

1 A bill to be entitled
2 An act relating to education; amending s. 1002.33,
3 F.S.; revising the criteria for denying high-
4 performing charter school system applications;
5 revising the requirements for the term of a charter;
6 revising provisions for the modification of a charter;
7 revising the process for resolving contractual
8 disputes; amending s. 1002.331, F.S.; revising the
9 criteria for designation as a high-performing charter
10 school; revising the calculation used to determine
11 facility capacity for such charter schools; revising
12 the number of schools that can be established by a
13 high-performing charter school; amending s. 1002.333,
14 F.S.; providing for certain funds for the Schools of
15 Hope Program to be carried forward for a specified
16 number of years; amending s. 1011.62, F.S.; renaming
17 the "supplemental academic instruction categorical
18 fund" as the "supplemental academic instruction
19 allocation"; requiring certain school districts to use
20 the allocation for specified purposes; deleting an
21 obsolete date; deleting a provision authorizing the
22 Florida State University School to expend specified
23 funds for certain purposes; amending s. 1011.6202,
24 F.S.; renaming the "Principal Autonomy Pilot Program"
25 as the "Principal Autonomy Program"; providing that

26 | any school district may apply to participate in the
27 | program; providing that a school shall retain its
28 | exemption from specified laws under specified
29 | circumstances; requiring a designated leadership team
30 | at a participating school to complete a certain
31 | turnaround program; deleting a provision providing a
32 | specified amount of funds to a participating school
33 | district that completes the turnaround program;
34 | authorizing certain principals to manage additional
35 | schools; providing requirements for such schools;
36 | providing for such schools to participate in the
37 | program; providing requirements for such
38 | participation; specifying that no school district
39 | liability arises from the management of such schools;
40 | deleting a school's authority to renew participation
41 | in the program; deleting reporting requirements;
42 | providing for funding; revising the principal
43 | eligibility criteria for a salary supplement through
44 | the program; amending s. 1011.69, F.S.; authorizing
45 | certain high schools to receive Title I funds;
46 | providing that a school district may withhold Title I
47 | funds for specified purposes; authorizing certain
48 | schools to use Title I funds for specified purposes;
49 | amending s. 1011.71, F.S.; prohibiting a school
50 | district from withholding charter school

51 administrative fees under certain circumstances;
52 creating s. 1011.79, F.S.; requiring the Department of
53 Education to issue a competitive solicitation for the
54 review of the current price level index methodology by
55 a specified entity; requiring a report of
56 recommendations be provided to the chair of the Senate
57 Committee on Appropriations, the chair of the House of
58 Representatives Appropriations Committee, and the
59 Executive Office of the Governor's Office of Policy
60 and Budget; providing that the competitive
61 solicitation and review occur every 10 years; amending
62 1012.2315, F.S.; requiring districts to negotiate a
63 memorandum of understanding with certified collective
64 bargaining units to address certain personnel issues;
65 amending s. 1012.32, F.S.; requiring a district school
66 board to reimburse certain costs if it fails to notify
67 a charter school of the eligibility status of certain
68 persons; amending s. 1013.28, F.S.; requiring school
69 districts to provide charter schools access to certain
70 property on the same basis as public schools;
71 prohibiting certain actions by a charter school
72 without the written permission of the school district;
73 amending s. 1013.31, F.S.; providing circumstances
74 under which a district may use specific capital outlay
75 funds without needing a survey recommendation;

76 | amending s. 1013.385, F.S.; providing additional
 77 | exceptions to certain building code regulations for
 78 | school districts; amending s. 1013.62, F.S.; revising
 79 | requirements for charter school capital outlay
 80 | funding; requiring each district to certify certain
 81 | information to the department by October 1 each year;
 82 | conforming provisions to changes made by the act;
 83 | providing an effective date.
 84 |

85 | Be It Enacted by the Legislature of the State of Florida:
 86 |

87 | Section 1. Paragraph (b) of subsection (6), paragraphs
 88 | (a), (d), and (e) of subsection (7), paragraph (n) of subsection
 89 | (9), paragraph (e) of subsection (10), and paragraph (b) of
 90 | subsection (20) of section 1002.33, Florida Statutes, are
 91 | amended to read:

92 | 1002.33 Charter schools.—

93 | (6) APPLICATION PROCESS AND REVIEW.—Charter school
 94 | applications are subject to the following requirements:

95 | (b) A sponsor shall receive and review all applications
 96 | for a charter school using the evaluation instrument developed
 97 | by the Department of Education. A sponsor shall receive and
 98 | consider charter school applications received on or before
 99 | August 1 of each calendar year for charter schools to be opened
 100 | at the beginning of the school district's next school year, or

101 to be opened at a time agreed to by the applicant and the
102 sponsor. A sponsor may not refuse to receive a charter school
103 application submitted before August 1 and may receive an
104 application submitted later than August 1 if it chooses.
105 Beginning in 2018 and thereafter, a sponsor shall receive and
106 consider charter school applications received on or before
107 February 1 of each calendar year for charter schools to be
108 opened 18 months later at the beginning of the school district's
109 school year, or to be opened at a time agreed to by the
110 applicant and the sponsor. A sponsor may not refuse to receive a
111 charter school application submitted before February 1 and may
112 receive an application submitted later than February 1 if it
113 chooses. A sponsor may not charge an applicant for a charter any
114 fee for the processing or consideration of an application, and a
115 sponsor may not base its consideration or approval of a final
116 application upon the promise of future payment of any kind.
117 Before approving or denying any application, the sponsor shall
118 allow the applicant, upon receipt of written notification, at
119 least 7 calendar days to make technical or nonsubstantive
120 corrections and clarifications, including, but not limited to,
121 corrections of grammatical, typographical, and like errors or
122 missing signatures, if such errors are identified by the sponsor
123 as cause to deny the final application.

124 1. In order to facilitate an accurate budget projection
125 process, a sponsor shall be held harmless for FTE students who

126 are not included in the FTE projection due to approval of
127 charter school applications after the FTE projection deadline.
128 In a further effort to facilitate an accurate budget projection,
129 within 15 calendar days after receipt of a charter school
130 application, a sponsor shall report to the Department of
131 Education the name of the applicant entity, the proposed charter
132 school location, and its projected FTE.

133 2. In order to ensure fiscal responsibility, an
134 application for a charter school shall include a full accounting
135 of expected assets, a projection of expected sources and amounts
136 of income, including income derived from projected student
137 enrollments and from community support, and an expense
138 projection that includes full accounting of the costs of
139 operation, including start-up costs.

140 3.a. A sponsor shall by a majority vote approve or deny an
141 application no later than 90 calendar days after the application
142 is received, unless the sponsor and the applicant mutually agree
143 in writing to temporarily postpone the vote to a specific date,
144 at which time the sponsor shall by a majority vote approve or
145 deny the application. If the sponsor fails to act on the
146 application, an applicant may appeal to the State Board of
147 Education as provided in paragraph (c). If an application is
148 denied, the sponsor shall, within 10 calendar days after such
149 denial, articulate in writing the specific reasons, based upon
150 good cause, supporting its denial of the application and shall

151 provide the letter of denial and supporting documentation to the
152 applicant and to the Department of Education.

153 b. An application submitted by a high-performing charter
154 school identified pursuant to s. 1002.331 or a high-performing
155 charter school system identified pursuant to s. 1002.332 may be
156 denied by the sponsor only if the sponsor demonstrates by clear
157 and convincing evidence that:

158 (I) The application of a high-performing charter school
159 does not materially comply with the requirements in paragraph
160 (a) or, for a high-performing charter school system, the
161 application does not materially comply with s. 1002.332(2)(b);

162 (II) The charter school proposed in the application does
163 not materially comply with the requirements in paragraphs
164 (9)(a)-(f);

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

168 (IV) The applicant has made a material misrepresentation
169 or false statement or concealed an essential or material fact
170 during the application process; or

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

174
175 Material noncompliance is a failure to follow requirements or a

176 violation of prohibitions applicable to charter school
177 applications, which failure is quantitatively or qualitatively
178 significant either individually or when aggregated with other
179 noncompliance. An applicant is considered to be replicating a
180 high-performing charter school if the proposed school is
181 substantially similar to at least one of the applicant's high-
182 performing charter schools and the organization or individuals
183 involved in the establishment and operation of the proposed
184 school are significantly involved in the operation of replicated
185 schools.

