

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

### CHARTER SCHOOLS

3.90

All charter schools in Florida are public schools and are part of the state’s program of public education. Charter schools are one of the school choice options available to parents. The School Board, pursuant to Florida Statutes, shall ~~sponsor charter schools~~ authorize charter schools through a rigorous standards-based approval process and, for approved charters, shall monitor the charter school in its progress towards its established student performance goals, monitor adherence to the charter and statutory requirements, and maintain accountability for allocated resources. The district will collaborate with and offer guidance to charter schools to support their efforts to provide students with access to a quality education in a safe learning environment. ~~The Superintendent shall review and present to the School Board all charter/conversion applications for the School Board’s consideration. If a charter is approved, the Superintendent shall work with the applicant to develop a charter, shall monitor charter implementation, and make further presentations and recommendations to the School Board regarding charter schools as necessary.~~

#### I. Eligibility to Apply for a Charter School

A. A proposal for a new ~~C~~harter/~~Conversion~~ ~~S~~chool may be made by an individual, teachers, parents, group of individuals, a municipality, or any legal entity organized under the laws of the ~~S~~tate of Florida. The school shall organize as a nonprofit organization prior to receiving ~~School Board~~ approval ~~as a of their charter~~ school with the School Board application.

~~B. The principal, teachers, parents and/or the school advisory council at an existing public that has been in operation for at least two (2) years school may submit a proposal for converting the school to a C~~harter ~~S~~chool, provided that they ~~demonstrate the support of at least fifty percent (50%) of the teachers then currently employed at the school and fifty percent (50%) of the parents voting whose children are then currently enrolled in~~

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31 the school. A majority of the parents eligible to vote must participate in the  
32 ballot process. The ballot process must be conducted in accordance with  
33 State Board of Education rule.

34  
35 B. Applications may be submitted for a charter school including a collegiate  
36 charter school, a conversion charter school, a school-within-a-school  
37 charter, a virtual charter, a replication charter or a high-performing  
38 replication charter school, pursuant to s.1002.33 and following the state  
39 and district procedural requirements for submitting the application.

40  
41 C. Private schools, parochial schools and home education schools are not  
42 eligible for ~~C~~charter status. A ~~C~~charter ~~S~~school may not be affiliated with  
43 a nonpublic sectarian school or religious institution and shall be  
44 nonsectarian in programs, admission policies, employment practices and  
45 operations.

### 46 47 II. Timelines for the Application and Approval Process ~~Approving Charter Schools~~

48  
49 A. The School Board shall annually accept charter school applications on or  
50 before ~~August~~February 1 of each school year for proposals to open a  
51 charter school 18 months later, at the beginning of the school district's  
52 school year, or to be opened at a time agreed to by the applicant and the  
53 sponsor.~~determined by the applicant and specified in the charter.~~

54  
55 A.B. Applications shall be approved or denied by majority vote of the School  
56 Board no later than ~~sixty (60)~~ ninety (90) calendar days after the  
57 application has been received.

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59 C. The School District and the applicant may mutually agree in writing to  
60 postpone the vote to a specific date beyond the ~~sixty (60)~~ ninety (90)  
61 calendar days.

62  
63 ~~B. The School Board may extend the application deadline at the request of the~~  
64 ~~applicant by a majority vote of the Board; however, in no case shall~~  
65 ~~applications be accepted after November 1 of any given year.~~

66 D. Within ~~sixty (60)~~ thirty (30) days of approving a charter school application,  
67 the District shall provide an initial proposed charter contract to the charter  
68 school. The applicant and the District shall have ~~seventy-five (75)~~ forty  
69 (40) days thereafter to negotiate the charter and provide notice for final  
70 approval of the charter contract, unless both parties agree to an extension.

71  
72 E. The charter contract shall be approved by majority vote of the School  
73 Board and the charter school's governing board. Should the two boards  
74 be unable to reach agreement on the charter, the parties shall adhere to  
75 the provisions of F.S. 1002.33 related to mediation and/or dispute  
76 resolution through the Division of Administrative Hearings.

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78 ~~C.F.~~ If an application is denied, the School Board shall notify the applicant  
79 within ten (10) calendar days after such denial and specify in writing the  
80 reasons for the denial of the application and shall provide the letter of  
81 denial and supporting documentation to the applicant and to the  
82 Department of Education.

83  
84 ~~D.G.~~ Pursuant to the timelines and procedures in F.S. 1002.33(6)(c) the  
85 applicant may appeal a School Board denial of their application to the  
86 State Board of Education no later than 30 calendar days after the receipt  
87 of the District 's notification of denial. The applicant shall notify the District  
88 of its appeal.

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### III. Application Requirements and District Review Process and ~~Approval~~

#### A. Charter school applications are subject to the follow requirements:

1. A person or entity seeking to open a charter school shall prepare and submit an application on the standard application form prepared by the Department of Education which:

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

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

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

d. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. The District shall deny an application if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

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

122 f. Discloses the name of each applicant, governing board  
123 member, and all proposed education services providers; the  
124 name and sponsor of any charter school operated by each  
125 applicant, each governing board member, and each  
126 proposed education services provider that has closed and  
127 the reasons for the closure; and the academic and financial  
128 history of such charter schools, which the District shall  
129 consider in deciding whether to approve or deny the  
130 application.

131 g. Provides all of the information and relevant documents  
132 required for completion of the state-required application.

133 h. Contains additional information the District may require,  
134 which shall be attached as an addendum to the charter  
135 school application described above.

136  
137 ~~A. Applications for charter schools shall be submitted on the application form~~  
138 ~~prepared by the Department of Education. The application form shall~~  
139 ~~include the elements required for School Board approval of a charter as~~  
140 ~~defined in F.S. 1002.33. The application does not constitute the charter,~~  
141 ~~which will be considered the legal contract between the School Board and~~  
142 ~~the charter's organizational body.~~

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144 B. All timely submitted applications accepted by the sponsor during its  
145 application window will be reviewed and evaluated and recommended to  
146 the School Board for approval or denial based on the elements defined in  
147 III.A, compliance with F.S. 1002.33, and the degree to which the  
148 application meets the standards and criteria delineated in the Florida  
149 Charter School Application Evaluation Instrument. The District shall  
150 consider, but not be limited to, the following criteria for evaluating the  
151 application.

