

1 A bill to be entitled
2 An act relating to charter schools; amending s.
3 1002.33, F.S.; authorizing state universities and
4 Florida College System institutions to solicit
5 applications for and sponsor charter schools under
6 certain circumstances; authorizing a state university
7 or Florida College System institution to, at its
8 discretion, deny an application for a charter school;
9 revising the contents of an annual report charter
10 school sponsors must provide to the Department of
11 Education; revising the date by which the department
12 must post a specified annual report; revising
13 provisions relating to Florida College System
14 institutions operating charter schools; requiring the
15 board of trustees of a state university or Florida
16 College System institution that is sponsoring a
17 charter school to serve as the local educational
18 agency for such school; prohibiting certain charter
19 school students from being included in specified
20 school district grade calculations; requiring the
21 department to develop a sponsor evaluation framework;
22 providing requirements for the framework; deleting
23 obsolete language; providing a calculation for the
24 operational funding for a charter school sponsored by
25 a state university or Florida College System

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

35 |

36 | Be It Enacted by the Legislature of the State of Florida:

37 |

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

47 | 1002.33 Charter schools.—

48 | (2) GUIDING PRINCIPLES; PURPOSE.—

49 | (c) Charter schools may fulfill the following purposes:

50 | 1. Create innovative measurement tools.

51 2. Provide rigorous competition within the public school
52 system ~~district~~ to stimulate continual improvement in all public
53 schools.

54 3. Expand the capacity of the public school system.

55 4. Mitigate the educational impact created by the
56 development of new residential dwelling units.

57 5. Create new professional opportunities for teachers,
58 including ownership of the learning program at the school site.

59 (5) SPONSOR; DUTIES.—

60 (a) Sponsoring entities.—

61 1. A district school board may sponsor a charter school in
62 the county over which the district school board has
63 jurisdiction.

64 2. A state university may grant a charter to a lab school
65 created under s. 1002.32 and shall be considered to be the
66 school's sponsor. Such school shall be considered a charter lab
67 school.

68 3. Because needs relating to educational capacity,
69 workforce qualifications, and career education opportunities are
70 constantly changing and extend beyond school district
71 boundaries:

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

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

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

88 (b) Sponsor duties.—

89 1.a. The sponsor shall monitor and review the charter
 90 school in its progress toward the goals established in the
 91 charter.

92 b. The sponsor shall monitor the revenues and expenditures
 93 of the charter school and perform the duties provided in s.
 94 1002.345.

95 c. The sponsor may approve a charter for a charter school
 96 before the applicant has identified space, equipment, or
 97 personnel, if the applicant indicates approval is necessary for
 98 it to raise working funds.

99 d. The sponsor shall not apply its policies to a charter
 100 school unless mutually agreed to by both the sponsor and the

101 charter school. If the sponsor subsequently amends any agreed-
102 upon sponsor policy, the version of the policy in effect at the
103 time of the execution of the charter, or any subsequent
104 modification thereof, shall remain in effect and the sponsor may
105 not hold the charter school responsible for any provision of a
106 newly revised policy until the revised policy is mutually agreed
107 upon.

108 e. The sponsor shall ensure that the charter is innovative
109 and consistent with the state education goals established by s.
110 1000.03(5).

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

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

120 h. The sponsor shall not be liable for civil damages under
121 state law for any employment actions taken by an officer,
122 employee, agent, or governing body of the charter school.

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

125 j. The sponsor shall not impose additional reporting

126 requirements on a charter school without providing reasonable
 127 and specific justification in writing to the charter school.

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

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

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

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

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

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

140 (II) Annually, by November 1 ~~Beginning August 31, 2013,~~
 141 ~~and each year thereafter,~~ the sponsor shall submit to the
 142 department the information for the applications submitted the
 143 previous year.

144 (III) The department shall compile an annual report, by
 145 sponsor district, and post the report on its website by January
 146 15 ~~November 1~~ of each year.

147 2. Immunity for the sponsor of a charter school under
 148 subparagraph 1. applies only with respect to acts or omissions
 149 not under the sponsor's direct authority as described in this
 150 section.

