).

776 (13) CHARTER SCHOOL COOPERATIVES.— Charter schools may
777 enter into cooperative agreements to form charter school
778 cooperative organizations that may provide ~~the following~~
779 services to further educational, operational, and administrative
780 initiatives in which the participating charter schools share

781 ~~common interests: charter school planning and development,~~
782 ~~direct instructional services, and contracts with charter school~~
783 ~~governing boards to provide personnel administrative services,~~
784 ~~payroll services, human resource management, evaluation and~~
785 ~~assessment services, teacher preparation, and professional~~
786 ~~development.~~

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

792 (b) The basis for the agreement for funding students
793 enrolled in a charter school shall be the sum of the school
794 district's operating funds from the Florida Education Finance
795 Program as provided in s. 1011.62 and the General Appropriations
796 Act, including gross state and local funds, discretionary
797 lottery funds, and funds from the school district's current
798 operating discretionary millage levy; divided by total funded
799 weighted full-time equivalent students in the school district;
800 multiplied by the weighted full-time equivalent students for the
801 charter school. Charter schools whose students or programs meet
802 the eligibility criteria in law are entitled to their
803 proportionate share of categorical program funds included in the
804 total funds available in the Florida Education Finance Program
805 by the Legislature, including transportation, the research-based
806 reading allocation, and the Florida digital classrooms

807 allocation. Total funding for each charter school shall be
808 recalculated during the year to reflect the revised calculations
809 under the Florida Education Finance Program by the state and the
810 actual weighted full-time equivalent students reported by the
811 charter school during the full-time equivalent student survey
812 periods designated by the Commissioner of Education. Any
813 unrestricted surplus or unrestricted net assets identified in
814 the charter school's annual audit may be used for educational
815 purposes by a not-for-profit or municipal entity organizing or
816 operating the charter school in accordance with the applicable
817 provisions of chapter 617, if the entity is a not-for-profit
818 organization, or the applicable provisions of Title XII, if the
819 entity is a municipality.

820 (e) District school boards shall make timely and efficient
821 payment and reimbursement to charter schools, including
822 processing paperwork required to access special state and
823 federal funding for which they may be eligible. The district
824 school board may distribute funds to a charter school for up to
825 3 months based on the projected full-time equivalent student
826 membership of the charter school. Thereafter, the results of
827 full-time equivalent student membership surveys shall be used in
828 adjusting the amount of funds distributed monthly to the charter
829 school for the remainder of the fiscal year. The payment shall
830 be issued no later than 10 working days after the district
831 school board receives a distribution of state or federal funds.
832 If a warrant for payment is not issued within 10 working days

833 after receipt of funding by the district school board, the
834 school district shall pay to the charter school, in addition to
835 the amount of the scheduled disbursement, interest at a rate of
836 1 percent per month calculated on a daily basis on the unpaid
837 balance from the expiration of the 10 working days until such
838 time as the warrant is issued. The district school board may not
839 delay payment to a charter school of any portion of the funds
840 provided in paragraph (b) based on the timing of receipt of
841 local funds by the district school board.

842 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

843 (a) The Department of Education shall provide information
844 to the public, directly and through sponsors, on how to form and
845 operate a charter school and how to enroll in a charter school
846 once it is created. This information shall include a standard
847 ~~model~~ application form, standard charter contract, standard
848 application evaluation instrument, and standard charter renewal
849 contract, which shall include the information specified in
850 subsection (7) and shall be developed by consulting and
851 negotiating with both school districts and charter schools
852 before implementation. The charter and charter renewal contracts
853 shall be used by charter school sponsors.

854 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
855 SCHOOL SYSTEMS.—A charter school system's governing board shall
856 be designated a local educational agency for the purpose of
857 receiving federal funds, the same as though the charter school
858 system were a school district, if the governing board of the

859 charter school system has adopted and filed a resolution with
 860 its sponsoring district school board and the Department of
 861 Education in which the governing board of the charter school
 862 system accepts the full responsibility for all local education
 863 agency requirements and the charter schools for which the
 864 system's governing board will perform local education agency
 865 responsibilities ~~school system meets all of the following:~~

- 866 ~~(a) Includes both conversion charter schools and~~
- 867 ~~nonconversion charter schools;~~
- 868 (a) (b) Are Has all ~~schools~~ located in the same county;
- 869 (b) (e) Have Has a total enrollment exceeding the total
- 870 enrollment of at least one school district in the state; and
- 871 (c) (d) Are governed by Has the system's ~~same~~ governing
- 872 board; ~~and~~
- 873 ~~(e) Does not contract with a for-profit service provider~~
- 874 ~~for management of school operations.~~