186 c. If the sponsor denies an application submitted by a
187 high-performing charter school or a high-performing charter
188 school system, the sponsor must, within 10 calendar days after
189 such denial, state in writing the specific reasons, based upon
190 the criteria in sub-subparagraph b., supporting its denial of
191 the application and must provide the letter of denial and
192 supporting documentation to the applicant and to the Department
193 of Education. The applicant may appeal the sponsor's denial of
194 the application in accordance with paragraph (c).

195 4. For budget projection purposes, the sponsor shall
196 report to the Department of Education the approval or denial of
197 an application within 10 calendar days after such approval or
198 denial. In the event of approval, the report to the Department
199 of Education shall include the final projected FTE for the
200 approved charter school.

201 5. Upon approval of an application, the initial startup
202 shall commence with the beginning of the public school calendar
203 for the district in which the charter is granted. A charter
204 school may defer the opening of the school's operations for up
205 to 3 ~~2~~ years to provide time for adequate facility planning. The
206 charter school must provide written notice of such intent to the
207 sponsor and the parents of enrolled students at least 30
208 calendar days before the first day of school.

209 (7) CHARTER.—The terms and conditions for the operation of
210 a charter school shall be set forth by the sponsor and the
211 applicant in a written contractual agreement, called a charter.
212 The sponsor and the governing board of the charter school shall
213 use the standard charter contract pursuant to subsection (21),
214 which shall incorporate the approved application and any addenda
215 approved with the application. Any term or condition of a
216 proposed charter contract that differs from the standard charter
217 contract adopted by rule of the State Board of Education shall
218 be presumed a limitation on charter school flexibility. The
219 sponsor may not impose unreasonable rules or regulations that
220 violate the intent of giving charter schools greater flexibility
221 to meet educational goals. The charter shall be signed by the
222 governing board of the charter school and the sponsor, following
223 a public hearing to ensure community input.

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

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

228 2. The focus of the curriculum, the instructional methods
 229 to be used, any distinctive instructional techniques to be
 230 employed, and identification and acquisition of appropriate
 231 technologies needed to improve educational and administrative
 232 performance which include a means for promoting safe, ethical,
 233 and appropriate uses of technology which comply with legal and
 234 professional standards.

235 a. The charter shall ensure that reading is a primary
 236 focus of the curriculum and that resources are provided to
 237 identify and provide specialized instruction for students who
 238 are reading below grade level. The curriculum and instructional
 239 strategies for reading must be consistent with the Next
 240 Generation Sunshine State Standards and grounded in
 241 scientifically based reading research.

242 b. In order to provide students with access to diverse
 243 instructional delivery models, to facilitate the integration of
 244 technology within traditional classroom instruction, and to
 245 provide students with the skills they need to compete in the
 246 21st century economy, the Legislature encourages instructional
 247 methods for blended learning courses consisting of both
 248 traditional classroom and online instructional techniques.
 249 Charter schools may implement blended learning courses which
 250 combine traditional classroom instruction and virtual

251 instruction. Students in a blended learning course must be full-
252 time students of the charter school pursuant to s.
253 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
254 1012.55 who provide virtual instruction for blended learning
255 courses may be employees of the charter school or may be under
256 contract to provide instructional services to charter school
257 students. At a minimum, such instructional personnel must hold
258 an active state or school district adjunct certification under
259 s. 1012.57 for the subject area of the blended learning course.
260 The funding and performance accountability requirements for
261 blended learning courses are the same as those for traditional
262 courses.

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

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

269 b. How these baseline rates will be compared to rates of
270 academic progress achieved by these same students while
271 attending the charter school.

272 c. To the extent possible, how these rates of progress
273 will be evaluated and compared with rates of progress of other
274 closely comparable student populations.
275

276 The district school board is required to provide academic
277 student performance data to charter schools for each of their
278 students coming from the district school system, as well as
279 rates of academic progress of comparable student populations in
280 the district school system.

281 4. The methods used to identify the educational strengths
282 and needs of students and how well educational goals and
283 performance standards are met by students attending the charter
284 school. The methods shall provide a means for the charter school
285 to ensure accountability to its constituents by analyzing
286 student performance data and by evaluating the effectiveness and
287 efficiency of its major educational programs. Students in
288 charter schools shall, at a minimum, participate in the
289 statewide assessment program created under s. 1008.22.

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

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

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

298 8. The ways by which the school will achieve a
299 racial/ethnic balance reflective of the community it serves or
300 within the racial/ethnic range of other public schools in the

301 same school district.

302 9. The financial and administrative management of the
303 school, including a reasonable demonstration of the professional
304 experience or competence of those individuals or organizations
305 applying to operate the charter school or those hired or
306 retained to perform such professional services and the
307 description of clearly delineated responsibilities and the
308 policies and practices needed to effectively manage the charter
309 school. A description of internal audit procedures and
310 establishment of controls to ensure that financial resources are
311 properly managed must be included. Both public sector and
312 private sector professional experience shall be equally valid in
313 such a consideration.

314 10. The asset and liability projections required in the
315 application which are incorporated into the charter and shall be
316 compared with information provided in the annual report of the
317 charter school.

318 11. A description of procedures that identify various
319 risks and provide for a comprehensive approach to reduce the
320 impact of losses; plans to ensure the safety and security of
321 students and staff; plans to identify, minimize, and protect
322 others from violent or disruptive student behavior; and the
323 manner in which the school will be insured, including whether or
324 not the school will be required to have liability insurance,
325 and, if so, the terms and conditions thereof and the amounts of

326 coverage.

327 12. The term of the charter which shall provide for
 328 cancellation of the charter if insufficient progress has been
 329 made in attaining the student achievement objectives of the
 330 charter and if it is not likely that such objectives can be
 331 achieved before expiration of the charter. The initial term of a
 332 charter shall be for ~~4~~ or 5 years, excluding 2 planning years.
 333 In order to facilitate access to long-term financial resources
 334 for charter school construction, charter schools that are
 335 operated by a municipality or other public entity as provided by
 336 law are eligible for up to a 15-year charter, subject to
 337 approval by the district school board. A charter lab school is
 338 eligible for a charter for a term of up to 15 years. In
 339 addition, to facilitate access to long-term financial resources
 340 for charter school construction, charter schools that are
 341 operated by a private, not-for-profit, s. 501(c)(3) status
 342 corporation are eligible for up to a 15-year charter, subject to
 343 approval by the district school board. Such long-term charters
 344 remain subject to annual review and may be terminated during the
 345 term of the charter, but only according to the provisions set
 346 forth in subsection (8).

347 13. The facilities to be used and their location. The
 348 sponsor may not require a charter school to have a certificate
 349 of occupancy or a temporary certificate of occupancy for such a
 350 facility earlier than 15 calendar days before the first day of

351 school.

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

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

358 16. A timetable for implementing the charter which
359 addresses the implementation of each element thereof and the
360 date by which the charter shall be awarded in order to meet this
361 timetable.

362 17. In the case of an existing public school that is being
363 converted to charter status, alternative arrangements for
364 current students who choose not to attend the charter school and
365 for current teachers who choose not to teach in the charter
366 school after conversion in accordance with the existing
367 collective bargaining agreement or district school board rule in
368 the absence of a collective bargaining agreement. However,
369 alternative arrangements shall not be required for current
370 teachers who choose not to teach in a charter lab school, except
371 as authorized by the employment policies of the state university
372 which grants the charter to the lab school.

