

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

27 | educational agency status for certain charter school
28 | systems; amending s. 1002.331, F.S.; providing an
29 | exemption from the replication limitations for high-
30 | performing charter school; conforming a cross-
31 | reference; deleting obsolete provisions; amending s.
32 | 1002.37, F.S.; conforming a cross-reference; amending
33 | s. 1002.45, F.S.; conforming a cross-reference;
34 | revising conditions for termination of a virtual
35 | instruction provider's contract; repealing s.
36 | 1002.455, F.S., relating to student eligibility for K-
37 | 12 virtual instruction; amending s. 1003.498, F.S.;
38 | conforming a cross-reference; creating s. 1004.650;
39 | establishing the Florida Institute for Charter School
40 | Innovation; specifying requirements for the institute;
41 | providing for the appointment of a director of the
42 | institute; establishing duties of the director;
43 | requiring an annual report to the Governor and
44 | Legislature and an annual financial report to certain
45 | entities; amending s. 1011.62, F.S.; conforming cross-
46 | references; amending s. 1012.56, F.S.; specifying that
47 | a charter school may develop and operate a
48 | professional development certification and education
49 | competency program; amending s. 1013.62, F.S.;
50 | revising eligibility requirements for charter school
51 | capital outlay funding; providing an effective date.
52 |

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

54

55 Section 1. Subsection (1), paragraphs (a), (b), and (c) of
56 subsection (6), subsection (7), paragraphs (e), (f), and (g) of
57 subsection (8), paragraphs (g), (n), and (p) of subsection (9),
58 subsection (13), paragraphs (b) and (e) of subsection (17),
59 paragraph (a) of subsection (21), and subsection (25) of section
60 1002.33, Florida Statutes, are amended, and paragraph (h) is
61 added to subsection (8) of that section, to read:

62 1002.33 Charter schools.—

63 (1) AUTHORIZATION.—Charter schools shall be part of the
64 state's program of public education. All charter schools in
65 Florida are public schools. A charter school may be formed by
66 creating a new school or converting an existing public school to
67 charter status. A charter school may operate a virtual charter
68 school pursuant to s. 1002.45(1)(d) to provide full-time online
69 instruction to eligible students, ~~pursuant to s. 1002.455,~~ in
70 kindergarten through grade 12. An existing A charter school that
71 is seeking to become a virtual charter school must amend its
72 charter or submit a new application pursuant to subsection (6)
73 to become a virtual charter school. A virtual charter school is
74 subject to the requirements of this section; however, a virtual
75 charter school is exempt from subsections (18) and (19),
76 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
77 s. 1003.03. A public school may not use the term charter in its
78 name unless it has been approved under this section.

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

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

84 1. Demonstrates how the school will use the guiding
85 principles and meet the statutorily defined purpose of a charter
86 school.

87 2. Provides a detailed curriculum plan that illustrates
88 how students will be provided services to attain the Sunshine
89 State Standards.

90 3. Contains goals and objectives for improving student
91 learning and measuring that improvement. These goals and
92 objectives must indicate how much academic improvement students
93 are expected to show each year, how success will be evaluated,
94 and the specific results to be attained through instruction.

95 4. Describes the reading curriculum and differentiated
96 strategies that will be used for students reading at grade level
97 or higher and a separate curriculum and strategies for students
98 who are reading below grade level. A sponsor shall deny an
99 application ~~a charter~~ if the school does not propose a reading
100 curriculum that is consistent with effective teaching strategies
101 that are grounded in scientifically based reading research;
102 however, a sponsor may not require the school to implement the
103 reading curriculum adopted by the school district.

104 5. Contains an annual financial plan for each year

105 requested by the charter for operation of the school for up to 5
106 years. This plan must contain anticipated fund balances based on
107 revenue projections, a spending plan based on projected revenues
108 and expenses, and a description of controls that will safeguard
109 finances and projected enrollment trends.

110 6. Discloses the name of each applicant, governing board
111 member, and proposed management company, if any; the name and
112 sponsor of any charter school currently or previously operated
113 by each applicant, each governing board member, and the proposed
114 management company; and the academic and financial history of
115 such charter schools, which the sponsor shall consider in
116 deciding whether to approve or deny the application.

117 ~~7.6.~~ Contains additional information a sponsor may
118 require, which shall be attached as an addendum to the charter
119 school application described in this paragraph.

120 ~~8.7.~~ For the establishment of a virtual charter school,
121 documents that the applicant has contracted with a provider of
122 virtual instruction services pursuant to s. 1002.45(1)(d).

123 (b) A sponsor shall receive and review all applications
124 for a charter school using the ~~an~~ evaluation instrument
125 developed by the Department of Education. A sponsor shall
126 receive and consider charter school applications received on or
127 before August 1 of each calendar year for charter schools to be
128 opened at the beginning of the school district's next school
129 year, or to be opened at a time agreed to by the applicant and
130 the sponsor. A sponsor may not refuse to receive a charter

131 school application submitted before August 1 and may receive an
132 application submitted later than August 1 if it chooses. In
133 order to facilitate greater collaboration in the application
134 process, an applicant may submit a draft charter school
135 application on or before May 1 with an application fee of \$500.
136 If a draft application is timely submitted, the sponsor shall
137 review and provide feedback as to material deficiencies in the
138 application by July 1. The applicant shall then have until
139 August 1 to resubmit a revised and final application. The
140 sponsor may approve the draft application. Except as provided
141 for a draft application, a sponsor may not charge an applicant
142 for a charter any fee for the processing or consideration of an
143 application, and a sponsor may not base its consideration or
144 approval of a final application upon the promise of future
145 payment of any kind. Before approving or denying any final
146 application, the sponsor shall allow the applicant, upon receipt
147 of written notification, at least 7 calendar days to make
148 technical or nonsubstantive corrections and clarifications,
149 including, but not limited to, corrections of grammatical,
150 typographical, and like errors or missing signatures, if such
151 errors are identified by the sponsor as cause to deny the final
152 application.

153 1. In order to facilitate an accurate budget projection
154 process, a sponsor shall be held harmless for FTE students who
155 are not included in the FTE projection due to approval of
156 charter school applications after the FTE projection deadline.