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

153 4. A Florida College System institution may work with the
154 school district or school districts in its designated service
155 area to develop charter schools that offer secondary education.
156 These charter schools must include an option for students to
157 receive an associate degree upon high school graduation. If a
158 Florida College System institution operates an approved teacher
159 preparation program under s. 1004.04 or s. 1004.85, the
160 institution may operate ~~no more than one~~ charter schools ~~school~~
161 that serve ~~serves~~ students in kindergarten through grade 12 in
162 any school district within the service area of the institution.
163 ~~In kindergarten through grade 8, the charter school shall~~
164 ~~implement innovative blended learning instructional models in~~
165 ~~which, for a given course, a student learns in part through~~
166 ~~online delivery of content and instruction with some element of~~
167 ~~student control over time, place, path, or pace and in part at a~~
168 ~~supervised brick-and-mortar location away from home. A student~~
169 ~~in a blended learning course must be a full-time student of the~~
170 ~~charter school and receive the online instruction in a classroom~~
171 ~~setting at the charter school.~~ District school boards shall
172 cooperate with and assist the Florida College System institution
173 on the charter application. Florida College System institution
174 applications for charter schools are not subject to the time
175 deadlines outlined in subsection (6) and may be approved by the

176 district school board at any time during the year. Florida
177 College System institutions may not report FTE for any students
178 participating under this subparagraph who receive FTE funding
179 through the Florida Education Finance Program.

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

197 6. The board of trustees of a sponsoring state university
198 or Florida College System institution under paragraph (a) is the
199 local educational agency for all charter schools it sponsors for
200 purposes of receiving federal funds and accepts full

201 responsibility for all local educational agency requirements and
202 the schools for which it will perform local educational agency
203 responsibilities. A student enrolled in a charter school that is
204 sponsored by a state university or Florida College System
205 institution may not be included in the calculation of the school
206 district's grade under s. 1008.34(5) for the school district in
207 which he or she resides.

208 (c) Sponsor accountability.—

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

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

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

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

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

220 2. The department shall compile the results, by sponsor,
221 and include the results in the report required under sub-sub-
222 paragraph (b)1.k.(III).

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

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

226 | for a charter school using the evaluation instrument developed
227 | by the Department of Education. ~~A sponsor shall receive and~~
228 | ~~consider charter school applications received on or before~~
229 | ~~August 1 of each calendar year for charter schools to be opened~~
230 | ~~at the beginning of the school district's next school year, or~~
231 | ~~to be opened at a time agreed to by the applicant and the~~
232 | ~~sponsor. A sponsor may not refuse to receive a charter school~~
233 | ~~application submitted before August 1 and may receive an~~
234 | ~~application submitted later than August 1 if it chooses.~~
235 | ~~Beginning in 2018 and thereafter,~~ A sponsor shall receive and
236 | consider charter school applications received on or before
237 | February 1 of each calendar year for charter schools to be
238 | opened 18 months later at the beginning of the ~~school district's~~
239 | school year, or to be opened at a time determined by the
240 | applicant. A sponsor may not refuse to receive a charter school
241 | application submitted before February 1 and may receive an
242 | application submitted later than February 1 if it chooses. A
243 | sponsor may not charge an applicant for a charter any fee for
244 | the processing or consideration of an application, and a sponsor
245 | may not base its consideration or approval of a final
246 | application upon the promise of future payment of any kind.
247 | Before approving or denying any application, the sponsor shall
248 | allow the applicant, upon receipt of written notification, at
249 | least 7 calendar days to make technical or nonsubstantive
250 | corrections and clarifications, including, but not limited to,

251 corrections of grammatical, typographical, and like errors or
252 missing signatures, if such errors are identified by the sponsor
253 as cause to deny the final application.

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

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

270 3.a. A sponsor shall by a majority vote approve or deny an
271 application no later than 90 calendar days after the application
272 is received, unless the sponsor and the applicant mutually agree
273 in writing to temporarily postpone the vote to a specific date,
274 at which time the sponsor shall by a majority vote approve or
275 deny the application. If the sponsor fails to act on the

276 application, an applicant may appeal to the State Board of
277 Education as provided in paragraph (c). If an application is
278 denied, the sponsor shall, within 10 calendar days after such
279 denial, articulate in writing the specific reasons, based upon
280 good cause, supporting its denial of the application and shall
281 provide the letter of denial and supporting documentation to the
282 applicant and to the Department of Education.

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

288 (I) The application of a high-performing charter school
289 does not materially comply with the requirements in paragraph
290 (a) or, for a high-performing charter school system, the
291 application does not materially comply with s. 1002.332(2)(b);

292 (II) The charter school proposed in the application does
293 not materially comply with the requirements in paragraphs
294 (9)(a)-(f);

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

298 (IV) The applicant has made a material misrepresentation
299 or false statement or concealed an essential or material fact
300 during the application process; or

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

304

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

316 c. If the sponsor denies an application submitted by a
317 high-performing charter school or a high-performing charter
318 school system, the sponsor must, within 10 calendar days after
319 such denial, state in writing the specific reasons, based upon
320 the criteria in sub-subparagraph b., supporting its denial of
321 the application and must provide the letter of denial and
322 supporting documentation to the applicant and to the Department
323 of Education. The applicant may appeal the sponsor's denial of
324 the application in accordance with paragraph (c).