373 18. Full disclosure of the identity of all relatives
374 employed by the charter school who are related to the charter
375 school owner, president, chairperson of the governing board of

376 directors, superintendent, governing board member, principal,
377 assistant principal, or any other person employed by the charter
378 school who has equivalent decisionmaking authority. For the
379 purpose of this subparagraph, the term "relative" means father,
380 mother, son, daughter, brother, sister, uncle, aunt, first
381 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
382 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
383 stepfather, stepmother, stepson, stepdaughter, stepbrother,
384 stepsister, half brother, or half sister.

385 19. Implementation of the activities authorized under s.
386 1002.331 by the charter school when it satisfies the eligibility
387 requirements for a high-performing charter school. A high-
388 performing charter school shall notify its sponsor in writing by
389 March 1 if it intends to increase enrollment or expand grade
390 levels the following school year. The written notice shall
391 specify the amount of the enrollment increase and the grade
392 levels that will be added, as applicable.

393 (d) A charter may be modified during its initial term or
394 any renewal term upon the recommendation of the sponsor or the
395 charter school's governing board and the approval of both
396 parties to the agreement. Modification during any term may
397 include, but is not limited to, consolidation of multiple
398 charters into a single charter if the charters are operated
399 under the same governing board ~~and physically located on the~~
400 ~~same campus~~, regardless of the renewal cycle. A charter school

401 that is not subject to a school improvement plan and that closes
402 as part of a consolidation shall be reported by the school
403 district as a consolidation.

404 (e) A charter may be terminated by a charter school's
405 governing board through voluntary closure. The decision to cease
406 operations must be determined at a public meeting. The governing
407 board shall notify the parents and sponsor of the public meeting
408 in writing before the public meeting. The governing board must
409 notify the sponsor, parents of enrolled students, and the
410 department in writing within 24 hours after the public meeting
411 of its determination. The notice shall state the charter
412 school's intent to continue operations or the reason for the
413 closure and acknowledge that the governing board agrees to
414 follow the procedures for dissolution and reversion of public
415 funds pursuant to paragraphs (8)(d)-(f) and (9)(o) ~~paragraphs~~
416 ~~(8)(e)-(g) and (9)(e).~~

417 (9) CHARTER SCHOOL REQUIREMENTS.—

418 (n)1. The director and a representative of the governing
419 board of a charter school that has earned a grade of "D" or "F"
420 pursuant to s. 1008.34 shall appear before the sponsor to
421 present information concerning each contract component having
422 noted deficiencies. The director and a representative of the
423 governing board shall submit to the sponsor for approval a
424 school improvement plan to raise student performance. Upon
425 approval by the sponsor, the charter school shall begin

426 implementation of the school improvement plan. The department
427 shall offer technical assistance and training to the charter
428 school and its governing board and establish guidelines for
429 developing, submitting, and approving such plans.

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

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

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

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

440 (IV) Voluntarily close the charter school.

441 b. The charter school must implement the corrective action
442 in the school year following receipt of a third consecutive
443 grade below a "C."

444 c. The sponsor may annually waive a corrective action if
445 it determines that the charter school is likely to improve a
446 letter grade if additional time is provided to implement the
447 intervention and support strategies prescribed by the school
448 improvement plan. Notwithstanding this sub-subparagraph, a
449 charter school that earns a second consecutive grade of "F" is
450 subject to subparagraph 3.

451 d. A charter school is no longer required to implement a
452 corrective action if it improves to a "C" or higher. However,
453 the charter school must continue to implement strategies
454 identified in the school improvement plan. The sponsor must
455 annually review implementation of the school improvement plan to
456 monitor the school's continued improvement pursuant to
457 subparagraph 4.

458 e. A charter school implementing a corrective action that
459 does not improve to a "C" or higher after 2 full school years of
460 implementing the corrective action must select a different
461 corrective action. Implementation of the new corrective action
462 must begin in the school year following the implementation
463 period of the existing corrective action, unless the sponsor
464 determines that the charter school is likely to improve to a "C"
465 or higher if additional time is provided to implement the
466 existing corrective action. Notwithstanding this sub-
467 subparagraph, a charter school that earns a second consecutive
468 grade of "F" while implementing a corrective action is subject
469 to subparagraph 3.

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

473 a. The charter school is established to turn around the
474 performance of a district public school pursuant to s.
475 1008.33(4)(b)2. Such charter schools shall be governed by s.

476 1008.33;

477 b. The charter school serves a student population the
 478 majority of which resides in a school zone served by a district
 479 public school subject to s. 1008.33(4) and the charter school
 480 earns at least a grade of "D" in its third year of operation.
 481 The exception provided under this sub-subparagraph does not
 482 apply to a charter school in its fourth year of operation and
 483 thereafter; or

484 c. The state board grants the charter school a waiver of
 485 termination. The charter school must request the waiver within
 486 15 days after the department's official release of school
 487 grades. The state board may waive termination if the charter
 488 school demonstrates that the Learning Gains of its students on
 489 statewide assessments are comparable to or better than the
 490 Learning Gains of similarly situated students enrolled in nearby
 491 district public schools. The waiver is valid for 1 year and may
 492 only be granted once. Charter schools that have been in
 493 operation for more than 5 years are not eligible for a waiver
 494 under this sub-subparagraph.

495
 496 The sponsor shall notify the charter school's governing board,
 497 the charter school principal, and the department in writing when
 498 a charter contract is terminated under this subparagraph. ~~The~~
 499 ~~letter of termination must meet the requirements of paragraph~~
 500 ~~(8)(c).~~ A charter terminated under this subparagraph must follow

501 the procedures for dissolution and reversion of public funds
 502 pursuant to paragraphs (8) (d)-(f) and (9) (o) ~~paragraphs (8) (e)-~~
 503 ~~(g) and (9) (o)~~.

504 4. The director and a representative of the governing
 505 board of a graded charter school that has implemented a school
 506 improvement plan under this paragraph shall appear before the
 507 sponsor at least once a year to present information regarding
 508 the progress of intervention and support strategies implemented
 509 by the school pursuant to the school improvement plan and
 510 corrective actions, if applicable. The sponsor shall communicate
 511 at the meeting, and in writing to the director, the services
 512 provided to the school to help the school address its
 513 deficiencies.

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

517 (10) ELIGIBLE STUDENTS.—

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

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

521 2. Students considered at risk of dropping out of school
 522 or academic failure. Such students shall include exceptional
 523 education students.

524 3. Students enrolling in a charter school-in-the-workplace
 525 or charter school-in-a-municipality established pursuant to

526 subsection (15).

527 4. Students residing within a reasonable distance of the
528 charter school, as described in paragraph (20)(c). Such students
529 shall be subject to a random lottery and to the racial/ethnic
530 balance provisions described in subparagraph (7)(a)8. or any
531 federal provisions that require a school to achieve a
532 racial/ethnic balance reflective of the community it serves or
533 within the racial/ethnic range of other public schools in the
534 same school district.

535 5. Students who meet reasonable academic, artistic, or
536 other eligibility standards established by the charter school
537 and included in the charter school application and charter or,
538 in the case of existing charter schools, standards that are
539 consistent with the school's mission and purpose. Such standards
540 shall be in accordance with current state law and practice in
541 public schools and may not discriminate against otherwise
542 qualified individuals.

543 6. Students articulating from one charter school to
544 another pursuant to an articulation agreement between the
545 charter schools that has been approved by the sponsor.