### 152 153 Academic Design

154  
155 a. ~~Mission — describing the core philosophy or underlying~~  
156 ~~purpose of the school and the target student population~~  
157 ~~including how the school will use the guiding principles and~~  
158 ~~meet the statutorily defined purpose of a charter school~~  
159 ~~pursuant to F.S. 1002.33.~~

160 b. ~~Program — providing a detailed curriculum that illustrates~~  
161 ~~how students will be provided services to attain the Sunshine~~  
162 ~~State Standards. This plan must contain goals and~~  
163 ~~objectives for improving student learning and measuring~~  
164 ~~their improvement. These goals and objectives must~~  
165 ~~indicate how much academic improvement students are~~  
166 ~~expected to show each year, how success will be evaluated,~~  
167 ~~and the specific results to be attained through instruction.~~  
168 ~~The curriculum plan must also describe the reading~~  
169 ~~curriculum and differentiated strategies that will be used for~~  
170 ~~students reading at grade level or higher and a separate~~  
171 ~~curriculum for students reading below grade level. The~~  
172 ~~School District shall deny a charter if the school does not~~  
173 ~~propose a reading curriculum that is consistent with effective~~

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174 teaching strategies that are grounded in scientifically based  
175 reading research. The curriculum must also describe plans  
176 to meet the needs of ESE, LEP, Section 504 and other  
177 special populations.

- 178 c. ~~Student Assessment~~ – describing all student assessment  
179 methods, including establishment of baseline data,  
180 outcomes to be achieved, and methods of measurement to  
181 be used; defining the process for determining students'  
182 strengths and weaknesses; outlining how students' rates of  
183 progress will be evaluated and compared with similar  
184 populations; describing participation in statewide  
185 assessments; and, for secondary students, outlining the  
186 method for determining that a student has satisfied the  
187 requirements for graduation pursuant to Florida Statutes.

### 188 2. ~~Governance and Management~~

- 189  
190  
191 a. ~~Profile of the Application Group and Management Team~~ –  
192 providing each person's name, contact details, background,  
193 and relevant experience; detailing similar information on all  
194 consultants; identifying areas of expertise that may be  
195 lacking and how that expertise will be acquired; and  
196 providing details on partnerships or contracts with existing  
197 schools, businesses, or nonprofit organizations.
- 198 b. ~~School Governance~~ – describing the legal entity that will  
199 operate the school; outlining the governance structure  
200 including initial selection and future rotation of members;  
201 describing various roles and responsibilities; describing  
202 methods of resolving disputes both internally and with the  
203 sponsor; describing the manner in which the school will

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204 respond to areas of concern raised by School Board staff;  
205 detailing parent involvement; and outlining compliance with  
206 Florida Statutes relative to public records and public  
207 meetings.

208 c. ~~Length of Charter and Timetable – stating the requested~~  
209 ~~charter term and providing justification for requests in excess~~  
210 ~~of five (5) years; and providing a time line for the school's~~  
211 ~~start-up.~~

212 d. ~~Recruiting and Marketing Plan – outlining the process of~~  
213 ~~publicizing the school to attract a sufficient number of~~  
214 ~~applicants; and detailing steps to be taken to ensure that~~  
215 ~~applications are received from students from all racial and~~  
216 ~~socioeconomic groups.~~

### 217 3. ~~Finance, Facilities, and Risk Management~~

218  
219  
220 a. ~~Facilities – describing the site or potential sites and their~~  
221 ~~suitability relative to the school's mission, academic design,~~  
222 ~~and student body; detailing the extent to which the facility~~  
223 ~~meets all applicable building code requirements, and a time~~  
224 ~~line for renovations necessary to meet any code~~  
225 ~~shortcomings; describing any partnerships regarding site~~  
226 ~~acquisition; and outlining the financing or leasing plans.~~

227 b. ~~Finance – providing an annual financial plan for each year~~  
228 ~~requested by the charter application for operation of the~~  
229 ~~schools for up to five years. This plan must contain~~  
230 ~~anticipated fund balances based on revenue projections, a~~  
231 ~~spending plan based on projected revenues, and expenses~~  
232 ~~and a description of controls that will safeguard financial and~~  
233 ~~projected enrollment trends. This financial plan shall also~~



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234 describe financial management and internal accounting /  
235 control procedures; detail the manner in which financial  
236 reports will be maintained and shared; outline the projected  
237 enrollment for the first three years of operation and the  
238 resulting budget revealing all sources of revenues, including  
239 sufficient start-up funds or line of credit equivalent to three  
240 months operating costs; describe the process for obtaining  
241 the yearly financial audit from an independent certified public  
242 accounting firm; describe how student and financial records  
243 will be stored safely; and describe the format and frequency  
244 of financial reporting to the sponsor.

245 c. ~~Risk Management~~ — describing the procedures that identify  
246 various risks and provide a comprehensive approach to  
247 reduce the impact of losses; outlining plans to ensure safety  
248 and security of students, staff, parents, and visitors;  
249 describing the school's entire insurance coverage plans; and  
250 describing the school's plans to prepare for emergencies  
251 such as fires, hurricanes, tornadoes, and child safety.

### 252 4. ~~Operations~~

253  
254  
255 a. ~~Admissions and Registration~~ — describing procedures for  
256 initial admission, articulation, and withdrawal; describing the  
257 initial year's and subsequent years' time lines for application  
258 and selection, including provisions for a lottery when  
259 applications exceed demands; detailing the manner in which  
260 the school will meet a racial/ethnic balance reflective of its  
261 community; describing the enrollment impacts on  
262 surrounding public schools; and, in the case of a conversion

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263 ~~charter, describing alternative arrangements for prior~~  
264 ~~students who do not wish to attend the charter school.~~

265 ~~b. Student Code of Conduct, Discipline, and Dismissal~~  
266 ~~Procedures – describing the school's *Code of Student*~~  
267 ~~*Conduct* and, if it differs from the sponsor's code, why it~~  
268 ~~differs and how the school will coordinate actions involving~~  
269 ~~major discipline violations which may require expulsion;~~  
270 ~~describing discipline and dismissal procedures including~~  
271 ~~articulation back to a District school if requested by the~~  
272 ~~parent; and detailing plans to ensure the safety of all on the~~  
273 ~~campus from violent or disruptive student behavior.~~

274 ~~c. Human Resources – describing strategies to recruit, hire,~~  
275 ~~train, and retain certified, or otherwise qualified, teachers~~  
276 ~~and other staff; outlining the processes for screening/~~  
277 ~~training volunteers and for determining the limits of a~~  
278 ~~volunteer's contacts with students; describing the plan for~~  
279 ~~determining salaries, contracts, hiring/dismissal, and~~  
280 ~~benefits, including participation, if any, in the Florida~~  
281 ~~Retirement System; detailing how staff qualifications will be~~  
282 ~~shared with parents; and describing the anticipated staffing~~  
283 ~~patterns.~~

284 ~~d. Transportation – describing plans for transporting students to~~  
285 ~~and from school, including details for contracts with the~~  
286 ~~sponsor, public/private providers, and parents; describing~~  
287 ~~the process for determining the school's "reasonable~~  
288 ~~distance;" and outlining how the school will ensure that~~  
289 ~~transportation is not a barrier to equal access to all students.~~

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291 ~~B.C. The applicants, members of the governing body, and all proposed service~~  
292 ~~providers shall disclose the name and sponsor of any charter school~~

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operated by an applicant, governing board member, or service provider that has closed, the reason for the closure, and the academic and financial history of those charter schools.