325 4. For budget projection purposes, the sponsor shall

326 | report to the Department of Education the approval or denial of
327 | an application within 10 calendar days after such approval or
328 | denial. In the event of approval, the report to the Department
329 | of Education shall include the final projected FTE for the
330 | approved charter school.

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

339 | (7) CHARTER.—The terms and conditions for the operation of
340 | a charter school shall be set forth by the sponsor and the
341 | applicant in a written contractual agreement, called a charter.
342 | The sponsor and the governing board of the charter school shall
343 | use the standard charter contract pursuant to subsection (21),
344 | which shall incorporate the approved application and any addenda
345 | approved with the application. Any term or condition of a
346 | proposed charter contract that differs from the standard charter
347 | contract adopted by rule of the State Board of Education shall
348 | be presumed a limitation on charter school flexibility. The
349 | sponsor may not impose unreasonable rules or regulations that
350 | violate the intent of giving charter schools greater flexibility

351 to meet educational goals. The charter shall be signed by the
352 governing board of the charter school and the sponsor, following
353 a public hearing to ensure community input.

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

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

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

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

372 b. In order to provide students with access to diverse
373 instructional delivery models, to facilitate the integration of
374 technology within traditional classroom instruction, and to
375 provide students with the skills they need to compete in the

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

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

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

399 b. How these baseline rates will be compared to rates of
400 academic progress achieved by these same students while

401 attending the charter school.

402 c. To the extent possible, how these rates of progress
403 will be evaluated and compared with rates of progress of other
404 closely comparable student populations.

405

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

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

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

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

425 7. The admissions procedures and dismissal procedures,

426 including the school's code of student conduct. Admission or
427 dismissal must not be based on a student's academic performance.

428 8. The ways by which the school will achieve a
429 racial/ethnic balance reflective of the community it serves or
430 within the racial/ethnic range of other nearby public schools ~~in~~
431 ~~the same school district.~~

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

444 10. The asset and liability projections required in the
445 application which are incorporated into the charter and shall be
446 compared with information provided in the annual report of the
447 charter school.

448 11. A description of procedures that identify various
449 risks and provide for a comprehensive approach to reduce the
450 impact of losses; plans to ensure the safety and security of

451 students and staff; plans to identify, minimize, and protect
452 others from violent or disruptive student behavior; and the
453 manner in which the school will be insured, including whether or
454 not the school will be required to have liability insurance,
455 and, if so, the terms and conditions thereof and the amounts of
456 coverage.

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

476 | in subsection (8).

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

482 | 14. The qualifications to be required of the teachers and
483 | the potential strategies used to recruit, hire, train, and
484 | retain qualified staff to achieve best value.

485 | 15. The governance structure of the school, including the
486 | status of the charter school as a public or private employer as
487 | required in paragraph (12) (i).

488 | 16. A timetable for implementing the charter which
489 | addresses the implementation of each element thereof and the
490 | date by which the charter shall be awarded in order to meet this
491 | timetable.

492 | 17. In the case of an existing public school that is being
493 | converted to charter status, alternative arrangements for
494 | current students who choose not to attend the charter school and
495 | for current teachers who choose not to teach in the charter
496 | school after conversion in accordance with the existing
497 | collective bargaining agreement or district school board rule in
498 | the absence of a collective bargaining agreement. However,
499 | alternative arrangements shall not be required for current
500 | teachers who choose not to teach in a charter lab school, except

501 as authorized by the employment policies of the state university
502 which grants the charter to the lab school.

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

515 19. Implementation of the activities authorized under s.
516 1002.331 by the charter school when it satisfies the eligibility
517 requirements for a high-performing charter school. A high-
518 performing charter school shall notify its sponsor in writing by
519 March 1 if it intends to increase enrollment or expand grade
520 levels the following school year. The written notice shall
521 specify the amount of the enrollment increase and the grade
522 levels that will be added, as applicable.

523 (d) A charter may be modified during its initial term or
524 any renewal term upon the recommendation of the sponsor or the
525 charter school's governing board and the approval of both

526 parties to the agreement. Modification during any term may
527 include, but is not limited to, consolidation of multiple
528 charters into a single charter if the charters are operated
529 under the same governing board, regardless of the renewal cycle.
530 A charter school that is not subject to a school improvement
531 plan and that closes as part of a consolidation shall be
532 reported by the sponsor ~~school district~~ as a consolidation.