157 In a further effort to facilitate an accurate budget projection,
158 within 15 calendar days after receipt of a charter school
159 application, a sponsor shall report to the Department of
160 Education the name of the applicant entity, the proposed charter
161 school location, and its projected FTE.

162 2. In order to ensure fiscal responsibility, an
163 application for a charter school shall include a full accounting
164 of expected assets, a projection of expected sources and amounts
165 of income, including income derived from projected student
166 enrollments and from community support, and an expense
167 projection that includes full accounting of the costs of
168 operation, including start-up costs.

169 3.a. A sponsor shall by a majority vote approve or deny an
170 application no later than 60 calendar days after the application
171 is received, unless the sponsor and the applicant mutually agree
172 in writing to temporarily postpone the vote to a specific date,
173 at which time the sponsor shall by a majority vote approve or
174 deny the application. If the sponsor fails to act on the
175 application, an applicant may appeal to the State Board of
176 Education as provided in paragraph (c). If an application is
177 denied, the sponsor shall, within 10 calendar days after such
178 denial, articulate in writing the specific reasons, based upon
179 good cause, supporting its denial of the ~~charter~~ application and
180 shall provide the letter of denial and supporting documentation
181 to the applicant and to the Department of Education.

182 b. An application submitted by a high-performing charter

183 school identified pursuant to s. 1002.331 may be denied by the
184 sponsor only if the sponsor demonstrates by clear and convincing
185 evidence that:

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

188 (II) The charter school proposed in the application does
189 not materially comply with the requirements in paragraphs
190 (9) (a) - (f);

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

194 (IV) The applicant has made a material misrepresentation
195 or false statement or concealed an essential or material fact
196 during the application process; or

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

200

201 Material noncompliance is a failure to follow requirements or a
202 violation of prohibitions applicable to charter school
203 applications, which failure is quantitatively or qualitatively
204 significant either individually or when aggregated with other
205 noncompliance. An applicant is considered to be replicating a
206 high-performing charter school if the proposed school is
207 substantially similar to at least one of the applicant's high-
208 performing charter schools and the organization or individuals

209 involved in the establishment and operation of the proposed
 210 school are significantly involved in the operation of replicated
 211 schools.

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

223 4. For budget projection purposes, the sponsor shall
 224 report to the Department of Education the approval or denial of
 225 an a-charter application within 10 calendar days after such
 226 approval or denial. In the event of approval, the report to the
 227 Department of Education shall include the final projected FTE
 228 for the approved charter school.

229 5. Upon approval of an ~~a-charter~~ application, the initial
 230 startup shall commence with the beginning of the public school
 231 calendar for the district in which the charter is granted unless
 232 the sponsor allows a waiver of this subparagraph for good cause.

233 (c)1. An applicant may appeal any denial of that
 234 applicant's application or failure to act on an application to

235 the State Board of Education no later than 30 calendar days
236 after receipt of the sponsor's decision or failure to act and
237 shall notify the sponsor of its appeal. Any response of the
238 sponsor shall be submitted to the State Board of Education
239 within 30 calendar days after notification of the appeal. Upon
240 receipt of notification from the State Board of Education that a
241 charter school applicant is filing an appeal, the Commissioner
242 of Education shall convene a meeting of the Charter School
243 Appeal Commission to study and make recommendations to the State
244 Board of Education regarding its pending decision about the
245 appeal. The commission shall forward its recommendation to the
246 state board at least 7 calendar days before the date on which
247 the appeal is to be heard. An appeal regarding the denial of an
248 application submitted by a high-performing charter school
249 pursuant to s. 1002.331 shall be conducted by the State Board of
250 Education in accordance with this paragraph, except that the
251 commission shall not convene to make recommendations regarding
252 the appeal. However, the Commissioner of Education shall review
253 the appeal and make a recommendation to the state board.

254 2. The Charter School Appeal Commission or, in the case of
255 an appeal regarding an application submitted by a high-
256 performing charter school, the State Board of Education may
257 reject an appeal submission for failure to comply with
258 procedural rules governing the appeals process. The rejection
259 shall describe the submission errors. The appellant shall have
260 15 calendar days after notice of rejection in which to resubmit

261 an appeal that meets the requirements set forth in State Board
 262 of Education rule. An appeal submitted subsequent to such
 263 rejection is considered timely if the original appeal was filed
 264 within 30 calendar days after receipt of notice of the specific
 265 reasons for the sponsor's denial of the ~~charter~~ application.

266 3.a. The State Board of Education shall by majority vote
 267 accept or reject the decision of the sponsor no later than 90
 268 calendar days after an appeal is filed in accordance with State
 269 Board of Education rule. The State Board of Education shall
 270 remand the application to the sponsor with its written decision
 271 that the sponsor approve or deny the application. The sponsor
 272 shall implement the decision of the State Board of Education.
 273 The decision of the State Board of Education is not subject to
 274 the provisions of the Administrative Procedure Act, chapter 120.

275 b. If an appeal concerns an application submitted by a
 276 high-performing charter school identified pursuant to s.
 277 1002.331, the State Board of Education shall determine whether
 278 the sponsor's denial of the application complies with the
 279 requirements in sub-subparagraph (b)3.b. ~~sponsor has shown, by~~
 280 ~~clear and convincing evidence, that:~~

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

283 ~~(II) The charter school proposed in the application does~~
 284 ~~not materially comply with the requirements in paragraphs~~
 285 ~~(9) (a) - (f);~~

286 ~~(III) The proposed charter school's educational program~~

287 ~~does not substantially replicate that of the applicant or one of~~
 288 ~~the applicant's high performing charter schools;~~

289 ~~(IV) The applicant has made a material misrepresentation~~
 290 ~~or false statement or concealed an essential or material fact~~
 291 ~~during the application process; or~~

292 ~~(V) The proposed charter school's educational program and~~
 293 ~~financial management practices do not materially comply with the~~
 294 ~~requirements of this section.~~

295
 296 The State Board of Education shall approve or reject the
 297 sponsor's denial of an application no later than 90 calendar
 298 days after an appeal is filed in accordance with State Board of
 299 Education rule. The State Board of Education shall remand the
 300 application to the sponsor with its written decision that the
 301 sponsor approve or deny the application. The sponsor shall
 302 implement the decision of the State Board of Education. The
 303 decision of the State Board of Education is not subject to the
 304 Administrative Procedure Act, chapter 120.