C.D. All charter school applications and proposal materials submitted to the District become public records pursuant to Chapter 119, Florida Statutes.

D.E. The Superintendent may establish a District Charter Review Committee (CRC) to process, review and evaluate applications and present evaluation findings.

1. The District CRC committee membership is determined annually by the Superintendent or designee. The District CRC membership includes district and school-based staff with expertise in the areas addressed in the application. The District CRC may also include parents or community representatives.

2. The District CRC shall use the Florida Charter School Application Evaluation Instrument to identify strengths and deficiencies in the written application, appendices, historical performance, and/or other areas that require clarification to fully evaluate the quality of the application or the capacity of the applicant to properly implement the proposed plan.

4.3. Before final approval or denial of an application, the District shall notify the applicant in writing if minor technical or non-substantive corrections need to be made or signatures need to be added if the errors may cause denial of the application. Upon written notification, the applicant will be allowed at least seven (7) calendar days to make and submit the corrections. This process may not be

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323 used by the applicant to make substantive changes or submit new  
324 information or make any revisions that would constitute a  
325 substantial or material amendment to the original submitted  
326 application.

327  
328 2.4. The District CRC may conduct a capacity interview with the  
329 applicant and the proposed school's founding/governing board  
330 members (or Board of Directors) in order to corroborate information  
331 provided in the written application and to assess the capacity of the  
332 school's board members to operate a successful charter school.

333  
334 a. There is no statutory requirement for the applicant to  
335 participate in the capacity interview session.

336 b. Any information or evidence from the capacity interview that  
337 is used by the District CRC to support the evaluation of the  
338 application must be properly documented by means of a  
339 recording or transcript.

340 c. The District CRC may, at its sole discretion, evaluate the  
341 application without any additional input from the applicant if  
342 the majority of the founding governing board members of the  
343 prospective charter school are not present or do not  
344 participate in the interview.

345 5. The District CRC shall submit a final charter school application  
346 evaluation report to the Superintendent. The Superintendent shall  
347 present the report to the School Board for action to approve or deny  
348 the application.

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350 IV. ~~Elements of the Charter~~ Contract

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- A. The terms and conditions for the operation of a charter school shall be set forth by the School Board and the charter school’s governing board in a written contractual agreement, called a charter.
  
- B. The charter application and any addenda related to the application approval process are part of the charter.
  
- C. The following elements shall be ~~required to be~~ included in the school’s charter contract with the School Board consistent with F.S. 1002.33(7)(a)1-18.
  - 1. The school’s mission and vision.
  
  - 2. Focus of the curriculum with emphasis on reading, ~~including instructional methods, any distinctive instructional techniques, technology resources, and ensuring that reading is the primary focus of the curriculum with specialized, researched-based instruction provided to all students including students reading below grade level.~~
  
  - 3. Students to be served (ages, grades, ~~current school zone,~~ projected FEFPESE categories, and, as appropriate, special populations as provided in law).
  
  - 4. Baseline standards of student achievement, outcomes to be achieved and method(s) of measurement, including:
    - a. ~~How baseline student achievement levels will be established;~~

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381 b. ~~How baseline rates will be compared to achievement rates of~~  
382 ~~students while attending the charter school;~~

383 c. ~~How achievement rates will be compared with the~~  
384 ~~achievement rates of comparable student populations.~~

385  
386 5. ~~Methods used to identify the educational strengths and needs of~~  
387 ~~students and how well educational goals and performance~~  
388 ~~standards are met. These methods must include a means to~~  
389 ~~analyze student performance data to evaluate the effectiveness of~~  
390 ~~the charter school's educational program.~~

391  
392 5.6. ~~All charter school students shall participate in the statewide student~~  
393 ~~assessment under F.S. 1008.43.~~

394  
395 6.7. Method of determining that a student has met graduation or  
396 promotion requirements ~~For secondary schools a method of~~  
397 ~~determining that a student has satisfied the requirements for~~  
398 ~~graduation specified in F.S. 1003.43.~~

399  
400 7.8. ~~Criteria for student admission and enrollment ensuring equal~~  
401 ~~access for all eligible students including procedures for achieving~~  
402 ~~racial and ethnic balance reflective of the community being served~~  
403 ~~by the charter school. Student eligibility and admissions~~  
404 ~~requirements shall be consistent with F.S. 1002.33 (10) (a-h).~~

405  
406 8.9. ~~Procedures for FTE enrollment and verification.~~

407  
408 9.10. ~~Instructional methods to be used, including service to ESE, 504,~~  
409 ~~and ESOL students.~~

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~~10.~~11. A Code of Student Conduct consistent with district policies and discipline code.

~~11.~~12. Dismissal procedures incorporating progressive discipline strategies to support and assist students prior to recommendation for formal dismissal. Dismissal procedures must also assure appropriate due process provisions for students and families consistent with the District *Code of Student Conduct*.

~~12.~~13. Provision for parent involvement including methods for resolving conflicts for students, parents and staff.

~~13.~~14. A method for resolving conflicts between the governing body and of the charter school and the School Board sponsor including how the charter school shall respond to concerns or issues raised by the sponsor.