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

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

551 records pertaining to the charter school, in the possession of
552 any person, entity, or holding company, other than the charter
553 school, shall be held in trust upon the sponsor's ~~district~~
554 ~~school board's~~ request, until any appeal status is resolved.

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

563 (9) CHARTER SCHOOL REQUIREMENTS.—

564 (g)1. In order to provide financial information that is
565 comparable to that reported for other public schools, charter
566 schools are to maintain all financial records that constitute
567 their accounting system:

568 a. In accordance with the accounts and codes prescribed in
569 the most recent issuance of the publication titled "Financial
570 and Program Cost Accounting and Reporting for Florida Schools";
571 or

572 b. At the discretion of the charter school's governing
573 board, a charter school may elect to follow generally accepted
574 accounting standards for not-for-profit organizations, but must
575 reformat this information for reporting according to this

576 paragraph.

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

585 3. A charter school shall, upon approval of the charter
586 contract, provide the sponsor with a concise, uniform, monthly
587 financial statement summary sheet that contains a balance sheet
588 and a statement of revenue, expenditures, and changes in fund
589 balance. The balance sheet and the statement of revenue,
590 expenditures, and changes in fund balance shall be in the
591 governmental funds format prescribed by the Governmental
592 Accounting Standards Board. A high-performing charter school
593 pursuant to s. 1002.331 may provide a quarterly financial
594 statement in the same format and requirements as the uniform
595 monthly financial statement summary sheet. The sponsor shall
596 review each monthly or quarterly financial statement to identify
597 the existence of any conditions identified in s. 1002.345(1)(a).

598 4. A charter school shall maintain and provide financial
599 information as required in this paragraph. The financial
600 statement required in subparagraph 3. must be in a form

601 prescribed by the Department of Education.

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

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

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

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

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

624 (IV) Voluntarily close the charter school.

625 b. The charter school must implement the corrective action

626 in the school year following receipt of a third consecutive
627 grade below a "C."

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

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

642 e. A charter school implementing a corrective action that
643 does not improve to a "C" or higher after 2 full school years of
644 implementing the corrective action must select a different
645 corrective action. Implementation of the new corrective action
646 must begin in the school year following the implementation
647 period of the existing corrective action, unless the sponsor
648 determines that the charter school is likely to improve to a "C"
649 or higher if additional time is provided to implement the
650 existing corrective action. Notwithstanding this sub-

651 subparagraph, a charter school that earns a second consecutive
652 grade of "F" while implementing a corrective action is subject
653 to subparagraph 3.

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

657 a. The charter school is established to turn around the
658 performance of a district public school pursuant to s.
659 1008.33(4)(b)2. Such charter schools shall be governed by s.
660 1008.33;

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

668 c. The state board grants the charter school a waiver of
669 termination. The charter school must request the waiver within
670 15 days after the department's official release of school
671 grades. The state board may waive termination if the charter
672 school demonstrates that the Learning Gains of its students on
673 statewide assessments are comparable to or better than the
674 Learning Gains of similarly situated students enrolled in nearby
675 ~~district~~ public schools. The waiver is valid for 1 year and may

676 only be granted once. Charter schools that have been in
677 operation for more than 5 years are not eligible for a waiver
678 under this sub-subparagraph.

679

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

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

696 5. Notwithstanding any provision of this paragraph except
697 sub-subparagraphs 3.a.-c., the sponsor may terminate the charter
698 at any time pursuant to subsection (8).

699 (10) ELIGIBLE STUDENTS.—

700 (e) A charter school may limit the enrollment process only

701 to target the following student populations:

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

703 2. Students considered at risk of dropping out of school
704 or academic failure. Such students shall include exceptional
705 education students.

706 3. Students enrolling in a charter school-in-the-workplace
707 or charter school-in-a-municipality established pursuant to
708 subsection (15).

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

717 5. Students who meet reasonable academic, artistic, or
718 other eligibility standards established by the charter school
719 and included in the charter school application and charter or,
720 in the case of existing charter schools, standards that are
721 consistent with the school's mission and purpose. Such standards
722 shall be in accordance with current state law and practice in
723 public schools and may not discriminate against otherwise
724 qualified individuals.

725 6. Students articulating from one charter school to

726 another pursuant to an articulation agreement between the
 727 charter schools that has been approved by the sponsor.

