

# **Public Schools** **School Choice**



**Schools & Learning Council**  
**Controlled Open Enrollment**

**Fact Sheet**

January 2008

<p><b>1. What is “controlled open enrollment”?</b></p>	<p>"Controlled open enrollment" is a public education delivery system that allows school districts to make student school assignments using a parent's indicated preferential public school choice as a significant factor. The controlled open enrollment program may be offered in addition to any existing choice programs.</p>
<p><b>2. Are districts required to offer controlled open enrollment?</b></p>	<p>No. Florida law requires each district school board to develop a controlled open enrollment plan that describes a controlled open enrollment program within the public schools. Plans must be submitted to the Commissioner of Education. The law states that each district school board may offer controlled open enrollment within the public schools and requires districts to ensure that parents and students have meaningful opportunities to exercise their rights to educational choice.</p>
<p><b>3. Which districts have implemented public school choice open enrollment programs?</b></p>	<p>According to the 2006-07 Survey 5, 49 school districts reported via the state automated student information system that they had implemented a controlled open enrollment plan in accordance with s.1002.31, F.S., for one or more students: Alachua, Bay, Brevard, Broward, Citrus, Collier, Miami-Dade, Desoto, Escambia, Flagler, Franklin, Hardee, Hendry, Highlands, Hillsborough, Holmes, Indian River, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Liberty, Madison, Manatee, Marion, Martin, Monroe, Nassau, Okaloosa, Okeechobee, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, St. Lucie, Santa Rosa, Sarasota, Seminole, Sumter, Suwannee, Taylor, Volusia, Wakulla, Walton, and Washington.</p>
<p><b>4. How does the constitutional class size reduction mandate affect controlled open enrollment?</b></p>	<p>The class size reduction mandate in Florida's Constitution may limit the flexibility of districts to provide controlled open enrollment for students as implementation of the mandate ramps up through 2010. The rigid and inflexible language of the amendment makes providing greater parental options more difficult due to capacity limitations in many schools.</p>
<p><b>5. What are the applicable statutes?</b></p>	<p>Section 1002.20(6), F.S. — Educational choice.          Section 1002.31, F.S. — Public school parental choice.</p>
<p><b>6. Where can I get additional information?</b></p>	<p>Florida Department of Education          Bureau of Public School Options          850-245-0479</p> <p>Florida House of Representatives          Schools &amp; Learning Council          (850) 488-7451</p>



**Schools & Learning Council**

**McKay Scholarships for Students with Disabilities Program**

**Fact Sheet**

January 2008

<p><b>1. What is the McKay Scholarships for Students with Disabilities Program?</b></p>	<p>The McKay Scholarships for Students with Disabilities Program provides scholarships for eligible students with disabilities to attend an eligible public or private school of their choice. Students with disabilities include K-12 students who are documented as having a mental handicap, including trainable, profound, or educable; a speech or language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; dual sensory impairment; a physical impairment, a serious emotional disturbance, including an emotional handicap; specific learning disability, including but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury, or autism.</p>
<p><b>2. What options are available to a student with disabilities under the McKay Scholarship Program?</b></p>	<p>An eligible student with disabilities has several options:</p> <ul style="list-style-type: none"> <li>• Attendance at another public school within the district;</li> <li>• Attendance at an eligible public school in an adjacent district that has space and provides the services identified in the student's individual education plan; or</li> <li>• Attendance at an eligible private, sectarian or nonsectarian, school.</li> </ul> <p>A student at a public school may also choose to remain at that school.</p>
<p><b>3. Who is eligible for a McKay Scholarship?</b></p>	<p>Any parent of a public school student with a disability who is dissatisfied with the student's progress may receive a McKay Scholarship if:</p> <ul style="list-style-type: none"> <li>• The student has spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and Blind; <i>and</i></li> <li>• The parent has obtained acceptance for admission of the student to a private school that is eligible for the program and has requested from the Department of Education (DOE) a scholarship at least 60 days prior to the date of the first scholarship payment. The request must be through a communication directly to the DOE in a manner that creates a written or electronic record of the request and the date of receipt of the request. The DOE must inform the district of the parent's intent upon receipt of the request.</li> </ul> <p>Students enrolled in Department of Juvenile Justice commitment programs are <u>not</u> eligible for scholarships under this program.</p>
<p><b>4. How long does a McKay Scholarship last?</b></p>	<p>The term of a McKay Scholarship allows a student to use the scholarship until the student returns to a public school, graduates from high school, or reaches the age of 22, whichever occurs first.</p>

## McKay Scholarships for Students with Disabilities Program

<p><b>5. What are the obligations for participants in the McKay Scholarship Program?</b></p>	<p>The student's parent and the student must comply with the following criteria to obtain and retain a McKay Scholarship:</p> <ul style="list-style-type: none"> <li>• The parent must select a private school and apply for admission.</li> <li>• The parent must request the scholarship at least 60 days prior to the date of the first scholarship payment.</li> <li>• The student must remain in attendance throughout the school year, unless excused by the school for illness or other good cause.</li> <li>• The parent and student must comply with the private school's published policies.</li> <li>• The parent must transport the student to the assessment site if the parent requests that the student take all statewide assessments.</li> <li>• The parent must restrictively endorse the scholarship warrant upon receipt to the private school and may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse the warrant.</li> </ul>
<p><b>6. What are the school district's obligations under the McKay Scholarship Program?</b></p>	<p>The school district must:</p> <ul style="list-style-type: none"> <li>• Notify parents by April 1 of each year and within 10 days of the student's individual education plan meeting of all education choice options and of the availability of the DOE's telephone hotline and website for additional information on the McKay Program.</li> <li>• Complete the matrix of services for any student participating in the program and notify the DOE of the student's matrix level within 30 days after the district receives notification of a request to participate in the program.</li> <li>• Provide the student's parent with the student's matrix level within 10 school days after its completion.</li> <li>• Complete a matrix that assigns the student to one of the levels of service that existed prior to the 2000-2001 school year, if the student with disabilities does not have a matrix of services.</li> <li>• Provide notification to parents of the availability of a reevaluation at least every 3 years.</li> <li>• Report all students who are attending a private school under this program (students participating in this program must be reported separately from other students reported for purposes of the Florida Education Finance Program).</li> <li>• Provide locations and times for all state assessments to parents who request that the student take statewide assessments.</li> </ul>
<p><b>7. Are all private schools required to participate in the McKay Scholarship Program?</b></p>	<p>No. Private schools are not required to participate in the program. However, participation is open to all private schools that wish to take part in the program, as long as the schools meet the eligibility criteria set forth by law.</p>
<p><b>8. What criteria must a private school meet to be eligible to participate in the McKay Scholarship Program?</b></p>	<p>Participation is open to all private schools that:</p> <ul style="list-style-type: none"> <li>• Comply with all requirements for private schools participating in state school choice scholarship programs. (<b>Refer to Private School Accountability in State School Choice Scholarship Programs Fact Sheet.</b>)</li> <li>• Annually provide the parent with a written explanation of the student's progress.</li> </ul>

## McKay Scholarships for Students with Disabilities Program

	<ul style="list-style-type: none"> <li>• Cooperate with a student whose parent chooses to have the student participate in the statewide assessment tests.</li> <li>• Submit all documentation to the DOE for a student’s participation at least 30 days prior to the first quarterly scholarship payment.</li> <li>• Maintain in this state a physical location where a scholarship student regularly attends classes.</li> </ul> <p>Failure to meet these requirements, as determined by the DOE, constitutes a basis for a private school to become ineligible to participate in the program.</p>
<p><b>9. Who provides transportation for McKay Scholarship students?</b></p>	<p>If the parents choose a public school option, responsibility for transportation varies depending upon the type of public school option chosen. Listed below are the options and transportation requirements:</p> <ul style="list-style-type: none"> <li>• <i>Attendance at a public school within the school district that is consistent with the school board’s choice plan.</i> If this option is chosen, the school district is responsible for providing transportation to the public school selected by the parent.</li> <li>• <i>Attendance at a public school within the school district that is not consistent with the school board’s choice plan.</i> If this option is chosen, the parents are responsible for providing transportation.</li> <li>• <i>Attendance at a public school in an adjacent district that has space available and a program with services agreed to in the student’s individual educational plan.</i> If this option is chosen, the parents are responsible for providing transportation to the school in the adjacent district.</li> </ul> <p>If the parents choose the private school option, the parents are responsible for the student’s transportation.</p>
<p><b>10. What are the Department of Education’s obligations?</b></p>	<p>The DOE must:</p> <ul style="list-style-type: none"> <li>• Annually verify the eligibility of private schools.</li> <li>• Provide information to parents and private schools about participation in the program via a toll-free hotline.</li> <li>• Establish a process that allows for individuals to notify the DOE of violations of state law relating to program participation.</li> <li>• Annually receive and retain from every participating private school a notarized, sworn compliance statement certifying compliance with state laws.</li> <li>• Cross-check the list of participating scholarship students with public school enrollment lists.</li> <li>• Conduct no more than three random site visits to private schools participating in the program.</li> <li>• Annually report to the Governor and the Legislature the DOE’s actions in the implementation of accountability standards.</li> </ul>
<p><b>11. What is the Commissioner of Education’s authority?</b></p>	<p>The Commissioner of Education has the authority to:</p> <ul style="list-style-type: none"> <li>• Deny, suspend, or revoke a private school’s participation in the program and to take other action as necessary to ensure compliance with the laws governing private schools participating in the program.</li> <li>• Immediately suspend payment of scholarship funds if there is probable cause to believe that there is an imminent threat to the</li> </ul>

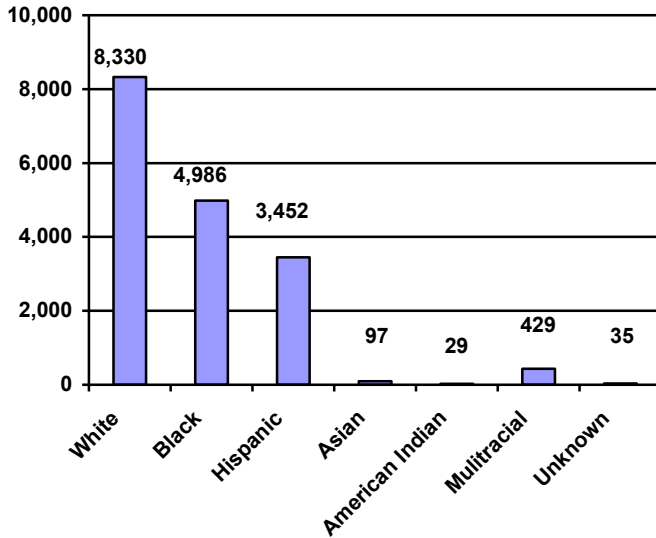
## McKay Scholarships for Students with Disabilities Program

	<p>health, safety, and welfare of the students or if there is fraudulent activity on the part of the private school.</p>
<p><b>12. What is the award amount for a McKay Scholarship?</b></p>	<p>The amount of the scholarship is equal to the amount the student would have received under the Florida Education Finance Program in the public school to which the student is assigned or the amount of the private school's tuition and fees, <i>whichever is less</i>.</p> <p>During the 2002-2003 school year, \$53 million was awarded to 9,130 scholarship recipients for an average award amount of \$6,769 per student.</p> <p>During the 2003-2004 school year, \$81.7 million was awarded to 13,739 scholarship recipients for an average award amount of \$6,814 per student.</p> <p>During the 2004-2005 school year, \$97.2 million was awarded to 15,910 scholarship recipients for an average award amount of \$6,835 per student.</p> <p>During the 2005-2006 school year, \$107.7 million was awarded to 17,275 scholarship recipients for an average award amount of \$6,926 per student.</p> <p>During the 2006-2007 school year, \$119.1 million was awarded to 18,723 scholarship recipients for an average award amount of \$7,206 per student.</p>
<p><b>13. How is a McKay Scholarship payment made?</b></p>	<p>Upon proper documentation by the DOE, the Chief Financial Officer must make the scholarship payments in four equal installments (September 1, November 1, February 1, and April 1). The DOE is responsible for verifying the student's admission to, and continued enrollment and attendance at, the private school. The payment must be made by individual warrant payable to the student's parent and mailed by the DOE to the private school. The parent must restrictively endorse the warrant to the private school.</p> <p>Subsequent to each payment, the DOE must request from the Department of Financial Services a sample of endorsed warrants to review and confirm compliance with endorsement requirements.</p>

## McKay Scholarships for Students with Disabilities Program

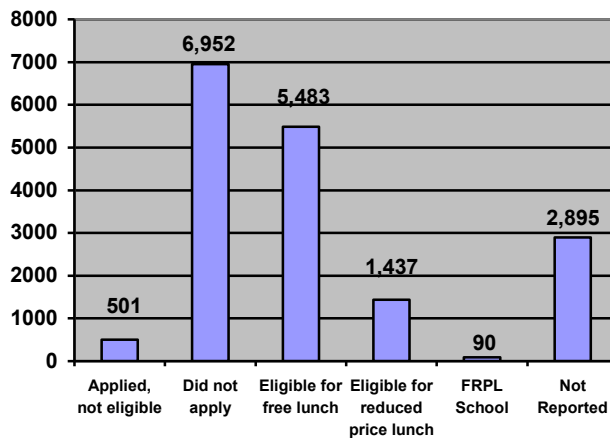
**14. What are the demographics of students benefiting from McKay Scholarships? (Data reflects students receiving scholarships in September of the 2007-2008 school year.)**

**McKay Student Racial/Ethnic Enrollment**



RACE	STUDENTS	PERCENTAGE
White	8,330	48.7%
Black	4,986	28.5%
Hispanic	3,452	19.5%
Asian	97	0.5%
American Indian	29	0.2%
Multiracial	429	2.3%
Unknown	35	0.2%
<b>Grand Total</b>	<b>17,358</b>	<b>100.0%</b>

**McKay Students Eligible for Free and Reduced-Price Lunch (FRPL)**



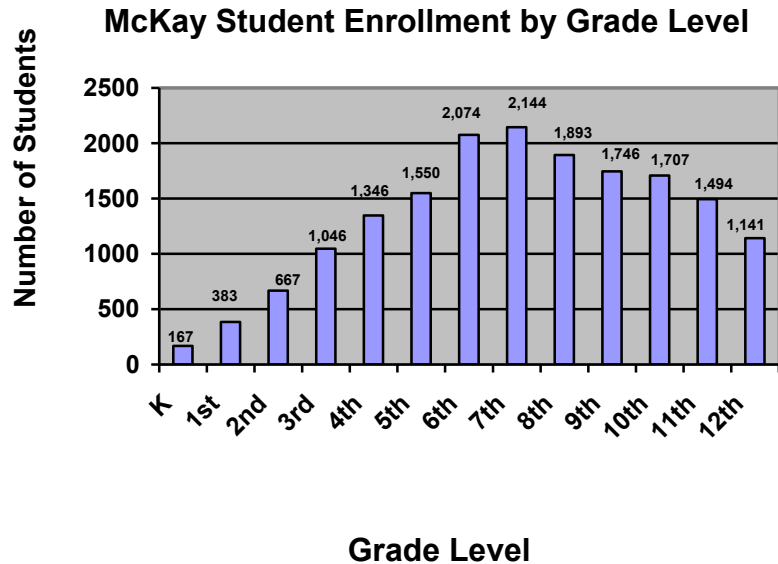
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## McKay Scholarships for Students with Disabilities Program

16. What is the enrollment by grade level of McKay Scholarship students? (Data reflects enrollment for September of the 2007-2008 school year.)