~~14.~~15. Procedures for accurate and timely submission of all reports and other information required by the sponsor and/or the Florida Department of Education including:

- ~~1. The charter school's annual report;~~
- ~~2. The charter school's annual audited financial report;~~
- ~~3. Monthly financial reports to the sponsor;~~
- ~~4. The charter school's annual school improvement plan;~~
- ~~5. Other reports or information required by the sponsor, the Florida Department of Education, or other governmental entities as appropriate.~~

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441 ~~15-16. [Financial and administrative management of school.](#) Description of~~  
442 ~~the financial and administrative management of the school,~~  
443 ~~including a reasonable demonstration of the professional~~  
444 ~~experience or competence of those individuals or organizations~~  
445 ~~applying to operate the charter school or those hired to perform~~  
446 ~~such professional services. This description must clearly delineate~~  
447 ~~responsibilities and the policies and practices needed to effectively~~  
448 ~~manage the school and must specify internal audit procedures and~~  
449 ~~controls to ensure that the financial resources of the school are~~  
450 ~~properly managed.~~

451  
452 ~~16-17. [Internal financial controls and audit process.](#)~~

453  
454 ~~17-18. [Articles of Incorporation and governance structure, including](#)~~  
455 ~~[names, addresses, financial disclosure to include the same](#)~~  
456 ~~[requirements as in Florida Statutes.](#)~~

457  
458 ~~18-19. [Procedure for notification by auditor if school is in a state of](#)~~  
459 ~~[financial emergency or deficit financial position.](#) Description of the~~  
460 ~~how the asset and liability projections of the charter school shall be~~  
461 ~~incorporated into the annual report including assurances that, if the~~  
462 ~~annual audited financial report reveals a deficit financial position,~~  
463 ~~the auditors are required to notify the charter school governing~~  
464 ~~board, the sponsor, and the Department of Education in a manner~~  
465 ~~consistent with F.S. 1002.33 (7)(a)10.~~

466  
467 ~~19-20. Description of procedures to identify various risks and provide for a~~  
468 ~~comprehensive approach to reduce the impact of losses including~~  
469 ~~plans to ensure the safety and security of students and staff.~~



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~~20-~~21. Description of required insurance coverage at specified limits no less than \$1,000,000 per occurrence and \$2,000,000 aggregate for errors and omissions and general liability coverage to include but not limited to prior acts, sexual harassment, civil rights and employment discrimination, breach of contract, insured consultants and independent contractors. Additionally, coverages for property and causality equal to replacement costs for school structures and contents, automobile and worker’s compensation shall also be provided.

~~21-~~22. Specification of the term of the Charter consistent with F.S. 1002.33 (7)(a)12.

~~22-~~23. Description of the facilities to be used and [evidence of all codes having been met](#) ~~their location including the necessity for all applicable building code and certificate of occupancy requirements to be met prior to the opening of school.~~

~~23-~~24. An indemnification or hold-harmless agreement releasing the School Board of all liability for actions by the charter school governing body or its employees.

~~24-~~25. Provision for cancellation of the agreement for insufficient progress on student achievement objectives or other good cause pursuant to F.S. 1002.33.

~~25-~~26. ~~Description of the q~~Qualifications of teachers including the procedures for disclosure of the qualifications of teachers and other staff of the charter school to parents and the sponsor.

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~~26-27.~~ [27. Professional development plan.](#)

~~27-28.~~ Description of the staff selection process, including strategies for recruiting, hiring, training and qualified staff. ~~The S~~ staff selection process, shall include [ing](#) retraining requirements for fingerprinting and criminal background checks on all staff of the charter school, including governing board members.

~~28-29.~~ Statement of the status of employees of the charter school as private or public employees.

~~29-30.~~ Provision of an Implementation timetable addressing the elements of the charter and the dates for their completion.

~~30-31.~~ If applicable, alternative arrangements for students and teachers at a conversion public school who choose not to participate in the conversion charter;.

~~31-32.~~ A proposed budget including salary and benefits of staff, and documentation of a line of credit in an amount specified by the sponsor, which shall be no less than three months of operating expenses;.

~~32-33.~~ Procedures for renewal or modification of the agreement consistent with F.S. 1002.33 (7) (b-c);.

~~33-34.~~ Description of how transportation, food service or other needed services shall be provided to students of the charter school

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529 including contracts and agreements with the District or other  
530 contractors;

531  
532 35. Method of identification and acquisition of appropriate technologies  
533 needed to improve educational and administrative performance,  
534 including

535  
536 ~~34.~~36. M means for promoting safe, ethical, and appropriate uses of  
537 technology that comply with legal and professional standards.

538  
539 ~~35.~~37. Other information as required by statute or specified in the charter  
540 contract agreement.

541  
542 V. ~~Additional Charter Provisions~~

543 ~~The charter will also contain the following provisions, including a time line for the~~  
544 ~~school's submission of proof of its accomplishment:~~

545  
546 A. ~~No later than thirty (30) days prior to school opening proof of insurance~~  
547 ~~consistent with the terms of the charter.~~

548  
549 B. ~~Thirty (30) days prior to school opening a complete set of fingerprints,~~  
550 ~~taken by an employee of the School District who is trained to take~~  
551 ~~fingerprints, of all governing board and staff members. No staff member~~  
552 ~~may be on campus with students until their fingerprints are taken. These~~  
553 ~~fingerprints shall be submitted to the appropriate state and/or federal law~~  
554 ~~enforcement agencies for a criminal background check with the cost borne~~  
555 ~~by the staff members or the charter school.~~

556  
557 C. ~~Prior to approval of the charter by the School Board, articles of~~  
558 ~~incorporation as a nonprofit organization.~~

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~~D. Prior to approval of the charter by the School Board, governance structure, including names, addresses, of the governing board members.~~

~~E. No later than thirty (30) days prior to the opening of school, proof of availability of facilities to adequately house the charter school including documentation that all applicable building codes have been met and that a certificate of occupancy has been obtained.~~

~~F. By July 1, a list of all registered students, their addresses, and their most recent schools, plus a reassignment form signed by the parent. Additional students may be added to the list if the enrollment period is extended by mutual agreement of the charter school and the sponsor.~~

~~G. Other information as required by statute or specified in the charter agreement.~~

### ~~I. Opening of the Charter School~~

~~A. The charter school shall open on the sponsor's first day of school for students after the school year in which the charter was approved. To seek an opening later than the first day, the school must submit a written request including the reason for the delay and a contingency plan detailing how the school will still comply with the 180-day school year requirement. The request must be received in time for consideration by the School Board at least two (2) weeks prior to the first day.~~

~~B. The applicant may request, and the School Board may approve by majority vote, that the opening of the charter be delayed one (1) school year.~~

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

589  
590 ~~C. An applicant that has been given an extension under paragraph VI.B shall~~  
591 ~~meet the requirements by June 30 after the one year extension or will~~  
592 ~~have to reapply for a charter.~~

### 593 594 VI.V. Charter Renewals

595  
596 A. Prior to renewal of a charter, the sponsor shall perform a program review  
597 to evaluate ~~determine~~ the following:

598  
599 1. The level of success of the current academic program;

600 2. Achievement of the goals and objectives required by State  
601 accountability standards and successful accomplishment of the  
602 criteria under F.S. 1002.33(7)(a);

603 3. The viability of the organization;

604 4. Compliance with terms of the charter; and

605 5. That none of the statutory grounds for non-renewal exist.

606  
607 B. Any charter school seeking renewal shall be required to complete a  
608 charter renewal application and undergo the Sponsor's renewal process.  
609 The charter renewal application shall include supporting documentation for  
610 items 1-5 above.