728 7. Students living in a development in which a business
 729 entity provides the school facility and related property having
 730 an appraised value of at least \$5 million to be used as a
 731 charter school to mitigate the educational impact created by the
 732 development of new residential dwelling units. Students living
 733 in the development shall be entitled to no more than 50 percent
 734 of the student stations in the charter school. The students who
 735 are eligible for enrollment are subject to a random lottery, the
 736 racial/ethnic balance provisions, or any federal provisions, as
 737 described in subparagraph 4. The remainder of the student
 738 stations shall be filled in accordance with subparagraph 4.

739 (14) CHARTER SCHOOL FINANCIAL ARRANGEMENTS;
 740 INDEMNIFICATION OF THE STATE AND SPONSOR ~~SCHOOL DISTRICT~~; CREDIT
 741 OR TAXING POWER NOT TO BE PLEDGED.—Any arrangement entered into
 742 to borrow or otherwise secure funds for a charter school
 743 authorized in this section from a source other than the state or
 744 a sponsor ~~school district~~ shall indemnify the state and the
 745 sponsor ~~school district~~ from any and all liability, including,
 746 but not limited to, financial responsibility for the payment of
 747 the principal or interest. Any loans, bonds, or other financial
 748 agreements are not obligations of the state or the sponsor
 749 ~~school district~~ but are obligations of the charter school
 750 authority and are payable solely from the sources of funds

751 pledged by such agreement. The credit or taxing power of the
752 state or the sponsor ~~school district~~ shall not be pledged and no
753 debts shall be payable out of any moneys except those of the
754 legal entity in possession of a valid charter approved by a
755 sponsor ~~district school board~~ pursuant to this section.

756 (15) CHARTER SCHOOLS-IN-THE-WORKPLACE; CHARTER SCHOOLS-IN-
757 A-MUNICIPALITY.—

758 (c) A charter school-in-a-municipality designation may be
759 granted to a municipality that possesses a charter; enrolls
760 students based upon a random lottery that involves all of the
761 children of the residents of that municipality who are seeking
762 enrollment, as provided for in subsection (10); and enrolls
763 students according to the racial/ethnic balance provisions
764 described in subparagraph (7)(a)8. When a municipality has
765 submitted charter applications for the establishment of a
766 charter school feeder pattern, consisting of elementary, middle,
767 and senior high schools, and each individual charter application
768 is approved by the sponsor ~~district school board~~, such schools
769 shall then be designated as one charter school for all purposes
770 listed pursuant to this section. Any portion of the land and
771 facility used for a public charter school shall be exempt from
772 ad valorem taxes, as provided for in s. 1013.54, for the
773 duration of its use as a public school.

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 a ~~the~~ school district.
778 Funding for a charter lab school shall be as provided in s.
779 1002.32.

780 (a) Each charter school shall report its student
781 enrollment to the sponsor as required in s. 1011.62, and in
782 accordance with the definitions in s. 1011.61. The sponsor shall
783 include each charter school's enrollment in the sponsor's
784 ~~district's~~ report of student enrollment. All charter schools
785 submitting student record information required by the Department
786 of Education shall comply with the Department of Education's
787 guidelines for electronic data formats for such data, and all
788 sponsors ~~districts~~ shall accept electronic data that complies
789 with the Department of Education's electronic format.

790 (b) 1. The basis for the agreement for funding students
791 enrolled in a charter school shall be the sum of the school
792 district's operating funds from the Florida Education Finance
793 Program as provided in s. 1011.62 and the General Appropriations
794 Act, including gross state and local funds, discretionary
795 lottery funds, and funds from the school district's current
796 operating discretionary millage levy; divided by total funded
797 weighted full-time equivalent students in the school district;
798 and multiplied by the weighted full-time equivalent students for
799 the charter school. Charter schools whose students or programs
800 meet the eligibility criteria in law are entitled to their

801 proportionate share of categorical program funds included in the
802 total funds available in the Florida Education Finance Program
803 by the Legislature, including transportation, the research-based
804 reading allocation, and the Florida digital classrooms
805 allocation. Total funding for each charter school shall be
806 recalculated during the year to reflect the revised calculations
807 under the Florida Education Finance Program by the state and the
808 actual weighted full-time equivalent students reported by the
809 charter school during the full-time equivalent student survey
810 periods designated by the Commissioner of Education. For charter
811 schools operated by a not-for-profit or municipal entity, any
812 unrestricted current and capital assets identified in the
813 charter school's annual financial audit may be used for other
814 charter schools operated by the not-for-profit or municipal
815 entity within the school district. Unrestricted current assets
816 shall be used in accordance with s. 1011.62, and any
817 unrestricted capital assets shall be used in accordance with s.
818 1013.62(2).