875

876 Such designation does not apply to other provisions unless
 877 specifically provided in law.

878 Section 2. Paragraph (e) of subsection (2) and subsections
 879 (3), (4), and (5) of section 1002.331, Florida Statutes, are
 880 amended to read:

- 881 1002.331 High-performing charter schools.—
- 882 (2) A high-performing charter school is authorized to:
- 883 (e) Receive a modification of its charter to a term of 15
- 884 years or a 15-year charter renewal. The charter may be modified

885 or renewed for a shorter term at the option of the high-
886 performing charter school. The charter must be consistent with
887 s. 1002.33(7)(a)20. ~~1002.33(7)(a)19.~~ and (10)(h) and (i), is
888 subject to annual review by the sponsor, and may be terminated
889 during its term pursuant to s. 1002.33(8).

890

891 A high-performing charter school shall notify its sponsor in
892 writing by March 1 if it intends to increase enrollment or
893 expand grade levels the following school year. The written
894 notice shall specify the amount of the enrollment increase and
895 the grade levels that will be added, as applicable. If a charter
896 school notifies the sponsor of its intent to expand, the sponsor
897 shall modify the charter within 90 days to include the new
898 enrollment maximum and may not make any other changes. The
899 sponsor may deny a request to increase the enrollment of a high-
900 performing charter school if the commissioner has declassified
901 the charter school as high-performing. If a high-performing
902 charter school requests to consolidate multiple charters, the
903 sponsor shall have 40 days after receipt of that request to
904 provide an initial draft charter to the charter school. The
905 sponsor and charter school shall have 50 days thereafter to
906 negotiate and notice the charter contract for final approval by
907 the sponsor.

908 (3)(a) A high-performing charter school may submit an
909 application pursuant to s. 1002.33(6) in any school district in
910 the state to establish and operate a new charter school that

911 will substantially replicate its educational program. An
912 application submitted by a high-performing charter school must
913 state that the application is being submitted pursuant to this
914 paragraph and must include the verification letter provided by
915 the Commissioner of Education pursuant to subsection (4)~~(5)~~. If
916 the sponsor fails to act on the application within 60 days after
917 receipt, the application is deemed approved and the procedure in
918 s. 1002.33(6)(h) applies. If the sponsor denies the application,
919 the high-performing charter school may appeal pursuant to s.
920 1002.33(6).

921 (b) A high-performing charter school may not establish
922 more than one charter school within the state under paragraph
923 (a) in any year. A subsequent application to establish a charter
924 school under paragraph (a) may not be submitted unless each
925 charter school established in this manner achieves high-
926 performing charter school status. This paragraph does not apply
927 to charter schools established by a high-performing charter
928 school in the attendance zone of a school identified as in need
929 of intervention and support pursuant to s. 1008.33(3)(b) or to
930 meet capacity needs or needs for innovative school choice
931 options identified by the district school board.

932 ~~(4) A high-performing charter school may not increase~~
933 ~~enrollment or expand grade levels following any school year in~~
934 ~~which it receives a school grade of "C" or below. If the charter~~
935 ~~school receives a school grade of "C" or below in any 2 years~~
936 ~~during the term of the charter awarded under subsection (2), the~~

937 ~~term of the charter may be modified by the sponsor and the~~
938 ~~charter school loses its high-performing charter school status~~
939 ~~until it regains that status under subsection (1).~~

940 (4)~~(5)~~ The Commissioner of Education, upon request by a
941 charter school, shall verify that the charter school meets the
942 criteria in subsection (1) and provide a letter to the charter
943 school and the sponsor stating that the charter school is a
944 high-performing charter school pursuant to this section. The
945 commissioner shall annually determine whether a high-performing
946 charter school under subsection (1) continues to meet the
947 criteria in that subsection. Such high-performing charter school
948 shall maintain its high-performing status unless the
949 commissioner determines that the charter school no longer meets
950 the criteria in subsection (1), at which time the commissioner
951 shall send a letter to the charter school and its sponsor
952 providing notification that the charter school has been
953 declassified ~~of its declassification~~ as a high-performing
954 charter school.

955 Section 3. Paragraph (a) of subsection (8) of section
956 1002.37, Florida Statutes, is amended to read:

957 1002.37 The Florida Virtual School.—

958 (8) (a) The Florida Virtual School may provide full-time
959 and part-time instruction for students in kindergarten through
960 grade 12. ~~To receive part-time instruction in kindergarten~~
961 ~~through grade 5, a student must meet at least one of the~~
962 ~~eligibility criteria in s. 1002.455(2).~~

963 Section 4. Subsection (5) and paragraphs (c) and (d) of
964 subsection (8) of section 1002.45, Florida Statutes, are amended
965 to read:

966 1002.45 Virtual instruction programs.—

967 (5) STUDENT ELIGIBILITY.—Students in kindergarten through
968 grade 12 ~~A student~~ may enroll in a virtual instruction program
969 provided by the school district or by a virtual charter school
970 operated in the district in which he or she resides ~~if the~~
971 ~~student meets eligibility requirements for virtual instruction~~
972 ~~pursuant to s. 1002.455.~~

973 (8) ASSESSMENT AND ACCOUNTABILITY.—

974 (c) An approved provider that receives a school grade of
975 "D" or "F" under s. 1008.34 or a school improvement rating of
976 "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a
977 school improvement plan with the department for consultation to
978 determine the causes for low performance and to develop a plan
979 for correction and improvement.