305 (7) CHARTER.—The major issues involving the operation of a
 306 charter school shall be considered in advance and written into
 307 the charter. The charter shall be signed by the governing board
 308 of the charter school and the sponsor, following a public
 309 hearing to ensure community input.

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

312 1. The school's mission, the students to be served, and

313 the ages and grades to be included.

314 2. The focus of the curriculum, the instructional methods
315 to be used, any distinctive instructional techniques to be
316 employed, and identification and acquisition of appropriate
317 technologies needed to improve educational and administrative
318 performance which include a means for promoting safe, ethical,
319 and appropriate uses of technology which comply with legal and
320 professional standards.

321 a. The charter shall ensure that reading is a primary
322 focus of the curriculum and that resources are provided to
323 identify and provide specialized instruction for students who
324 are reading below grade level. The curriculum and instructional
325 strategies for reading must be consistent with the Next
326 Generation Sunshine State Standards and grounded in
327 scientifically based reading research. For purposes of
328 determining eligibility for the research-based reading
329 instruction allocation, the reading curriculum and instructional
330 strategies specified in the charter satisfy the research-based
331 reading plan requirement under s. 1011.62(9).

332 b. In order to provide students with access to diverse
333 instructional delivery models, to facilitate the integration of
334 technology within traditional classroom instruction, and to
335 provide students with the skills they need to compete in the
336 21st century economy, the Legislature encourages instructional
337 methods for blended learning courses consisting of both
338 traditional classroom and online instructional techniques.

339 Charter schools may implement blended learning courses which
340 combine traditional classroom instruction and virtual
341 instruction. Students in a blended learning course must be full-
342 time students of the charter school and receive the online
343 instruction in a classroom setting at the charter school.
344 Instructional personnel certified pursuant to s. 1012.55 who
345 provide virtual instruction for blended learning courses may be
346 employees of the charter school or may be under contract to
347 provide instructional services to charter school students. At a
348 minimum, such instructional personnel must hold an active state
349 or school district adjunct certification under s. 1012.57 for
350 the subject area of the blended learning course. The funding and
351 performance accountability requirements for blended learning
352 courses are the same as those for traditional courses.

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

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

359 b. How these baseline rates will be compared to rates of
360 academic progress achieved by these same students while
361 attending the charter school.

362 c. To the extent possible, how these rates of progress
363 will be evaluated and compared with rates of progress of other
364 closely comparable student populations.

365
366 The district school board is required to provide academic
367 student performance data to charter schools for each of their
368 students coming from the district school system, as well as
369 rates of academic progress of comparable student populations in
370 the district school system.

371 4. The methods used to identify the educational strengths
372 and needs of students and how well educational goals and
373 performance standards are met by students attending the charter
374 school. The methods shall provide a means for the charter school
375 to ensure accountability to its constituents by analyzing
376 student performance data and by evaluating the effectiveness and
377 efficiency of its major educational programs. Students in
378 charter schools shall, at a minimum, participate in the
379 statewide assessment program created under s. 1008.22.

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

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

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

387 8. The ways by which the school will achieve a
388 racial/ethnic balance reflective of the community it serves or
389 within the racial/ethnic range of other public schools in the
390 same school district.

391 9. The financial and administrative management of the
392 school, including a reasonable demonstration of the professional
393 experience or competence of those individuals or organizations
394 applying to operate the charter school or those hired or
395 retained to perform such professional services and the
396 description of clearly delineated responsibilities and the
397 policies and practices needed to effectively manage the charter
398 school. A description of internal audit procedures and
399 establishment of controls to ensure that financial resources are
400 properly managed must be included. Both public sector and
401 private sector professional experience shall be equally valid in
402 such a consideration.

403 10. The asset and liability projections required in the
404 application which are incorporated into the charter and shall be
405 compared with information provided in the annual report of the
406 charter school.

407 11. A description of procedures that identify various
408 risks and provide for a comprehensive approach to reduce the
409 impact of losses; plans to ensure the safety and security of
410 students and staff; plans to identify, minimize, and protect
411 others from violent or disruptive student behavior; and the
412 manner in which the school will be insured, including whether or
413 not the school will be required to have liability insurance,
414 and, if so, the terms and conditions thereof and the amounts of
415 coverage.

416 12. ~~The term of the charter which shall provide for~~

417 ~~cancellation of the charter if insufficient progress has been~~
418 ~~made in attaining the student achievement objectives of the~~
419 ~~charter and if it is not likely that such objectives can be~~
420 ~~achieved before expiration of the charter.~~ The initial term of
421 the a charter is either shall be for 4 or 5 years. ~~In order to~~
422 ~~facilitate access to long term financial resources for charter~~
423 ~~school construction,~~ Charter schools that are operated by a
424 municipality or other public entity, as provided by law, or a
425 private, not-for-profit, s. 501(c)(3) status corporation are
426 eligible for up to a 15-year charter, subject to approval by the
427 district school board. A charter lab school is also eligible for
428 a charter for a term of up to 15 years. ~~In addition, to~~
429 ~~facilitate access to long term financial resources for charter~~
430 ~~school construction,~~ ~~charter schools that are operated by a~~
431 ~~private, not-for-profit, s. 501(c)(3) status corporation~~ are
432 eligible for up to a 15-year charter, subject to approval by the
433 ~~district school board.~~ Such long-term charters remain subject to
434 annual review and may be terminated during the term of the
435 charter, but only according to ~~the provisions set forth in~~
436 subsection (8) or paragraph (9) (n).

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

439 14.13. The facilities to be used and their location. The
440 sponsor may not require a charter school to have a certificate
441 of occupancy or a temporary certificate of occupancy for such a
442 facility earlier than 15 calendar days before the first day of

443 school.

444 ~~15.14.~~ The qualifications to be required of the teachers
445 and the potential strategies used to recruit, hire, train, and
446 retain qualified staff to achieve best value.

447 ~~16.15.~~ The governance structure of the school, including
448 the status of the charter school as a public or private employer
449 as required in paragraph (12) (i).

450 ~~17.16.~~ A timetable for implementing the charter which
451 addresses the implementation of each element thereof and the
452 date by which the charter shall be awarded in order to meet this
453 timetable.