611  
612 C. Renewals shall be for a term of five (5) years unless a longer term is  
613 mutually agreed upon, required or allowed by law. Upon approval, the  
614 charter contract will be renewed following the charter negotiation process.

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

615 Charter schools that are not granted a renewal may appeal by following  
616 the non-renewal appeal process.

### 617 618 ~~VII.~~ VI. Causes for Nonrenewal or Termination of Charter

619  
620 A. At the end of the term of a charter, the School Board may choose not to  
621 renew the charter ~~for any of the following grounds~~ if the School Board finds  
622 that one of the grounds set forth below exists by clear and convincing  
623 evidence:

- 624
- 625 1. Failure to participate in the state's accountability system ~~created by~~  
626 ~~F.S. 1008.31~~ or failure to meet the requirements for student  
627 performance ~~as stated in the charter;~~
  - 628 2. Failure to meet generally accepted standards of financial  
629 management;
  - 630 3. Material ~~violation of law;~~ or
  - 631 4. Other good cause shown.

632

633 B. During the term of a charter, the School Board may terminate the charter if  
634 it finds that ~~for any of the grounds listed in paragraph VI.A~~ exist by clear  
635 and convincing evidence. ~~or if the health, safety, or welfare of the~~  
636 ~~student(s) is threatened.~~ A charter may be terminated immediately if the  
637 sponsor ~~determines that good cause has been shown or if~~ sets forth in  
638 writing the particular facts and circumstances indicating that an immediate  
639 and serious danger to the health, safety, or welfare of the charter school's  
640 students exists ~~is threatened.~~

641

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

642 C. At least ninety (90) days prior to renewing, nonrenewing or terminating a  
643 Charter, unless a state of emergency exists, the School Board shall notify  
644 the governing body of the school of the proposed action in writing,  
645 detailing the grounds for the action and stipulating that ~~the~~a request for an  
646 ~~informal~~ hearing may be requested within fourteen (14) days of receipt of  
647 the notice. The hearing shall be conducted by an administrative law judge  
648 assigned by the Division of Administrative Hearings within 90 days after  
649 receipt of the request for a hearing and in accordance with Chapter 120.

650  
651 ~~1. Within sixty (60) days after receipt of the request for a hearing, the~~  
652 ~~School Board may:~~

653 ~~— The School Board shall Cconduct an informal hearing to~~  
654 ~~decide upon nonrenewal or termination by a majority vote~~  
655 ~~or, within thirty (30) days after receiving a written request.~~  
656 ~~The Charter School's governing board may, within thirty (30)~~  
657 ~~days after receiving the School Board's decision to terminate~~  
658 ~~or refuse to renew the charter, appeal the decision pursuant~~  
659 ~~to the procedures established in F.S. 1002.33 (6) (c)~~

660 ~~— Elect to have a hearing conducted by an administrative law~~  
661 ~~judge assigned by the Department of Administrative~~  
662 ~~Hearings. The School Board may adopt or modify by~~  
663 ~~majority vote the order recommended by the judge.~~

664  
665 ~~2. The School Board shall issue the final order which shall state the~~  
666 ~~specific reasons for the Board's decision. The final order shall be~~  
667 ~~provided to the charter school and the Department of Education~~  
668 ~~within ten (10) days after its issuance.~~

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

669 ~~Within thirty (30) days after receiving the final order, the charter~~  
670 ~~school governing board may appeal the decision as allowed by law.~~

671  
672 C. ~~The sponsor shall assume operation of the school under these~~  
673 ~~circumstances. The Charter School governing board may, within thirty (30)~~  
674 ~~days after receiving the sponsor's decision to terminate the charter, appeal~~  
675 ~~the decision pursuant to the procedures established in F.S. 1002.33 (6).~~

676  
677 D. In the event a charter is not renewed or is terminated, the School District  
678 may assume the operation of the school, or the school shall be dissolved  
679 and students assigned to other public schools. All unencumbered funds,  
680 with the exception of capital outlay funds as well as property and  
681 improvements, furnishings and equipment purchased with public funds  
682 shall automatically revert to full ownership of the School Board ~~subject to~~  
683 ~~complete satisfaction of any lawful liens or encumbrances. Capital outlay~~  
684 ~~funds provided pursuant to F.S. 1013.62 that are unencumbered, shall~~  
685 ~~revert to the Department of Education.~~

686  
687 E. If a charter school is not renewed or is terminated, the governing body of  
688 the school is responsible for all debts of the charter school. The District  
689 shall not assume the debt from any contract for services made between  
690 the governing body of the school and a third party, except for a debt that is  
691 previously detailed and agreed upon in writing by both the governing  
692 board of the school and the School Board and that may not reasonably be  
693 assumed to have been satisfied by the District.

694  
695 E.F. If a charter is not renewed or is terminated, any unencumbered capital  
696 outlay funds provided pursuant to 1013.62, F.S., and federal charter  
697 school program grant funds shall revert to the Department of Education for  
698 redistribution among other eligible charter schools.



## CHAPTER 3.00 – SCHOOL ADMINISTRATION

699

700 ~~VIII.~~VII. Academic Accountability and Student Achievement

701

702 Academic achievement for all students shall be the most important factor when  
703 considering to renew, non-renew or terminate a charter.

704

705 A. In the first year of operation the charter school shall be responsible for the  
706 academic achievement and performance goals stated in the charter  
707 application or, to a set of goals mutually agreed to and specified in the  
708 charter.

709

710 B. In the second year of operation the charter school shall provide its  
711 proposed four-year academic achievement goals for the remaining years  
712 of the contract up to a maximum of four years and thereafter, resubmit  
713 achievement goals every four years of the charter through the end of the  
714 charter term.

715

716 C. The charter school may opt to submit its academic achievement goals in  
717 an annual School Improvement Plan each year of the Contract in  
718 accordance with and as outlined in the District's School Improvement Plan  
719 guidelines for establishing goals and the time line for review and approval.

720

721 1. The charter school may submit the School Improvement Plan in  
722 the same format as used by other District schools or in a different  
723 format mutually agreed to by the charter school and the District.

724

725 2. The charter school shall notify the District in writing by May 1<sup>st</sup> of  
726 each year if the school elects not to implement a School  
727 Improvement Plan.

728

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

729 ~~4.3.~~ Charter schools that have contracts in excess of ~~five~~ four years  
730 and choose not to develop and implement a School Improvement  
731 Plan, unless required to do so pursuant to section 1002.33(9)(n),  
732 F.S., shall submit proposed academic achievement goals for five  
733 years and resubmit every four years using the same parameters  
734 for achievement goals set forth in the charter.