980 (d) An approved provider's contract is automatically ~~must~~
981 ~~be~~ terminated if the provider earns two consecutive school
982 grades of ~~receives a school grade of "D" or "F"~~ under s.
983 1008.34, receives two consecutive ~~or a school improvement~~
984 ratings ~~rating~~ of "unsatisfactory" ~~"Declining"~~ under s.
985 1008.341, ~~for 2 years during any consecutive 4-year period~~ or
986 has violated any qualification requirement pursuant to
987 subsection (2). A provider that has a contract terminated under
988 this paragraph may not be an approved provider for a period of

989 at least 1 year after the date upon which the contract was
 990 terminated and until the department determines that the provider
 991 is in compliance with subsection (2) and has corrected each
 992 cause of the provider's low performance.

993 Section 5. Section 1002.455, Florida Statutes, is
 994 repealed.

995 Section 6. Subsection (2) of section 1003.498, Florida
 996 Statutes, is amended to read:

997 1003.498 School district virtual course offerings.—

998 (2) School districts may offer virtual courses for
 999 students enrolled in the school district. These courses must be
 1000 identified in the course code directory. ~~Students who meet the~~
 1001 ~~eligibility requirements of s. 1002.455 may participate in these~~
 1002 ~~virtual course offerings.~~

1003 (a) Any eligible student who is enrolled in a school
 1004 district may register and enroll in an online course offered by
 1005 his or her school district.

1006 (b)1. Any eligible student who is enrolled in a school
 1007 district may register and enroll in an online course offered by
 1008 any other school district in the state. The school district in
 1009 which the student completes the course shall report the
 1010 student's completion of that course for funding pursuant to s.
 1011 1011.61(1)(c)1.b.(VI), and the home school district shall not
 1012 report the student for funding for that course.

1013 2. The full-time equivalent student membership calculated
 1014 under this subsection is subject to the requirements in s.

1015 1011.61(4). The Department of Education shall establish
 1016 procedures to enable interdistrict coordination for the delivery
 1017 and funding of this online option.

1018 Section 7. Section 1004.650, Florida Statutes, is created
 1019 to read:

1020 1004.650 Florida Institute for Charter School Innovation.—

1021 (1) There is established the Florida Institute for Charter
 1022 School Innovation within the Florida State University. The
 1023 purposes of the institute are to advance charter school
 1024 accountability, quality, and innovation; provide support for and
 1025 technical assistance to charter school applicants and sponsors;
 1026 provide opportunities for aspiring teachers to experience
 1027 teaching in schools of choice; and conduct research for the
 1028 development and promotion of best practices for the authorizing,
 1029 accountability, financing, management, operation, and
 1030 instructional practices of charter schools.

1031 (2) The institute shall:

1032 (a) Provide technical assistance and support to charter
 1033 school applicants and sponsors.

1034 (b) Conduct research to inform both policy and practices
 1035 related to charter school authorizing, accountability,
 1036 instructional practices, financing, management, and operations.

1037 (c) Partner with state-approved teacher preparation
 1038 programs around the state to provide opportunities for aspiring
 1039 teachers to experience teaching in schools of choice.

1040 (3) The President of the Florida State University shall

1041 appoint a director of the institute. The director is responsible
1042 for overall management of the institute and for developing and
1043 executing the work of the institute consistent with this
1044 section. The director may engage individuals in other state
1045 universities with accredited colleges of education to
1046 participate in the work of the institute.

1047 (4) By October 1 of each year, the institute shall provide
1048 a written report to the Governor, the President of the Senate,
1049 and the Speaker of the House of Representatives that outlines
1050 its activities in the preceding year, reports significant
1051 research findings, details expenditures of state funds, and
1052 provides specific recommendations for improving the state's
1053 charter school policies and the institute's ability to fulfill
1054 its mission.

1055 (5) Within 180 days after completion of the institute's
1056 fiscal year, the institute must provide to the Auditor General,
1057 the Board of Governors of the State University System, and the
1058 State Board of Education a report on the results of an annual
1059 financial audit conducted by an independent certified public
1060 accountant in accordance with s. 11.45.