454 ~~18.17.~~ In the case of an existing public school that is
455 being converted to charter status, alternative arrangements for
456 current students who choose not to attend the charter school and
457 for current teachers who choose not to teach in the charter
458 school after conversion in accordance with the existing
459 collective bargaining agreement or district school board rule in
460 the absence of a collective bargaining agreement. However,
461 alternative arrangements shall not be required for current
462 teachers who choose not to teach in a charter lab school, except
463 as authorized by the employment policies of the state university
464 which grants the charter to the lab school.

465 ~~19.18.~~ Full disclosure of the identity of all relatives
466 employed by the charter school who are related to the charter
467 school owner, president, chairperson of the governing board of
468 directors, superintendent, governing board member, principal,

469 assistant principal, or any other person employed by the charter
470 school who has equivalent decisionmaking authority. For the
471 purpose of this subparagraph, the term "relative" means father,
472 mother, son, daughter, brother, sister, uncle, aunt, first
473 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
474 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
475 stepfather, stepmother, stepson, stepdaughter, stepbrother,
476 stepsister, half brother, or half sister.

477 ~~20.19.~~ Implementation of the activities authorized under
478 s. 1002.331 by the charter school when it satisfies the
479 eligibility requirements for a high-performing charter school. A
480 high-performing charter school shall notify its sponsor in
481 writing by March 1 if it intends to increase enrollment or
482 expand grade levels the following school year. The written
483 notice shall specify the amount of the enrollment increase and
484 the grade levels that will be added, as applicable.

485 (b)1. A charter may be renewed provided that a program
486 review demonstrates that the criteria in paragraph (a) have been
487 successfully accomplished and that none of the grounds for
488 nonrenewal established by paragraph (8) (a) has been documented.
489 ~~In order to facilitate long-term financing for charter school~~
490 ~~construction,~~ Charter schools operating for a minimum of 3 years
491 and demonstrating exemplary academic programming and fiscal
492 management are eligible for a 15-year charter renewal. Such
493 long-term charter is subject to annual review and may be
494 terminated during the term of the charter.

495 2. The 15-year charter renewal that may be granted
496 pursuant to subparagraph 1. shall be granted to a charter school
497 that has received a school grade of "A" or "B" pursuant to s.
498 1008.34 in 3 of the past 4 years and is not in a state of
499 financial emergency or deficit position as defined by this
500 section. Such long-term charter is subject to annual review and
501 may be terminated during the term of the charter pursuant to
502 subsection (8).

503 (c) A charter may be modified during its initial term or
504 any renewal term upon the recommendation of the sponsor or the
505 charter school's governing board and the approval of both
506 parties to the agreement. Modification may include, but is not
507 limited to, consolidation of multiple charters into a single
508 charter if the charters are operated under the same governing
509 board and physically located on the same campus, regardless of
510 the renewal cycle.

511 ~~(d)1. Each charter school's governing board must appoint a~~
512 ~~representative to facilitate parental involvement, provide~~
513 ~~access to information, assist parents and others with questions~~
514 ~~and concerns, and resolve disputes. The representative must~~
515 ~~reside in the school district in which the charter school is~~
516 ~~located and may be a governing board member, charter school~~
517 ~~employee, or individual contracted to represent the governing~~
518 ~~board. If the governing board oversees multiple charter schools~~
519 ~~in the same school district, the governing board must appoint a~~
520 ~~separate individual representative for each charter school in~~

521 ~~the district. The representative's contact information must be~~
522 ~~provided annually in writing to parents and posted prominently~~
523 ~~on the charter school's website if a website is maintained by~~
524 ~~the school. The sponsor may not require that governing board~~
525 ~~members reside in the school district in which the charter~~
526 ~~school is located if the charter school complies with this~~
527 ~~paragraph.~~

528 ~~2. Each charter school's governing board must hold at~~
529 ~~least two public meetings per school year in the school~~
530 ~~district. The meetings must be noticed, open, and accessible to~~
531 ~~the public, and attendees must be provided an opportunity to~~
532 ~~receive information and provide input regarding the charter~~
533 ~~school's operations. The appointed representative and charter~~
534 ~~school principal or director, or his or her equivalent, must be~~
535 ~~physically present at each meeting.~~

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

537 (e) When a charter is not renewed or is terminated, or a
538 charter school is closed voluntarily by the operator, the school
539 shall be dissolved under the provisions of law under which the
540 school was organized, and any unencumbered public funds, except
541 for capital outlay funds and federal charter school program
542 grant funds, from the charter school shall revert to the
543 sponsor. Capital outlay funds provided pursuant to s. 1013.62
544 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 district school board
548 property and improvements, furnishings, and equipment purchased
549 with public funds shall automatically revert to full ownership
550 by the district school board, subject to complete satisfaction
551 of any lawful liens or encumbrances. Any unencumbered public
552 funds from the charter school, district school board property
553 and improvements, furnishings, and equipment purchased with
554 public funds, or financial or other records pertaining to the
555 charter school, in the possession of any person, entity, or
556 holding company, other than the charter school, shall be held in
557 trust upon the district school board's request, until any appeal
558 status is resolved.

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

568 (g) If a charter is not renewed or is terminated, or a
569 charter school is closed voluntarily by the operator, a student
570 who attended the school may apply to, and shall be enrolled in,
571 another public school. Normal application deadlines shall be
572 disregarded under such circumstances.

573 (h) The governing board of a charter school that closes
574 voluntarily shall notify the sponsor and the department in
575 writing within 7 calendar days of its decision to cease
576 operations. The notice shall state the reasons for the closure
577 and acknowledge that the governing board agrees to follow the
578 procedures for dissolution and reversion of public funds
579 pursuant to this subsection and paragraph (9) (o).

580 (9) CHARTER SCHOOL REQUIREMENTS.—

581 (g)1. In order to provide financial information that is
582 comparable to that reported for other public schools, charter
583 schools are to maintain all financial records that constitute
584 their accounting system:

585 a. In accordance with the accounts and codes prescribed in
586 the most recent issuance of the publication titled "Financial
587 and Program Cost Accounting and Reporting for Florida Schools";
588 or

589 b. At the discretion of the charter school's governing
590 board, a charter school may elect to follow generally accepted
591 accounting standards for not-for-profit organizations, but must
592 reformat this information for reporting according to this
593 paragraph.