819 2.a. Students enrolled in a charter school sponsored by a
820 state university or Florida College System institution pursuant
821 to paragraph (5) (a) shall be funded as if they are in a basic
822 program or a special program in the school district. The basis
823 for funding these students is the sum of the total operating
824 funds from the Florida Education Finance Program for the school
825 district in which the school is located as provided in s.

826 1011.62 and the General Appropriations Act, including gross
827 state and local funds, discretionary lottery funds, and funds
828 from each school district's current operating discretionary
829 millage levy; divided by total funded weighted full-time
830 equivalent students in the district; and multiplied by the full-
831 time equivalent membership of the charter school. The Department
832 of Education shall develop a tool that each state university or
833 Florida College System institution sponsoring a charter school
834 shall use for purposes of calculating the funding amount for
835 each eligible charter school student. The total amount obtained
836 from the calculation must be appropriated from state funds in
837 the General Appropriations Act to the charter school.

838 b. Capital outlay funding for a charter school sponsored
839 by a state university or Florida College System institution
840 pursuant to paragraph (5) (a) is determined pursuant to s.
841 1013.62 and the General Appropriations Act.

842 (c) Pursuant to 20 U.S.C. 8061 s. 10306, all charter
843 schools shall receive all federal funding for which the school
844 is otherwise eligible, including Title I funding, not later than
845 5 months after the charter school first opens and within 5
846 months after any subsequent expansion of enrollment. Unless
847 otherwise mutually agreed to by the charter school and its
848 sponsor, and consistent with state and federal rules and
849 regulations governing the use and disbursement of federal funds,
850 the sponsor shall reimburse the charter school on a monthly

851 basis for all invoices submitted by the charter school for
852 federal funds available to the sponsor for the benefit of the
853 charter school, the charter school's students, and the charter
854 school's students as public school students in the school
855 district. Such federal funds include, but are not limited to,
856 Title I, Title II, and Individuals with Disabilities Education
857 Act (IDEA) funds. To receive timely reimbursement for an
858 invoice, the charter school must submit the invoice to the
859 sponsor at least 30 days before the monthly date of
860 reimbursement set by the sponsor. In order to be reimbursed, any
861 expenditures made by the charter school must comply with all
862 applicable state rules and federal regulations, including, but
863 not limited to, the applicable federal Office of Management and
864 Budget Circulars; the federal Education Department General
865 Administrative Regulations; and program-specific statutes,
866 rules, and regulations. Such funds may not be made available to
867 the charter school until a plan is submitted to the sponsor for
868 approval of the use of the funds in accordance with applicable
869 federal requirements. The sponsor has 30 days to review and
870 approve any plan submitted pursuant to this paragraph.

871 (d) Charter schools shall be included by the Department of
872 Education and the district school board in requests for federal
873 stimulus funds in the same manner as district school board-
874 operated public schools, including Title I and IDEA funds and
875 shall be entitled to receive such funds. Charter schools are

876 eligible to participate in federal competitive grants that are
877 available as part of the federal stimulus funds.

878 (e) Sponsors ~~District school boards~~ shall make timely and
879 efficient payment and reimbursement to charter schools,
880 including processing paperwork required to access special state
881 and federal funding for which they may be eligible. Payments of
882 funds under paragraph (b) shall be made monthly or twice a
883 month, beginning with the start of the sponsor's ~~district school~~
884 ~~board's~~ fiscal year. Each payment shall be one-twelfth, or one
885 twenty-fourth, as applicable, of the total state and local funds
886 described in paragraph (b) and adjusted as set forth therein.
887 For the first 2 years of a charter school's operation, if a
888 minimum of 75 percent of the projected enrollment is entered
889 into the sponsor's student information system by the first day
890 of the current month, the sponsor ~~district school board~~ shall
891 distribute funds to the school for the months of July through
892 October based on the projected full-time equivalent student
893 membership of the charter school as submitted in the approved
894 application. If less than 75 percent of the projected enrollment
895 is entered into the sponsor's student information system by the
896 first day of the current month, the sponsor shall base payments
897 on the actual number of student enrollment entered into the
898 sponsor's student information system. Thereafter, the results of
899 full-time equivalent student membership surveys shall be used in
900 adjusting the amount of funds distributed monthly to the charter

901 school for the remainder of the fiscal year. The payments shall
902 be issued no later than 10 working days after the sponsor
903 ~~district school board~~ receives a distribution of state or
904 federal funds or the date the payment is due pursuant to this
905 subsection. If a warrant for payment is not issued within 10
906 working days after receipt of funding by the sponsor ~~district~~
907 ~~school board~~, the sponsor ~~school district~~ shall pay to the
908 charter school, in addition to the amount of the scheduled
909 disbursement, interest at a rate of 1 percent per month
910 calculated on a daily basis on the unpaid balance from the
911 expiration of the 10 working days until such time as the warrant
912 is issued. The district school board may not delay payment to a
913 charter school of any portion of the funds provided in paragraph
914 (b) based on the timing of receipt of local funds by the
915 district school board.