GRADE LEVEL	STUDENTS	PERCENTAGE
K	167	1.0%
1 <sup>st</sup>	383	2.2%
2 <sup>nd</sup>	667	3.8%
3 <sup>rd</sup>	1,046	6.0%
4 <sup>th</sup>	1,346	7.8%
5 <sup>th</sup>	1,550	8.9%
6 <sup>th</sup>	2,074	11.9%
7 <sup>th</sup>	2,144	12.4%
8 <sup>th</sup>	1,893	10.9%
9 <sup>th</sup>	1,746	10.1%
10 <sup>th</sup>	1,707	9.8%
11 <sup>th</sup>	1,494	8.6%
12 <sup>th</sup>	1,141	6.6%
<b>Grand Total:</b>	<b>17,358</b>	<b>100.0%</b>

PRIMARY EXCEPTIONALITY	STUDENTS	PERCENTAGE
Specific Learning Disabled	6,282	36.2%
Language Impaired	1,411	8.1%
Speech Impaired	1,194	6.9%
Emotionally Handicapped	1,078	6.2%
Educable Mentally Handicapped	1,167	6.7%
Autistic	608	3.5%
Other Health Impaired	1,844	10.6%
Others	3,774	21.7%
<b>Grand Total:</b>	<b>17,358</b>	<b>100.0%</b>

## McKay Scholarships for Students with Disabilities Program

**17. What are the McKay Scholarship payments by district? (Data reflects payments made during the 2006-2007 school year.)**

**McKay Payment by District**

DISTRICT ID	DISTRICT NAME	STUDENTS	%	PAYMENT AMOUNT	%
1	ALACHUA	123	0.67%	\$690,103.75	0.58%
2	BAKER	16	0.09%	\$80,564.25	0.07%
3	BAY	190	1.04%	\$1,045,631.87	0.88%
4	BRADFORD	25	0.14%	\$148,812.50	0.12%
5	BREVARD	610	3.34%	\$3,685,514.99	3.09%
6	BROWARD	1,834	10.04%	\$13,029,972.86	10.94%
8	CHARLOTTE	93	0.51%	\$448,849.00	0.38%
9	CITRUS	37	0.20%	\$189,818.75	0.16%
10	CLAY	249	1.36%	\$1,492,388.50	1.25%
11	COLLIER	134	0.73%	\$1,055,112.75	0.89%
12	COLUMBIA	128	0.70%	\$702,456.25	0.59%
13	DADE	3,824	20.93%	\$26,860,392.60	22.55%
15	DIXIE	17	0.09%	\$131,955.00	0.11%
16	DUVAL	2,505	13.71%	\$16,473,807.41	13.83%
17	ESCAMBIA	147	0.80%	\$787,400.77	0.66%
18	FLAGLER	12	0.07%	\$87,516.00	0.07%
20	GADSDEN	67	0.37%	\$365,355.53	0.31%
21	GILCHRIST	13	0.07%	\$58,635.50	0.05%
27	HERNANDO	47	0.26%	\$224,670.50	0.19%
28	HIGHLANDS	34	0.19%	\$151,516.25	0.13%
29	HILLSBOROUGH	928	5.08%	\$6,210,830.21	5.22%
31	INDIAN RIVER	33	0.18%	\$158,861.25	0.13%
32	JACKSON	20	0.11%	\$120,931.75	0.10%
33	JEFFERSON	14	0.08%	\$81,159.50	0.07%
35	LAKE	162	0.89%	\$813,278.00	0.68%
36	LEE	361	1.98%	\$2,510,127.79	2.11%
37	LEON	389	2.13%	\$2,648,167.22	2.22%
38	LEVY	52	0.28%	\$252,572.00	0.21%
40	MADISON	24	0.13%	\$126,322.50	0.11%
41	MANATEE	354	1.94%	\$2,541,164.55	2.13%
42	MARION	105	0.57%	\$669,582.00	0.56%
43	MARTIN	32	0.18%	\$170,579.75	0.14%
44	MONROE	19	0.10%	\$103,382.00	0.09%
45	NASSAU	32	0.18%	\$162,484.75	0.14%
46	OKALOOSA	188	1.03%	\$1,211,657.91	1.02%
48	ORANGE	1,310	7.17%	\$8,569,112.58	7.20%
49	OSCEOLA	210	1.15%	\$1,107,283.50	0.93%
50	PALM BEACH	968	5.30%	\$5,807,643.75	4.88%
51	PASCO	299	1.64%	\$1,892,374.54	1.59%
52	PINELLAS	906	4.96%	\$5,735,962.51	4.82%
53	POLK	364	1.99%	\$1,994,705.25	1.67%
54	PUTNAM	36	0.20%	\$166,874.25	0.14%
55	ST. JOHNS	83	0.45%	\$569,507.00	0.48%
56	ST. LUCIE	138	0.76%	\$797,221.25	0.67%
57	SANTA ROSA	18	0.10%	\$97,395.00	0.08%
58	SARASOTA	298	1.63%	\$2,263,271.00	1.90%
59	SEMINOLE	374	2.05%	\$2,257,018.50	1.90%
60	SUMTER	21	0.11%	\$91,923.50	0.08%
61	SUWANNEE	61	0.33%	\$277,209.25	0.23%
62	TAYLOR	18	0.10%	\$88,893.00	0.07%
64	VOLUSIA	259	1.42%	\$1,439,919.04	1.21%
65	WAKULLA	21	0.11%	\$96,645.00	0.08%
66	WALTON	13	0.07%	\$69,901.41	0.06%
<b>Grand Total:</b>	<b>66</b>	<b>18,273</b>	<b>100.00%</b>	<b>\$119,092,631.54</b>	<b>100.0%</b>

\*Data for districts with less than 11 students are not displayed in order to protect student confidentiality.

## McKay Scholarships for Students with Disabilities Program

<p><b>18. Has any research been done on this program?</b></p>	<p>Yes. "Vouchers for Special Education Students: An Evaluation of Florida's McKay Scholarship Program" by Jay P. Greene and Greg Forster, Manhattan Institute, 2003.</p> <p>Highlights of this study include:</p> <ul style="list-style-type: none"> <li>• 92% of current McKay participants are satisfied or very satisfied with their McKay schools; only 32.7% were similarly satisfied with their public schools.</li> <li>• McKay participants saw class size drop dramatically, from an average of 25.1 students per class in public schools to 12.8 students per class in McKay schools.</li> <li>• McKay participants were victimized far less by other students because of their disabilities in McKay schools. In public schools, 46.8% were bothered often and 24.7% were physically assaulted, while in McKay schools 5.3% were bothered often and 6.0% were assaulted.</li> <li>• McKay schools outperformed public schools in the study's measurement of accountability for services provided. Only 30.2% of current participants said they received all services required under federal law from their public school, while 86.0% reported that their McKay school provided all the services they promised to provide.</li> <li>• Over 90% of parents whose children have left the McKay Program believe the program should continue to be available to those who wish to utilize it.</li> </ul>
<p><b>19. What are the applicable statutes and rules?</b></p>	<p>Section 1002.39, F.S. -- The John M. McKay Scholarship for Students with Disabilities Program.            Section 1002.421, F.S. – Accountability for private schools participating in state school choice scholarship programs.            Section 1008.22, F.S. – Student assessment program for public schools.</p> <p>Rule 6A – 6.03315, F.A.C. -- Private School Scholarship Compliance Form.</p>
<p><b>20. Where can I get additional information?</b></p>	<p>Florida Department of Education            Office of Independent Education &amp; Parental Choice            (850) 245-0502            Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>Florida House of Representatives            Schools &amp; Learning Council            (850) 488-7451</p>



**Schools & Learning Council**  
**Corporate Tax Credit Scholarship Program**

**Fact Sheet**

January 2008

<p><b>1. What is the Corporate Tax Credit Scholarship Program?</b></p>	<p>The Corporate Tax Credit (CTC) Scholarship Program was established by the 2001 Legislature (Ch. 2001-225, L.O.F.) to provide an income tax credit for corporations that contribute money to nonprofit scholarship-funding organizations (SFOs) that award scholarships to students from families with limited financial resources. The purpose of the tax credit is to:</p> <ul style="list-style-type: none"> <li>• Encourage private, voluntary contributions to nonprofit SFOs.</li> <li>• Expand educational opportunities for children from families that have limited financial resources.</li> <li>• Enable children to achieve a greater level of excellence in their education.</li> </ul>
<p><b>2. Who is eligible for a scholarship from a nonprofit scholarship-funding organization under this program?</b></p>	<p>A student is eligible for a scholarship from a nonprofit SFO through this program if the student qualifies for free or reduced-price school lunches under the National School Lunch Act and:</p> <ul style="list-style-type: none"> <li>• Was counted as a full-time student during the previous state fiscal year for purposes of state per-student funding;</li> <li>• Received a scholarship from an eligible nonprofit SFO or the State of Florida during the previous school year; or</li> <li>• Is eligible to enter kindergarten or first grade.</li> </ul> <p>Contingent upon available funds, a student remains eligible for a scholarship as long as the student's family income level does not exceed 200 percent of the Federal Poverty Level.</p>
<p><b>3. What is the maximum award amount of a scholarship?</b></p>	<p>The amount of the scholarship provided to any child for any single school year by all eligible nonprofit SFOs <b>must not exceed</b> the following limits:</p> <ul style="list-style-type: none"> <li>• \$3,750 for a scholarship awarded to a student for enrollment in an eligible private school.</li> <li>• \$500 for a scholarship awarded to a student for enrollment in a Florida public school that is located outside the district in which the student resides.</li> </ul>
<p><b>4. What types of expenses are covered by the scholarships?</b></p>	<p>Eligible nonprofit SFOs must provide scholarships from eligible contributions to eligible students for the following:</p> <ul style="list-style-type: none"> <li>• Tuition or textbook expenses for, or transportation to, an eligible nonpublic school (at least 75% must be used to pay tuition expenses); or</li> <li>• Transportation expenses to a Florida public school that is located outside the district in which the student resides or to a developmental research (laboratory) school.</li> </ul>
<p><b>5. What criteria must a private school meet to participate in this program?</b></p>	<p>Private schools are not required to participate in the program; however, participation is open to private schools that:</p> <ul style="list-style-type: none"> <li>• Comply with all requirements for private schools participating in state school-choice scholarship programs. (<b>Refer to Private School Accountability in State School Choice Scholarship</b>)</li> </ul>

## Corporate Tax Credit Scholarship Program

	<p><b>Programs Fact Sheet.)</b></p> <ul style="list-style-type: none"> <li>• Annually provide the parent with a written explanation of the student's progress.</li> <li>• Annually administer or make provisions for students to participate in one of the nationally norm-referenced tests identified by the Department of Education (DOE), and report the student's scores to the parent and to an independent private research organization selected by the DOE.</li> <li>• Cooperate with a student whose parent chooses to have the student participate in the statewide assessment tests.</li> <li>• Submit all documentation, upon request, to the SFO for a student's participation.</li> <li>• Employ or contract with teachers who have regular and direct contact with each student receiving a scholarship at the school's physical location.</li> </ul> <p>Failure to meet the requirements, as determined by the DOE, constitutes a basis for a private school to become ineligible to participate in the program.</p>
<p><b>6. What qualifies as an eligible contribution?</b></p>	<p>An eligible contribution is a monetary contribution from a taxpayer to an eligible nonprofit SFO. The taxpayer may not designate a specific child as the beneficiary of the contribution.</p>
<p><b>7. How much of a tax credit may a corporation receive for contributing to a nonprofit scholarship-funding organization?</b></p>	<p>The taxpayer may receive a dollar for dollar credit for an eligible contribution against any tax due for a taxable year, but the credit may not exceed 75% of the tax due after the application of all other allowable tax credits. The total amount of tax credits and carry forward of tax credits allowed by statute for each state fiscal year is \$88 million.</p> <p>A taxpayer may rescind all or part of its allocated tax credit. The amount rescinded must become available for purposes of the cap for that state fiscal year to an eligible taxpayer if the taxpayer receives notice from the Department of Revenue (DOR) that the rescindment has been accepted by the DOR and the taxpayer has not previously rescinded any or all of its tax credit allocation more than once in the previous three tax years. Any amount rescinded must become available on a first-come, first-served basis based on tax credit applications received after the date the rescindment is accepted by the DOR.</p>
<p><b>8. Is there a statewide cap on the amount of the tax credit that may be granted under this program?</b></p>	<p>Yes. The total statewide amount of the tax credit and the carry-forward of tax credits that may be granted each state fiscal year under this program is limited to \$88 million by statute. At least 1% of the total statewide amount authorized for the tax credit must be reserved for small businesses. Small businesses are defined as taxpayers who independently own and operate businesses that employ 200 or fewer full-time permanent employees and have a net worth of not more than \$5 million at the time of application.</p>
<p><b>9. What are eligible nonprofit</b></p>	<p>Eligible nonprofit SFOs are charitable organizations that are exempt from the federal income tax as defined in s. 501(c)(3) of</p>

## Corporate Tax Credit Scholarship Program

<p><b>scholarship-funding organizations?</b></p>	<p>the Internal Revenue Code and are Florida entities formed under Chapters 607, 608, or 617, F.S., whose principal office is located in the state. Eligible nonprofit SFOs must:</p> <ul style="list-style-type: none"> <li>• Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.</li> <li>• Require owners and operators to submit to a level 2 background screening under Chapter 435, F.S., upon employment or engagement of services. Owners or operators must submit to background screenings every five years and must meet the level 2 screening standards as described in s. 435.04, F.S. Owners or operators that fail the level 2 background screening are ineligible to provide scholarships.</li> <li>• Provide scholarships from eligible contributions to eligible students on a first-come, first-served basis unless the student qualifies for priority. Eligible students who received a scholarship from an eligible SFO or from the State of Florida during the previous year qualify for priority.</li> <li>• Not restrict or reserve scholarships for use at a particular private school or provide a scholarship to the child of an owner or operator.</li> <li>• Allow an eligible student to attend any eligible private school and allow a parent to transfer the scholarship during the school year to another eligible private school.</li> <li>• Maintain separate accounts for scholarship funds and operating funds.</li> <li>• Obligate 100% of the eligible contribution to provide annual or partial-year scholarships in the same state fiscal year in which the contribution was received (the state fiscal year begins on July 1 and ends on June 30 of each year); however, 25% of the total contribution may be carried forward for expenditure in the following state fiscal year.</li> <li>• Allow for the transfer of funds to another eligible SFO, limited to the greater of \$500,000 or 20% of the total contributions received by the SFO making the transfer, when additional funds are required to meet scholarship demands.</li> <li>• Not use any portion of eligible contributions for administrative expenses.</li> <li>• Use all interest accrued from contributions for scholarships.</li> <li>• Prepare and submit quarterly reports to the DOE.</li> <li>• Provide the Auditor General and the DOE with an annual financial and compliance audit of their accounts and records conducted by independent certified public accountants.</li> <li>• Prohibit an owner or operator of a SFO from owning or operating a private school that is participating in the program.</li> </ul>
<p><b>10. How is a scholarship payment made?</b></p>	<p>The payment is made by individual warrant payable to the student's parent. If the parent chooses for his or her child to attend an eligible private school, the warrant must be delivered by the eligible SFO to the private school of the parent's choice and the parent must restrictively endorse the warrant to the private school.</p>

## Corporate Tax Credit Scholarship Program

	<p>The SFO must ensure that the parent endorses the warrant to the private school of the parent's choice for deposit into the account of the private school. SFOs must obtain verification from the private school of the scholarship student's continued attendance prior to each scholarship payment and must make such payments at least quarterly.</p>
<p><b>11. What are the responsibilities of the student and the parent in order to participate in the program?</b></p>	<p>Parent and student responsibilities include:</p> <ul style="list-style-type: none"> <li>• Parents must select an eligible private school, apply for admission, and notify the school district upon withdrawal.</li> <li>• Students must attend school unless excused by the school for illness or good cause.</li> <li>• Students and parents must comply with the private school's published policies.</li> <li>• Parents must ensure student participation in the norm-referenced assessment offered by the private school. Also, parents are given the option to have their child participate in the statewide assessments pursuant to s. 1008.22, F.S.</li> <li>• Parents must restrictively endorse the scholarship warrant upon receipt to the private school and may not designate any entity or individual associated with the participating private school as the parent's attorney in fact to endorse the warrant.</li> </ul>
<p><b>12. Who is responsible for administering the Corporate Tax Credit Scholarship Program?</b></p>	<p>The DOR and the DOE cooperatively administer the CTC Scholarship Program.</p> <p>The DOE is responsible for adopting rules necessary to determine the eligibility of SFOs and identify students eligible to participate in the program. The DOE is also responsible for submitting annually, by March 15, a list of eligible SFOs to the DOR.</p> <p>The DOE must:</p> <ul style="list-style-type: none"> <li>• Annually verify the eligibility of SFOs.</li> <li>• Annually verify the eligibility of private schools.</li> <li>• Annually verify the eligibility of expenditures.</li> <li>• Provide information to parents and private schools about participation in the program via a toll-free hotline.</li> <li>• Establish a process that allows for individuals to notify the DOE of violations of state law relating to program participation.</li> <li>• Annually receive and retain from every participating private school a notarized, sworn compliance statement certifying compliance with state laws.</li> <li>• Cross-check the list of participating scholarship students with public school enrollment lists.</li> <li>• Identify and select the nationally norm-referenced tests that are comparable to the norm-referenced provisions of the FCAT. Select an independent research organization to analyze and report annually to the DOE the year-to-year improvement of participating students.</li> <li>• Notify any SFO if one of its scholarship recipients is also</li> </ul>

## Corporate Tax Credit Scholarship Program

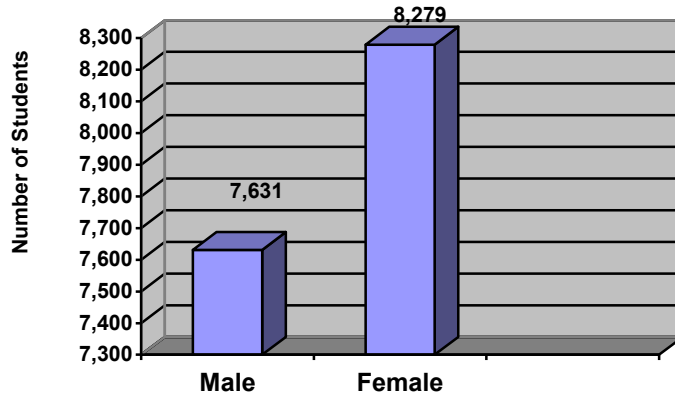
	<p>receiving scholarship monies from an educational scholarship authorized under Chapter 1002, F.S., or from another SFO.</p> <ul style="list-style-type: none"> <li>• Require quarterly reports from each SFO.</li> <li>• Conduct no more than seven random site visits to private schools participating in the program.</li> <li>• Annually report to the Governor and the Legislature on its implementation of accountability standards.</li> </ul> <p>The DOR is responsible for adopting rules to administer the CTC Scholarship Program and that:</p> <ul style="list-style-type: none"> <li>• Establish application forms and procedures.</li> <li>• Govern the allocation of tax credits and carry forward credits for the program on a first-come, first-served basis.</li> </ul>
<p><b>13. What is the Commissioner of Education's authority?</b></p>	<p>The Commissioner of Education has the authority to:</p> <ul style="list-style-type: none"> <li>• Deny, suspend, or revoke a private school's participation in the program and to take other action as necessary to ensure compliance with the laws governing private schools participating in the program.</li> <li>• Immediately suspend payment of scholarship funds if there is probable cause to believe that there is an imminent threat to the health, safety, and welfare of the students or if there is fraudulent activity on the part of the private school.</li> </ul>



**Corporate Tax Credit Scholarship Program**

**14. What is the gender and racial/ethnic breakdown of students benefiting from the Corporate Tax Credit Scholarship? (Data reflects students receiving scholarships in September of the 2007-2008 school year.)**