546 7. Students living in a development in which a business
547 entity provides the school facility and related property having
548 an appraised value of at least \$5 ~~\$10~~ million to be used as a
549 charter school to mitigate the educational impact created by the
550 development of new residential dwelling units ~~for the~~

551 ~~development.~~ Students living in the development shall be
552 entitled to no more than 50 percent of the student stations in
553 the charter school. The students who are eligible for enrollment
554 are subject to a random lottery, the racial/ethnic balance
555 provisions, or any federal provisions, as described in
556 subparagraph 4. The remainder of the student stations shall be
557 filled in accordance with subparagraph 4.

558 (20) SERVICES.—

559 (b) If goods and services are made available to the
560 charter school through the contract with the school district,
561 they shall be provided to the charter school at a rate no
562 greater than the district's actual cost unless mutually agreed
563 upon by the charter school and the sponsor in a contract
564 negotiated separately from the charter. When mediation has
565 failed to resolve disputes over contracted services or
566 contractual matters not included in the charter, an appeal may
567 be made to an administrative law judge appointed by the Division
568 of Administrative Hearings. The administrative law judge has
569 final order authority to rule on the dispute. The administrative
570 law judge shall award the prevailing party reasonable attorney
571 fees and costs incurred during the mediation process,
572 administrative proceeding, and any appeals, to be paid by the
573 party whom the administrative law judge rules against ~~for a~~
574 ~~dispute resolution hearing before the Charter School Appeal~~
575 ~~Commission.~~ To maximize the use of state funds, school districts

576 shall allow charter schools to participate in the sponsor's bulk
577 purchasing program if applicable.

578 Section 2. Subsection (1), paragraph (a) of subsection
579 (2), and paragraph (b) of subsection (3) of section 1002.331,
580 Florida Statutes, are amended to read:

581 1002.331 High-performing charter schools.-

582 (1) A charter school is a high-performing charter school
583 if it:

584 (a) Received at least two school grades of "A" and no
585 school grade below "B," pursuant to s. 1008.34, during each of
586 the previous 3 school years or received at least two consecutive
587 school grades of "A" in the most recent 2 school years.

588 (b) Received an unqualified opinion on each annual
589 financial audit required under s. 218.39 in the most recent 3
590 fiscal years for which such audits are available.

591 (c) Did not receive a financial audit that revealed one or
592 more of the financial emergency conditions set forth in s.
593 218.503(1) in the most recent 3 fiscal years for which such
594 audits are available. However, this requirement is deemed met
595 for a charter school-in-the-workplace if there is a finding in
596 an audit that the school has the monetary resources available to
597 cover any reported deficiency or that the deficiency does not
598 result in a deteriorating financial condition pursuant to s.
599 1002.345(1)(a)3.

600

601 For purposes of determining initial eligibility, the
602 requirements of paragraphs (b) and (c) only apply for the most
603 recent 2 fiscal years if the charter school earns two
604 consecutive grades of "A." A virtual charter school established
605 under s. 1002.33 is not eligible for designation as a high-
606 performing charter school.

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

608 (a) Increase its student enrollment once per school year
609 to more than the capacity identified in the charter, but student
610 enrollment may not exceed the ~~current facility~~ capacity of the
611 facility at the time the enrollment increase will take effect.
612 Facility capacity for purposes of grade level expansion shall
613 include any improvements to an existing facility or any new
614 facility in which a majority of the students of the high-
615 performing charter school will enroll.

616
617 A high-performing charter school shall notify its sponsor in
618 writing by March 1 if it intends to increase enrollment or
619 expand grade levels the following school year. The written
620 notice shall specify the amount of the enrollment increase and
621 the grade levels that will be added, as applicable. If a charter
622 school notifies the sponsor of its intent to expand, the sponsor
623 shall modify the charter within 90 days to include the new
624 enrollment maximum and may not make any other changes. The
625 sponsor may deny a request to increase the enrollment of a high-

626 performing charter school if the commissioner has declassified
 627 the charter school as high-performing. If a high-performing
 628 charter school requests to consolidate multiple charters, the
 629 sponsor shall have 40 days after receipt of that request to
 630 provide an initial draft charter to the charter school. The
 631 sponsor and charter school shall have 50 days thereafter to
 632 negotiate and notice the charter contract for final approval by
 633 the sponsor.

634 (3)

635 (b) A high-performing charter school may not establish
 636 more than two ~~one~~ charter schools ~~school~~ within the state under
 637 paragraph (a) in any year. A subsequent application to establish
 638 a charter school under paragraph (a) may not be submitted unless
 639 each charter school established in this manner achieves high-
 640 performing charter school status. However, a high-performing
 641 charter school may establish more than one charter school within
 642 the state under paragraph (a) in any year if it operates in the
 643 area of a persistently low-performing school and serves students
 644 from that school.

645 Section 3. Paragraph (d) is added to subsection (10) of
 646 section 1002.333, Florida Statutes, to read:

647 1002.333 Persistently low-performing schools.—

648 (10) SCHOOLS OF HOPE PROGRAM.—The Schools of Hope Program
 649 is created within the Department of Education.

650 (d) Notwithstanding s. 216.301 and pursuant to s. 216.351,

651 funds allocated for the purpose of this subsection which are not
 652 disbursed by June 30 of the fiscal year in which the funds are
 653 allocated may be carried forward for up to 5 years after the
 654 effective date of the original appropriation.

655 Section 4. Paragraph (f), of subsection (1) and paragraph
 656 (b) of subsection (6) of section 1011.62, Florida Statutes, are
 657 amended to read:

658 1011.62 Funds for operation of schools.—If the annual
 659 allocation from the Florida Education Finance Program to each
 660 district for operation of schools is not determined in the
 661 annual appropriations act or the substantive bill implementing
 662 the annual appropriations act, it shall be determined as
 663 follows:

664 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 665 OPERATION.—The following procedure shall be followed in
 666 determining the annual allocation to each district for
 667 operation:

668 (f) Supplemental academic instruction allocation;
 669 ~~category~~ ~~fund~~.—

670 1. There is created the supplemental academic instruction
 671 allocation ~~a category~~ ~~fund~~ to provide supplemental academic
 672 instruction to students in kindergarten through grade 12. ~~This~~
 673 ~~paragraph may be cited as the "Supplemental Academic Instruction~~
 674 ~~Category Fund."~~

675 2. The supplemental academic instruction allocation shall

676 be provided annually in the Florida Education Finance Program as
677 specified in the General Appropriations Act. These funds are
678 ~~ategorical fund is~~ in addition to the funds appropriated on the
679 basis of FTE student membership in the Florida Education Finance
680 Program and shall be included in the total potential funds of
681 each district. Beginning with the 2018-2019 fiscal year, These
682 ~~funds shall be used to provide supplemental academic instruction~~
683 ~~to students enrolled in the K-12 program.~~ each school district
684 that has a school earning a grade of "D" or "F" pursuant to s.
685 1008.34 must use that school's portion of the supplemental
686 academic instruction allocation to implement the intervention
687 and support strategies for school improvement pursuant to s.
688 1008.33 and for salary incentives pursuant to s. 1012.2315(3) or
689 salary supplements pursuant to s. 1012.22(1)(c)5.c. that are
690 provided through a memorandum of understanding between the
691 collective bargaining agent and the school board that addresses
692 the selection, placement, and expectations of instructional
693 personnel and school administrators. For all other schools, the
694 school district's use of the supplemental academic instruction
695 allocation ~~one or more of the 300 lowest performing elementary~~
696 ~~schools based on the state reading assessment for the prior year~~
697 ~~shall use these funds, together with the funds provided in the~~
698 ~~district's research-based reading instruction allocation and~~
699 ~~other available funds, to provide an additional hour of~~
700 ~~instruction beyond the normal school day for each day of the~~