594 2. Charter schools shall provide annual financial report
595 and program cost report information in the state-required
596 formats for inclusion in district reporting in compliance with
597 s. 1011.60(1). Charter schools that are operated by a
598 municipality or are a component unit of a parent nonprofit

599 organization may use the accounting system of the municipality
600 or the parent but must reformat this information for reporting
601 according to this paragraph.

602 3. A charter school shall, upon approval of the contract,
603 provide the sponsor with a concise, uniform, monthly financial
604 statement summary sheet that contains a balance sheet and a
605 statement of revenue, expenditures, and changes in fund balance.
606 The balance sheet and the statement of revenue, expenditures,
607 and changes in fund balance shall be in the governmental funds
608 format prescribed by the Governmental Accounting Standards
609 Board. A high-performing charter school pursuant to s. 1002.331
610 may provide a quarterly financial statement in the same format
611 and requirements as the uniform monthly financial statement
612 summary sheet. The sponsor shall review each monthly or
613 quarterly financial statement to identify the existence of any
614 conditions identified in s. 1002.345(1)(a).

615 4. A charter school shall maintain and provide financial
616 information as required in this paragraph. The financial
617 statement required in subparagraph 3. must be in a form
618 prescribed by the Department of Education.

619 (n)1. The director and a representative of the governing
620 board of a charter school that has earned a grade of "D" or "F"
621 pursuant to s. 1008.34 shall appear before the sponsor to
622 present information concerning each contract component having
623 noted deficiencies. The director and a representative of the
624 governing board shall submit to the sponsor for approval a

625 school improvement plan to raise student performance. Upon
626 approval by the sponsor, the charter school shall begin
627 implementation of the school improvement plan. The department
628 shall offer technical assistance and training to the charter
629 school and its governing board and establish guidelines for
630 developing, submitting, and approving such plans.

631 2.a. If a charter school earns three consecutive grades of
632 "D," two consecutive grades of "D" followed by a grade of "F,"
633 or two nonconsecutive grades of "F" within a 3-year period, the
634 charter school governing board shall choose one of the following
635 corrective actions:

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

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

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

643 (IV) Voluntarily close the charter school.

644 b. The charter school must implement the corrective action
645 in the school year following receipt of a third consecutive
646 grade of "D," a grade of "F" following two consecutive grades of
647 "D," or a second nonconsecutive grade of "F" within a 3-year
648 period.

649 c. The sponsor may annually waive a corrective action if
650 it determines that the charter school is likely to improve a

651 letter grade if additional time is provided to implement the
652 intervention and support strategies prescribed by the school
653 improvement plan. Notwithstanding this sub-subparagraph, a
654 charter school that earns a second consecutive grade of "F" is
655 subject to subparagraph 4.

656 d. A charter school is no longer required to implement a
657 corrective action if it improves by at least one letter grade.
658 However, the charter school must continue to implement
659 strategies identified in the school improvement plan. The
660 sponsor must annually review implementation of the school
661 improvement plan to monitor the school's continued improvement
662 pursuant to subparagraph 5.

663 e. A charter school implementing a corrective action that
664 does not improve by at least one letter grade after 2 full
665 school years of implementing the corrective action must select a
666 different corrective action. Implementation of the new
667 corrective action must begin in the school year following the
668 implementation period of the existing corrective action, unless
669 the sponsor determines that the charter school is likely to
670 improve a letter grade if additional time is provided to
671 implement the existing corrective action. Notwithstanding this
672 sub-subparagraph, a charter school that earns a second
673 consecutive grade of "F" while implementing a corrective action
674 is subject to subparagraph 4.

675 3. A charter school with a grade of "D" or "F" that
676 improves by at least one letter grade must continue to implement

677 the strategies identified in the school improvement plan. The
678 sponsor must annually review implementation of the school
679 improvement plan to monitor the school's continued improvement
680 pursuant to subparagraph 5.

681 4. A charter school's charter is automatically terminated
682 if the school earns two consecutive grades of "F" after all
683 school grade appeals are final ~~The sponsor shall terminate a~~
684 ~~charter if the charter school earns two consecutive grades of~~
685 ~~"F"~~ unless:

686 a. The charter school is established to turn around the
687 performance of a district public school pursuant to s.
688 1008.33(4)(b)3. Such charter schools shall be governed by s.
689 1008.33;

690 b. The charter school serves a student population the
691 majority of which resides in a school zone served by a district
692 public school that earned a grade of "F" in the year before the
693 charter school opened and the charter school earns at least a
694 grade of "D" in its third year of operation. The exception
695 provided under this sub-subparagraph does not apply to a charter
696 school in its fourth year of operation and thereafter; or

697 c. The state board grants the charter school a waiver of
698 termination. The charter school must request the waiver within
699 15 days after the department's official release of school
700 grades. The state board may waive termination if the charter
701 school demonstrates that the Learning Gains of its students on
702 statewide assessments are comparable to or better than the

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703 Learning Gains of similarly situated students enrolled in nearby
704 district public schools. The waiver is valid for 1 year and may
705 only be granted once. Charter schools that have been in
706 operation for more than 5 years are not eligible for a waiver
707 under this sub-subparagraph.

708
709 The sponsor shall notify the charter school's governing board,
710 the charter school principal, and the department in writing when
711 a charter is terminated under this subparagraph. A charter
712 terminated under this subparagraph is governed by the
713 requirements of paragraphs (8) (e)-(g) and (9) (o).

714 5. The director and a representative of the governing
715 board of a graded charter school that has implemented a school
716 improvement plan under this paragraph shall appear before the
717 sponsor at least once a year to present information regarding
718 the progress of intervention and support strategies implemented
719 by the school pursuant to the school improvement plan and
720 corrective actions, if applicable. The sponsor shall communicate
721 at the meeting, and in writing to the director, the services
722 provided to the school to help the school address its
723 deficiencies.

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

727 (p)1. Each charter school shall maintain a website that
728 enables the public to obtain information regarding the school;

729 the school's academic performance; the names of the governing
730 board members; the programs at the school; any management
731 companies, service providers, or education management
732 corporations associated with the school; the school's annual
733 budget and its annual independent fiscal audit; the school's
734 grade pursuant to s. 1008.34; and, on a quarterly basis, the
735 minutes of governing board meetings.