735  
736 ~~G.D.~~ A charter school who receives a school grade of “C” shall appear before  
737 the School Board to present the school’s plan for addressing the  
738 deficiencies in student performance, the actions and strategies to improve  
739 student achievement and, the specific achievement goals and  
740 performance outcomes to be attained in the subsequent school year.

741  
742 ~~E.~~ Pursuant to section 1002.33(9)(n), F.S, a charter school who receives a  
743 school grade of “D” or “F” but is not subject to corrective action must  
744 develop and submit a School Improvement Plan to the School Board for  
745 review and approval. The plan must include:

746 1. An analysis of student performance and the identification of the  
747 deficiencies in student performance

748 2. Identification of barriers to student success with a plan of action to  
749 address each barrier

750 3. A detailed plan of the specific actions to be implemented to  
751 address the barriers and to remedy the deficiencies in student  
752 achievement.

753 ~~4.4.~~ All other elements of the School Improvement Plan delineated in  
754 6A-1.099827

755

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

756 D.F. The Superintendent or designee shall review the proposed academic  
757 achievement goals within 30 days of receipt and shall either accept the  
758 proposed goals as presented or provide a written explanation for the  
759 District’s recommended revisions to the proposed goals. If the charter  
760 school and the District cannot agree on the academic achievement goals  
761 either party may request mediation pursuant to 1002.33, F.S.  
762  
763

### 764 IX.VIII. Other Charter School Requirements 765

766  
767 A. A charter school shall be nonsectarian in its programs, admission policies,  
768 employment practices, and operations.  
769

770 B. A charter school shall maintain all financial records in a manner consistent  
771 with F.S. 1002.33(9)(g).  
772

773 C. Tuition Prohibition. A charter school shall not charge tuition or fees, except  
774 those fees normally charged by other public schools.—~~The collection and~~  
775 ~~use of such funds shall be a part of the required annual financial audit of~~  
776 ~~the school.~~  
777

778 C.D. Length of School Year. ~~Charter schools shall provide instruction for at~~  
779 ~~least the number of days required by law for other public schools and shall~~  
780 ~~follow the sponsor’s school calendar unless otherwise specified by the~~  
781 ~~charter contract.~~ A charter school shall provide instruction for at least one  
782 hundred eighty (180) days and may provide instruction for additional days.  
783 Reimbursement for additional days of instruction will be subject to the  
784 limits of the Florida Education Finance Program, General Appropriations  
785 Act and other rule or programs that restrict funding to the School District.

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

786  
787 E. School Calendar. Upon approval of a charter application, the initial startup  
788 must be consistent with the beginning of the school year calendar(s)  
789 adopted by School Board. If the school will not follow the Sponsor's  
790 school calendar, the school shall notify the Sponsor in writing by May 1<sup>st</sup> of  
791 each year and provide the Sponsor with the school's calendar for the  
792 following school year.

793  
794 D.F. Each charter school shall maintain a website that enables the public to  
795 obtain information regarding the school; the school's academic  
796 performance; the names of the governing board members; the programs  
797 at the school; any management companies, service providers, or  
798 education management corporations associated with the school; the  
799 school's annual budget and its annual independent fiscal audit; the  
800 school's grade pursuant to s. 1008.34; and, on a quarterly basis, the  
801 minutes of governing board meetings.

802  
803 G. If an organization (management organization), including but not limited to:  
804 1) a management company, 2) an educational service provider, or 3) a  
805 parent organization, will be managing or providing significant services to  
806 the school, the contract for services between the management  
807 organization and the governing board shall be provided to the District and  
808 attached as an appendix to the charter contract. Any contract between  
809 the management organization and the school must ensure that:

810  
811 1. The contract will clearly define each party's rights and  
812 responsibilities including specific services provided by the  
813 management organization and the fees for those services and  
814 specifies reasonable and feasible terms under which either party  
815 may terminate the contract. The contracts must provide that the

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

816 management company/education service provider must comply  
817 with the school’s charter contract with the District. Additionally, all  
818 management company/education service provider contracts with  
819 charter schools shall contain clearly defined performance indicators  
820 for evaluating the management company/education service  
821 provider, initial contract execution date.

822 2. All public funds paid to the school will be paid to, and controlled by,  
823 the governing board, which in turn will pay the management  
824 organization for successful provision of services.

825 3. Any default or breach of the terms of the contract by the  
826 management company shall constitute a default or breach under  
827 the terms of the contract between the school and District.

828  
829 H. Education Program and Curriculum. Any material change to a charter  
830 school’s current education program and/or curriculum and/or any material  
831 change to what is described in the approved Application or Charter  
832 requires Sponsor approval and shall be submitted to the Sponsor for  
833 consideration by May 1st in any given year for the subsequent school  
834 year.

835  
836 I. A charter school may give preference in admission to students or limit the  
837 enrollment as provided for in section 1002.33(10), Florida Statutes, and as  
838 specified in the Charter Application. Changes to the school’s criteria for  
839 admissions and/or eligibility for enrollment must be submitted to the  
840 Sponsor for approval 60 days prior to the registration and enrollment  
841 period for the subsequent school year.

842  
843 J. A charter school will not conduct routine or random drug testing of  
844 students for any purpose.

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### K. Professional Development and Leadership Development

1. A charter school is responsible for ensuring that all administrators, student support personnel and all full-time instructional personnel are trained prior to the start of school in the most relevant components of the school's staff development plan, which must address federal and state requirements, as applicable.

2. Professional development and training needs shall be based on student achievement and other student outcome data as well as be aligned to the needs of the individual employee based on the results of the teacher/principal evaluation results.

3. Employees of a charter school may participate in professional development activities offered by the District. Any costs associated with professional development for which there is an additional fee, and for which no federal funding has been provided for such purposes to the Sponsor, will be the responsibility of the school or individual school employee.

### ~~X~~.IX. Rule Exemptions

A charter school shall be exempt from all School Board policies except those stated herein, ~~those specified in F.S. 1002.33, those pertaining to health, safety, civil rights, financial records, accountability related to student enrollment reports, financial audits, and collective bargaining agreements if the staff chooses to remain part of the District bargaining unit(s).~~

### X. Governance and Management

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

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- A. The governing board of the charter school shall annually adopt and maintain an operating budget which shall be provided to the sponsor no later than thirty (30) days prior to the opening of school each year.
- B. The governing board of the charter school shall exercise continuing oversight over charter school operation.
- C. The governing body shall participate in governance training approved by the Department of Education.
- D. The governing board of the charter school shall report its progress annually to the sponsor which shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports. The annual report shall be submitted in a format provided by the Department of Education consistent with F.S. 1002.33 ~~(9)(k)~~.