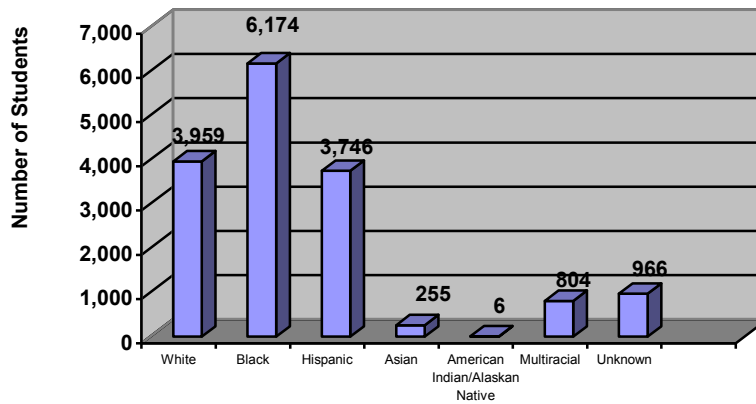
**CTC Student Enrollment by Gender**



**Gender**

GENDER	STUDENTS	PERCENTAGE
Male	7,631	48.0%
Female	8,279	52.0%
<b>Grand Total:</b>	<b>15,910</b>	<b>100.0%</b>

**CTC Student Racial/Ethnic Enrollment**



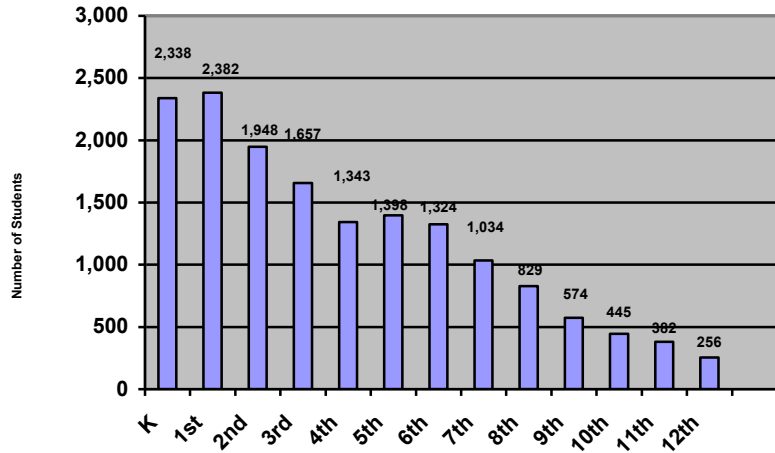
**Racial/Ethnic Groups**

RACE	STUDENTS	PERCENTAGE
White	3,959	24.9%
Black	6,174	38.8%
Hispanic	3,746	23.5%
Asian	255	1.6%
American Indian/Alaskan Native	6	0.0%
Multiracial	804	5.1%
Unknown	966	6.1%
<b>Grand Total:</b>	<b>15,910</b>	<b>100.0%</b>

**Corporate Tax Credit Scholarship Program**

**15. What is the enrollment by grade level of students benefiting from the Corporate Tax Credit Scholarship? (Data reflects enrollment for September of the 2007-2008 school year.)**

**CTC Student Enrollment by Grade Level**



**Grade Level**

GRADE LEVEL	STUDENTS	PERCENTAGE
K	2,338	14.7%
1 <sup>st</sup>	2,382	15.0%
2 <sup>nd</sup>	1,948	12.2%
3 <sup>rd</sup>	1,657	10.4%
4 <sup>th</sup>	1,343	8.4%
5 <sup>th</sup>	1,398	8.8%
6 <sup>th</sup>	1,324	8.3%
7 <sup>th</sup>	1,034	6.5%
8 <sup>th</sup>	829	5.2%
9 <sup>th</sup>	574	3.6%
10 <sup>th</sup>	445	2.8%
11 <sup>th</sup>	382	2.4%
12 <sup>th</sup>	256	1.6%
Grand Total:	15,910	100.0%

## Corporate Tax Credit Scholarship Program

**16. What are the Corporate Tax Credit Scholarship payments by district? (Data reflects all payments made during the 2006-07 school year.)**

**Note: Blanks indicate less than 11 students per district and are not displayed but calculated in total in order to protect student confidentiality.**

DISTRICT ID	DISTRICT NAME	SCHOOLS	STUDENTS	TOTAL FUNDED	FUND%
1	Alachua	13	134	\$449,792.25	0.76%
3	Bay	4	37	\$100,594.22	0.17%
4	Bradford	4	67	\$134,963.67	0.23%
5	Brevard	36	531	\$1,691,285.08	2.85%
6	Broward	73	1,018	\$3,497,636.87	5.90%
8	Charlotte	5	49	\$158,291.75	0.27%
9	Citrus	8	102	\$334,678.66	0.56%
10	Clay	14	160	\$463,641.43	0.78%
11	Collier	6	39	\$139,586.25	0.24%
12	Columbia	5	81	\$254,703.75	0.43%
13	Dade	150	4,323	\$15,124,559.24	25.50%
14	DeSoto	1		\$13,176.75	0.02%
15	Dixie	1		\$3,750.00	0.01%
16	Duval	85	2,092	\$6,849,497.46	11.55%
17	Escambia	14	250	\$784,635.67	1.32%
18	Flagler	2	26	\$89,312.50	0.15%
19	Franklin	1		\$17,897.00	0.03%
20	Gadsden	2	75	\$242,580.66	0.41%
21	Gilchrist	1		\$2,770.00	0.00%
22	Glades	1		\$3,750.00	0.01%
24	Hamilton	1	15	\$22,678.00	0.04%
26	Hendry	1		\$36,290.00	0.06%
27	Hernando	7	95	\$298,807.75	0.50%
28	Highlands	7	38	\$124,282.50	0.21%
29	Hillsborough	67	788	\$2,729,146.19	4.60%
30	Holmes	2		\$20,443.75	0.03%
31	Indian River	4	14	\$47,239.25	0.08%
32	Jackson	2	19	\$47,924.75	0.08%
33	Jefferson	1		\$28,800.00	0.05%
34	Lafayette	1		\$129.50	0.00%
35	Lake	14	182	\$595,829.53	1.00%
36	Lee	22	166	\$554,165.20	0.93%
37	Leon	20	419	\$1,379,979.80	2.33%
38	Levy	2	30	\$100,508.00	0.17%
40	Madison	2	24	\$80,879.00	0.14%
41	Manatee	12	141	\$496,282.00	0.84%
42	Marion	15	284	\$917,930.18	1.55%
43	Martin	6	58	\$184,039.13	0.31%
44	Monroe	1	12	\$44,062.50	0.07%
45	Nassau	3	24	\$83,545.43	0.14%
46	Okaloosa	6	144	\$464,941.13	0.78%
47	Okeechobee	1		\$18,055.76	0.03%
48	Orange	86	2,725	\$8,975,932.12	15.14%
49	Osceola	17	768	\$2,364,453.06	3.99%
50	Palm Beach	36	495	\$1,642,754.27	2.77%
51	Pasco	17	158	\$518,929.82	0.88%
52	Pinellas	49	459	\$1,544,734.50	2.60%
53	Polk	33	417	\$1,391,975.12	2.35%
54	Putnam	5	81	\$211,606.49	0.36%
55	St Johns	4	27	\$78,652.50	0.13%
56	St Lucie	7	97	\$297,025.79	0.50%
58	Sarasota	14	71	\$236,698.54	0.40%
59	Seminole	26	429	\$1,372,723.66	2.31%
60	Sumter	1	23	\$69,130.62	0.12%
61	Suwannee	3	74	\$141,854.62	0.24%
62	Taylor	1		\$3,093.75	0.01%
64	Volusia	24	554	\$1,799,389.29	3.03%
65	Wakulla	1		\$16,218.75	0.03%
66	Walton	1		\$2,420.00	0.00%
<b>Grand Total:</b>	<b>59</b>	<b>948</b>	<b>17,873*</b>	<b>\$59,300,655.46</b>	<b>100.00%</b>

## Corporate Tax Credit Scholarship Program

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<b>17. What are the applicable statutes and rules?</b>	Section 220.187, F.S. -- Credits for contributions to Nonprofit scholarship-funding organizations. Section 288.703(1), F.S. -- Definition of small business. Section 1002.32, F.S. – Developmental research (laboratory) schools. Section 1002.421, F.S. – Accountability for private schools participating in state school-choice scholarship programs. Section 1008.22, F.S. – Student assessment program for public schools.  Rule 6A-6.03315, F.A.C. – Private School Scholarship Compliance Form.
<b>18. Where can I get additional information?</b>	Florida Department of Education Office of Independent Education & Parental Choice (850) 245-0502 Toll-Free Information Hotline 1-800-447-1636 <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a>  Florida Department of Revenue (850) 922-4715  Florida House of Representatives Schools & Learning Council (850) 488-7451



## Schools & Learning Council **Opportunity Scholarships**

# Fact Sheet

January 2008

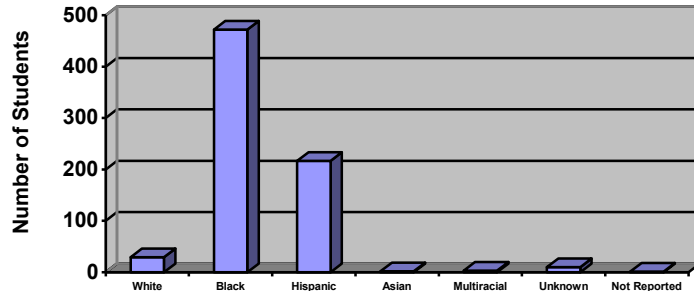
<p><b>1. What is the Opportunity Scholarship Program and what is the status of the program in the courts?</b></p>	<p>The Opportunity Scholarship Program (OSP) is a school choice program that was created by the Legislature in 1999 as part of the A+ Education Plan (Ch. 99-398, L.O.F.). This program provides scholarships to eligible students to attend eligible public or private schools of choice.</p> <p>On January 5, 2006, the Florida Supreme Court ruled that the private school option of the OSP violates Article IX, Section 1(a) of the Florida Constitution. The narrowly tailored opinion addressed only the issue of whether the Florida Constitution prohibits the state from expending public funds to allow students to use an opportunity scholarship to obtain a private school education in kindergarten through grade 12. The court held that “through the OSP the state is fostering plural, nonuniform systems of education in direct violation of the constitutional mandate for a uniform system of free public schools.” The court’s decision was stayed until the end of the 2005-2006 school year.</p>
<p><b>2. Who is eligible for an Opportunity Scholarship?</b></p>	<p>A public school student is eligible for an Opportunity Scholarship if one of the following criteria are met:</p> <ul style="list-style-type: none"><li>• The student spent the prior school year in attendance at a public school graded F and the school has had an F for two years in a four-year period;</li><li>• The student was in attendance elsewhere in the public school system and has been assigned to such a school; or</li><li>• The student is entering kindergarten or first grade and has been assigned to such a school.</li></ul>
<p><b>3. What are the current options available to a student under the Opportunity Scholarship Program?</b></p>	<p>Due to the 2006 Florida Supreme Court ruling, Opportunity Scholarships may now only be used to attend public schools of choice. Once a school has been graded F for two years in a four-year period, eligible students may:</p> <ul style="list-style-type: none"><li>• Attend a higher performing public school within the district; or</li><li>• Attend a higher performing public school in an adjacent district, as long as space is available.</li></ul> <p>A student who received an Opportunity Scholarship during the 2005-2006 school year and attended a private school is eligible to receive a Corporate Tax Credit (CTC) Scholarship if the student qualifies for free or reduced-price school lunches under the National School Lunch Act. Contingent upon available funds, a student may continue in</p>

## Opportunity Scholarships

	<p>the CTC scholarship program as long as the student's family income level does not exceed 200 percent of the federal poverty level. <b>(Refer to CTC Scholarship Program Fact Sheet.)</b></p>
<p><b>4. How long does an Opportunity Scholarship last?</b></p>	<p>The opportunity for a student to continue attending a higher performing public school within the district or in an adjacent district remains in force until the student graduates from high school.</p>
<p><b>5. How many Opportunity Scholarships are being utilized in Florida?</b></p>	<p>The 2005-2006 school year was the last year that students were eligible under the 2006 Florida Supreme Court case to receive Opportunity Scholarships to private schools. During that year, 734 students received scholarships to attend 57 private schools in eight school districts (Broward, Dade, Duval, Escambia, Gadsden, Jefferson, Orange, and Palm Beach Counties). The total amount of scholarships awarded was \$2.98 million with the average scholarship amount per student being \$4,063.28.</p> <p>In the 2006-2007 school year, students were only eligible to utilize the OSP to attend a higher performing public school of choice. During that year, 1,091 students utilized the public school option of the OSP.</p> <p>Twenty-one public schools in eight school districts (Broward, Collier, Dade, Duval, Escambia, Gadsden, Hillsborough, and Orange Counties) received an "F" grade during the 2006-2007 school year and at least one other "F" grade during the previous three years. Students who were enrolled in these schools in the 2006-2007 school year or who are assigned to these schools for the 2007-2008 school year are currently eligible to participate in the public school option of the OSP.</p>

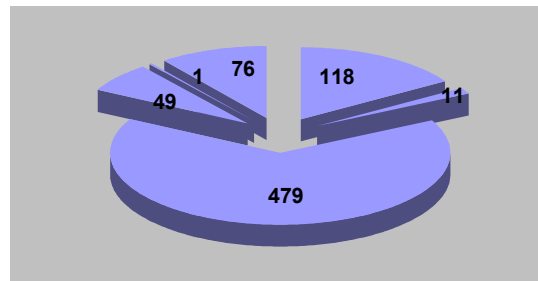
6. What are the demographics of students who benefited from Opportunity Scholarships to private schools during the 2005-2006 school year?

OSP Student Racial/Ethnic Enrollment



RACE	STUDENTS	PERCENTAGE
White	29	4.0%
Black	472	64.5%
Hispanic	217	29.6%
Asian	2	0.3%
Multiracial	3	0.4%
Unknown	10	1.4%
Not Reported	1	0.1%
<b>Grand Total:</b>	<b>734</b>	<b>100.0%</b>

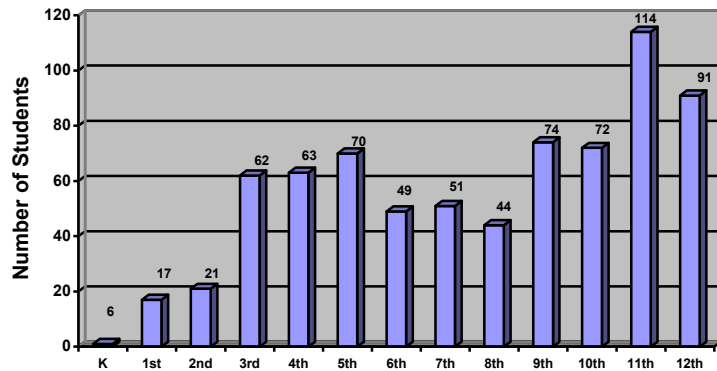
OSP Students Eligible for Free and Reduced-price Lunch (FRPL)



LUNCH PROGRAMS	STUDENTS	PERCENTAGE
Did not apply	118	16.1%
Applied, not eligible	11	1.5%
Eligible for free lunch	479	65.3%
Eligible for reduced price lunch	49	6.7%
FRPL School	1	0.1%
Not reported	76	10.4%
<b>Grand Total:</b>	<b>734</b>	<b>100.0%</b>

7. What was the enrollment by grade level of Opportunity Scholarship students in private schools during the 2005-2006 school year?

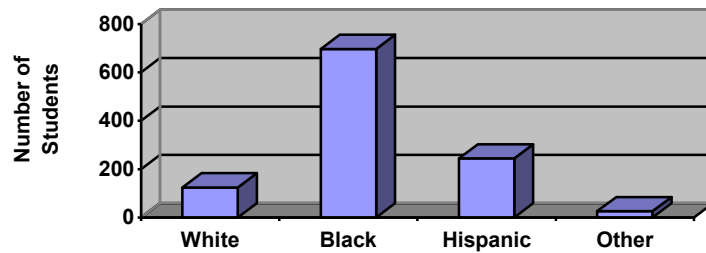
OSP Student Enrollment by Grade Level



GRADE LEVEL	STUDENTS	PERCENTAGE
K	6	0.8%
1 <sup>st</sup>	17	2.3%
2 <sup>nd</sup>	21	2.9%
3 <sup>rd</sup>	62	8.4%
4 <sup>th</sup>	63	8.6%
5 <sup>th</sup>	70	9.5%
6 <sup>th</sup>	49	6.7%
7 <sup>th</sup>	51	6.9%
8 <sup>th</sup>	44	6.0%
9 <sup>th</sup>	74	10.1%
10 <sup>th</sup>	72	9.8%
11 <sup>th</sup>	114	15.5%
12 <sup>th</sup>	91	12.4%
<b>Grand Total:</b>	<b>734</b>	<b>100.0%</b>

8. What are the demographics of students who benefited from Opportunity Scholarships to higher performing public schools during the 2006-2007 school year?

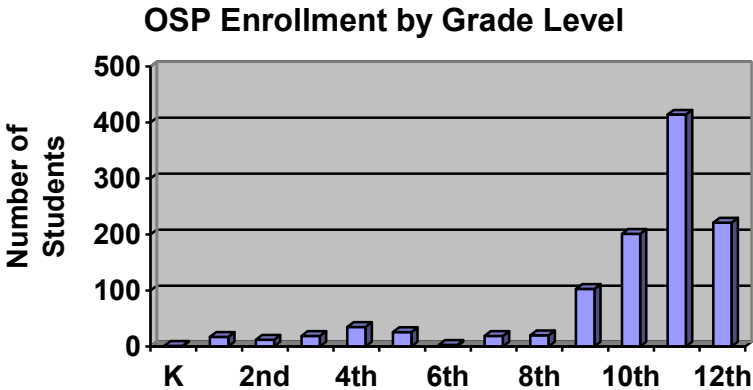
OSP Student Racial/Ethnic Enrollment



RACE	STUDENTS	PERCENTAGE
White	124	11.4%
Black	697	63.9%
Hispanic	244	22.4%
Other	26	2.4%
<b>Grand Total:</b>	<b>1,091</b>	<b>100.0%</b>



9. What was the enrollment by grade level of Opportunity Scholarship students in higher performing public schools during the 2006-2007 school year?