701 ~~entire school year for intensive reading instruction for the~~
702 ~~students in each of these schools. This additional hour of~~
703 ~~instruction must be provided by teachers or reading specialists~~
704 ~~who have demonstrated effectiveness in teaching reading or by a~~
705 ~~K-5 mentoring reading program that is supervised by a teacher~~
706 ~~who is effective at teaching reading. Students enrolled in these~~
707 ~~schools who have level 5 assessment scores may participate in~~
708 ~~the additional hour of instruction on an optional basis.~~
709 ~~Exceptional student education centers shall not be included in~~
710 ~~the 300 schools. The designation of the 300 lowest performing~~
711 ~~elementary schools must be based on the state reading assessment~~
712 ~~for the prior year. After this requirement has been met,~~
713 ~~supplemental instruction strategies may include, but is are not~~
714 ~~limited to, the use of a modified curriculum, reading~~
715 ~~instruction, after-school instruction, tutoring, mentoring, a~~
716 ~~reduction in class size, extended school year, intensive skills~~
717 ~~development in summer school, dropout prevention programs as~~
718 ~~defined in ss. 1003.52 and 1003.53(1)(a), (b), and (c), and~~
719 ~~other methods of improving student achievement. Supplemental~~
720 ~~academic instruction may be provided to a student in any manner~~
721 ~~and at any time during or beyond the regular 180-day term~~
722 ~~identified by the school as being the most effective and~~
723 ~~efficient way to best help that student progress from grade to~~
724 ~~grade and to graduate.~~

725 3. ~~Categorical funds for supplemental academic instruction~~

726 ~~shall be provided annually in the Florida Education Finance~~
727 ~~Program as specified in the General Appropriations Act. These~~
728 ~~funds shall be provided as a supplement to the funds~~
729 ~~appropriated for the basic funding level and shall be included~~
730 ~~in the total funds of each district. The supplemental academic~~
731 ~~instruction allocation shall consist of a base amount that has a~~
732 ~~workload adjustment based on changes in unweighted FTE. ~~In~~~~
733 ~~addition, districts that have elementary schools included in the~~
734 ~~300 lowest-performing schools designation shall be allocated~~
735 ~~additional funds to assist those districts in providing~~
736 ~~intensive reading instruction to students in those schools. The~~
737 ~~amount provided shall be based on each district's level of per-~~
738 ~~student funding in the reading instruction allocation and the~~
739 ~~supplemental academic instruction categorical fund and on the~~
740 ~~total FTE for each of the schools. The supplemental academic~~
741 ~~instruction allocation categorical funding shall be recalculated~~
742 ~~during the fiscal year following an updated designation of the~~
743 ~~300 lowest-performing elementary schools and shall be based on~~
744 ~~actual student membership from the FTE surveys. Upon~~
745 ~~recalculation of funding for the supplemental academic~~
746 ~~instruction allocation categorical fund, if the total allocation~~
747 ~~is greater than the amount provided in the General~~
748 ~~Appropriations Act, the allocation shall be prorated to the~~
749 ~~level provided to support the appropriation, based on each~~
750 ~~district's share of the total.~~

751 4. ~~Effective with the 1999-2000 fiscal year,~~ Funding on
 752 the basis of FTE membership beyond the 180-day regular term
 753 shall be provided in the FEFP only for students enrolled in
 754 juvenile justice education programs or in education programs for
 755 juveniles placed in secure facilities or programs under s.
 756 985.19. Funding for instruction beyond the regular 180-day
 757 school year for all other K-12 students shall be provided
 758 through the supplemental academic instruction allocation and
 759 other state, federal, and local fund sources with ample
 760 flexibility for schools to provide supplemental instruction to
 761 assist students in progressing from grade to grade and
 762 graduating.

763 ~~5. The Florida State University School, as a lab school,~~
 764 ~~is authorized to expend from its FEFP or Lottery Enhancement~~
 765 ~~Trust Fund allocation the cost to the student of remediation in~~
 766 ~~reading, writing, or mathematics for any graduate who requires~~
 767 ~~remediation at a postsecondary educational institution.~~

768 ~~6. Beginning in the 1999-2000 school year, dropout~~
 769 ~~prevention programs as defined in ss. 1003.52, 1003.53(1)(a),~~
 770 ~~(b), and (c), and 1003.54 shall be included in group 1 programs~~
 771 ~~under subparagraph (d)3.~~

772 (6) CATEGORICAL FUNDS.—

773 (b) If a district school board finds and declares in a
 774 resolution adopted at a regular meeting of the school board that
 775 the funds received for any of the following categorical

776 appropriations are urgently needed to maintain school board
777 specified academic classroom instruction or improve school
778 safety, the school board may consider and approve an amendment
779 to the school district operating budget transferring the
780 identified amount of the categorical funds to the appropriate
781 account for expenditure:

782 1. Funds for student transportation.

783 ~~2. Funds for safe schools.~~

784 ~~3. Funds for supplemental academic instruction if the~~
785 ~~required additional hour of instruction beyond the normal school~~
786 ~~day for each day of the entire school year has been provided for~~
787 ~~the students in each low-performing elementary school in the~~
788 ~~district pursuant to paragraph (1)(f).~~

789 2.4. Funds for research-based reading instruction if the
790 required additional hour of instruction beyond the normal school
791 day for each day of the entire school year has been provided for
792 the students in each low-performing elementary school in the
793 district pursuant to paragraph (9)(a).

794 ~~3.5.~~ Funds for instructional materials if all
795 instructional material purchases necessary to provide updated
796 materials that are aligned with applicable state standards and
797 course descriptions and that meet statutory requirements of
798 content and learning have been completed for that fiscal year,
799 but no sooner than March 1. Funds available after March 1 may be
800 used to purchase hardware for student instruction.

801 Section 5. Section 1011.6202, Florida Statutes, is amended
802 to read:

803 1011.6202 Principal Autonomy ~~Pilot~~ Program Initiative.—The
804 Principal Autonomy ~~Pilot~~ Program Initiative is created within
805 the Department of Education. The purpose of the ~~pilot~~ program is
806 to provide a ~~the~~ highly effective principal of a participating
807 school with increased autonomy and authority to operate his or
808 her school, as well as other schools, in a way that produces
809 significant improvements in student achievement and school
810 management while complying with constitutional requirements. The
811 State Board of Education may, upon approval of a principal
812 autonomy proposal, enter into a performance contract with the ~~up~~
813 ~~to seven~~ district school board ~~boards~~ for participation in the
814 ~~pilot~~ program.

815 (1) PARTICIPATING SCHOOL DISTRICTS.—Beginning with the
816 2018-2019 school year, contingent upon available funds, and on a
817 first-come, first-served basis, a ~~The~~ district school board
818 ~~boards in Broward, Duval, Jefferson, Madison, Palm Beach,~~
819 ~~Pinellas, and Seminole Counties~~ may submit, no later than
820 December 1, to the state board for approval a principal autonomy
821 proposal that exchanges statutory and rule exemptions for an
822 agreement to meet performance goals established in the proposal.
823 If approved by the state board, the ~~each of these~~ school
824 district is ~~districts shall be~~ eligible to participate in the
825 ~~pilot~~ program for 3 years. ~~At the end of the 3 years, the~~

826 ~~performance of all participating schools in the school district~~
 827 ~~shall be evaluated.~~

828 (2) PRINCIPAL AUTONOMY PROPOSAL.—

829 (a) To participate in the ~~pilot~~ program, a school district
 830 must:

831 1. Identify three schools that received at least two
 832 school grades of "D" or "F" pursuant to s. 1008.34 during the
 833 previous 3 school years.

834 2. Identify three principals who have earned a highly
 835 effective rating on the prior year's performance evaluation
 836 pursuant to s. 1012.34, one of whom shall be assigned to each of
 837 the participating schools.

838 3. Describe the current financial and administrative
 839 management of each participating school; identify the areas in
 840 which each school principal will have increased fiscal and
 841 administrative autonomy, including the authority and
 842 responsibilities provided in s. 1012.28(8); and identify the
 843 areas in which each participating school will continue to follow
 844 district school board fiscal and administrative policies.