736 2. Each charter school's governing board must appoint a
737 representative to facilitate parental involvement, provide
738 access to information, assist parents and others with questions
739 and concerns, and resolve disputes. The representative must
740 reside in the school district in which the charter school is
741 located and may be a governing board member, a charter school
742 employee, or an individual contracted to represent the governing
743 board. If the governing board oversees multiple charter schools
744 in the same school district, the governing board must appoint a
745 separate representative for each charter school in the district.
746 The representative's contact information must be provided
747 annually, in writing to parents and posted prominently on the
748 charter school's website. The sponsor may not require governing
749 board members to reside in the school district in which the
750 charter school is located if the charter school complies with
751 this subparagraph.

752 3. Each charter school's governing board must hold at
753 least two public meetings per school year in the school district
754 where the charter school is located. The meetings must be

755 noticed, open, and accessible to the public, and attendees must
756 be provided an opportunity to receive information and provide
757 input regarding the charter school's operations. The appointed
758 representative and charter school principal or director, or his
759 or her designee, must be physically present at each meeting.
760 Members of the governing board may attend in person or by means
761 of communications media technology used in accordance with rules
762 adopted by the Administration Commission under s. 120.54(5).

763 (13) CHARTER SCHOOL COOPERATIVES.— Charter schools may
764 enter into cooperative agreements to form charter school
765 cooperative organizations that may provide ~~the following~~
766 services to further educational, operational, and administrative
767 initiatives in which the participating charter schools share
768 common interests: ~~charter school planning and development,~~
769 ~~direct instructional services, and contracts with charter school~~
770 ~~governing boards to provide personnel administrative services,~~
771 ~~payroll services, human resource management, evaluation and~~
772 ~~assessment services, teacher preparation, and professional~~
773 ~~development.~~

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

779 (b) The basis for the agreement for funding students
780 enrolled in a charter school shall be the sum of the school

781 district's operating funds from the Florida Education Finance
782 Program as provided in s. 1011.62 and the General Appropriations
783 Act, including gross state and local funds, discretionary
784 lottery funds, and funds from the school district's current
785 operating discretionary millage levy; divided by total funded
786 weighted full-time equivalent students in the school district;
787 multiplied by the weighted full-time equivalent students for the
788 charter school. Charter schools whose students or programs meet
789 the eligibility criteria in law are entitled to their
790 proportionate share of categorical program funds included in the
791 total funds available in the Florida Education Finance Program
792 by the Legislature, including transportation, the research-based
793 reading allocation, and the Florida digital classrooms
794 allocation. Total funding for each charter school shall be
795 recalculated during the year to reflect the revised calculations
796 under the Florida Education Finance Program by the state and the
797 actual weighted full-time equivalent students reported by the
798 charter school during the full-time equivalent student survey
799 periods designated by the Commissioner of Education.

800 (e) District school boards shall make timely and efficient
801 payment and reimbursement to charter schools, including
802 processing paperwork required to access special state and
803 federal funding for which they may be eligible. The district
804 school board may distribute funds to a charter school for up to
805 3 months based on the projected full-time equivalent student
806 membership of the charter school. Thereafter, the results of

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807 full-time equivalent student membership surveys shall be used in
808 adjusting the amount of funds distributed monthly to the charter
809 school for the remainder of the fiscal year. The payment shall
810 be issued no later than 10 working days after the district
811 school board receives a distribution of state or federal funds.
812 If a warrant for payment is not issued within 10 working days
813 after receipt of funding by the district school board, the
814 school district shall pay to the charter school, in addition to
815 the amount of the scheduled disbursement, interest at a rate of
816 1 percent per month calculated on a daily basis on the unpaid
817 balance from the expiration of the 10 working days until such
818 time as the warrant is issued. The district school board may not
819 delay payment to a charter school of any portion of the funds
820 provided in paragraph (b) based on the timing of receipt of
821 local funds by the district school board.

822 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

823 (a) The Department of Education shall provide information
824 to the public, directly and through sponsors, on how to form and
825 operate a charter school and how to enroll in a charter school
826 once it is created. This information shall include a standard
827 ~~model~~ application form, standard charter contract, standard
828 application evaluation instrument, and standard charter renewal
829 contract, which shall include the information specified in
830 subsection (7) and shall be developed by consulting and
831 negotiating with both school districts and charter schools
832 before implementation. The charter and charter renewal contracts

833 shall be used by charter school sponsors.

834 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
 835 SCHOOL SYSTEMS.—A charter school system's governing board shall
 836 be designated a local educational agency for the purpose of
 837 receiving federal funds, the same as though the charter school
 838 system were a school district, if the governing board of the
 839 charter school system has adopted and filed a resolution with
 840 its sponsoring district school board and the Department of
 841 Education in which the governing board of the charter school
 842 system accepts the full responsibility for all local education
 843 agency requirements and the charter schools for which the
 844 system's governing board will perform local education agency
 845 responsibilities ~~school system meets all of the following:~~

- 846 ~~(a) Includes both conversion charter schools and~~
- 847 ~~nonconversion charter schools;~~
- 848 (a) ~~(b)~~ Are ~~Has~~ all schools located in the same county;
- 849 (b) ~~(c)~~ Have ~~Has~~ a total enrollment exceeding the total
- 850 enrollment of at least one school district in the state; and
- 851 (c) ~~(d)~~ Are governed by ~~Has~~ the system's ~~same~~ governing
- 852 board; ~~and~~
- 853 ~~(e) Does not contract with a for-profit service provider~~
- 854 ~~for management of school operations.~~

855
 856 Such designation does not apply to other provisions unless
 857 specifically provided in law.

858 Section 2. Paragraph (e) of subsection (2) and subsections

859 (3), (4), and (5) of section 1002.331, Florida Statutes, are
 860 amended to read:

861 1002.331 High-performing charter schools.—

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

863 (e) Receive a modification of its charter to a term of 15
 864 years or a 15-year charter renewal. The charter may be modified
 865 or renewed for a shorter term at the option of the high-
 866 performing charter school. The charter must be consistent with
 867 s. 1002.33(7)(a)20. ~~1002.33(7)(a)19~~. and (10)(h) and (i), is
 868 subject to annual review by the sponsor, and may be terminated
 869 during its term pursuant to s. 1002.33(8).