GRADE LEVEL	STUDENTS	PERCENTAGE
K	1	0.1%
1 <sup>st</sup>	17	1.6%
2 <sup>nd</sup>	12	1.1%
3 <sup>rd</sup>	19	1.7%
4 <sup>th</sup>	35	3.2%
5 <sup>th</sup>	26	2.4%
6 <sup>th</sup>	3	0.1%
7 <sup>th</sup>	19	1.7%
8 <sup>th</sup>	20	1.8%
9 <sup>th</sup>	103	9.5%
10 <sup>th</sup>	201	18.4%
11 <sup>th</sup>	414	38.0%
12 <sup>th</sup>	221	20.3%
<b>Grand Total:</b>	<b>1,091</b>	<b>100.0%</b>

10. Has any research been done on this program?

Yes. Jay P. Greene, Ph.D. and Marcus A. Winters “When Schools Compete: The Effects of Vouchers on Florida Public School Achievement,” August 2003, Manhattan Institute for Policy Research.

The results of the Manhattan Institute’s research demonstrate the following:

- Florida’s low-performing schools are improving in direct proportion to the challenge they face from voucher competition. These improvements are real, not the result of test gaming, demographic shifts, or the statistical phenomenon of “regression to the mean.”
- Schools already facing competition from vouchers showed the greatest improvements of all five categories of low-performing schools, improving by 9.3 scale score points on the FCAT math test, 10.1 points on the FCAT reading test, and 5.1 percentile points on the Stanford-9 math test relative to Florida public schools that were not in any low-performing category.
- Schools threatened with the prospect of vouchers showed

## Opportunity Scholarships

	<p>the second greatest improvements, making relative gains of 6.7 scale points on the FCAT math test, 8.2 points on the FCAT reading test, and 3.0 percentile points on the Stanford-9 math test.</p> <ul style="list-style-type: none"> <li>• Low-performing schools that have never received any grade other than a D, or that have received at least one D since FCAT grading began, produced small and indistinguishable gains, respectively, relative to Florida public schools that were not low-performing. While these schools were similar to schools facing voucher competition, they failed to make similar gains in the absence of competitive incentives.</li> <li>• Some researchers theorize that failing schools improve because of the stigma of a failing grade rather than the threat of voucher competition. The results of this study contradict this theory. Schools that received one F in 1998-99 but none since are no longer exposed to the potential of voucher competition. These schools actually lost ground relative to non-low-performing Florida public schools; thus, supporting the conclusion that once the threat of vouchers goes away, so does the incentive for failing schools to improve.</li> </ul>
<p><b>11. What are the applicable statutes and rules?</b></p>	<p>Section 220.187(3), F.S. – CTC Scholarship Program Eligibility.            Section 1002.38, F.S. – Opportunity Scholarship Program.            Section 1008.33(1), F.S. – Definition of “2 years in a 4-year period.”</p> <p>Rule 6A-6.03315, F.A.C. – Private School Scholarship Compliance Form.</p>
<p><b>12. Where can I get additional information?</b></p>	<p>Florida Department of Education            Office of Independent Education and Parental Choice            (850) 245-0502            Toll-Free Information Hotline:            (850) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>Florida House of Representatives            Schools &amp; Learning Council            (850) 488-7451</p>



**Schools & Learning Council**

**Private School Accountability in  
State School Choice Scholarship  
Programs**

**Fact  
Sheet**

January 2008

<p><b>1. Which private schools must comply with the accountability measures?</b></p>	<p>Only Florida private schools participating in state school choice educational scholarship programs must comply with the accountability measures; e.g., private schools participating in the Corporate Income Tax Credit (CTC) Scholarship Program and the McKay Scholarships for Students with Disabilities Program. Such private schools must also comply with the requirements generally applicable to all private schools under s. 1002.42, F.S., and, as appropriate, with requirements specified in the CTC and McKay Scholarship Program laws.</p>
<p><b>2. What are the fiscal and operational accountability requirements for participating private schools?</b></p>	<p>Florida private schools participating in state school choice educational scholarship programs are required to:</p> <ul style="list-style-type: none"><li>• Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d.</li><li>• Notify the Florida Department of Education (DOE) of intent to participate in the program.</li><li>• Notify the DOE of any change in school's name, director, mailing address, or physical location within 15 days after the change.</li><li>• Complete student enrollment and attendance verification requirements prior to scholarship payment.</li><li>• Annually complete and submit to the DOE a notarized scholarship compliance statement certifying all required persons have undergone a background screening.</li><li>• Demonstrate fiscal soundness and accountability by being in operation for at least three school years or obtaining a surety bond or letter of credit and by requiring parents to restrictively endorse the scholarship warrant to the school.</li><li>• Meet applicable state and local health, safety, and welfare laws, codes, and rules.</li><li>• Employ or contract with teachers who hold baccalaureate or higher degrees, have at least three years teaching experience, or have special skills, knowledge, or expertise that qualifies them to provide instruction in subject areas taught.</li><li>• Require each employee and contracted personnel with direct student contact, upon employment or engagement to provide services, to undergo a state and national background screening.</li></ul>

## Private School Accountability in State School Choice Programs

<p><b>3. Who is an employee or contracted personnel with direct student contact?</b></p>	<p>An employee or contracted personnel with direct student contact is any employee or contracted personnel who has unsupervised access to a scholarship student for whom the private school is responsible. Such personnel does not include volunteers.</p>
<p><b>4. What is the penalty for continued employment of a person that has failed the background screening?</b></p>	<p>A private school that continues the employment of an employee or contracted personnel after notification that he or she has failed the background screening will be ineligible to participate in the state school choice scholarship program.</p>
<p><b>5. What are the applicable statutes and rules?</b></p>	<p>Section 220.187, F.S. – Credits for contributions to nonprofit scholarship-funding organizations.            Section 1002.39, F.S. – The John M. McKay Scholarship for Students with Disabilities Program.            Section 1002.42, F.S. – Private Schools.            Section 1002.421, F.S. – Accountability of private schools participating in state school choice scholarship programs.</p> <p>Rule 6A-6.03315, F.A.C. – Private School Scholarship Compliance.</p>
<p><b>6. Where can I get additional information?</b></p>	<p>Florida Department of Education            Office of Independent Education &amp; Parental Choice            (850) 245-0502            Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>Florida House of Representatives            Schools &amp; Learning Council            (850)488-7451</p>



## **Schools & Learning Council**

# **Home Education**

# **Fact Sheet**

January 2008

<b>1. What is home education?</b>	Home education is the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the statutory school attendance requirements.
<b>2. Who can teach in a home education setting?</b>	Any parent or guardian who complies with the reporting, record keeping, and student evaluation requirements specified in statute may conduct a home education program. The parent is not required to be a certified teacher.
<b>3. What are the responsibilities of parents who establish a home education program?</b>	A parent who conducts a home education program must: <ul style="list-style-type: none"><li>• Send a written notice of intent to the district school superintendent of the county in which the parent resides;</li><li>• Maintain a portfolio of records, consisting of a log of educational activities, writings, worksheets, and creative materials used or developed by the student;</li><li>• Make the portfolio available for inspection by the district school superintendent upon a 15-day written notice;</li><li>• Provide an annual educational evaluation of the student's educational progress;</li><li>• Preserve the student's portfolio for two years; and</li><li>• Submit a letter of termination within 30 days of completion of the home education program.</li></ul>
<b>4. How is the educational progress of home education students evaluated?</b>	The parent may select the method of evaluation from: <ul style="list-style-type: none"><li>• A review of the portfolio and discussion with the student by a Florida certified teacher chosen by the parent;</li><li>• A nationally normed student achievement test administered by a certified teacher;</li><li>• A state student assessment test administered by a certified teacher at a location and under testing conditions approved by the school district;</li><li>• An evaluation by a psychologist holding a valid, active license; or</li><li>• An evaluation by any other valid measurement tool that is mutually agreed upon by the superintendent and the parent.</li></ul>
<b>5. What oversight does the state or the school district have over home education programs?</b>	A copy of the student's annual education evaluation must be filed in the superintendent's office. If the student does not demonstrate progress commensurate with his or her abilities, based on the annual education evaluation, the superintendent is required to notify the parents that they have one year to provide remedial

	<p>instruction. At the end of that year, the student will only be allowed to continue in a home education program if re-evaluation shows acceptable educational progress. The district superintendent may inspect a home education student's portfolio at any time, upon 15 days written notice, but is not required to do so. The state or school district may not prescribe a curriculum or course of study for home education programs.</p>
<p><b>6. Can home education students attend public school part-time or for selected courses?</b></p>	<p>Students with identified disabilities who qualify for exceptional student education (ESE) classes may participate in those classes for exceptional students offered in the public schools. School districts are <i>not</i> required to provide course work or instruction on a part-time basis for gifted or non-ESE home education students. School districts may opt to implement policies allowing for such attendance, but such policies are not mandated by the state.</p>
<p><b>7. May a home education student participate in public school extracurricular activities?</b></p>	<p>Yes. An eligible home education student may participate in extracurricular activities at the public school to which the student would be assigned according to district school attendance area policies, at the public school which the student could choose to attend pursuant to district or interdistrict controlled open enrollment policies, or at a nonpublic school pursuant to a participation agreement. Extracurricular means any school-authorized or education-related activity occurring during or outside the regular instructional school day. If a class is required to take part in the extracurricular activity, such as band class during the day in order to take part in the marching band, the home education student must be afforded the opportunity to enroll for the class. The district may report such a student for full-time equivalent (FTE) purposes on a part-time basis.</p> <p>Eligibility for participation is based on the following:</p> <ul style="list-style-type: none"> <li>• The student must be registered in a home education program which meets the requirements of Florida law.</li> <li>• The student must meet the same residency, acceptance, behavior, and performance requirements as other students in the school where he or she participates.</li> <li>• The student must register his or her intent to participate with the school before the beginning date of the season for the activity in which he or she wishes to participate.</li> <li>• During the period of participation, the student must demonstrate educational progress in all subjects and maintain a G.P.A. of 2.0 by a method of evaluation mutually agreed upon by the student's parent and</li> </ul>

	<p>the principal of the school. A public school student who has not maintained academic eligibility may not participate in extracurricular activities as a home education student until he or she successfully demonstrates educational progress in a home education program for one grading period.</p> <p>Public schools may not belong to any governing organization that discriminates against an eligible home education student.</p>
<p><b>8. What are the provisions for students who exhibit a pattern of nonattendance to enroll in a home education program?</b></p>	<p>If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program, the district school superintendent must provide the parent with a copy of the home education law and the accountability requirements of the truancy law. The superintendent must also refer the parent to a home education review committee. The parent must submit the student's portfolio to the home education review committee within the first 30 calendar days and every 30 days thereafter until the committee determines that the home education program is in compliance. Failure to provide a portfolio will result in termination of the home education program by the superintendent.</p> <p>The review committee is composed of the school district home education contact person and at least two home educators selected by the parent from a list of eligible home education parents maintained by the district.</p>
<p><b>9. What acceleration mechanisms are provided for students in a home education program?</b></p>	<p>Home education students may participate in dual enrollment, career dual enrollment, early admission, and credit by examination at community colleges and universities. Home education students may enroll directly with the postsecondary institution or use the district's interinstitutional articulation agreement. If the home education student enrolls through the district's interinstitutional articulation agreement, the district may earn FTE and must provide instructional materials.</p>
<p><b>10. What type of diploma do home education students receive?</b></p>	<p>School districts, adult high schools, and community colleges may not provide regular high school diplomas to home education students. A home education student may take the General Educational Development (GED) test and be awarded a Florida GED diploma if the student receives a passing score. Thus, some parents choose to utilize a curriculum provider that offers a credentialed diploma to the student.</p>

<p><b>11. Are home education students eligible for Bright Futures Scholarships?</b></p>	<p>Yes. Home education students may be eligible for a Bright Futures Scholarship if they are registered as home education students during the 11th and 12th grades. Official documentation of appropriate SAT or ACT test scores as determined by the Department of Education is required.</p>																																	
<p><b>12. How many students in Florida are registered in home education programs?</b></p>	<p>The following chart shows the historical increase in the number of students and families involved in home education programs:</p> <table border="1" data-bbox="678 583 1461 932"> <thead> <tr> <th>School Year</th> <th>Families*</th> <th>Students**</th> </tr> </thead> <tbody> <tr> <td>1997-1998</td> <td>21,507</td> <td>31,440</td> </tr> <tr> <td>1998-1999</td> <td>21,881</td> <td>33,219</td> </tr> <tr> <td>1999-2000</td> <td>26,656</td> <td>37,196</td> </tr> <tr> <td>2000-2001</td> <td>27,792</td> <td>41,128</td> </tr> <tr> <td>2001-2002</td> <td>29,417</td> <td>44,460</td> </tr> <tr> <td>2002-2003</td> <td>30,892</td> <td>45,333</td> </tr> <tr> <td>2003-2004</td> <td>32,166</td> <td>47,151</td> </tr> <tr> <td>2004-2005</td> <td>35,377</td> <td>51,110</td> </tr> <tr> <td>2005-2006</td> <td>36,149</td> <td>52,613</td> </tr> <tr> <td>2006-2007</td> <td>36,939</td> <td>55,822</td> </tr> </tbody> </table> <p>*Number of families statewide that registered their intent to establish home education programs.  **Number of students statewide who participated in home education programs.</p>	School Year	Families*	Students**	1997-1998	21,507	31,440	1998-1999	21,881	33,219	1999-2000	26,656	37,196	2000-2001	27,792	41,128	2001-2002	29,417	44,460	2002-2003	30,892	45,333	2003-2004	32,166	47,151	2004-2005	35,377	51,110	2005-2006	36,149	52,613	2006-2007	36,939	55,822
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<p><b>13. What are the applicable statutes?</b></p>	<p>Section 1002.01(1), F.S. -- Definitions.  Section 1002.41, F.S. -- Home Education Programs.  Section 1003.01 (13), F.S. -- Definitions. – Regular school attendance.  Section 1003.21.(1)(b), F.S. -- School Attendance.  Section 1003.26(1)(f), F.S. -- Enforcement of school attendance.  Section 1006.15, F.S. -- Student standards for participation in interscholastic extracurricular student activities; regulation.  Sections 1009.531, 1009.534, 1009.535 and 1009.537, F.S. Bright Futures Scholarship Program.</p>																																	
<p><b>14. Where can I get additional information?</b></p>	<p>Florida Department of Education  Independent Education and Parental Choice  (850) 245-0502  Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>General Education Development (GED) information:  Toll free phone: 1-800-237-5113</p> <p>Florida House of Representatives  Schools &amp; Learning Council  (850) 488-7451</p>																																	





**Schools & Learning Council**  
**Charter School Districts**

**Fact Sheet**

January 2008

<p><b>1. What are charter school districts?</b></p>	<p>In 1999, the Legislature established the Charter School Districts Pilot Program authorizing the State Board of Education (SBE) to enter into a performance contract with a maximum of six school districts for the purpose of establishing them as charter school districts. Under this program, four school districts (Hillsborough, Orange, Palm Beach, and Volusia Counties) began to operate as pilot charter school districts. In these districts the school board agreed to comply with certain performance goals contained in a performance contract that was approved by the SBE. In return, the districts were granted statutory and rule exemptions.</p> <p>In 2003, the Legislature eliminated the Charter School District Pilot Program and replaced it with a statewide program allowing the creation of <i>academic performance-based charter school districts</i>. The new program is open to all high performing school districts.</p>
<p><b>2. How many charter school districts exist in Florida?</b></p>	<p>There are four charter school districts in Florida (Volusia County School District, Hillsborough County School District, Orange County School District, and Palm Beach County School District). These districts were created under the 1999 pilot program, and have had their status grandfathered in until no later than July 1, 2010, at which time if they wish to continue to hold a charter they must conform to the standards applicable to <i>academic performance-based charter school districts</i>. See Ch. 2007-234, L.O.F.</p> <p>As of November 2007, no academic performance-based charter school districts have been created under the requirements of the program established by the Legislature in 2003.</p>
<p><b>3. What is an academic performance-based charter school district?</b></p>	<p>An academic performance-based charter school district is one that is granted statutory and rule exemptions based upon its record as a high performing school district as determined by the grades its public schools achieve. In order to be classified as “high performing” a school district must have at least 50% of its schools achieving grades of “A” or “B” for two consecutive years with no school earning two consecutive “D’s” or “F’s” during the same period.</p>
<p><b>4. How does a charter school district become an academic performance-based</b></p>	<p>Provided that a school district meets the “high performing” criteria, the SBE may, upon application by the district, grant a pre-charter agreement giving the district limited flexibility and direction for developing the full academic performance-based charter school district contract. Once that contract is</p>