845 4. Explain the methods used to identify the educational
 846 strengths and needs of the participating school's students and
 847 identify how student achievement can be improved.

848 5. Establish performance goals for student achievement, as
 849 defined in s. 1008.34(1), and explain how the increased autonomy
 850 of principals will help participating schools improve student

851 achievement and school management.

852 6. Provide each participating school's mission and a
853 description of its student population.

854 (b) The state board shall establish criteria, which must
855 include the criteria listed in paragraph (a), for the approval
856 of a principal autonomy proposal.

857 (c) A district school board must submit its principal
858 autonomy proposal to the state board for approval by December 1
859 in order to begin participation in the subsequent school year.
860 By February 28 of the school year in which the proposal is
861 submitted, the state board shall notify the district school
862 board in writing whether the proposal is approved.

863 (3) EXEMPTION FROM LAWS.—

864 (a) With the exception of those laws listed in paragraph
865 (b), a participating school or a school operated by a principal
866 pursuant to subsection (5) is exempt from the provisions of
867 chapters 1000-1013 and rules of the state board that implement
868 those exempt provisions.

869 (b) A participating school or a school operated by a
870 principal pursuant to subsection (5) shall comply with the
871 provisions of chapters 1000-1013, and rules of the state board
872 that implement those provisions, pertaining to the following:

873 1. Those laws relating to the election and compensation of
874 district school board members, the election or appointment and
875 compensation of district school superintendents, public meetings

876 and public records requirements, financial disclosure, and
 877 conflicts of interest.

878 2. Those laws relating to the student assessment program
 879 and school grading system, including chapter 1008.

880 3. Those laws relating to the provision of services to
 881 students with disabilities.

882 4. Those laws relating to civil rights, including s.
 883 1000.05, relating to discrimination.

884 5. Those laws relating to student health, safety, and
 885 welfare.

886 6. Section 1001.42(4)(f), relating to the uniform opening
 887 date for public schools.

888 7. Section 1003.03, governing maximum class size, except
 889 that the calculation for compliance pursuant to s. 1003.03 is
 890 the average at the school level for a participating school.

891 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
 892 compensation and salary schedules.

893 9. Section 1012.33(5), relating to workforce reductions
 894 for annual contracts for instructional personnel. This
 895 subparagraph does not apply to at-will employees.

896 10. Section 1012.335, relating to annual contracts for
 897 instructional personnel hired on or after July 1, 2011. This
 898 subparagraph does not apply to at-will employees.

899 11. Section 1012.34, relating to personnel evaluation
 900 procedures and criteria.

901 12. Those laws pertaining to educational facilities,
 902 including chapter 1013, except that s. 1013.20, relating to
 903 covered walkways for relocatables, and s. 1013.21, relating to
 904 the use of relocatable facilities exceeding 20 years of age, are
 905 eligible for exemption.

906 13. Those laws pertaining to participating school
 907 districts, including this section and ss. 1011.69(2) and
 908 1012.28(8).

909 (c) A school shall remain exempt, as provided in this
 910 subsection, beyond the term of the program so long as the school
 911 receives no grade lower than a "B."

912 (4) PROFESSIONAL DEVELOPMENT.—Each participating school
 913 district shall require that the principal of each participating
 914 school and a designated leadership team selected by the
 915 principal of the participating school, ~~a three-member leadership~~
 916 ~~team from each participating school, and district personnel~~
 917 ~~working with each participating school~~ complete a nationally
 918 recognized school turnaround program which focuses on improving
 919 leadership, instructional infrastructure, talent management, and
 920 differentiated support and accountability. The required
 921 personnel must enroll in the nationally recognized school
 922 turnaround program upon acceptance into the ~~pilot~~ program. ~~Each~~
 923 ~~participating school district shall receive \$100,000 from the~~
 924 ~~department for participation in the nationally recognized school~~
 925 ~~turnaround program.~~

926 (5) DISTRICT INNOVATION ACADEMIES AND ZONES.—To encourage
 927 further innovation and expand the reach of highly effective
 928 principals trained through this program district school boards
 929 may authorize these principals to manage multiple schools within
 930 a zone. A zone may include the school at which the principal is
 931 assigned, persistently low-performing schools, feeder pattern
 932 schools, or a group of schools identified by the school
 933 district. The principal may allocate resources and personnel
 934 between the schools under his or her administration.

935 (6)~~(5)~~ TERM OF PARTICIPATION.—The state board shall
 936 authorize a school district to participate in the ~~pilot~~ program
 937 for a period of 3 years commencing with approval of the
 938 principal autonomy proposal. ~~Authorization to participate in the~~
 939 ~~pilot program may be renewed upon action of the state board.~~ The
 940 state board may revoke authorization to participate in the ~~pilot~~
 941 program if the school district fails to meet the requirements of
 942 this section during the 3-year period.

943 ~~(6) REPORTING. Each participating school district shall~~
 944 ~~submit an annual report to the state board. The state board~~
 945 ~~shall annually report on the implementation of the Principal~~
 946 ~~Autonomy Pilot Program Initiative. Upon completion of the pilot~~
 947 ~~program's first 3-year term, the Commissioner of Education shall~~
 948 ~~submit to the President of the Senate and the Speaker of the~~
 949 ~~House of Representatives by December 1 a full evaluation of the~~
 950 ~~effectiveness of the pilot program.~~

951 (7) FUNDING.—Subject to an annual appropriation, The
952 Legislature shall provide an appropriation to the department
953 shall fund for the costs of the pilot program to include the,
954 ~~including~~ administrative ~~costs~~ and enrollment costs for the
955 nationally recognized school turnaround program required in
956 subsection (4), and an ~~additional~~ amount not to exceed of
957 \$10,000 for each participating principal in each participating
958 district as an annual salary supplement for 3 years, ~~a fund for~~
959 ~~the principal's school to be used at the principal's discretion,~~
960 ~~or both,~~ as determined by the district. To be eligible for a
961 salary supplement under this subsection, a participating
962 principal must:

963 (a) Be rated "highly effective" as determined by the
964 principal's performance evaluation under s. 1012.34;

965 (b) Be transferred to a school that earned a grade of "F"
966 or two three consecutive grades of "D" pursuant to s. 1008.34,
967 or manage, pursuant to subsection (5), a persistently low-
968 performing school, and provided additional authority and
969 responsibilities pursuant to s. 1012.28(8); and

970 (c) Have implemented a turnaround option under s. 1008.33
971 ~~s. 1008.33(4)~~ at a school as the school's principal. The
972 turnaround option must have resulted in the school improving by
973 at least one letter grade while he or she was serving as the
974 school's principal.

975 (8) RULEMAKING.—The State Board of Education shall adopt

976 rules to administer this section.

977 Section 6. Subsection (5) of section 1011.69, Florida
 978 Statutes, is amended to read:

979 1011.69 Equity in School-Level Funding Act.—

980 (5) After providing Title I, Part A, Basic funds to
 981 schools above the 75 percent poverty threshold, which may
 982 include high schools above the 50 percent threshold as permitted
 983 by federal law, school districts shall provide any remaining
 984 Title I, Part A, Basic funds directly to all eligible schools as
 985 provided in this subsection. For purposes of this subsection, an
 986 eligible school is a school that is eligible to receive Title I
 987 funds, including a charter school. The threshold for identifying
 988 eligible schools may not exceed the threshold established by a
 989 school district for the 2016-2017 school year or the statewide
 990 percentage of economically disadvantaged students, as determined
 991 annually.