### XI. [Human Resources and](#) Personnel Options

- A. A charter school shall select its own employees. A charter school may contract with its sponsor for the services of personnel employed by the sponsor.
- B. Charter school employees may bargain collectively as a separate unit or as part of the existing applicable District collective bargaining unit(s).
- C. If teachers at a charter school choose to be a part of a professional group that subcontracts with the charter school to operate the instructional

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

902 program under the auspices of a partnership or cooperative that they  
903 collectively own, they shall not be considered public employees.

904  
905 D. Employees of the School District may take leave ~~for up to three years to~~  
906 accept employment in a charter school upon the approval of the School  
907 Board and ~~may~~ shall maintain seniority accrued in the School District.  
908 They may continue to be covered by the benefit program of the School  
909 District only if the charter school and the School Board agree to the  
910 arrangement and its financing.

911  
912 E. Teachers employed or under contract to a charter school shall be certified,  
913 as required by ~~Florida Statutes 1012.~~ or if not certified, contracted with  
914 according to the provisions defined in Florida Statutes.

915  
916 ~~E.F.~~ A charter school may not knowingly employ an individual to provide  
917 instructional services if the individual's certification or licensure as an  
918 educator is suspended or revoked in Florida or any other state. A charter  
919 school may not knowingly employ an individual who has resigned from a  
920 school district in lieu of disciplinary action or who has been dismissed for  
921 just cause by any School District.

922  
923 ~~F.G.~~ The charter school shall conduct screenings and employment history  
924 checks, as required by law, on candidates for instructional and  
925 administrative positions that require direct contact with students.

926  
927 H. All governing board members and employees of a charter school shall be  
928 fingerprinted and ~~shall undergo through a criminal background~~ screening  
929 ~~check~~ as provided for in Florida Statutes.



## CHAPTER 3.00 – SCHOOL ADMINISTRATION

931 ~~G.I.~~ G.I. The employees governing body of a ~~C~~Charter ~~S~~School may elect to  
932 participate in the Florida Retirement System after proper application and  
933 approval under Florida Statutes.

934  
935 J. The charter school shall disclose to the School District the employees of  
936 the charter school who are related to the owner, board of directors,  
937 president, superintendent, school administrator or other person with  
938 decision making authority at the charter school.

939  
940 ~~H.K.~~ H.K. A charter school shall comply with the restriction on employment of  
941 relatives provisions included in section 1002.33(24), Florida Statutes.

942  
943 ~~I.L.~~ I.L. A charter school shall comply with section 1012.34, Florida Statutes,  
944 related to performance evaluation requirements for charter school  
945 instructional personnel and school administrators. A charter school shall  
946 notify the District by May 1<sup>st</sup> of each school year as to the school's intent  
947 to follow the District's Instructional Personnel and School Administrators  
948 Evaluation System or if the school will adopt their own performance  
949 evaluation system for implementation in the subsequent school year.

950  
951 ~~XII. Charter Schools in the Workplace or Charter Schools in a Municipality~~  
952 ~~Applications for charter schools in the workplace or charter schools in a~~  
953 ~~municipality shall be considered consistent with F.S. 1002.33 (15) (a-d).~~

954  
955 ~~XIII.~~ XII. Exemptions from Statutes

956  
957 A. A charter school shall operate in accordance with its charter and shall be  
958 exempt from all statutes in chapters 1000-1013 with the exception of:

959  
960 1. Statutes specifically applying to charter schools;

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

- 961 2. Statutes relating to the student assessment program and the school  
962 grading system;
- 963
- 964 3. Statutes pertaining to provision of services to student with  
965 disabilities;
- 966 4. Statutes pertaining to civil rights, including F.S. 1000.05 relating to  
967 discrimination
- 968 5. Statutes relating to maximum class size;
- 969 6. Statutes relating to student health, safety and welfare.

970

971 B. Charter schools will also be in compliance with the following statutes:

972

- 973 1. Section 286.011 relating to public meetings and records, public  
974 inspection and criminal and civil penalties;
- 975 2. Chapter 119 relating to public records;
- 976 3. Section 1003.03, relating to the maximum class size, except that  
977 the calculation for compliance pursuant to s. 1003.03 shall be the  
978 average at the school level;
- 979 4. Section 1012.22(1)(c), relating to compensation and salary  
980 schedules;
- 981 5. Section 1012.33(5), relating to workforce reductions;
- 982 2.6. Section 1012.335, relating to contracts with instructional personnel  
983 hired on or after July 1, 2011;

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

984 3.7. Section 1012.34, relating to the substantive requirements for  
985 performance evaluations for instructional personnel and school  
986 administrators.

### 987 988 ~~XIV.~~XIII. Funding

989  
990 Students enrolled in a charter school shall be funded the same as students  
991 enrolled in a basic or special program in any other public school in the District.

992  
993 A. Each charter school shall report its student enrollment to the District  
994 School Board as required by Florida Statutes ~~F.S. 1011.62~~ including  
995 ~~compliance with the Department of Education guidelines for electronic~~  
996 ~~data formats for data submission~~ and School Board policy and  
997 procedures. The School Board shall include each charter school's  
998 enrollment in the District's report of students.

999  
1000 ~~B. Charter school students shall be funded as provided in F.S. 1011.62 and~~  
1001 ~~the General Appropriations Act.~~

1002  
1003 ~~C.~~B. Charter schools whose students or programs meet the eligibility criteria as  
1004 ~~stated in law~~ shall be entitled to their proportionate share of all Florida  
1005 Education Finance Program and General Appropriations Act funds, gross  
1006 state and local funds, discretionary funds, categorical program funds and  
1007 federal funds. Total funding for each ~~C~~charter ~~S~~school will be recalculated  
1008 during the year to ~~reflect the revised calculation under the Florida~~  
1009 ~~Education Finance Program by the state and~~ adjust for the actual  
1010 weighted-full time equivalent and eligible students reported by the charter  
1011 school and the revised calculations under the Florida Education Finance  
1012 Program, following the October and February Full Time Equivalent (FTE)

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

1013 counts during the full-time equivalent student survey periods designated by  
1014 the Commissioner of Education.  
1015