916 (f) Funding for a virtual charter school shall be as
917 provided in s. 1002.45(7).

918 (g) To be eligible for public education capital outlay
919 (PECO) funds, a charter school must be located in the State of
920 Florida.

921 (h) A charter school that implements a schoolwide standard
922 student attire policy pursuant to s. 1011.78 is eligible to
923 receive incentive payments.

924 (18) FACILITIES.—

925 (e) If a district school board facility or property is

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

943 (20) SERVICES.—

944 (a)1. A sponsor shall provide certain administrative and
945 educational services to charter schools. These services shall
946 include contract management services; full-time equivalent and
947 data reporting services; exceptional student education
948 administration services; services related to eligibility and
949 reporting duties required to ensure that school lunch services
950 under the National School Lunch Program, consistent with the

951 needs of the charter school, are provided by the sponsor ~~school~~
952 ~~district~~ at the request of the charter school, that any funds
953 due to the charter school under the National School Lunch
954 Program be paid to the charter school as soon as the charter
955 school begins serving food under the National School Lunch
956 Program, and that the charter school is paid at the same time
957 and in the same manner under the National School Lunch Program
958 as other public schools serviced by the sponsor or the school
959 district; test administration services, including payment of the
960 costs of state-required or district-required student
961 assessments; processing of teacher certificate data services;
962 and information services, including equal access to the
963 sponsor's student information systems that are used by public
964 schools in the district in which the charter school is located
965 or by schools in the sponsor's portfolio of charter schools if
966 the sponsor is not a school district. Student performance data
967 for each student in a charter school, including, but not limited
968 to, FCAT scores, standardized test scores, previous public
969 school student report cards, and student performance measures,
970 shall be provided by the sponsor to a charter school in the same
971 manner provided to other public schools in the district or by
972 schools in the sponsor's portfolio of charter schools if the
973 sponsor is not a school district.

974 2. A sponsor may withhold an administrative fee for the
975 provision of such services which shall be a percentage of the

976 available funds defined in paragraph (17)(b) calculated based on
 977 weighted full-time equivalent students. If the charter school
 978 serves 75 percent or more exceptional education students as
 979 defined in s. 1003.01(3), the percentage shall be calculated
 980 based on unweighted full-time equivalent students. The
 981 administrative fee shall be calculated as follows:

982 a. Up to 5 percent for:

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

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

987 (A) Includes conversion charter schools and nonconversion
 988 charter schools.

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

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

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

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

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

997 b. Up to 2 percent for enrollment of up to and including
 998 250 students in a high-performing charter school as defined in
 999 s. 1002.331.

1000 3. A sponsor may not charge charter schools any additional

1001 fees or surcharges for administrative and educational services
1002 in addition to the maximum percentage of administrative fees
1003 withheld pursuant to this paragraph.

1004 4. A sponsor shall provide to the department by September
1005 15 of each year the total amount of funding withheld from
1006 charter schools pursuant to this subsection for the prior fiscal
1007 year. The department must include the information in the report
1008 required under sub-sub-subparagraph (5) (b)1.k. (III).

1009 (b) If goods and services are made available to the
1010 charter school through the contract with the sponsor ~~school~~
1011 ~~district~~, they shall be provided to the charter school at a rate
1012 no greater than the sponsor's ~~district's~~ actual cost unless
1013 mutually agreed upon by the charter school and the sponsor in a
1014 contract negotiated separately from the charter. When mediation
1015 has failed to resolve disputes over contracted services or
1016 contractual matters not included in the charter, an appeal may
1017 be made to an administrative law judge appointed by the Division
1018 of Administrative Hearings. The administrative law judge has
1019 final order authority to rule on the dispute. The administrative
1020 law judge shall award the prevailing party reasonable attorney
1021 fees and costs incurred during the mediation process,
1022 administrative proceeding, and any appeals, to be paid by the
1023 party whom the administrative law judge rules against. To
1024 maximize the use of state funds, sponsors ~~school districts~~ shall
1025 allow charter schools to participate in the sponsor's bulk

1026 purchasing program if applicable.