1061 Section 8. Subsection (11) of section 1011.62, Florida
1062 Statutes, is amended to read:

1063 1011.62 Funds for operation of schools.—If the annual
1064 allocation from the Florida Education Finance Program to each
1065 district for operation of schools is not determined in the
1066 annual appropriations act or the substantive bill implementing

1067 the annual appropriations act, it shall be determined as
 1068 follows:

1069 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 1070 annually provide in the Florida Education Finance Program a
 1071 virtual education contribution. The amount of the virtual
 1072 education contribution shall be the difference between the
 1073 amount per FTE established in the General Appropriations Act for
 1074 virtual education and the amount per FTE for each district and
 1075 the Florida Virtual School, which may be calculated by taking
 1076 the sum of the base FEFP allocation, the discretionary local
 1077 effort, the state-funded discretionary contribution, the
 1078 discretionary millage compression supplement, the research-based
 1079 reading instruction allocation, and the instructional materials
 1080 allocation, and then dividing by the total unweighted FTE. This
 1081 difference shall be multiplied by the virtual education
 1082 unweighted FTE for programs and options identified in ss.
 1083 1002.33(1), 1002.45(1)(b), and 1003.498 s. ~~1002.455(3)~~ and the
 1084 Florida Virtual School and its franchises to equal the virtual
 1085 education contribution and shall be included as a separate
 1086 allocation in the funding formula.

1087 Section 9. Paragraph (b) of subsection (8) of section
 1088 1012.56, Florida Statutes, is amended to read:

1089 1012.56 Educator certification requirements.—

1090 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 1091 COMPETENCY PROGRAM.—

1092 (b)1. Each school district must and a private school or

1093 state-supported ~~state-supported~~ public school, including a
 1094 charter school, ~~or a private school~~ may develop and maintain a
 1095 system by which members of the instructional staff may
 1096 demonstrate mastery of professional preparation and education
 1097 competence as required by law. Each program must be based on
 1098 classroom application of the Florida Educator Accomplished
 1099 Practices and instructional performance and, for public schools,
 1100 must be aligned with the district's or state-supported public
 1101 school's evaluation system established ~~approved~~ under s.
 1102 1012.34, as applicable.

1103 2. The Commissioner of Education shall determine the
 1104 continued approval of programs implemented under this paragraph,
 1105 based upon the department's review of performance data. The
 1106 department shall review the performance data as a part of the
 1107 periodic review of each school district's professional
 1108 development system required under s. 1012.98.

1109 Section 10. Paragraph (a) of subsection (1) of section
 1110 1013.62, Florida Statutes, is amended to read:

1111 1013.62 Charter schools capital outlay funding.—

1112 (1) In each year in which funds are appropriated for
 1113 charter school capital outlay purposes, the Commissioner of
 1114 Education shall allocate the funds among eligible charter
 1115 schools.

1116 (a) To be eligible for a funding allocation, a charter
 1117 school must:

1118 1.a. Have been in operation for 3 or more years;

1119 b. Be governed by a governing board established in the
 1120 state for 3 or more years which operates both charter schools
 1121 and conversion charter schools within the state;

1122 c. Be an expanded feeder chain of a charter school within
 1123 the same school district that is currently receiving charter
 1124 school capital outlay funds;

1125 d. Have been accredited by the Commission on Schools of
 1126 the Southern Association of Colleges and Schools; or

1127 e. Serve students in facilities that are provided by a
 1128 business partner for a charter school-in-the-workplace pursuant
 1129 to s. 1002.33(15) (b).

1130 2. Have an annual audit that does not reveal any of the
 1131 financial emergency conditions provided in s. 218.503(1) for the
 1132 most recent fiscal year for which such audit results are
 1133 available ~~stability for future operation as a charter school.~~

1134 3. Have satisfactory student achievement based on state
 1135 accountability standards applicable to the charter school.

1136 4. Have received final approval from its sponsor pursuant
 1137 to s. 1002.33 for operation during that fiscal year.

1138 5. Serve students in facilities that are not provided by
 1139 the charter school's sponsor.

1140 Section 11. For the 2015-2016 fiscal year, the sum of
 1141 \$4,184,000 in recurring funds is appropriated from the General
 1142 Revenue Fund to the Florida Education Finance Program to fund
 1143 student enrollment associated with the repeal by this act of s.
 1144 1002.455, Florida Statutes. For the 2015-2016 fiscal year, the

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1145 sum of \$1 million in recurring funds is appropriated from the
1146 General Revenue Fund to the Florida State University to create
1147 and implement the Florida Institute for Charter School
1148 Innovation.

1149 Section 12. This act shall take effect July 1, 2015.