

**REVISED POLICY**

1

CHARTER SCHOOLS

2 F.S. 1002.33 gives the School Board oversight responsibility for all charter schools  
3 situated within Collier County. The School Board is authorized to approve or deny  
4 initial charter proposals. Approval of an application does not authorize the  
5 operation of the charter school. Approval of the application authorizes the parties to  
6 negotiate a contract (charter) to operate the school. ~~The charter must be issued  
7 within six (6) months after which time the application will be deemed denied for  
8 purposes of filing an appeal. The School Board shall by a majority vote approve or  
9 deny an application no later than 60 calendar days after the application is received,  
10 unless the District and the applicant mutually agree in writing to temporarily  
11 postpone the vote to a specific date, at which time the School Board shall by a  
12 majority vote approve or deny the application.~~

13 The Board enters into a performance contract with the charter operators and the  
14 focus is on three (3) areas of charter school operation: academic accountability,  
15 fiscal management, and governance. The District, as sponsor, shall perform the  
16 duties provided in F.S. ~~1002.345~~ 1003.33(5).

17 The Board has the right to terminate any performance contract if the charter school:

- 18           A. fails to meet the requirement for student performance as specified in  
19           the charter/contract;
- 20           B. fails to meet generally accepted standards of fiscal management;
- 21           C. violates the law, including Sunshine Law;
- 22           D. or for other good cause shown.

23 **~~Application Procedure~~**

24 ~~Completed applications for charter schools are due by August 1st of the year prior to  
25 the proposed opening of the charter school. All applications shall be delivered to the  
26 Office of the Superintendent by 4:00 p.m. of the deadline date. Applications received  
27 after that date will not be accepted for that year. Charter school applicants must  
28 participate in training provided by the Florida Department of Education (FLDOE)  
29 before filing an application, unless they have participated in qualified training  
30 provided by the District.~~

31 ~~The District shall review all applications using an evaluation instrument developed  
32 by the Florida Department of Education (FLDOE).~~

1 ~~Application Contents~~

2 ~~A. State Application Form~~

3  
4 ~~Applications must be submitted using the form developed and~~  
5 ~~distributed by the Florida Department of Education. No application~~  
6 ~~will be accepted until the application is complete and all appropriate~~  
7 ~~signatures are obtained. Any application will comply with all~~  
8 ~~relevant Florida statutes and administrative code sections. If an~~  
9 ~~application is approved, a charter contract, including at a minimum,~~  
10 ~~all statutorily required terms, shall be negotiated between the~~  
11 ~~governing body of the charter school and the sponsor. The approved~~  
12 ~~application does not constitute the charter. The charter contract~~  
13 ~~shall be finalized by the Board at a public meeting subject to Board~~  
14 ~~approval.~~

15 ~~B. Certifications~~

16 ~~Applications must include the following certifications:~~

- 17
- 18 ~~1. Certification that the charter school shall be nonsectarian in~~  
19 ~~its programs, admission policies, employment practices, and~~  
20 ~~operations.~~
  - 21 ~~2. Certification that no tuition charges or fees other than those~~  
22 ~~which may be authorized for all other public schools shall be~~  
23 ~~charged.~~
  - 24 ~~3. Certification that the charter schools shall meet all State and~~  
25 ~~local health, safety, and civil rights requirements.~~
  - 26 ~~4. Certification that a monthly financial statement will be~~  
27 ~~provided to the District in a form prescribed by the FLDOE.~~
  - 28 ~~5. Certification that an annual financial audit shall be~~  
29 ~~conducted by the charter school.~~
  - 30 ~~6. Certification that the students will participate in all required~~  
31 ~~Statewide assessment programs.~~

1 ~~7. An applicant for a conversion charter must provide the Board~~  
2 ~~with a statement as to the balloting process proposed for use~~  
3 ~~to determine the required teacher and parent support and~~  
4 ~~submit underlying data to validate the outcome. The Board~~  
5 ~~shall have the right to require any balloting process to be~~  
6 ~~conducted under its supervision, including the scheduling of~~  
7 ~~balloting on an annual basis.~~

8 ~~C. Draft Charter~~  
9

10 ~~The application must include a draft of the proposed charter~~  
11 ~~including the following information in the order requested.~~

12 ~~1. The charter school's mission statement.~~

13 ~~2. The specification of the students to be served by ages and~~  
14 ~~grade levels.~~

15 ~~3. Definition of the curriculum focus of the school.~~

16 ~~4. A description of the teaching methods to be used.~~

17 ~~5. The goals for the school and the performance standards for~~  
18 ~~students.~~

19 ~~6. Strategies for attainment of the goals and performance~~  
20 ~~standards specified.~~

21 ~~7. Specification of baseline achievement standards.~~

22 ~~8. Specification of outcome and performance measures to be~~  
23 ~~used.~~

24 ~~9. Admissions and dismissal procedures.~~

25 ~~10. Specification of the methodology to be used to assure a~~  
26 ~~racial/ethnic balance reflective of the community to be~~  
27 ~~served.~~