992 (a) Prior to the allocation of Title I funds to eligible
 993 schools, a school district may withhold funds only as follows:

994 1. One percent for parent involvement, in addition to the
 995 one percent the district must reserve under federal law for
 996 allocations to eligible schools for parent involvement;

997 2. A necessary and reasonable amount for administration,
 998 which includes the district's indirect cost rate, not to exceed
 999 a total of 10 ~~8~~ percent; ~~and~~

1000 3. A reasonable and necessary amount to provide:

- 1001 a. Homeless programs;
- 1002 b. Delinquent and neglected programs;
- 1003 c. Prekindergarten programs and activities;
- 1004 d. Private school equitable services; ~~and~~
- 1005 e. Transportation for foster care children to their school
- 1006 of origin or choice programs; and-

1007 4. A necessary and reasonable amount, not to exceed 1

1008 percent, for eligible schools to provide educational services in

1009 accordance with the approved Title I plan.

1010 (b) All remaining Title I funds shall be distributed to

1011 all eligible schools in accordance with federal law and

1012 regulation. An eligible school may use funds under this

1013 subsection to participate in discretionary educational services

1014 provided by the school district. Any funds provided by an

1015 eligible school to participate in discretionary educational

1016 services provided by the school district are not subject to the

1017 requirements of this subsection.

1018 (c) Any funds carried forward by the school district are

1019 not subject to the requirements of this subsection.

1020 Section 7. Paragraphs (a) and (e) of subsection (2) of

1021 section 1011.71, Florida Statutes, are amended to read:

1022 1011.71 District school tax.—

1023 (2) In addition to the maximum millage levy as provided in

1024 subsection (1), each school board may levy not more than 1.5

1025 mills against the taxable value for school purposes for charter

1026 schools pursuant to s. 1013.62 (1) and (3) and for district schools
 1027 to fund:

1028 (a) New construction and remodeling projects, as set forth
 1029 in s. 1013.64(6)(b), ~~s. 1013.64(3)(d) and (6)(b) and included in~~
 1030 ~~the district's educational plant survey pursuant to s. 1013.31,~~
 1031 without regard to prioritization, sites and site improvement or
 1032 expansion to new sites, existing sites, auxiliary facilities,
 1033 athletic facilities, or ancillary facilities.

1034 (e) Payments for educational facilities and sites due
 1035 under a lease-purchase agreement entered into by a district
 1036 school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
 1037 exceeding, in the aggregate, an amount equal to three-fourths of
 1038 the proceeds from the millage levied by a district school board
 1039 pursuant to this subsection. The three-fourths limit is waived
 1040 for lease-purchase agreements entered into before June 30, 2009,
 1041 by a district school board pursuant to this paragraph. If
 1042 payments under lease-purchase agreements in the aggregate,
 1043 including lease-purchase agreements entered into before June 30,
 1044 2009, exceed three-fourths of the proceeds from the millage
 1045 levied pursuant to this subsection, the district school board
 1046 may not withhold the administrative fees authorized by s.
 1047 1002.33(20) from any charter school operating in the school
 1048 district.

1049 Section 8. Effective upon this act becoming a law, Section
 1050 1011.79, Florida Statutes, is created to read:

1051 1011.79 Florida price level index methodology review.—
 1052 Subject to an appropriation, the Department of Education shall
 1053 conduct a review of the methodology used to calculate and
 1054 determine the Florida Price Level Index for purposes of
 1055 calculating the district cost differential pursuant to s.
 1056 1011.62. The Department of Education shall issue a competitive
 1057 solicitation to contract with an independent third-party
 1058 consulting firm to conduct the reviews with the initial review
 1059 completed in the 2018-2019 fiscal year and subsequent reviews
 1060 completed every ten years thereafter. The Department of
 1061 Education shall provide the results of all reviews to the
 1062 Executive Office of the Governor and the Legislature.

1063 Section 9. Subsection (4) of section 1012.2315, Florida
 1064 Statutes, is amended to read:

1065 1012.2315 Assignment of teachers.—

1066 (4) COLLECTIVE BARGAINING.—

1067 (a) Notwithstanding provisions of chapter 447 relating to
 1068 district school board collective bargaining, collective
 1069 bargaining provisions may not preclude a school district from
 1070 providing incentives to high-quality teachers and assigning such
 1071 teachers to low-performing schools.

1072 (b) Before the start of the 2019-2020 school year, each
 1073 school district and the certified collective bargaining unit for
 1074 instructional personnel shall negotiate a memorandum of
 1075 understanding that addresses the selection, placement, and

1076 expectations of instructional personnel and provides school
 1077 principals with the autonomy described in s. 1012.28(8).

1078 Section 10. Subsection (2) of section 1012.32, Florida
 1079 Statutes, is amended to read:

1080 1012.32 Qualifications of personnel.—

1081 (2) (a) Instructional and noninstructional personnel who
 1082 are hired or contracted to fill positions that require direct
 1083 contact with students in any district school system or
 1084 university lab school must, upon employment or engagement to
 1085 provide services, undergo background screening as required under
 1086 s. 1012.465 or s. 1012.56, whichever is applicable.

1087 (b) Instructional and noninstructional personnel who are
 1088 hired or contracted to fill positions in any charter school and
 1089 members of the governing board of any charter school, in
 1090 compliance with s. 1002.33(12)(g), must, upon employment,
 1091 engagement of services, or appointment, undergo background
 1092 screening as required under s. 1012.465 or s. 1012.56, whichever
 1093 is applicable, by filing with the district school board for the
 1094 school district in which the charter school is located a
 1095 complete set of fingerprints taken by an authorized law
 1096 enforcement agency or an employee of the school or school
 1097 district who is trained to take fingerprints.

1098 (c) Instructional and noninstructional personnel who are
 1099 hired or contracted to fill positions that require direct
 1100 contact with students in an alternative school that operates

1101 under contract with a district school system must, upon
 1102 employment or engagement to provide services, undergo background
 1103 screening as required under s. 1012.465 or s. 1012.56, whichever
 1104 is applicable, by filing with the district school board for the
 1105 school district to which the alternative school is under
 1106 contract a complete set of fingerprints taken by an authorized
 1107 law enforcement agency or an employee of the school or school
 1108 district who is trained to take fingerprints.

1109 (d) Student teachers and persons participating in a field
 1110 experience pursuant to s. 1004.04(5) or s. 1004.85 in any
 1111 district school system, lab school, or charter school must, upon
 1112 engagement to provide services, undergo background screening as
 1113 required under s. 1012.56.

1114
 1115 Fingerprints shall be submitted to the Department of Law
 1116 Enforcement for statewide criminal and juvenile records checks
 1117 and to the Federal Bureau of Investigation for federal criminal
 1118 records checks. A person subject to this subsection who is found
 1119 ineligible for employment under s. 1012.315, or otherwise found
 1120 through background screening to have been convicted of any crime
 1121 involving moral turpitude as defined by rule of the State Board
 1122 of Education, shall not be employed, engaged to provide
 1123 services, or serve in any position that requires direct contact
 1124 with students. Probationary persons subject to this subsection
 1125 terminated because of their criminal record have the right to

1126 appeal such decisions. The cost of the background screening may
 1127 be borne by the district school board, the charter school, the
 1128 employee, the contractor, or a person subject to this
 1129 subsection. If the district school board does not notify the
 1130 charter school of the eligibility of governing board members and
 1131 instructional and noninstructional personnel within 14 days
 1132 after the submission of the fingerprints, it shall reimburse the
 1133 cost of background screening.

1134 Section 11. Paragraph (a) of subsection (2) of section
 1135 1013.28, Florida Statutes, is amended to read:

1136 1013.28 Disposal of property.—

1137 (2) TANGIBLE PERSONAL PROPERTY.—

1138 (a) Tangible personal property that has been properly
 1139 classified as surplus by a district school board or Florida
 1140 College System institution board of trustees shall be disposed
 1141 of in accordance with the procedure established by chapter 274.
 1142 However, the provisions of chapter 274 shall not be applicable
 1143 to a motor vehicle used in driver education to which title is
 1144 obtained for a token amount from an automobile dealer or
 1145 manufacturer. In such cases, the disposal of the vehicle shall
 1146 be as prescribed in the contractual agreement between the
 1147 automotive agency or manufacturer and the board. Tangible
 1148 personal property that has been properly classified as surplus,
 1149 marked for disposal, or otherwise unused by a district school
 1150 board shall be provided for a charter school's use on the same

1151 basis as it is made available to other public schools in the
 1152 district. A charter school receiving property from the school
 1153 district may not sell or dispose of such property without the
 1154 written permission of the school district.