870
 871 A high-performing charter school shall notify its sponsor in
 872 writing by March 1 if it intends to increase enrollment or
 873 expand grade levels the following school year. The written
 874 notice shall specify the amount of the enrollment increase and
 875 the grade levels that will be added, as applicable. If a charter
 876 school notifies the sponsor of its intent to expand, the sponsor
 877 shall modify the charter within 90 days to include the new
 878 enrollment maximum and may not make any other changes. The
 879 sponsor may deny a request to increase the enrollment of a high-
 880 performing charter school if the commissioner has declassified
 881 the charter school as high-performing. If a high-performing
 882 charter school requests to consolidate multiple charters, the
 883 sponsor shall have 40 days after receipt of that request to
 884 provide an initial draft charter to the charter school. The

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885 sponsor and charter school shall have 50 days thereafter to
886 negotiate and notice the charter contract for final approval by
887 the sponsor.

888 (3) (a) A high-performing charter school may submit an
889 application pursuant to s. 1002.33(6) in any school district in
890 the state to establish and operate a new charter school that
891 will substantially replicate its educational program. An
892 application submitted by a high-performing charter school must
893 state that the application is being submitted pursuant to this
894 paragraph and must include the verification letter provided by
895 the Commissioner of Education pursuant to subsection (4)~~(5)~~. If
896 the sponsor fails to act on the application within 60 days after
897 receipt, the application is deemed approved and the procedure in
898 s. 1002.33(6) (h) applies. If the sponsor denies the application,
899 the high-performing charter school may appeal pursuant to s.
900 1002.33(6).

901 (b) A high-performing charter school may not establish
902 more than one charter school within the state under paragraph
903 (a) in any year. A subsequent application to establish a charter
904 school under paragraph (a) may not be submitted unless each
905 charter school established in this manner achieves high-
906 performing charter school status. This paragraph does not apply
907 to charter schools established by a high-performing charter
908 school in the attendance zone of a school identified as in need
909 of intervention and support pursuant to s. 1008.33(3) (b) or to
910 meet capacity needs or needs for innovative school choice

911 options identified by the district school board.

912 ~~(4) A high-performing charter school may not increase~~
913 ~~enrollment or expand grade levels following any school year in~~
914 ~~which it receives a school grade of "C" or below. If the charter~~
915 ~~school receives a school grade of "C" or below in any 2 years~~
916 ~~during the term of the charter awarded under subsection (2), the~~
917 ~~term of the charter may be modified by the sponsor and the~~
918 ~~charter school loses its high-performing charter school status~~
919 ~~until it regains that status under subsection (1).~~

920 (4)(5) The Commissioner of Education, upon request by a
921 charter school, shall verify that the charter school meets the
922 criteria in subsection (1) and provide a letter to the charter
923 school and the sponsor stating that the charter school is a
924 high-performing charter school pursuant to this section. The
925 commissioner shall annually determine whether a high-performing
926 charter school under subsection (1) continues to meet the
927 criteria in that subsection. Such high-performing charter school
928 shall maintain its high-performing status unless the
929 commissioner determines that the charter school no longer meets
930 the criteria in subsection (1), at which time the commissioner
931 shall send a letter to the charter school and its sponsor
932 providing notification that the charter school has been
933 declassified ~~of its declassification~~ as a high-performing
934 charter school.

935 Section 3. Paragraph (a) of subsection (8) of section
936 1002.37, Florida Statutes, is amended to read:

937 1002.37 The Florida Virtual School.—

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

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

946 1002.45 Virtual instruction programs.—

947 (5) STUDENT ELIGIBILITY.—Students in kindergarten through
 948 grade 12 ~~A student~~ may enroll in a virtual instruction program
 949 provided by the school district or by a virtual charter school
 950 operated in the district in which he or she resides ~~if the~~
 951 ~~student meets eligibility requirements for virtual instruction~~
 952 ~~pursuant to s. 1002.455.~~

953 (8) ASSESSMENT AND ACCOUNTABILITY.—

954 (c) An approved provider that receives a school grade of
 955 "D" or "F" under s. 1008.34 or a school improvement rating of
 956 "Unsatisfactory" ~~"Declining"~~ under s. 1008.341 must file a
 957 school improvement plan with the department for consultation to
 958 determine the causes for low performance and to develop a plan
 959 for correction and improvement.

960 (d) An approved provider's contract is automatically ~~must~~
 961 ~~be~~ terminated if the provider earns two consecutive school
 962 grades of ~~receives a school grade of "D" or "F" under s.~~

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963 | 1008.34, receives two consecutive ~~or a~~ school improvement
964 | ratings rating of "unsatisfactory" "~~Declining~~" under s.
965 | 1008.341, ~~for 2 years during any consecutive 4-year period or~~
966 | has violated any qualification requirement pursuant to
967 | subsection (2). A provider that has a contract terminated under
968 | this paragraph may not be an approved provider for a period of
969 | at least 1 year after the date upon which the contract was
970 | terminated and until the department determines that the provider
971 | is in compliance with subsection (2) and has corrected each
972 | cause of the provider's low performance.

973 | Section 5. Section 1002.455, Florida Statutes, is
974 | repealed.

975 | Section 6. Subsection (2) of section 1003.498, Florida
976 | Statutes, is amended to read:

977 | 1003.498 School district virtual course offerings.—

978 | (2) School districts may offer virtual courses for
979 | students enrolled in the school district. These courses must be
980 | identified in the course code directory. ~~Students who meet the~~
981 | ~~eligibility requirements of s. 1002.455 may participate in these~~
982 | ~~virtual course offerings.~~

983 | (a) Any eligible student who is enrolled in a school
984 | district may register and enroll in an online course offered by
985 | his or her school district.

986 | (b)1. Any eligible student who is enrolled in a school
987 | district may register and enroll in an online course offered by
988 | any other school district in the state. The school district in

989 | which the student completes the course shall report the
 990 | student's completion of that course for funding pursuant to s.
 991 | 1011.61(1)(c)1.b.(VI), and the home school district shall not
 992 | report the student for funding for that course.

993 | 2. The full-time equivalent student membership calculated
 994 | under this subsection is subject to the requirements in s.
 995 | 1011.61(4). The Department of Education shall establish
 996 | procedures to enable interdistrict coordination for the delivery
 997 | and funding of this online option.

