

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Bileca offered the following:

Amendment

Remove lines 90-205 and insert:

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

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

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14 sponsor. A sponsor may not refuse to receive a charter school
15 application submitted before August 1 and may receive an
16 application submitted later than August 1 if it chooses.
17 Beginning in 2018 and thereafter, a sponsor shall receive and
18 consider charter school applications received on or before
19 February 1 of each calendar year for charter schools to be
20 opened 18 months later at the beginning of the school district's
21 school year, or to be opened at a time agreed to by the
22 applicant ~~and the sponsor~~. A sponsor may not refuse to receive a
23 charter school application submitted before February 1 and may
24 receive an application submitted later than February 1 if it
25 chooses. A sponsor may not charge an applicant for a charter any
26 fee for the processing or consideration of an application, and a
27 sponsor may not base its consideration or approval of a final
28 application upon the promise of future payment of any kind.
29 Before approving or denying any application, the sponsor shall
30 allow the applicant, upon receipt of written notification, at
31 least 7 calendar days to make technical or nonsubstantive
32 corrections and clarifications, including, but not limited to,
33 corrections of grammatical, typographical, and like errors or
34 missing signatures, if such errors are identified by the sponsor
35 as cause to deny the final application.

36 1. In order to facilitate an accurate budget projection
37 process, a sponsor shall be held harmless for FTE students who
38 are not included in the FTE projection due to approval of

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39 charter school applications after the FTE projection deadline.
40 In a further effort to facilitate an accurate budget projection,
41 within 15 calendar days after receipt of a charter school
42 application, a sponsor shall report to the Department of
43 Education the name of the applicant entity, the proposed charter
44 school location, and its projected FTE.

45 2. In order to ensure fiscal responsibility, an
46 application for a charter school shall include a full accounting
47 of expected assets, a projection of expected sources and amounts
48 of income, including income derived from projected student
49 enrollments and from community support, and an expense
50 projection that includes full accounting of the costs of
51 operation, including start-up costs.

52 3.a. A sponsor shall by a majority vote approve or deny an
53 application no later than 90 calendar days after the application
54 is received, unless the sponsor and the applicant mutually agree
55 in writing to temporarily postpone the vote to a specific date,
56 at which time the sponsor shall by a majority vote approve or
57 deny the application. If the sponsor fails to act on the
58 application, an applicant may appeal to the State Board of
59 Education as provided in paragraph (c). If an application is
60 denied, the sponsor shall, within 10 calendar days after such
61 denial, articulate in writing the specific reasons, based upon
62 good cause, supporting its denial of the application and shall

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63 provide the letter of denial and supporting documentation to the
64 applicant and to the Department of Education.

65 b. An application submitted by a high-performing charter
66 school identified pursuant to s. 1002.331 or a high-performing
67 charter school system identified pursuant to s. 1002.332 may be
68 denied by the sponsor only if the sponsor demonstrates by clear
69 and convincing evidence that:

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

72 (II) The charter school proposed in the application does
73 not materially comply with the requirements in paragraphs
74 (9) (a) - (f);

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

78 (IV) The applicant has made a material misrepresentation
79 or false statement or concealed an essential or material fact
80 during the application process; or

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

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85 Material noncompliance is a failure to follow requirements or a
86 violation of prohibitions applicable to charter school
87 applications, which failure is quantitatively or qualitatively

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88 significant either individually or when aggregated with other
89 noncompliance. An applicant is considered to be replicating a
90 high-performing charter school if the proposed school is
91 substantially similar to at least one of the applicant's high-
92 performing charter schools and the organization or individuals
93 involved in the establishment and operation of the proposed
94 school are significantly involved in the operation of replicated
95 schools.

96 c. If the sponsor denies an application submitted by a
97 high-performing charter school or a high-performing charter
98 school system, the sponsor must, within 10 calendar days after
99 such denial, state in writing the specific reasons, based upon
100 the criteria in sub-subparagraph b., supporting its denial of
101 the application and must provide the letter of denial and
102 supporting documentation to the applicant and to the Department
103 of Education. The applicant may appeal the sponsor's denial of
104 the application in accordance with paragraph (c).

105 4. For budget projection purposes, the sponsor shall
106 report to the Department of Education the approval or denial of
107 an application within 10 calendar days after such approval or
108 denial. In the event of approval, the report to the Department
109 of Education shall include the final projected FTE for the
110 approved charter school.

111 5. Upon approval of an application, the initial startup
112 shall commence with the beginning of the public school calendar

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113 | for the district in which the charter is granted. A charter
114 | school may defer the opening of the school's operations for up
115 | to 2 years to provide time for adequate facility planning. The
116 | charter school must provide written notice of such intent to the
117 | sponsor and the parents of enrolled students at least 30
118 | calendar days before the first day of school.

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