1155 Section 12. Paragraph (e) is added to subsection (2) of
 1156 section 1013.385, Florida Statutes, to read:

1157 1013.385 School district construction flexibility.—

1158 (2) A resolution adopted under this section may propose
 1159 implementation of exceptions to requirements of the uniform
 1160 statewide building code for the planning and construction of
 1161 public educational and ancillary plants adopted pursuant to ss.
 1162 553.73 and 1013.37 relating to:

1163 (e) Any other provisions that limit the ability of a
 1164 school to operate in a facility on the same basis as a charter
 1165 school pursuant to s. 1002.33(18) so long as the regional
 1166 planning council determines that there is sufficient shelter
 1167 capacity within the school district as documented in the
 1168 Statewide Emergency Shelter Plan.

1169 Section 13. Subsections (1), (3), and (5) of section
 1170 1013.62, Florida Statutes, are amended to read:

1171 1013.62 Charter schools capital outlay funding.—

1172 (1) For the 2018-2019 fiscal year, charter ~~Charter~~ school
 1173 capital outlay funding shall consist of ~~revenue resulting from~~
 1174 ~~the discretionary millage authorized in s. 1011.71(2) and state~~
 1175 funds ~~when such funds are~~ appropriated in the fiscal year 2018-

1176 2019 General Appropriations Act. Beginning in fiscal year 2019-
 1177 2020, charter school capital outlay shall consist of state funds
 1178 when such funds are appropriated in the General Appropriations
 1179 Act and revenue resulting from the discretionary millage
 1180 authorized in s. 1011.71(2) if the amount of state funds
 1181 appropriated for charter school capital outlay in any fiscal
 1182 year is less than the average charter school capital outlay
 1183 funds per unweighted full-time equivalent student for the 2018-
 1184 2019 fiscal year, multiplied by the estimated number of charter
 1185 school students for the applicable fiscal year, and adjusted by
 1186 changes in the Consumer Price Index from the previous fiscal
 1187 year. Nothing in this subsection prohibits a school district
 1188 from distributing to charter schools funds resulting from the
 1189 discretionary millage authorized in s. 1011.71(2).

- 1190 (a) To be eligible to receive capital outlay funds, a
 1191 charter school must:
- 1192 1.a. Have been in operation for 2 or more years;
 - 1193 b. Be governed by a governing board established in the
 1194 state for 2 or more years which operates both charter schools
 1195 and conversion charter schools within the state;
 - 1196 c. Be an expanded feeder chain of a charter school within
 1197 the same school district that is currently receiving charter
 1198 school capital outlay funds;
 - 1199 d. Have been accredited by a regional accrediting
 1200 association as defined by State Board of Education rule; or

1201 e. Serve students in facilities that are provided by a
 1202 business partner for a charter school-in-the-workplace pursuant
 1203 to s. 1002.33(15) (b).

1204 2. Have an annual audit that does not reveal any of the
 1205 financial emergency conditions provided in s. 218.503(1) for the
 1206 most recent fiscal year for which such audit results are
 1207 available.

1208 3. Have satisfactory student achievement based on state
 1209 accountability standards applicable to the charter school.

1210 4. Have received final approval from its sponsor pursuant
 1211 to s. 1002.33 for operation during that fiscal year.

1212 5. Serve students in facilities that are not provided by
 1213 the charter school's sponsor.

1214 (b) A charter school is not eligible to receive capital
 1215 outlay funds if it was created by the conversion of a public
 1216 school and operates in facilities provided by the charter
 1217 school's sponsor for a nominal fee, or at no charge, or if it is
 1218 directly or indirectly operated by the school district.

1219 (3) If the school board levies the discretionary millage
 1220 authorized in s. 1011.71(2), and the state funds appropriated
 1221 for charter school capital outlay in any fiscal year are less
 1222 than the average charter school capital outlay funds per
 1223 unweighted full-time equivalent student for the 2018-2019 fiscal
 1224 year, multiplied by the estimated number of charter school
 1225 students for the applicable fiscal year, and adjusted by changes

1226 | in the Consumer Price Index from the previous fiscal year, the
 1227 | department shall use the following calculation methodology to
 1228 | determine the amount of revenue that a school district must
 1229 | distribute to each eligible charter school:

1230 | (a) Reduce the total discretionary millage revenue by the
 1231 | school district's annual debt service obligation incurred as of
 1232 | March 1, 2017, which has not been subsequently retired, and any
 1233 | amount of participation requirement pursuant to s.
 1234 | 1013.64(2)(a)8. that is being satisfied by revenues raised by
 1235 | the discretionary millage.

1236 | (b) Divide the school district's adjusted discretionary
 1237 | millage revenue by the district's total capital outlay full-time
 1238 | equivalent membership and the total number of unweighted full-
 1239 | time equivalent students of each eligible charter school to
 1240 | determine a capital outlay allocation per full-time equivalent
 1241 | student.

1242 | (c) Multiply the capital outlay allocation per full-time
 1243 | equivalent student by the total number of full-time equivalent
 1244 | students of each eligible charter school to determine the
 1245 | capital outlay allocation for each charter school.

1246 | (d) If applicable, reduce the capital outlay allocation
 1247 | identified in paragraph (c) by the total amount of state funds
 1248 | allocated to each eligible charter school in subsection (2) to
 1249 | determine the maximum calculated capital outlay allocation.

1250 | (e) School districts shall distribute capital outlay funds

1251 to charter schools no later than February 1 of each year if
 1252 required by this subsection based on the amount of funds
 1253 received by the district school board, ~~beginning on February 1,~~
 1254 ~~2018, for the 2017-2018 fiscal year.~~ School districts shall
 1255 distribute any remaining capital outlay funds, as required by
 1256 this subsection, upon the receipt of such funds until the total
 1257 amount calculated pursuant to this subsection is distributed.

1258
 1259 By October 1 of each year, each school district shall certify to
 1260 the department the amount of debt service and participation
 1261 requirement that complies with the requirement of paragraph (a)
 1262 and can be reduced from the total discretionary millage revenue.
 1263 The Auditor General shall verify compliance with the
 1264 requirements of paragraph (a) and s. 1011.71(2) (e) during
 1265 scheduled operational audits of school districts.

1266 (5) If a charter school is nonrenewed or terminated, any
 1267 unencumbered funds and all equipment and property purchased with
 1268 district public funds shall revert to the ownership of the
 1269 district school board, as provided for in s. 1002.33(8) (d) and
 1270 (e) ~~s. 1002.33(8) (e) and (f)~~. In the case of a charter lab
 1271 school, any unencumbered funds and all equipment and property
 1272 purchased with university public funds shall revert to the
 1273 ownership of the state university that issued the charter. The
 1274 reversion of such equipment, property, and furnishings shall
 1275 focus on recoverable assets, but not on intangible or

1276 irrecoverable costs such as rental or leasing fees, normal
1277 maintenance, and limited renovations. The reversion of all
1278 property secured with public funds is subject to the complete
1279 satisfaction of all lawful liens or encumbrances. If there are
1280 additional local issues such as the shared use of facilities or
1281 partial ownership of facilities or property, these issues shall
1282 be agreed to in the charter contract prior to the expenditure of
1283 funds.

1284 Section 14. Except as otherwise expressly provided in this
1285 act and except for this section, which shall take effect upon
1286 this act becoming a law, this act shall take effect July 1,
1287 2018.