### C. Any administrative fee charged by the School District to the charter school

1016 The District shall provide certain administrative and educational services  
1017 to charter schools consistent with F.S. 1002.33. The total administrative  
1018 fee for the provision of such services shall be no more than five percent  
1019 (5%) of the available funds defined in XIII.B. The District may only  
1020 withhold an administrative fee for enrollment charter school funds for up to  
1021 and including two hundred fifty (250) students. The District may only  
1022 withhold an administrative fee for enrollment up to and including five  
1023 hundred (500) students within a system of charter schools that meets  
1024 designated criteria. Administering the contract includes providing technical  
1025 assistance, monitoring policy compliance and processing financial, student  
1026 and other records or required reports. This does not include contract(s)  
1027 for other specific services to staff or student participation in the benefit  
1028 packages or other special programs. The fees for these services will be  
1029 negotiated and will be determined on an actual cost basis.  
1030  
1031

1032 ~~D. Charter school students shall be provided federal funding for the same~~  
1033 ~~level of services provided to students in the schools operated by the~~  
1034 ~~district school board consistent with 20 U.S.C. 8061.~~  
1035

1036 E.D. The School District shall make every effort to ensure that charter schools  
1037 receive timely and efficient reimbursement, including processing  
1038 paperwork required to access special state and federal funding for which  
1039 the charter school may be eligible. The District may distribute funds to a  
1040 charter school for up to three (3) months based on the charter school's  
1041 projected enrollment. Thereafter, the results of full-time equivalent student  
1042 membership surveys shall be used in adjusting the amount of funds

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

1043 distributed monthly to charter schools for the remainder of the school fiscal  
1044 year. ~~with P~~payment shall be issued no later than ten (10) working days  
1045 after the District receives a distribution of state or federal funds. ~~If a~~  
1046 ~~payment is not issued within ten (10) working days after receipt of funding,~~  
1047 ~~or~~ the District shall pay a penalty of one percent (1%) interest per month.  
1048 Under no circumstances will the School District advance funds before a  
1049 charter school is ~~approved~~open, but the School Board may approve a  
1050 charter before the applicant has secured space, equipment, or personnel if  
1051 the applicant indicates approval is necessary for it to raise working capital.

1052  
1053 F.E. Millage Levy, if applicable. The District may, at its discretion, provide  
1054 additional funding to a charter school.

### 1055 1056 ~~XV.~~XIV. Facilities Requirements

1057  
1058 A ~~C~~charter schools shall utilize facilities which comply with the Florida  
1059 Building Code, adopted pursuant to Florida Statutes, the Florida Fire  
1060 Prevention Code pursuant to Florida Statutes and the comprehensive land  
1061 use plan as adopted by the authority in who jurisdiction the facility is  
1062 located. ~~Chapter 553, except for the State Requirements for Education~~  
1063 ~~Facilities. Charter schools may, but are not required, to comply with the~~  
1064 ~~State Requirements for Education Facilities pursuant to F.S. 1013.37.~~  
1065 The agency having jurisdiction for the inspection of a facility and issuance  
1066 of ~~a~~A certificate of occupancy ~~may~~ will be required by the School District  
1067 within fifteen (15) days of the opening of school ~~the municipality or county~~  
1068 ~~governing authority.~~

1069  
1070 ~~A.~~ ~~A~~ charter school will utilize facilities that comply with the Florida Fire  
1071 Prevention Code, pursuant to Chapter 633.025, as adopted by the  
1072 authority in whose jurisdiction the facility is located.

## CHAPTER 3.00 – SCHOOL ADMINISTRATION

1073  
1074 ~~B. Surplus property or equipment shall be made available for charter~~  
1075 ~~school use on the same basis as it is made available for use by other~~  
1076 ~~public schools in the District. A charter school receiving such property~~  
1077 ~~or equipment from the School District may not sell or dispose of such~~  
1078 ~~property without written permission by the School District.~~

### 1079 1080 XV. Services

1081  
1082 ~~C.~~A. Goods and services made available to charter schools through contract  
1083 with the School District shall be provided at a rate no greater than the  
1084 District's actual cost unless mutually agreed upon by the district and the  
1085 charter school.

### 1086 1087 XVI. Monitoring and Review

1088  
1089 A. The Superintendent, or designee, shall have ongoing responsibility for  
1090 monitoring the health, safety and well-being of students and the fiscal  
1091 responsibility of all approved charter schools. The Superintendent, the  
1092 Superintendent's designee, other District personnel and all School Board  
1093 members shall have free and open access to the charter school at all  
1094 times.

1095  
1096 B. The charter school shall submit a monthly financial report to the School  
1097 District no later than the last day of the month following the month being  
1098 reported. Financial reports for schools designated by the state as high-  
1099 performing charter schools shall be submitted quarterly as provided by  
1100 Florida law.

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102 C. Annually, as specified in the charter, ~~on the date designated by the~~  
103 ~~Department of Education,~~ the governing body of the charter school shall  
104 submit the following for District review: ~~its annual report for School Board~~  
105 ~~review and forwarding to the Commissioner of Education pursuant to F.S.~~  
106 ~~1002.33 (9)(k)1-4.~~

107  
108 1. The charter school's progress towards achieving the goals outlined  
109 in its charter;

110 2. The charter school's annual report to parents pursuant to Florida  
111 Statutes;

112 3. An annual financial audit report obtained by the school reflecting  
113 generally accepted financial accounting standards;

114 4. Salary and benefit levels of school employees;

115 5. Certification status of instructional personnel; and

116 6. Any other documents specified in the charter or requested by the  
117 Superintendent.

118  
119 D. Upon receipt of the required annual report, the School Board shall forward  
120 the report to the Commissioner of Education at the same time as other  
121 annual school accountability reports.

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123 E. If a deteriorating financial condition is identified, the School District shall  
124 notify the governing board of the charter school and the Commissioner of  
125 Education within seven (7) business days. The governing board and  
126 District shall develop a corrective action plan and submit the plan to the  
127 Commissioner of Education within thirty (30) business days after notifying  
128 the charter school.

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~~C.F.~~ If a certified public accountant or an auditor finds that a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the District and Commissioner of Education no later than thirty (30) days after receipt of the audit. The Superintendent or designee shall monitor implementation of the recovery plan.

~~D.G.~~ Additionally the Superintendent or designee shall regularly monitor charter school compliance with charter requirements.

**XVII. Immunity**

For the purposes of tort liability, the governing body and employees of a charter school shall be governed by Florida Statutes. The School Board shall assume no liability for actions of the governing body of the charter schools or its employees.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **120.68, 1001.02, 1001.43, 1002.33, 1002.331, 1002.345, 1002.45, 1002.455, 1013.62, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-6.0781, 6A-6.0785, 6A-6.0787**

**HISTORY:** **ADOPTED: 12/07/04**

**REVISION DATE(S): 12/07/04, 01/18/05, 10/17/06, 12/11/07, 09/01/09, 02/15/11**

**FORMERLY: 8.601**



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1160 **NOTES:**