## Charter School Districts

<p><b>charter school district?</b></p>	<p>completed and approved by the SBE, the district becomes an academic performance-based charter school district with expanded administrative flexibility and exemption from specified state statutes and rules.</p>
<p><b>5. Is an academic performance-based charter school district required to have new or converted charter schools in the district?</b></p>	<p>No. Neither a charter school district under the pilot program nor an academic performance-based charter school district is statutorily required to have charter schools residing within it.</p>
<p><b>6. How long does academic performance-based charter school district status last?</b></p>	<p>Under the academic performance-based charter school district program, each qualifying district is granted an indefinitely renewable one-year charter. If at the end of any given year that district still qualifies based upon its school grades, the charter is renewed. If at the end of the year the district no longer qualifies on the basis of school grades, the district is given one year to come back into compliance. If it fails to do so by the end of the one-year extension, the charter is to be terminated.</p>
<p><b>7. Does a charter school district have a governing board?</b></p>	<p>Yes. The governing board of a charter school district is the district's elected school board members. The governing board is responsible for supervising all schools in the school district. Additionally, the governing board is authorized to convert its existing public schools to charter schools or establish performance-based contractual relationships with its public schools for the purpose of providing them with greater autonomy in return for performance accountability.</p>
<p><b>8. Are charter school districts exempt from state statutes?</b></p>	<p>An academic performance-based charter school district is exempt from rules and statutes in accordance with its charter, as approved by the SBE. The SBE must determine if the exemption will help the district maintain or improve its high-performing status. However, the SBE may not exempt a charter school district from statutes pertaining to:</p> <ul style="list-style-type: none"> <li>• Provision of services to students with disabilities;</li> <li>• Civil rights.</li> <li>• Student health, safety and welfare.</li> <li>• Election or compensation of school board members.</li> <li>• Student assessment program and school grading system, including Chapter 1008, F.S.</li> <li>• Financial matters, including Chapter 1010, F.S.</li> <li>• Planning and budgeting, including Chapter 1011, F.S., except for Sections 1011.64 and 1011.69, F.S.</li> <li>• Sections 1012.22(1)(c) and 1012.27(2), F.S., relating to performance pay policies.</li> <li>• Educational facilities, including Chapter 1013, F.S.</li> </ul> <p>Charter school districts must comply with statutes pertaining to public records and meetings, financial disclosure by elected officials, and conflicts of interest by elected officials.</p>

**9. What waivers have been granted by the SBE for charter school districts?**

Volusia County Waivers		
All waiver requests are available on district website: <a href="http://www.volusia.k12.fl.us/charter">http://www.volusia.k12.fl.us/charter</a> .		
Statute	SBE Rule	Description
1001.452		Waives the requirement that the School Advisory Council be composed of members who represent the economic community served by the school.
1003.26		Waives the requirement that parents be notified in writing of absences.
1003.27		Waives the penalties for habitual truancy/ nonattendance.
1003.43		Waives the requirement that all high school students take one full credit of physical education and maintenance of personal fitness. This waiver allows high school students to use 1/2 credit of marching band for PE towards their one credit requirement.
1003.43 (7)(d)		Waives the requirement that a parent must sign the written assessment when a child is enrolled in Level 1 course.
1003.436		Waives the 135 hours of class time per high school credit requirement.
1003.53		Waives the requirement that the certified mail, return receipt requested notification be returned by parents within three days of receipt prior to placement in a dropout prevention program.
1004.04		Waives the requirement for administrators who supervise or direct teacher preparation students during field experience courses or internships have evidence of "clinical educator" training and successfully demonstrate effective classroom management strategies that consistently result in improved student performance.
1006.37		Waives the requirement that state approved instructional materials be purchased from the publisher's depository with whom a contract has been made.
1006.40		Waives the requirement that at least 50% of the instructional materials budget must be spent on state approved materials.
1008.25		Waives the procedures and protocol requirements for Academic Improvement Plans for remediation.
1011.62		Waives the restriction that students in grades 7-12 and with more than four semesters of exploratory career education may not be counted for FTE.
1011.64		Waives the requirement that PECO dollars be expended on needed projects as shown by the district's survey which must be compiled in accordance with established space allocations.
1012.42(2)	6A-1.0503	Waives the requirement that students' parents be notified in writing with the names of all teachers currently teaching out of field.
1013.03(10)(a)1		Waives the requirement that DOE review education plant surveys to verify that student station and auxiliary space allocations do not exceed statutory limits and related rules.
1013.20		Waives the requirement that portables be accessible by adequately covered walkways.
1013.68		Waives the requirement that Classroom First funds will only be received and spent if the district certifies that it has no unmet needs for permanent classrooms in its five-year capital outlay work plan. The waiver will not change the district's previous election under s. 1013.68, F.S., to pledge moneys to pay debt service on issued bonds.
1013.72		Waives the requirements related to allocation of space; however, the waiver does not apply to cost per student station caps.
	6A.1.012	Waives the requirements that all purchases made be based on requisitions.

Hillsborough County Waivers		
Statute	SBE Rule	Title
1001.452		Waives the requirement that the School Advisory Council be composed of members who represent the economic community served by the school.
1003.33		Waives the use of the required format and rules for determining student performance and restricts the school board's ability to determine their own grading policy.
1003.43(1)(j)	6A-1.0953/6A-1.09532	Waives the requirement that all high school students take one full credit of physical education and maintenance of personal fitness. This waiver allows high school students to use 1/2 credit of marching band for PE towards their one credit requirement.
1003.43(7)(d)		Waives the requirement that a parent must sign the written assessment when a child is enrolled in Level 1 course.
1003.436		Waives the 135 hours of class time per high school credit requirement.
1003.53(5)		Waives the requirement that the certified mail, return receipt requested notification be returned by parents within three days of receipt prior to placement in a dropout prevention program.
1004.04(5)(a)		Waives the requirement for administrators who supervise or direct teacher preparation students during field experience courses or internships have evidence of "clinical educator" training and successfully demonstrate effective classroom management strategies that consistently result in improved student performance.
1006.37		Waives the requirement that state approved instructional materials be purchased from the publisher's depository with whom a contract has been made.
1006.40(3)(a)		Waives the requirement that at least 50% of the instructional materials budget must be spent on state approved materials.
1008.25(4)(b)		Waives the procedures and protocol requirements for Academic Improvement Plans for remediation.
1008.345(2)	6A-1.09981(3)(4)	Waives the requirement that a program of school improvement include the determination of whether or not adequate progress is made.
1010.20(2)(a)		Waives the requirement for the reporting of in-service and categorical in-service expenditures on district disaggregated basis.
1011.62		Waives the restriction that students in grades 7-12 and with more than four semesters of exploratory career education may not be counted for FTE.
1012.56		Waives the requirement that a teacher with a three-year temporary certificate must pass the general knowledge test within one year of issuance of the temporary certificate.
1013.03(10)(a)		Waives the requirement that DOE review education plant surveys to verify that student station and auxiliary space allocations do not exceed statutory limits and related rules.
1013.20		Waives the requirement that portables be accessible by adequately covered walkways.
	6A-1.0503	Waives the definition of qualified instructional personnel.

<b>Orange County Waivers</b>		
Statute	Rule	Title
1003.436		Waives the requirement that one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements in a district school that has been authorized to implement block scheduling by the district school board.
1003.53		Waives the requirement that the certified mail, return receipt requested notification be returned by parents within three days of receipt prior to placement in a dropout prevention program.
1006.37		Waives the requirement that state approved instructional materials be purchased from the publisher's depository with whom a contract has been made.
1006.40		Waives the requirement that at least 50% of the instructional materials budget must be spent on state approved materials.
1009.27		Waives the law that applies to students enrolled in workforce development programs who are reported for funding through the Workforce Development Educational Fund.
1011.62		Waives the restriction that students in grades 7-12 and with more than four semesters of exploratory career education may not be counted for FTE.
1012.56		Waives the requirement that a teacher with a three- year temporary certificate must pass the general knowledge test within one year of issuance of the temporary certificate.
1013.28		Waives the law that prevents the sale of property by direct negotiation.
1013.31		Waives the requirements that address the calculation of capacity for design and for determining need. The waiver does not apply to capital outlay and debt service funds.
1013.69		Waives the law that requires full bonding for participation in Classrooms First, the School Infrastructure Thrift (SIT) Program, or the Effort Index Grants Program.
	6A-1.012	Waives the requirements that all purchases made be based on requisitions.
	6A-1.0503	Waives the requirement for school board approval of out-of-field teacher assignments before the FTE survey week which follows the hire date of a prospective teacher.

<b>Palm Beach Waivers</b>		
Statute	SBE Rule	Title
1013.03(10)(a)		Waives the requirement that DOE review education plant surveys to verify that student station and auxiliary space allocations do not exceed statutory limits and related rules.
1013.64(6)(b)1		Waives the law prohibiting a district school board, including a district school board of an academic performance-based charter school district, from using funds from the following sources: Public Education Capital Outlay and Debt Service Trust Fund; School District and Community College District Capital Outlay and Debt Service Trust Fund; Classrooms First Program funds; effort index grant funds; nonvoted 2-mill levy of ad valorem property taxes; Classrooms for Kids Infrastructure Program funds; or District Effort Recognition Program funds for any new construction of educational plant space with a total cost per student station, including change orders, that equals more than: \$12,755 for an elementary school, \$14,624 for a middle school, or \$19,352 for a high school, (January 2002) as adjusted annually to reflect increases or decreases in the Consumer Price Index.
1013.72		Waives the requirements related to allocation of space; however, the waiver does not apply to cost per student station caps.
	6A-1.0503	Waives the requirement for school board approval of out-of-field teacher assignments before the FTE survey week which follows the hire date of a prospective teacher.
03.436(2)		Waives the requirement relating to awarding credit for high school graduation.
1006.28(3)(b)		Waives requirement that principal must collect money for lost or damaged instructional materials.

<b>10. What are the applicable statutes?</b>	Section 1003.62, F.S. -- Academic performance-based charter school districts.
<b>11. Where can I get additional information?</b>	<p>Florida Department of Education Bureau of School Improvement (850) 245-0426</p> <p>Florida House of Representatives Schools &amp; Learning Council (850) 488-7451</p>



**Schools & Learning Council**  
**Charter Schools -- Overview**

**Fact Sheet**

January 2008

<p><b>1. What are charter schools?</b></p>	<p>Charter schools are public schools that operate under a performance contract, or a “charter,” which frees them from many regulations created for traditional public schools while holding them accountable for academic and financial results. The charter contract between the charter school governing board and the sponsor details the school’s mission, program, goals, students served, methods of assessment, and ways to measure success. The initial charter term is granted for four or five years.</p> <p>The legislative guiding principles behind charter schools are to meet high standards of student achievement while increasing parental choice, to align responsibility with accountability, and to provide parents information on the reading levels and learning gains of their children.</p> <p>Charter schools are required to improve student learning, increase learning opportunities with special emphasis on low performing students and reading, encourage innovative learning methods, and measure learning outcomes. Charter schools may create innovative measurement tools, provide competition to stimulate improvement in traditional schools, expand the capacity of the public school system, mitigate the educational impact created by the development of new residential units, and create new professional opportunities for teachers.</p>
<p><b>2. Who can sponsor a charter school?</b></p>	<p>School districts and the Florida Schools of Excellence Commission can sponsor charter schools. State universities may sponsor a lab school. State universities, municipalities, community colleges, and regional educational consortia may co-sponsor charter schools if authorized by the Florida Schools of Excellence Commission.</p> <p>A school district may apply to be the exclusive sponsor of charter schools within its county by submitting a written resolution to the State Board of Education (SBE). If the SBE grants the school district’s application, the district is the exclusive sponsor. Otherwise, a charter school applicant may apply to either the school district or the Florida School of Excellence Commission or one of the Commission’s cosponsors. <b>(Refer to the Charter Schools –Florida Schools of Excellence Commission Fact Sheet.)</b></p>
<p><b>3. How many charter schools are currently operating in</b></p>	<p>Since 1996, the first year that charter schools were authorized by the Legislature, the number of charter schools</p>

<p><b>Florida?</b></p>	<p>operating in Florida has grown from five to 356 in 2006-2007. The five schools in 1996 served 574 students and the 356 schools during the past school year served 98,755 students. Growth is likely to continue due to the removal of the limit on the number of newly-created charter schools in a district by the 2003 Legislature.</p>																																										
<p><b>4. Who is eligible to attend charter schools?</b></p>	<p>Charter schools are open to all students residing within the district. Enrollment preference may be given to siblings of current charter school students, children of a member of the charter school governing board, or children of charter school employees.</p> <p>A charter school may limit the enrollment process in order to target the following student populations:</p> <ul style="list-style-type: none"> <li>• Students within specific age groups or grade levels.</li> <li>• Students considered at risk of dropping out of school or of academic failure.</li> <li>• Students who wish to enroll in a charter school-in-the-workplace or a charter school-in-a-municipality.</li> <li>• Students residing within a reasonable distance of the charter school.</li> <li>• Students who meet reasonable academic, artistic, or other eligibility standards established by the charter school.</li> <li>• Students articulating from one charter school to another.</li> </ul>																																										
<p><b>5. How do the demographic characteristics of students in charter schools compare with students in traditional public schools?</b></p>	<p>The table below compares the characteristics of students enrolled in charter schools with those of students enrolled in traditional public schools.</p> <p align="center">2006-2007 Demographic Data for Charter School Students Compared to Traditional Public School Students</p> <table border="1" data-bbox="691 1226 1479 1822"> <thead> <tr> <th colspan="3">Ethnic Student Population</th> </tr> <tr> <th>Ethnic</th> <th>Charter Schools</th> <th>Traditional Schools</th> </tr> </thead> <tbody> <tr> <td>White</td> <td>42%</td> <td>47%</td> </tr> <tr> <td>African American</td> <td>23%</td> <td>23%</td> </tr> <tr> <td>Hispanic</td> <td>30%</td> <td>24%</td> </tr> <tr> <td>Asian</td> <td>2%</td> <td>2%</td> </tr> <tr> <td>American Indian</td> <td>.03%</td> <td>.03%</td> </tr> <tr> <td>Multiracial</td> <td>3%</td> <td>3%</td> </tr> <tr> <th colspan="3">Educational Needs</th> </tr> <tr> <th>Need</th> <th></th> <th></th> </tr> <tr> <td>Exceptional Student Education (ESE)</td> <td>11.4%</td> <td>14.7%</td> </tr> <tr> <td>Limited English Proficiency</td> <td>9.8%</td> <td>11.9%</td> </tr> <tr> <th colspan="3">Economic Indicator</th> </tr> <tr> <td>Free or Reduced Price Lunch Eligible</td> <td>35%</td> <td>46%</td> </tr> </tbody> </table>	Ethnic Student Population			Ethnic	Charter Schools	Traditional Schools	White	42%	47%	African American	23%	23%	Hispanic	30%	24%	Asian	2%	2%	American Indian	.03%	.03%	Multiracial	3%	3%	Educational Needs			Need			Exceptional Student Education (ESE)	11.4%	14.7%	Limited English Proficiency	9.8%	11.9%	Economic Indicator			Free or Reduced Price Lunch Eligible	35%	46%
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<p><b>6. How are charter schools created, organized, and</b></p>	<p>Charter schools are created when an individual, a group of parents or teachers, a business, a municipality, or a legal</p>																																										

<p>operated?</p>	<p>entity submits an application to the sponsor; the sponsor approves the application; the applicants form a governing board that negotiates a contract with the sponsor; and the applicants and sponsor agree upon a charter or contract.</p> <p>A state university may grant a charter to the university lab school and is considered to be the school's sponsor. The negotiated contract outlines expectations of both parties regarding the school's academic and financial performance.</p> <p>A charter school is organized and privately <i>operated</i> by teachers, parents, community leaders, businesses, or legal entities (which may include a for-profit management company). The charter school may serve at-risk students, offer a specialized curriculum or core academic program, provide early intervention programs, or serve exceptional education students.</p> <p>Charter schools contracting with for-profit management companies for education and/or management services represented about 26% of charter schools in Florida in 2005-2006.</p>
<p><b>7. How does the application process work for a charter school?</b></p>	<p>A sponsor receives and reviews all charter school applications and, within 60 days of receipt, must approve or deny the application. All charter applications must:</p> <ul style="list-style-type: none"> <li>• Demonstrate how the school will use the guiding principles.</li> <li>• Provide a detailed curriculum.</li> <li>• Contain goals and objectives for improving student learning.</li> <li>• Describe the separate reading curricula and strategies.</li> <li>• Contain an annual financial plan.</li> </ul> <p>If a sponsor denies an application, it must provide specific written reasons, based upon good cause, for its denial within 10 calendar days of the denial, and it must provide the letter of denial and supporting documentation to the applicant and the Department of Education (DOE).</p> <p>If the district is the exclusive sponsor, the charter school applicant then has 30 calendar days to file an appeal with the SBE after the denial of, or failure to act upon, an application. The SBE's decision is a final action subject to judicial review in the district court of appeal.</p> <p>If the district has not been granted exclusive authority, the charter school applicant's right to appeal is contingent on having submitted an application to both the district and the Florida Schools of Excellence Commission or one of its cosponsors. <b>(Refer to the Charter Schools –Florida Schools of Excellence Commission Fact Sheet.)</b></p>