1027 (c) Transportation of charter school students shall be
1028 provided by the charter school consistent with the requirements
1029 of subpart I.E. of chapter 1006 and s. 1012.45. The governing
1030 body of the charter school may provide transportation through an
1031 agreement or contract with the sponsor ~~district school board~~, a
1032 private provider, or parents. The charter school and the sponsor
1033 shall cooperate in making arrangements that ensure that
1034 transportation is not a barrier to equal access for all students
1035 residing within a reasonable distance of the charter school as
1036 determined in its charter.

1037 (d) Each charter school shall annually complete and submit
1038 a survey, provided in a format specified by the Department of
1039 Education, to rate the timeliness and quality of services
1040 provided by the sponsor ~~district~~ in accordance with this
1041 section. The department shall compile the results, by sponsor
1042 ~~district~~, and include the results in the report required under
1043 sub-sub-subparagraph (5) (b) 1.k. (III).

1044 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

1045 (a) The Department of Education shall provide information
1046 to the public, directly and through sponsors, on how to form and
1047 operate a charter school and how to enroll in a charter school
1048 once it is created. This information shall include the standard
1049 application form, standard charter contract, standard evaluation
1050 instrument, and standard charter renewal contract, which shall

1051 include the information specified in subsection (7) and shall be
1052 developed by consulting and negotiating with both sponsors
1053 ~~school districts~~ and charter schools before implementation. The
1054 charter and charter renewal contracts shall be used by charter
1055 school sponsors.

1056 (b)1. The Department of Education shall report to each
1057 charter school receiving a school grade pursuant to s. 1008.34
1058 or a school improvement rating pursuant to s. 1008.341 the
1059 school's student assessment data.

1060 2. The charter school shall report the information in
1061 subparagraph 1. to each parent of a student at the charter
1062 school, the parent of a child on a waiting list for the charter
1063 school, the sponsor ~~district in which the charter school is~~
1064 ~~located~~, and the governing board of the charter school. This
1065 paragraph does not abrogate the provisions of s. 1002.22,
1066 relating to student records, or the requirements of 20 U.S.C. s.
1067 1232g, the Family Educational Rights and Privacy Act.

1068 (25) LOCAL EDUCATIONAL AGENCY STATUS FOR CERTAIN CHARTER
1069 SCHOOL SYSTEMS.—

1070 (a) A charter school system's governing board shall be
1071 designated a local educational agency for the purpose of
1072 receiving federal funds, the same as though the charter school
1073 system were a school district, if the governing board of the
1074 charter school system has adopted and filed a resolution with
1075 its sponsor ~~sponsoring district school board~~ and the Department

1076 of Education in which the governing board of the charter school
1077 system accepts the full responsibility for all local education
1078 agency requirements and the charter school system meets all of
1079 the following:

- 1080 1. Has all schools located in the same county;
- 1081 2. Has a total enrollment exceeding the total enrollment
1082 of at least one school district in the state; and
- 1083 3. Has the same governing board.

1084

1085 Such designation does not apply to other provisions unless
1086 specifically provided in law.

1087 (28) RULEMAKING.—The Department of Education, after
1088 consultation with sponsors ~~school districts~~ and charter school
1089 directors, shall recommend that the State Board of Education
1090 adopt rules to implement specific subsections of this section.
1091 Such rules shall require minimum paperwork and shall not limit
1092 charter school flexibility authorized by statute. The State
1093 Board of Education shall adopt rules, pursuant to ss. 120.536(1)
1094 and 120.54, to implement a standard charter application form,
1095 standard application form for the replication of charter schools
1096 in a high-performing charter school system, standard evaluation
1097 instrument, and standard charter and charter renewal contracts
1098 in accordance with this section.

1099 Section 2. Paragraph (a) of subsection (1) of section
1100 1003.493, Florida Statutes, is amended to read:

1101 1003.493 Career and professional academies and career-
1102 themed courses.—

1103 (1) (a) A "career and professional academy" is a research-
1104 based program that integrates a rigorous academic curriculum
1105 with an industry-specific curriculum aligned directly to
1106 priority workforce needs established by the local workforce
1107 development board or the Department of Economic Opportunity.
1108 Career and professional academies shall be offered by public
1109 schools and school districts. Career and professional academies
1110 may be offered by charter schools. The Florida Virtual School is
1111 encouraged to develop and offer rigorous career and professional
1112 courses as appropriate. Students completing career and
1113 professional academy programs must receive a standard high
1114 school diploma, the highest available industry certification,
1115 and opportunities to earn postsecondary credit if the academy
1116 partners with a postsecondary institution approved to operate in
1117 the state.

1118 Section 3. This act shall take effect July 1, 2019.