28 ~~11. Method to be used to identify educational strengths and~~  
29 ~~needs of students.~~

30 ~~12. Method to determine graduation requirements if appropriate.~~

- 1                    ~~13. Description of the proposed methodology to resolve conflict~~  
2                    ~~between the charter school's governing body and the Board.~~
- 3                    ~~14. Details of financial and administrative management~~  
4                    ~~procedures.~~
- 5                    ~~15. Description of insurance coverage to be secured.~~
- 6                    ~~16. Specification of the term of the charter (not to exceed three (3)~~  
7                    ~~years).~~
- 8                    ~~17. Cancellation procedures in the event of insufficient progress.~~
- 9                    ~~18. Description of facilities to be used, including documentation~~  
10                   ~~meeting required health and safety codes.~~
- 11                   ~~19. Description of teacher qualifications.~~
- 12                   ~~20. The implementation timeline.~~
- 13                   ~~21. The charter school's governance structure, including its~~  
14                   ~~designation of its status as either a public or private~~  
15                   ~~employer.~~
- 16                   ~~22. Description of arrangements for students who may not wish~~  
17                   ~~to attend (for conversion public schools only).~~

18                   **~~Proposed Contracts for Services~~**

19                   ~~Applicants anticipating a request for District services (i.e., transportation, payroll~~  
20                   ~~services, use of facilities, etc.) must include a proposed contract for each service~~  
21                   ~~desired.~~

22                   **~~Employees of Charter Schools~~**

23                   ~~A charter school shall employ or contract with employees who have undergone~~  
24                   ~~background screening as provided in F.S. 1012.32. Members of the governing board~~  
25                   ~~of the charter school shall also undergo background screening in a manner similar~~  
26                   ~~to that provided in F.S. 1012.32.~~

27                   ~~A charter school shall disqualify instructional personnel and school administrators,~~  
28                   ~~as defined in F.S. 1012.01, from employment in any position that requires direct~~  
29                   ~~contact with students if the personnel or administrators are ineligible for such~~  
30                   ~~employment under F.S. 1012.315.~~

1 ~~Charter school personnel may not appoint, employ, promote, or advance any~~  
2 ~~relative, or advocate for appointment, employment, promotion, or advancement of~~  
3 ~~any relative to a position in the charter school in which the personnel are serving or~~  
4 ~~over which the personnel exercises jurisdiction or control.~~

5 ~~Full disclosure of the identity of all relatives employed by the charter school shall be~~  
6 ~~in accordance with F.S. 1002.33.~~

7 ~~The governing board of a charter school shall adopt policies establishing standards~~  
8 ~~of ethical conduct for instructional personnel and school administrators.~~

9 ~~The policies must require all instructional personnel and school administrators, as~~  
10 ~~defined in F.S. 1012.01, to complete training on the standards; establish the duty of~~  
11 ~~instructional personnel and school administrators to report, and procedures for~~  
12 ~~reporting, alleged misconduct by other instructional personnel and school~~  
13 ~~administrators which affects the health, safety, or welfare of a student; and include~~  
14 ~~an explanation of the liability protections provided under F.S. 39.203 and 768.095.~~  
15 ~~A charter school, or any of its employees, may not enter into a confidentiality~~  
16 ~~agreement regarding terminated or dismissed instructional personnel or school~~  
17 ~~administrators, or personnel or administrators who resign in lieu of termination,~~  
18 ~~based in whole or in part on misconduct that affects the health, safety, or welfare of~~  
19 ~~a student, and may not provide instructional personnel or school administrators~~  
20 ~~with employment references or discuss the personnel's or administrators'~~  
21 ~~performance with prospective employers in another educational setting, without~~  
22 ~~disclosing the personnel's or administrators' misconduct. Any part of an agreement~~  
23 ~~or contract that has the purpose or effect of concealing misconduct by instructional~~  
24 ~~personnel or school administrators which affects the health, safety, or welfare of a~~  
25 ~~student is void, is contrary to public policy, and may not be enforced.~~

26 ~~Before employing instructional personnel or school administrators in any position~~  
27 ~~that requires direct contact with students, a charter school shall conduct~~  
28 ~~employment history checks of each of the personnel's or administrators' previous~~  
29 ~~employer(s), screen the instructional personnel or school administrators through use~~  
30 ~~of the educator screening tools described in F.S. 1001.10(5), and document the~~  
31 ~~findings. If unable to contact a previous employer, the charter school must~~  
32 ~~document efforts to contact the employer.~~

1 ~~The sponsor of a charter school that knowingly fails to comply with this paragraph~~  
2 ~~shall terminate the charter under subsection (8) (F.S. 1002.33(g)).~~

3 ~~F.S. 39.203, 768.095, 1001.10(5), 1001.41, 1002.33, 1002.33(g), 1002.345~~

4 ~~F.S. 1012.01, 1012.315, 1012.32~~

5 ~~Chapter 96-186(1) Laws of Florida~~

6 Revised 11/20/08

7 Revised 10/21/10