<p><b>8. What is the Charter School Appeal Commission?</b></p>	<p>The Charter School Appeal Commission assists the SBE in reviewing appeals from:</p> <ul style="list-style-type: none"> <li>• The denial of charter applications;</li> <li>• The non-renewal or termination of charter contracts; and</li> <li>• Disputes over contract negotiations that have not been resolved through mediation.</li> </ul> <p>During the 2006-2007 school year, the Charter School Appeal Commission convened to hear 9 charter school appeals. The SBE adopted the Commission's recommendations 78% of the time.</p> <p>The eight-member Commission is comprised of four charter school operators and four sponsors, who are appointed by the Commissioner of Education. The Commissioner, or his or her designee, serves as the chair of the Commission.</p>
<p><b>9. Once an application has been approved what must the charter contain?</b></p>	<p>Current law requires charters to contain the following:</p> <ul style="list-style-type: none"> <li>• The school's mission, the students and their ages, and the grades that will be included in the charter school.</li> <li>• The focus of the school's curriculum, the instructional methods that will be used, any distinctive instructional techniques that will be employed, and the identification and acquisition of technology needed to improve educational and administrative performance.</li> <li>• Assurance that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The reading curriculum and the instructional strategies for implementation <i>must</i> be consistent with the Sunshine State Standards and be grounded in scientifically based reading research.</li> <li>• The current incoming baseline standard of individual student achievement, the outcomes that will be achieved, and the method of measurement that will be used.</li> <li>• Methods that will be used to identify the educational strengths and needs of students.</li> <li>• The method for determining if a student satisfies high school graduation requirements.</li> <li>• The method for resolving conflicts between the governing body of the charter school and the sponsor.</li> <li>• Admission and dismissal procedures, as well as the school's student conduct code.</li> <li>• Methods by which the charter school will achieve a racial/ethnic balance reflective of the community it serves or other public schools within the same school district.</li> <li>• Financial and administrative management of the charter school.</li> <li>• Incorporation of asset and liability projections required in the application into the charter to facilitate comparison with information provided in the charter school's annual report.</li> <li>• Specific provisions regarding audit, safety, insurance,</li> </ul>



	term, facilities, teacher qualifications, governance, and timetable provisions.
<b>10. What specific statutory requirements apply to charter school operations?</b>	<p>A charter school must:</p> <ul style="list-style-type: none"> <li>• Be nonsectarian in its programs, admission policies, employment practices, and operations.</li> <li>• Admit students as specified in <b>Question 3</b>.</li> <li>• Be accountable to its sponsor for its performance.</li> <li>• Not charge tuition and fees.</li> <li>• Comply with all applicable state and local health, safety, and civil rights requirements.</li> <li>• Not discriminate on the basis of race, national origin, sex, handicap, or marital status.</li> <li>• Subject itself to an annual financial audit.</li> <li>• Maintain all financial records that constitute its accounting system in accordance with current law.</li> <li>• Annually adopt and maintain an operating budget.</li> <li>• Fully participate in the state’s education accountability program.</li> </ul>
<b>11. Are charter schools exempt from state statutes?</b>	<p>Charter schools are generally exempt from the Florida K-20 Education Code (Chapters 1000-1013, F.S.), except those statutes specifically applying to charter schools; pertaining to student assessment and school grading; pertaining to the provision of services to students with disabilities; pertaining to civil rights; and pertaining to student health, safety, and welfare.</p> <p>Charter schools <b>are not</b> exempt from any statute governing public records; public meetings and records; public inspection; and penalties.</p> <p>In addition, charter schools are exempt from compliance with the State Requirements for Educational Facilities, but are required to comply with the Florida Building Code and the Florida Fire Prevention Code. A local governing authority may not impose local building requirements more stringent than those in the Florida Building Code. Charter schools are also exempt from fees charged for building and occupational licenses, service availability fees, and assessments for special benefits.</p>
<b>12. Are charter schools eligible to participate in the merit award pay program for instructional personnel and school-based administrators?</b>	<p>Yes. Charter schools are eligible for merit award pay plans. If a charter school follows a district’s salary schedule, the charter school is included within the district’s plan. However, if a charter school does not follow the district’s salary schedule or the district chooses not to adopt a plan, the charter school may adopt its own merit award pay plan pursuant to the requirements of the statute.</p>
<b>13. What are conversion charter schools?</b>	<p>Conversion charter schools are traditional public schools that have been converted to charter schools. The school must have operated for at least two years as a traditional public school (including a school-within-a-school) in a school district</p>

	<p>before conversion. Application for a conversion may be made by a parent, teacher, principal, district school board, or school advisory council and must be approved by a majority of the teachers and a majority of the parents. A majority of the parents must participate in the vote. Twenty conversion charter schools operated in Florida in 2006-2007, representing approximately 6% of the total number of charter schools in the state.</p> <p>The charter for a conversion charter school must identify the alternative arrangements that will be put in place to serve current students that choose not to attend the school after it is converted.</p> <p>Conversion charter schools are not eligible for charter school capital outlay funding if the conversion charter school operates in facilities provided to them by the school district.</p>
<p><b>14. What are community partnership charter schools?</b></p>	<p>Community partnership charter schools are sponsored by local school districts in partnership with outside entities. Any portion of a facility used for a charter school is exempt from ad valorem taxes. These schools target specific student populations or neighborhoods or focus on specific areas of interest. This category includes:</p> <ul style="list-style-type: none"> <li>• Charter schools-in-the-workplace;</li> <li>• Charter schools-in-a-municipality;</li> <li>• Community college charter schools; and</li> <li>• Museum partnership charter schools focused on specific areas of interest.</li> </ul> <p>Examples of museum partnership charter schools are Terrace Community Charter School in Hillsborough County and Palm Beach Maritime Academy in Palm Beach County.</p>
<p><b>15. What are charter schools-in-the workplace?</b></p>	<p>Charter schools-in-the-workplace are sponsored by local school districts in partnership with a company or business. Such charter schools usually target the children of the employees of a company or business. The business partner provides the school facility to be used; enrolls students based upon a random lottery that involves all of the children of the employees of the business; and enrolls students according to the racial/ethnic balance reflective of the community or other public schools in the same school district.</p> <p>Examples of charter schools-in-the-workplace are Villages Charter Schools in Sumter County, JFK Medical Center Charter School in Palm Beach County, and Renaissance Elementary Charter School in Miami-Dade County.</p>
<p><b>16. What are charter schools-in-a-municipality?</b></p>	<p>Charter schools-in-a-municipality are sponsored by local school districts in partnership with a municipality. Such schools enroll students based upon a random lottery that involves all of the children of the residents of the municipality and according to the racial/ethnic balance reflective of the</p>

	<p>community or other public schools in the same school district.</p> <p>If a municipality applies to establish a charter school feeder pattern and the district school board has approved each individual charter for each elementary, middle, and high school in the feeder pattern, the schools are designated as one charter school. <b>(Refer to Charter Schools Funding Fact Sheet).</b></p> <p>Examples of charter schools-in-a-municipality are the City of Pembroke Pines Charter Schools and Coral Springs Charter Schools in Broward County; Marco Island Charter School in Collier County; Kissimmee Charter School in Osceola County; and Aventura City of Excellence Charter School in Miami-Dade County.</p>
<p><b>17. What are community college charter schools?</b></p>	<p>Community college charter schools are statutorily authorized when a public community college, in cooperation with the school board or boards within the college's service area, develops a charter school that offers secondary education and allows students to obtain an associate's degree upon graduation from high school. Students have full access to all college facilities, activities, and services.</p> <p>Florida had six community college partnership schools operating in 2006-2007:</p> <ul style="list-style-type: none"> <li>• <b>Okaloosa-Walton Community College (OWCC):</b> OWCC Collegiate High School in Okaloosa County.</li> <li>• <b>St. Petersburg College:</b> St. Petersburg Collegiate Charter School in Pinellas County.</li> <li>• <b>Polk Community College (PCC):</b> PCC Collegiate Charter School and PCC Chain of Lakes Collegiate High School in Polk County.</li> <li>• <b>Indian River Community College-Chastain Campus:</b> Clark Advanced Learning Center in Martin County.</li> <li>• <b>Daytona Beach Community College:</b> Advanced Technical Center in Volusia County.</li> </ul>
<p><b>18. How do the instructional and administrative personnel of a charter school compare with the personnel of a traditional public school?</b></p>	<p>Florida Statutes require that teachers employed by or under contract with a charter school be certified in the same manner as all other public school teachers in Florida.</p> <p>On a statewide average, charter schools have 21% more instructional staff than traditional public schools and 4% more administrative staff than traditional public schools.</p>

<p><b>19. What are the applicable statutes and rules?</b></p>	<p>Section 1002.32 (2) and (9), F.S. – Developmental Research (Laboratory) Schools.                  Section 1002.33, F.S. – Charter Schools.                  Section 1002.335, F.S. – Florida Schools of Excellence Commission.                  Section 1012.225, F.S. – Merit Award Program for Instructional Personnel and School-Based Administrators.</p> <p>Rule 6A-6.0781, F.A.C. – Procedures for Appealing a District Board Decision Denying Application for Charter School.                  Rule 6A-6.7083, F.A.C. – District School Board Authority to Sponsor Charter Schools.</p>
<p><b>20. Where can I get additional information?</b></p>	<p>Florida Department of Education                  Office of Independent Education and Parental Choice                  (850) 245-0502                  Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org/charter.html">www.floridaschoolchoice.org/charter.html</a></p> <p>DOE Documents:</p> <ul style="list-style-type: none"> <li>• <i>Florida’s Charter Schools: A Decade of Progress</i>, November 2006.</li> <li>• Charter School Technical Assistance Papers: <a href="http://www.floridaschoolchoice.org/Information/Charter_Schools/technical_assistance.asp">http://www.floridaschoolchoice.org/Information/Charter_Schools/technical_assistance.asp</a></li> <li>• <i>Student Achievement in Florida’s Charter Schools</i>, June 2005.</li> </ul> <p>Office of Program Policy Analysis and Government Accountability (OPPAGA)  <a href="http://www.oppaga.state.fl.us">www.oppaga.state.fl.us</a></p> <p>Reports:</p> <ul style="list-style-type: none"> <li>• <i>Charter School Performance Comparable to Other Public Schools; Stronger Accountability Needed</i>, Report No. 05-21, April 2005.</li> <li>• <i>Charter School Review Technical Report</i>, Report No. 05-22, April 2005.</li> <li>• <i>Charter School Application Requirements Are Reasonable; Financial Management Problematic</i>, Report No. 05-11, March 2005.</li> </ul> <p>Charter School Audits by the Florida Auditor General:  <a href="http://www.state.fl.us/audgen/pages/subjects/charterschool.htm">http://www.state.fl.us/audgen/pages/subjects/charterschool.htm</a></p> <p>Florida House of Representatives                  Schools &amp; Learning Council                  (850) 488-7451</p>



**1. How are charter schools held accountable?**

Charter schools are held accountable through the following means:

**Parent and Student Choice:** Parents choose whether to enroll their children in a charter or traditional public school. Dissatisfied parents of charter school students may withdraw them from the school. This creates an incentive for the charter school to provide quality educational programs for its students.

**Contractual Accountability:** Each charter school must enter into a performance contract with its sponsor, known as a charter. The charter lists specific objectives that the charter school must meet to remain in operation. A sponsor may close a charter school for good cause or if the school:

- Fails to participate in Florida's accountability system;
- Fails to meet the student performance outcomes agreed upon in the charter;
- Fails to meet generally accepted standards of fiscal management; or
- Violates the law.

Data provided by the Department of Education (DOE) indicates that a total of 96 charter schools were closed between 1996 and 2006. Of this number, 44 were closed by the sponsor; 46 were closed by the charter school governing board; 4 were closed pursuant to mutual agreement between the sponsor and charter school governing board; and two closures are of unknown origin.

**Annual Reporting:** Each charter school must submit an annual report to its sponsor. The sponsor then submits the report to the Commissioner of Education. At a minimum, each charter school's annual report must include:

- Student achievement data;
- Data on the financial status of the charter school;
- Documentation of the currently used and planned facilities; and
- Descriptive information about the charter school's personnel.

**School Grading System:** Charter schools are subject to the same accountability requirements applicable to

	<p>traditional public schools. Charter school students are required to take the Florida Comprehensive Assessment Test (FCAT). Charter schools receive school grades and are subject to the same school grading criteria as traditional public schools. <b>(Refer to School Grades Fact Sheet.)</b></p> <p>Charter schools with less than 30 students do not receive grades because, according to DOE representatives, at least 30 students are required to obtain a valid sample size for school grading purposes. During the 2006-2007 school year, 46 charter schools had less than 30 students.</p> <p>The DOE is statutorily required to annually provide an analysis and comparison of the overall performance of charter school students to traditional public school students. The comparison is based on the student performance of charter school students as measured by the statewide assessment program and information reported in each school's annual progress report.</p>
<p><b>2. How are charter schools fiscally accountable?</b></p>	<p>Charter schools are included under the laws governing financial emergencies and reporting and are subject to review and oversight by the charter school sponsor.</p> <p>A charter school must notify the sponsor and the Legislative Auditing Committee when it is found to be in a state of financial emergency. A financial emergency is determined when any one of the following conditions occur due to lack of funds:</p> <ul style="list-style-type: none"> <li>• Failure to pay short-term loans or make bond debt service or other long-term debt payments when due;</li> <li>• Failure to pay uncontested claims from creditors within 90 days after the claim is presented;</li> <li>• Failure to transfer at the appropriate time taxes withheld from employees, or employer or employee contributions for federal social security, pension, retirement or benefit plan;</li> <li>• Failure for one pay period to pay wages, salaries, or retirement benefits; or</li> <li>• Unreserved or total fund balance or retained earning deficit, or unrestricted or total net assets for which sufficient resources are not available to cover the deficit.</li> </ul> <p>Financial audits that reveal a state of financial emergency and are conducted by a certified public accountant or auditor must be provided to the governing board of the charter school within seven working days. The school then must file a detailed financial recovery plan with the sponsor within 30 days after the receipt of the audit.</p>

<p><b>3. How are charter schools academically accountable?</b></p>	<p>Academic performance goals and measures are established in the charter. Annual performance is reported to the authorizer. Not meeting goals can be cause for non-renewal and/or termination.</p> <p>The director and a representative of any charter school that receives a school grade of D must appear before the sponsor at least once a year to address any noted deficiencies. At this meeting and in writing, the sponsor must communicate the services that will be provided to help the school address these deficiencies.</p> <p>A charter school that receives a school grade of D for two consecutive years or a grade of F must submit a school improvement plan to raise student achievement to its sponsor for approval. This plan will be implemented in the following school year.</p> <p>A charter school that fails to improve its student performance from the year immediately prior to implementing its school improvement plan will be put on probation by the sponsor. The school's governing board will be required to take one of the following corrective actions:</p> <ul style="list-style-type: none"> <li>• Contract for the school's educational services;</li> <li>• Reorganize at the end of the school year under a new director or principal who will have the authority to hire new staff and implement a plan to address the inadequate progress; or</li> <li>• Reconstitute the school (terminate the existing charter contract and develop a new charter contract for the same school).</li> </ul> <p>Any charter school placed on probation will continue these corrective actions until it improves its student performance from the year prior to implementing its school improvement plan.</p> <p>Any graded charter school that has submitted a school improvement plan or has been put on probation must appear before its sponsor at least once a year to inform the sponsor of the corrective strategies being implemented to improve student performance in accordance with its improvement plan. At this meeting and in writing, the sponsor must communicate the services that will be provided to help the school address any deficiencies.</p> <p>The sponsor may terminate the charter school at any time pursuant to s. 1002.33(8), F.S., which specifies causes for</p>
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	non-renewal or termination of charter.
<p><b>4. What are the responsibilities of the governing board?</b></p>	<p>The governing board of a charter school exercises continuing oversight over charter school operations. The governing board's responsibilities include:</p> <ul style="list-style-type: none"> <li>• Overseeing financial and programmatic operations.</li> <li>• Adopting and maintaining an annual operating budget for the school.</li> <li>• Ensuring that the charter school has retained the services of a certified public accountant or auditor for the annual financial audit.</li> <li>• Reviewing and approving the audit report, including audit findings and recommendations for the financial recovery plan.</li> <li>• Monitoring compliance of the financial recovery plan.</li> <li>• Preparing and submitting its annual progress report to the sponsor.</li> </ul>
<p><b>5. What were the findings of the annual accountability report?</b></p>	<p>Of charter schools receiving a grade in 2006-2007 as part of Florida's A+ Plan, 81% received a grade of C or higher. In 2006-2007, 45% of Florida's charter schools met all the criteria for Adequate Yearly Progress, as compared with 34% of traditional public schools.</p> <p><i>Student Achievement in Florida's Charter Schools</i>, a report released by the DOE in June 2005, found that students entering charter schools often have lower math and reading developmental scale scores on the FCAT than their traditional public school counterparts. As a result, the average scores for Florida's charter school students often initially lag behind the average scores of traditional public school students. The achievement gap soon narrows, however, and student learning gains in charter schools match the learning gains of students in traditional public schools.</p>
<p><b>6. How are the constitutionally mandated class size reduction requirements being implemented in charter schools?</b></p>	<p>Annually, charter schools, in conjunction with their sponsors, are required to:</p> <ul style="list-style-type: none"> <li>• Develop individualized class size reduction plans for the use of class size reduction funds.</li> <li>• Measure progress toward meeting school-level compliance.</li> </ul> <p>All charter schools receive class size reduction funds, which is an operating categorical fund. Charter schools that are not in compliance with the constitutional maximums (<b>Refer to Class Size Fact Sheet</b>) may use the funds to help achieve the class size requirements. For those charter schools that achieve, and then maintain, the maximum allowable class sizes prior to the 2010 deadline, the funds may be used for operating expenses, with priority to be given to increasing teacher salaries.</p>



	<p>During 2006-2008, compliance with the class size reduction requirements for all public schools, including charter schools, must be measured at the school level. In 2008-2009, compliance must be measured at the classroom level. All Florida public schools, including charter schools, are required to be in full compliance with the constitutional provisions beginning in 2010-2011.</p>
<p><b>7. What are the applicable statutes and rules?</b></p>	<p>Section 1002.32 (2) and (9), F.S. – Developmental Research (Laboratory) Schools.                  Section 1002.33, F.S. – Charter schools.                  Section 218.503, F.S. – Financial Emergencies.</p> <p>Rule 6A-1.09981, F.A.C. – Implementation of Florida’s System of School Improvement and Accountability.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 24, Senate Bill 2800, Chapter 2007-72, L.O.F.</p>

<p><b>8. Where can I get additional information?</b></p>	<p>Florida Department of Education (DOE)  Office of Independent Education and Parental Choice  (850) 245-0502  Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org/charter.html">www.floridaschoolchoice.org/charter.html</a></p> <p>DOE Documents:</p> <ul style="list-style-type: none"> <li>• <i>Florida's Charter Schools: A Decade of Progress</i>, November 2006.</li> <li>• Charter School Technical Assistance Papers:  <a href="http://www.floridaschoolchoice.org/Information/Charter_Schools/technical_assistance.asp">http://www.floridaschoolchoice.org/Information/Charter_Schools/technical_assistance.asp</a></li> <li>• <i>Student Achievement in Florida's Charter Schools</i>, June 2005.</li> </ul> <p>Office of Program Policy Analysis and Government Accountability (OPPAGA)  <a href="http://www.oppaga.state.fl.us">www.oppaga.state.fl.us</a></p> <p>Reports:</p> <ul style="list-style-type: none"> <li>• <i>Charter School Performance Comparable to Other Public Schools; Stronger Accountability Needed</i>, Report No. 05-21; April 2005.</li> <li>• <i>Charter School Review Technical Report</i>, Report No. 05-22, April 2005.</li> <li>• <i>Charter School Application Requirements Are Reasonable; Financial Management Problematic</i>, Report No. 05-11; March 2005.</li> </ul> <p>Charter School Audits by the Florida Auditor General:  <a href="http://www.state.fl.us/audgen/pages/subjects/charterschool.htm">http://www.state.fl.us/audgen/pages/subjects/charterschool.htm</a></p> <p>Florida House of Representatives  Schools &amp; Learning Council  (850) 488-7451</p>
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## Schools & Learning Council Charter School Funding