998 | Section 7. Section 1004.650, Florida Statutes, is created
 999 | to read:

1000 | 1004.650 Florida Institute for Charter School Innovation.-

1001 | (1) There is established the Florida Institute for Charter
 1002 | School Innovation within the Florida State University. The
 1003 | purposes of the institute are to advance charter school
 1004 | accountability, quality, and innovation; provide support for and
 1005 | technical assistance to charter school applicants and sponsors;
 1006 | provide opportunities for aspiring teachers to experience
 1007 | teaching in schools of choice; and conduct research for the
 1008 | development and promotion of best practices for the authorizing,
 1009 | accountability, financing, management, operation, and
 1010 | instructional practices of charter schools.

1011 | (2) The institute shall:

1012 | (a) Provide technical assistance and support to charter
 1013 | school applicants and sponsors.

1014 | (b) Conduct research to inform both policy and practices

1015 related to charter school authorizing, accountability,
1016 instructional practices, financing, management, and operations.

1017 (c) Partner with state-approved teacher preparation
1018 programs around the state to provide opportunities for aspiring
1019 teachers to experience teaching in schools of choice.

1020 (3) The President of the Florida State University shall
1021 appoint a director of the institute. The director is responsible
1022 for overall management of the institute and for developing and
1023 executing the work of the institute consistent with this
1024 section. The director may engage individuals in other state
1025 universities with accredited colleges of education to
1026 participate in the work of the institute.

1027 (4) By October 1 of each year, the institute shall provide
1028 a written report to the Governor, the President of the Senate,
1029 and the Speaker of the House of Representatives that outlines
1030 its activities in the preceding year, reports significant
1031 research findings, details expenditures of state funds, and
1032 provides specific recommendations for improving the state's
1033 charter school policies and the institute's ability to fulfill
1034 its mission.

1035 (5) Within 180 days after completion of the institute's
1036 fiscal year, the institute must provide to the Auditor General,
1037 the Board of Governors of the State University System, and the
1038 State Board of Education a report on the results of an annual
1039 financial audit conducted by an independent certified public
1040 accountant in accordance with s. 11.45.

1041 Section 8. Subsection (11) of section 1011.62, Florida
 1042 Statutes, is amended to read:

1043 1011.62 Funds for operation of schools.—If the annual
 1044 allocation from the Florida Education Finance Program to each
 1045 district for operation of schools is not determined in the
 1046 annual appropriations act or the substantive bill implementing
 1047 the annual appropriations act, it shall be determined as
 1048 follows:

1049 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 1050 annually provide in the Florida Education Finance Program a
 1051 virtual education contribution. The amount of the virtual
 1052 education contribution shall be the difference between the
 1053 amount per FTE established in the General Appropriations Act for
 1054 virtual education and the amount per FTE for each district and
 1055 the Florida Virtual School, which may be calculated by taking
 1056 the sum of the base FEFP allocation, the discretionary local
 1057 effort, the state-funded discretionary contribution, the
 1058 discretionary millage compression supplement, the research-based
 1059 reading instruction allocation, and the instructional materials
 1060 allocation, and then dividing by the total unweighted FTE. This
 1061 difference shall be multiplied by the virtual education
 1062 unweighted FTE for programs and options identified in ss.
 1063 1002.33(1), 1002.45(1)(b), and 1003.498 ~~s. 1002.455(3)~~ and the
 1064 Florida Virtual School and its franchises to equal the virtual
 1065 education contribution and shall be included as a separate
 1066 allocation in the funding formula.

1067 Section 9. Paragraph (b) of subsection (8) of section
 1068 1012.56, Florida Statutes, is amended to read:

1069 1012.56 Educator certification requirements.—

1070 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 1071 COMPETENCY PROGRAM.—

1072 (b)1. Each school district must and a private school or
 1073 state-supported ~~state-supported~~ public school, including a
 1074 charter school, ~~or a private school~~ may develop and maintain a
 1075 system by which members of the instructional staff may
 1076 demonstrate mastery of professional preparation and education
 1077 competence as required by law. Each program must be based on
 1078 classroom application of the Florida Educator Accomplished
 1079 Practices and instructional performance and, for public schools,
 1080 must be aligned with the district's or state-supported public
 1081 school's evaluation system established ~~approved~~ under s.
 1082 1012.34, as applicable.

1083 2. The Commissioner of Education shall determine the
 1084 continued approval of programs implemented under this paragraph,
 1085 based upon the department's review of performance data. The
 1086 department shall review the performance data as a part of the
 1087 periodic review of each school district's professional
 1088 development system required under s. 1012.98.

1089 Section 10. Paragraph (a) of subsection (1) of section
 1090 1013.62, Florida Statutes, is amended to read:

1091 1013.62 Charter schools capital outlay funding.—

1092 (1) In each year in which funds are appropriated for

1093 charter school capital outlay purposes, the Commissioner of
 1094 Education shall allocate the funds among eligible charter
 1095 schools.

1096 (a) To be eligible for a funding allocation, a charter
 1097 school must:

1098 1.a. Have been in operation for 3 or more years;

1099 b. Be governed by a governing board established in the
 1100 state for 3 or more years which operates both charter schools
 1101 and conversion charter schools within the state;

1102 c. Be an expanded feeder chain of a charter school within
 1103 the same school district that is currently receiving charter
 1104 school capital outlay funds;

1105 d. Have been accredited by the Commission on Schools of
 1106 the Southern Association of Colleges and Schools; or

1107 e. Serve students in facilities that are provided by a
 1108 business partner for a charter school-in-the-workplace pursuant
 1109 to s. 1002.33(15) (b) .

1110 2. Have an annual audit that does not reveal any of the
 1111 financial emergency conditions provided in s. 218.503(1) for the
 1112 most recent fiscal year for which such audit results are
 1113 available ~~stability for future operation as a charter school.~~

1114 3. Have satisfactory student achievement based on state
 1115 accountability standards applicable to the charter school.

1116 4. Have received final approval from its sponsor pursuant
 1117 to s. 1002.33 for operation during that fiscal year.

1118 5. Serve students in facilities that are not provided by

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1119 | the charter school's sponsor.

1120 | Section 11. This act shall take effect July 1, 2015.