## Fact Sheet

January 2008

<p><b>1. How are charter school operations funded?</b></p>	<p>Charter schools receive operating funds from the Florida Education Finance Program (FEFP) based on the number of full-time equivalent (FTE) students enrolled. Charter school funding includes gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levies; divided by the total funded weighted FTE students in the school district; and multiplied by the weighted FTE students in the charter school. In addition, charter schools receive their proportionate share of categorical program funds for eligible students and programs and their proportionate share of class size reduction operating funds.</p> <p>Charter schools may also receive federal funding. Funding is available through the federal Public Charter School Grant Program to newly-approved charter schools during the first three years of operation and through the federal Charter School Dissemination Grant Program to charter schools that have successfully been in operation for at least three consecutive years.</p>
<p><b>2. What services does the sponsor provide for the charter school?</b></p>	<p>The sponsor of a charter school must provide certain administrative and educational services to the school:</p> <ul style="list-style-type: none"><li>• Contract management services.</li><li>• FTE and data reporting services.</li><li>• Exceptional student education administration services.</li><li>• Test administration services, including payment of costs of state-required or district-required student assessments.</li><li>• Processing of teacher certificate data services.</li><li>• Information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located.</li></ul> <p>If the sponsor of a charter school is a school district, the district may charge the charter school, including a conversion charter school, an administrative fee of up to five percent of the available per-student FEFP funds. The fee is to cover district costs for the administrative services listed above.</p> <p>If the sponsor of a charter school is the Florida Schools of Excellence Commission (Commission) or a cosponsor approved by the Commission, the Commission or cosponsor may charge the actual cost of the administrative</p>

	<p>overhead, but this charge may not exceed five percent of the funding available to the charter school.</p> <p>When calculating the five percent fee, no more than 500 students may be included. A charter school with an enrollment over 500 is to calculate the five percent amount for those students exceeding 500, but is to retain that amount for capital outlay expenditures only. Conversion charter schools must use these funds for renovation, repair, and maintenance of facilities owned by the sponsor.</p>
<p><b>3. How do charter schools provide transportation?</b></p>	<p>Charter schools are entitled to their proportionate share of transportation funds for eligible students. The charter school and the school district are required to cooperate in making arrangements so that transportation is not a barrier to equal access for all students residing within a reasonable distance of the charter school. Transportation of charter school students must be consistent with the district school board requirements for transportation of all public K-12 students. The charter school may provide transportation through an agreement or contract with the school district, a private provider, or parents.</p>
<p><b>4. What is the eligibility criteria and distribution pattern for the appropriated funds for charter school capital outlay?</b></p>	<p><b>Eligibility.</b> In each year that funds are appropriated for charter school capital outlay purposes, the Commissioner of Education allocates the funds among eligible charter schools. To be eligible for a capital outlay funding allocation, a charter school must:</p> <ul style="list-style-type: none"> <li>• Have been in operation for three or more years; be an expanded feeder chain of a charter school within the same school district that is currently receiving charter school capital outlay funds; or have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools.</li> <li>• Have financial stability for future operation as a charter school, i.e., a school that is not in a state of financial emergency or is in a state of financial emergency, but which has a financial recovery plan as defined in s. 218.503, F.S.</li> <li>• Have satisfactory student achievement based on state accountability standards applicable to the charter school.</li> <li>• Have received final approval from its sponsor pursuant to s. 1002.33, F.S., for operation during that fiscal year.</li> <li>• Serve students in facilities that are not provided by the charter school's sponsor.</li> </ul> <p><b>Distribution of Funding.</b> The first priority for charter school capital outlay funding is to allocate to the schools that received funding in the 2005-2006 fiscal year the same amount per capital outlay FTE student up to the lesser of the actual number of capital outlay FTE students in the</p>

	<p>current year or the capital outlay FTE students in the 2005-2006 fiscal year.</p> <p>After calculating the first priority, the second priority is to allocate excess funds remaining in the appropriation in an amount equal to the per capital outlay FTE student amount in the first priority calculation to eligible schools not included in the first priority calculation and to schools in the first priority calculation with growth in excess of the 2005-2006 capital outlay FTE students.</p> <p>After the first and second priority calculations, any excess funds remaining in the appropriation are allocated to all eligible charter schools. A charter school's allocation may not exceed one-fifteenth of the cost per student station.</p> <p><b>2007-2008 Funding.</b> For the 2007-2008 school year, the Legislature appropriated \$54,039,458 for charter school capital outlay funding.</p>
<p><b>5. For purposes of capital outlay, when is a charter school part of an expanded feeder chain?</b></p>	<p>A charter school is part of an expanded feeder chain if it is paired with a school located in the same school district that is eligible for capital outlay funds, provided that the charters of both schools contain a provision either to send (feed) or receive (be fed) a majority of the transfer-eligible students to and from the school with which it is paired. The grade level connection must be direct. For example, a grade K-4 school and a grade 9-12 school cannot be considered a feeder pattern since there is a missing intermediate step.</p>
<p><b>6. What are the permissible uses of capital outlay funds by charter schools?</b></p>	<p>The permissible uses of capital outlay funds by charter schools are:</p> <ul style="list-style-type: none"> <li>• Purchase of real property.</li> <li>• Construction of school facilities.</li> <li>• Purchase, lease-purchase, or lease of permanent or relocatable school facilities.</li> <li>• Purchase of vehicles to transport students to and from the charter school.</li> <li>• Renovation, repair, and maintenance of school facilities that the charter school owns or is purchasing through a lease-purchase or long-term lease of five years or longer.</li> </ul>
<p><b>7. May a school district give charter schools a portion of the revenue raised under the "Two Mill" tax levy?</b></p>	<p>Yes. At the discretion of the school board, school districts are authorized to include charter schools in the expenditure of two mill funds.</p>
<p><b>8. What happens to charter school funds and property when the school is closed?</b></p>	<p>When a charter is not renewed or is terminated, unencumbered public funds from the charter school revert to the district school board, except that capital outlay and federal charter school grant funds revert to the Department of Education for redistribution among eligible charter schools. Additionally, all district school board property and</p>

	<p>improvements, furnishings, and equipment purchased with public funds automatically revert to the district school board subject to satisfaction of any liens or encumbrances.</p>
<p><b>9. What are the applicable statutes and rules?</b></p>	<p>Section 1002.32(2) and (9), F.S. – Developmental Research (Laboratory) Schools.                  Section 1002.33, F.S. – Charter schools.                  Section 1011.71(2), F.S. – District school tax.                  Section 1013.62, F.S. – Charter schools capital outlay funding.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 24, Senate Bill 2800, Chapter 2007-72, L.O.F.</p> <p>Rule 6A-6.0781, F.A.C. -- Procedures for appealing a district school board decision denying application for charter school.</p>
<p><b>10. Where can I get additional information?</b></p>	<p>Florida Department of Education (DOE)                  Independent Education and Parental Choice                  (850) 245-0502                  Toll-Free Information Hotline (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>DOE Documents:</p> <ul style="list-style-type: none"> <li>• <i>Florida’s Charter Schools: A Decade of Progress</i>, November 2006.</li> <li>• <i>Funding and Financial Management of Florida’s Public Charter Schools</i>, Technical Assistance Paper, November 2005.</li> <li>• <i>Implementation of the Class Size Amendment in Charter Schools</i>, Technical Assistance Paper, November 2005.</li> </ul> <p>Office of Program Policy Analysis and Government Accountability (OPPAGA)  <a href="http://www.oppaga.state.fl.us">www.oppaga.state.fl.us</a></p> <ul style="list-style-type: none"> <li>• <i>Charter School Application Requirements Are Reasonable; Financial Management Problematic</i>, Report No. 05-11, March 2005.</li> </ul> <p>Charter School Audits by the Florida Auditor General:  <a href="http://www.state.fl.us/audgen/pages/subjects/charterschool.htm">http://www.state.fl.us/audgen/pages/subjects/charterschool.htm</a></p> <p>Florida House of Representatives                  Schools &amp; Learning Council                  (850) 488-7451</p>



**Schools & Learning Council**  
**Charter Schools -- Florida Schools of Excellence Commission**

**Fact Sheet**

January 2008

<b>1. What is the Florida Schools of Excellence Commission?</b>	The Florida Schools of Excellence Commission (Commission) is an independent, state-level charter school authorizing entity that is established to work with the Department of Education under the supervision of the State Board of Education (SBE). The commission is funded through state appropriations, private contributions, and federal and institutional grants. It is composed of seven members appointed by the SBE based upon recommendations by the Governor, President of the Senate, and Speaker of the House. The members serve two-year terms and must appoint an executive director to perform the administrative duties of the commission.
<b>2. What authority does the Commission have?</b>	<p>The Commission has the authority to sponsor charter schools and to authorize cosponsors of charter schools, such as municipalities, state universities, community colleges, and educational consortia, in districts that have not been granted exclusive jurisdiction for the sponsorship of charter schools in their county.</p> <p>As of November 2007, the Commission has not yet begun full operations and has not yet approved any charter schools or cosponsors of charter schools.</p>
<b>3. What responsibilities does the Commission have?</b>	<p>The Commission is responsible for:</p> <ul style="list-style-type: none"><li>• Reviewing charter school and cosponsor applications.</li><li>• Monitoring and reviewing the performance of cosponsors.</li><li>• Reviewing and evaluating the performance of its charter schools.</li><li>• Conducting facility and curriculum reviews of approved charter schools.</li><li>• Assisting its charter schools in negotiating and contracting for certain services.</li><li>• Working with cosponsors in monitoring fiscal soundness of its charter schools.</li><li>• Providing training for members of its charter schools' governing boards.</li><li>• Annually reporting to the SBE.</li></ul>

<p><b>4. How do school districts become exclusive sponsors of charter schools within their county?</b></p>	<p>A school district may apply to be the exclusive sponsor of charter schools within its county by submitting a written resolution and description addressing factors related to its oversight of charter schools to the SBE. The resolution is reviewed by the SBE and a grant of exclusive authority may be challenged within 30 days. The resolution and any challenge is reviewed by the SBE with input from charter schools within the district regarding whether the school district has provided fair and equitable treatment of its charter schools over the previous four years.</p> <p>As of October 2007, the SBE has considered the applications of 39 school districts to be exclusive charter school sponsors for Fiscal Year 2007-2008. The SBE granted three applications and denied the remaining 36 applications.</p>
<p><b>5. What criteria does the State Board of Education review in determining whether to grant a school district exclusive authority to sponsor charter schools?</b></p>	<p>The SBE reviews the following:</p> <ul style="list-style-type: none"> <li>• Compliance with charter school laws.</li> <li>• Proper accounting and appropriate charges for administrative overhead costs.</li> <li>• Compliance with requirements allowing charter schools to purchase certain services from the school district.</li> <li>• Absence of any moratorium on approval of charter schools or limit on charter school enrollment.</li> <li>• Compliance with valid orders of the SBE.</li> <li>• Provision of assistance to charter schools to meet their facility needs by including them in local bond issues or otherwise providing available land and facilities.</li> <li>• Proper distribution of state and federal grant money to charter schools.</li> <li>• Provision of adequate choice programs to provide transfer options to students under the “No Child Left Behind Act of 2001.”</li> </ul>
<p><b>6. What criteria does the Commission use in determining whether to approve a cosponsor application?</b></p>	<p>The Commission reviews applications to determine if the applicant:</p> <ul style="list-style-type: none"> <li>• Has the staff and infrastructure in place to perform its administrative responsibilities in support of sponsored charter schools.</li> <li>• Has the expertise to ensure the approval and development of high quality charter schools.</li> <li>• Is able to provide the financial support necessary to monitor and support charter schools.</li> <li>• Is committed to a diverse student population, compliance with federal laws and providing opportunities to underserved student populations.</li> <li>• Has articulated academic and financial goals for charter schools and proposed methods by which it will measure and achieve those goals.</li> <li>• Has policies to protect its cosponsoring practices from</li> </ul>



	<p>conflicts of interest.</p> <p>The Commission must limit the number of charter schools a cosponsor may authorize if the cosponsor is approved.</p>
<p><b>7. What governs the cosponsor’s rights and obligations as a cosponsor of charter schools?</b></p>	<p>Approved cosponsors are governed by applicable state and federal laws, rules and regulations, and by a cosponsor agreement negotiated with the Commission pursuant to statute.</p> <p>The cosponsor agreement must include:</p> <ul style="list-style-type: none"> <li>• An explanation of the personnel, contractual and interagency relationships, and potential revenues required to meet its cosponsoring obligations.</li> <li>• Equal access requirements, including providing access through food service and transportation.</li> <li>• A requirement to serve low-income, low-performing, gifted or underserved student populations.</li> <li>• An explanation of academic and financial goals and methods of measurement toward achievement of those goals.</li> <li>• A conflict of interest policy.</li> <li>• An explanation of the disposition of facilities and assets upon termination of a charter school.</li> <li>• A requirement that the cosponsor annually appear before the commission to report on progress of its schools.</li> <li>• A requirement that the cosponsor report student enrollment to the school district.</li> <li>• A requirement that the cosponsor cooperate with the Commission in providing its report to the State Board.</li> <li>• Any other reasonable terms deemed appropriate by the Commission given the unique characteristics of the cosponsor.</li> </ul> <p>The cosponsor agreement must be negotiated and signed within specified timeframes and must be executed prior to the approval of any charter schools.</p>
<p><b>8. Can the Commission revoke its approval of a cosponsor?</b></p>	<p>Yes, if at any time the Commission finds that a cosponsor is not in compliance with its contract with a charter school or its cosponsor agreement, the commission must provide notice and a hearing before making a finding to revoke its approval. The Commission would assume temporary control of any of the cosponsor’s charter schools until a permanent sponsor is identified.</p>
<p><b>9. What are the procedures for charter school applications and review by the Commission and/or one of its cosponsors?</b></p>	<p>The requirements are the same as they are for other charter schools that apply and are reviewed by a school district under section 1002.33(6), F.S. (<b>Refer to Charter Schools-Overview Fact Sheet.</b>)</p>

**Charter Schools – Florida Schools of Excellence Commission**

<p><b>10. What provisions of the charter school statute, s. 1002.33, F.S., are incorporated in s. 1002.335, F.S., which governs the Florida Schools of Excellence Commission?</b></p>	<p>Sections 1002.33 (7)-(12), (14), and (16)-(20), F.S.</p> <p>This includes the following:</p> <ul style="list-style-type: none"> <li>• Charter contract provision requirements.</li> <li>• Revocation and non-renewal of charters.</li> <li>• Charter school requirements.</li> <li>• Charter school student eligibility and admission requirements.</li> <li>• Eligibility to participate in extracurricular activities at the local public school.</li> <li>• Charter school employees.</li> <li>• Charter school debts and liability.</li> <li>• Exemption from certain education-related statutes.</li> <li>• Charter school funding formula.</li> <li>• Charter school facilities.</li> <li>• Charter school capital outlay.</li> <li>• Sponsoring duties and responsibilities.</li> </ul>
<p><b>11. Can existing charter schools apply to be sponsored by the Commission or a cosponsor?</b></p>	<p>Yes, but only if the school district is not granted exclusive authority to sponsor charter schools in that county and the charter school’s contract with the district is expiring. If there is an existing contract the school district would first have to agree to allow the charter school to be released from the remainder of the contract.</p> <p>A conversion charter school must always get the consent of the school district to apply and the school district will have to come to an agreement with the school as to the use of facilities and equipment.</p>
<p><b>12. How does the establishment of the Commission affect charter school appeals?</b></p>	<p>For charter school applications in school districts that have not been granted exclusive authority to sponsor charter schools, the right to appeal is contingent on having submitted an application to both the district and the Commission or one of its cosponsors.</p>
<p><b>13. What are the applicable statutes and rules?</b></p>	<p>Section 1002.33, F.S. – Charter schools.  Section 1002.335, F.S. – Florida Schools of Excellence Commission.  Section 1013.62, F.S. – Charter schools capital outlay funding.</p> <p>Rule 6A-6.0781, F.A.C. – Procedures for appealing a district board decision denying application for charter school.  Rule 6A-6.0783, F.A.C. – District School Board Exclusive Authority to Sponsor Charter Schools.</p>

<b>14. Where can I get additional information?</b>	Florida Department of Education Office of Independent Education and Parental Choice (850) 245-0502 Toll-Free Information Hotline: (800) 447-1636 <a href="http://www.floridaschoolchoice.org/charter.html">www.floridaschoolchoice.org/charter.html</a>  Florida House of Representatives Schools & Learning Council (850) 488-7451
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**Schools & Learning Council**  
**K-8 Virtual School Program**

**Fact Sheet**

January 2008

<p><b>1. What is the K-8 Virtual School Program?</b></p>	<p>In 2003, the Legislature authorized the Department of Education (DOE) to create a minimum of two pilot K-8 virtual schools. The schools were established as independent public schools that use online and distance learning technology to deliver instruction to full-time students in kindergarten and grades one through eight.</p> <p>Two companies were initially selected by the DOE to operate virtual schools. Connections Academy, Inc. opened Florida Connections Academy and K12, Inc. opened Florida Virtual Academy. Both schools began delivering on-line instruction to Florida students in September 2003.</p> <p>In 2006, the Legislature removed the program’s pilot status and statutorily codified the K-8 Virtual School Program as an optional educational choice program within the DOE. The statute requires schools to apply for DOE approval in order to operate a K-8 Virtual School. The Florida Connections Academy and the Florida Virtual Academy have been approved by the DOE to deliver program instruction for the 2007-2008 school year.</p> <p>Both virtual schools employ Florida certified teachers to work with parents or other designated learning coaches to deliver instruction to students. The schools utilize on-line curriculum, lessons, progress tests, and record keeping as well as books and other more traditional learning materials. Students participate in field trips and other group activities so they have contact with other virtual school students. The schools provide computers and a stipend sufficient to cover the cost of Internet access for their students who complete five to 40% of their work on-line depending on the grade level.</p> <p>Both schools require a minimum of one parent-teacher telephone conference every two weeks. Teachers are available at other times via e-mail, telephone, or other technology tools provided by the schools. The teachers oversee students’ progress through checking samples of their work.</p>
<p><b>2. What criteria are required for a K-8 virtual school to participate in the</b></p>	<p>To be eligible to participate in the program, a K-8 virtual school must:</p> <ul style="list-style-type: none"> <li>• Be nonsectarian in its programs, admission policies, employment practices, and operations;</li> </ul>

<p><b>program?</b></p>	<ul style="list-style-type: none"> <li>• Comply with the antidiscrimination provisions of s. 1000.05, F.S.;</li> <li>• Participate in the state’s school accountability system pursuant to s. 1008.31, F.S.;</li> <li>• Locate its administrative offices in the state;</li> <li>• Require all administrative and instructional personnel to be Florida residents; and</li> <li>• Require no tuition or student registration fee.</li> </ul> <p>Schools are required to participate in the statewide assessments and are subject to the school grading system provisions in s.1008.34, F.S.</p>																								
<p><b>3. What are the eligibility criteria for students to enroll in a K-8 virtual school?</b></p>	<p>Enrollment in the K-8 Virtual School is open to any K-8 student who:</p> <ul style="list-style-type: none"> <li>• Spent the prior school year in attendance at a Florida public school;</li> <li>• Was enrolled during the prior school year in a K-8 virtual school funded pursuant to law or from funds provided in the 2005 General Appropriations Act;</li> <li>• Is eligible to enroll in kindergarten or the first grade; or</li> <li>• Has a sibling currently enrolled in a participating K-8 virtual school who was enrolled at the end of the prior school year.</li> </ul> <p>A student enrolled in a K-8 virtual school must comply with Florida’s school attendance requirements and must take the state assessment test within his or her school district of residence.</p>																								
<p><b>4. What are the advantages of enrollment in the K-8 virtual schools?</b></p>	<p>Participating schools must provide each student with all necessary instructional materials and equipment, including a computer, monitor, and access to or reimbursement for all Internet services needed so that instruction may take place in a site other than a classroom. The program enables strong parental involvement with his or her child’s public education.</p>																								
<p><b>5. How is the program funded?</b></p>	<p>The K-8 Virtual School Program is funded by specific appropriation in the General Appropriations Act. Proviso sets forth the amount authorized per full-time equivalent student. Funding and student capacity for the program since the 2003-2004 school year is as follows:</p> <table border="1" data-bbox="727 1577 1369 1856"> <thead> <tr> <th>School Year</th> <th>Total Funding Amount</th> <th>Per Student Amount</th> <th>Student Capacity</th> </tr> </thead> <tbody> <tr> <td>03-04</td> <td>\$4,800,000</td> <td>\$4,800</td> <td>1,000</td> </tr> <tr> <td>04-05</td> <td>\$3,840,000</td> <td>\$4,800</td> <td>800</td> </tr> <tr> <td>05-06</td> <td>\$4,800,000</td> <td>\$4,800</td> <td>1,000</td> </tr> <tr> <td>06-07</td> <td>\$7,200,000</td> <td>\$5,200</td> <td>1,384</td> </tr> <tr> <td>07-08</td> <td>\$9,500,000</td> <td>\$5,050</td> <td>1,881</td> </tr> </tbody> </table>	School Year	Total Funding Amount	Per Student Amount	Student Capacity	03-04	\$4,800,000	\$4,800	1,000	04-05	\$3,840,000	\$4,800	800	05-06	\$4,800,000	\$4,800	1,000	06-07	\$7,200,000	\$5,200	1,384	07-08	\$9,500,000	\$5,050	1,881
School Year	Total Funding Amount	Per Student Amount	Student Capacity																						
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06-07	\$7,200,000	\$5,200	1,384																						
07-08	\$9,500,000	\$5,050	1,881																						

<p><b>6. What are the applicable laws and statutes?</b></p>	<p>2003-2004 General Appropriations Act, Specific Appropriation 4D, Senate Bill 2-A, Enrolled, Chapter 2003-397, L.O.F.</p> <p>2004-2005 General Appropriations Act, Specific Appropriation 10B, House Bill 1835, Enrolled, Chapter 2004-268, L.O.F.</p> <p>2005-2006 General Appropriations Act, Specific Appropriation 88, Senate Bill 2600, Enrolled, Chapter 2005-70, L.O.F.</p> <p>2006-2007 General Appropriations Act, Specific Appropriation 106B, House Bill 5001, Enrolled, Chapter 2006-25, L.O.F.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 99B, Senate Bill 2800, Chapter 2007-72, L.O.F.</p> <p>Section 1002.415, F.S. – K-8 Virtual School Program.          Section 1000.05, F.S. – Discrimination against students and employees in the Florida K-20 public education system prohibited; equality of access required.          Section 1008.31, F.S. -- Florida's K-20 education performance accountability system.          Section 1008.34, F.S. -- School grading system.</p>
<p><b>7. Where can I get additional information?</b></p>	<p>Connections Academy          1001 Fleet Street, 5<sup>th</sup> Floor          Baltimore, MD 21202          1-800-382-6010  <a href="mailto:info@connectionsacademy.com">info@connectionsacademy.com</a></p> <p>K12, Inc.          2300 Corporate Park Drive          Herndon, Virginia 22102          1-888- 968-7512  <a href="http://www.k12.com">www.k12.com</a>  <a href="http://www.flva.org">www.flva.org</a></p> <p>Florida Department of Education          Office of Independent Education and Parental Choice          (850) 245-0502          Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p> <p>Florida House of Representatives          Schools &amp; Learning Council          (850) 488-7451</p>



<p><b>1. What is the Florida Virtual School?</b></p>	<p>The Florida Virtual School (FLVS) is a public online school offering virtual education options for students in grades six through 12, including honors, advanced placement, and General Equivalency Diploma courses. Courses are free to all Florida students and are available to public, private, and home education students. Priority is given to students who need expanded access to courses in order to meet their educational goals, such as home education students, students in inner-city and rural high schools who do not have access to higher-level courses, and students seeking accelerated access to a high school diploma.</p> <p>School districts may not limit student access to courses offered through the FLVS. Districts must provide students with access to enroll in courses available through the FLVS and award credit for successful completion of such courses. Access must be made available to students during or after the normal school day and through summer school enrollment.</p>
<p><b>2. How are the courses and delivery system designed?</b></p>	<p>All FLVS courses are delivered over the Internet. To help assure student success with virtual learning, a variety of web-based, technology-based, and traditional resources are provided. These include phone, fax, stand-alone software, print-based material, websites, and real-world experts.</p> <p>The FLVS has a full high school and middle school curriculum and offers more than 90 courses, which are based on the Sunshine State Standards. FLVS course grades are accepted for credit and are transferable. The FLVS is accredited by the Southern Association of Colleges and Schools.</p> <p>Students may take different routes through their courses depending upon their learning styles and previous knowledge of the subject. The FLVS works in conjunction with districts on a traditional calendar and credit system and students must now specify whether they will work at a traditional, accelerated, or extended pace. A time-certain finish date is required for student schedule planning and for districts to give graduation credits.</p>
<p><b>3. What are the credentials and availability of the teachers?</b></p>	<p>All FLVS teachers possess a valid Florida teaching certificate and are certified specifically in the subject they teach. As of November 2007, 88 of the teachers are certified by the National Board of Professional Teaching Standards.</p>

	<p>Teachers are encouraged to keep the content alive and current and have options such as using current events and new graphical representations on an as-needed basis for their students.</p> <p>Teachers are available by e-mail, pager, and telephone. Calls from students are returned within 24 hours. Teachers do monthly progress reports and are required to make at least one monthly telephone contact with students and parents. Although the administrative and technical functions of the FLVS are primarily housed in Orange County, teachers and many of the support and administrative staff live throughout the state.</p>
<p><b>4. How do students and districts participate?</b></p>	<p>The FLVS is affiliated with all 67 Florida school districts. Adopting policies to encourage students to take courses from the FLVS is one of the options that district school boards must consider implementing in order to meet the constitutional class size maximums. At the beginning of each school year, district school boards must notify parents of high school students of the opportunity and benefits of acceleration mechanisms, including the FLVS.</p> <p>The FLVS Board of Trustees may enter into franchise agreements with Florida district school boards. For the 2007-2008 school year, FLVS franchises are active in seven school districts: Broward, Miami-Dade, Hillsborough, Marion, Okaloosa, Palm Beach, and Polk.</p>
<p><b>5. How did the Florida Virtual School begin?</b></p>	<p>The web-based online high school was initially established in 1997 as a pilot project. In 2000, the Legislature removed the program's pilot status and statutorily codified the high school. It also established a FLVS Board of Trustees to adopt rules, policies, and procedures; enter into agreements with distance learning providers; and acquire, enjoy, use, and dispose of patents, trademarks, copyrights, licenses, rights, and interests.</p> <p>Significant legislative enactments for the FLVS since 2000 include:</p> <ul style="list-style-type: none"> <li>• In 2001, the Legislature administratively housed the FLVS within the Commissioner of Education's Office of Technology and Information Services and adopted a FLVS mission statement.</li> <li>• In 2003, the Legislature authorized franchise agreements; required the Board of Trustees to submit to the State Board of Education both forecasted and actual enrollments and credit completions for the FLVS, including the number of public, private, and home education students served by program and by county of residence; and included the FLVS as a public school choice option for students.</li> </ul>



<p><b>6. What is the history of funding and enrollments for the Florida Virtual School?</b></p>	<p>Historically, Florida supported the FLVS through grants or appropriations: \$200,000 in 1996 through a Department of Education (DOE) Break-the-Mold grant; and specific legislative appropriations until 2003-2004.</p> <p>The following table shows historical funding amounts and enrollments for the FLVS. Enrollment is defined as the number of half-credits that students have taken or are currently taking. The enrollment number is consistently larger than the student count because students may sign up for more than one course. If a student enrolls in three courses, the student count is one while the enrollment count is six. The average number of online classes is 2.2 half-credit enrollments per student.</p> <p>For the 2003-2004 school year, FLVS funding transitioned from a grant basis to the Florida Education Finance Program (FEFP), which is the funding formula that allocates operating funds to public school districts.</p> <p style="text-align: center;">Florida Virtual School Funding and Enrollments</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Year</th> <th>Amount</th> <th>Courses</th> </tr> </thead> <tbody> <tr> <td>1997-1998</td> <td>\$1.3 million</td> <td>225</td> </tr> <tr> <td>1998-1999</td> <td>\$4.36 million</td> <td>1100</td> </tr> <tr> <td>1999-2000</td> <td>\$3.8 million</td> <td>3,900</td> </tr> <tr> <td>2000-2001</td> <td>\$6.17 million</td> <td>8,900</td> </tr> <tr> <td>2001-2002</td> <td>\$6.17 million</td> <td>11,500</td> </tr> <tr> <td>2002-2003</td> <td>\$6.9 million</td> <td>14,000</td> </tr> <tr> <td>2003-2004*</td> <td>\$8.6 million</td> <td>21,171</td> </tr> <tr> <td>2004-2005</td> <td>\$14.5 million</td> <td>33,501</td> </tr> <tr> <td>2005-2006</td> <td>\$23.0 million</td> <td>68,000</td> </tr> <tr> <td>2006-2007</td> <td>\$37.3 million</td> <td>87,000</td> </tr> </tbody> </table> <p>*In 2003-04, FLVS funding transitioned from a grant basis to the FEFP. <b>(Refer to Question 7.)</b></p>	Year	Amount	Courses	1997-1998	\$1.3 million	225	1998-1999	\$4.36 million	1100	1999-2000	\$3.8 million	3,900	2000-2001	\$6.17 million	8,900	2001-2002	\$6.17 million	11,500	2002-2003	\$6.9 million	14,000	2003-2004*	\$8.6 million	21,171	2004-2005	\$14.5 million	33,501	2005-2006	\$23.0 million	68,000	2006-2007	\$37.3 million	87,000
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<p><b>7. How does funding through the FEFP work?</b></p>	<p>The 2003 Legislature transitioned FLVS funding from a grant basis to the FEFP. In the FEFP, funding is based on “credit successfully completed” with six credits equaling one full-time equivalent (FTE) student. No funding is earned if the student does not successfully complete the course. A student who completes less than six credits is a fraction of a FTE student. Half credit completions are included in determining a FTE student. Credit completed by a student in excess of the minimum required for that student for high school graduation is not eligible for funding. Historical funding amounts for the FLVS in the FEFP are below:</p>																																	

	Year	Number of Unweighted FTE	Amt/FTE	Total Funds (includes Categorical Funds)
	2003-2004	1,764.23	\$4,859.02	\$8,572,428
	2004-2005	2,791.72	\$5,191.43	\$14,493,007
	2005-2006	4,360.84	\$5,269.71	\$22,980,352
	2006-2007	5,966.60	\$6,262.57	\$37,279,341
	2007-2008	8,333.33	\$6,594.73	\$54,956,033*
	* The 2007-2008 data reflects the amount appropriated after the enactment of budget reductions during Special Session 2007C.			
	<p>The FLVS receives categorical funding for instructional materials and class size reduction. The FLVS does not receive funding for the remaining two categoricals, which are Florida Teacher Lead and Transportation. The 2006 Legislature revised the FEFP to increase FLVS FTE by a factor of .114 to provide funding for costs associated with students who enroll in, but do not complete, a course.</p> <p>In addition to FEFP funding, the 2004 Legislature provided \$800,000 to FLVS to support activities associated with development and implementation of a grade six through eight curriculum and \$1,373 in District Cost Differential (DCD) Transition Supplement funds. The 2005, 2006, and 2007 Legislatures each provided \$2,948 in DCD Transition Supplement funds.</p>			
<p><b>8. How does the governance structure of the FLVS work?</b></p>	<p>The FLVS Board of Trustees has the responsibility for sustaining a self-sufficient delivery system through the FEFP. They must aggressively seek avenues to generate revenue to support FLVS's future endeavors. The FLVS may accrue supplemental revenue from supplemental support organizations, including alumni associations, foundations, parent-teacher associations, and booster associations. Additionally, the FLVS may receive other funds from grants and donations.</p> <p>School districts operating a virtual school that is certified by the Commissioner of Education as an approved franchise of the FLVS may count FTE students for funding purposes in the FEFP. The FLVS Board of Trustees establishes the criteria defining the elements of an approved franchise, the terms and conditions governing franchise agreements, and the performance and accountability measures for a school district franchise. The Board of Trustees also reports the performance of each school district franchise to the Commissioner of Education.</p> <p>Although the ownership of patents, trademarks, and copyrights remains with the state, the Board of Trustees has the full right of use and the right to retain any revenues</p>			

	<p>derived from their use to support the school’s research and development in order to improve courses and services for students.</p>
<p><b>9. What are the applicable statutes, rules, and appropriations?</b></p>	<p>Section 1000.04(4), F.S. – Components for the Delivery of Public Education Within the K-20 Public Education System.                  Section 1001.42(15)(a) and (21), F.S. – Powers and Duties of the District School Board.                  Section 1002.20(6), F.S. – K-12 Student and Parent Rights.                  Section 1002.37, F.S. – The Florida Virtual School.                  Section 1003.02(1)(i), F.S. – Parental Notification of Acceleration Mechanisms.                  Section 1003.03(3)(b), F.S. – Maximum Class Size Implementation Options.                  Section 1007.27(1) – Articulated Acceleration Mechanisms.                  Section 1011.62, F.S. – Funds for Operation of Schools.</p> <p>Rule 6A-1.099, F.A.C. -- Cooperative Projects and Activities.</p> <p>2003-2004 General Appropriations Act, Specific Appropriation 65, Senate Bill 2-A, Enrolled, Chapter 2003-397, L.O.F.</p> <p>2004-2005 General Appropriations Act, Specific Appropriation 10B and 87A, House Bill 1835, Enrolled, Chapter 2004-268, L.O.F.</p> <p>2005-2006 General Appropriations Act, Specific Appropriation 73, Senate Bill 2600, Enrolled, Chapter 2005-70, L.O.F.</p> <p>2006-2007 General Appropriations Act, Specific Appropriation 91, House Bill 5001, Enrolled, Chapter 2006-25, L.O.F.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 86, Senate Bill 2800, Chapter 2007-72, L.O.F.; 2007-2008 Special Appropriations Act, Specific Appropriation 34 and 34A, Senate Bill 2C, Chapter 2006-326, L.O.F.</p>
<p><b>10. Where can I get additional information?</b></p>	<p>The Florida Virtual School                  445 West Amelia Street                  Orlando, FL 32801                  (407) 317-3326  <a href="http://www.flvs.net">http://www.flvs.net</a></p> <p>Florida Department of Education                  Office of Independent Education and Parental Choice                  (850) 245-0502                  Toll-Free Information Hotline: (800) 447-1636  <a href="http://www.floridaschoolchoice.org">www.floridaschoolchoice.org</a></p>

	Florida House of Representatives Schools & Learning Council (850) 488-7451
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