

6Gx53-4.020 CHARTER SCHOOLS:

I. Purpose and Intent of Policy:

The School Board of Polk County, Florida, pursuant to Florida Statutes 1002.33, 1001.41, establishes charter schools for the following purposes: to improve student learning and academic achievement; to increase learning opportunities for all students with special emphasis on low-performing students and reading; to encourage the use of innovative learning methods; to increase choices of learning opportunities for students; to establish a new form of accountability for schools; to require the measurement of learning outcomes and create innovative measurement tools; and to create new professional opportunities for teachers.

Charter Schools in Florida shall be guided by the following principles: Meet high standards of student achievement while providing parents flexibility to choose among diverse educational opportunities within the state's public school system; promote enhanced academic success and financial efficiency by aligning responsibility with accountability; provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year's worth of learning for every year spent in the charter school. Charter schools are fully recognized as public schools.

Florida's Charter School Legislation, Florida Statutes 1002.33, is incorporated herein by reference and made part of this rule.

II. Student Enrollment:

Subject to grade level and age limitations, student eligibility for enrollment in a charter school shall be governed by the following rules:

- A. Any student in the Polk County school district may apply for enrollment in a charter school as provided in the statute.
- B. Students attending or residing within the attendance zone of a public school that converts to a charter school are eligible to attend such charter school and shall be given a preference over students residing outside such attendance zone. If such student's parent does not want the student to attend the converted charter school, then such student shall be reassigned to another public school in the new attendance zone established by the School Board.
- C. If the number of eligible students applying to attend a charter school exceeds that school's capacity, then students shall be selected at random as defined in each school's Sponsor approved Enrollment Plan. A charter school, which maintains its own enrollment process,

must maintain a record of students who apply to the school, whether or not they are eventually enrolled. A twelve-month record (July 1st – June 30th) shall be submitted to the school district upon request.

- D. The selection and enrollment of students in charter schools shall be governed by Florida Statute 1002.33 (7), (10) and all federal and state law prohibiting discrimination based on the student's race, color, national original, sex, disability, marital status, or parental status.
- E. The charter school must maintain both active and archival records for current and former students. The school district will assist the school in establishing appropriate record formats. All permanent records of students leaving the charter school, whether by graduation, transfer to the public school system or withdrawal to attend another school, must be transferred to the school district in accordance with state law. Records of student progress must be transferred to the designated school if the student is returning to the Polk County Public Schools.

III. Eligibility for Charter School Application:

The School Board may sponsor charter schools, which may serve any grade or combination of grades from Pre-Kindergarten through Grade 12. Eligible proposers are:

- A. Any nonprofit organization;
- B. A public school which requests to convert to a charter school. An application submitted by such a school shall demonstrate the support of at least fifty (50) percent of the teachers employed at the school and fifty (50) percent of the parents voting whose children are enrolled at the school, provided that a majority of the parents eligible to vote participate in the ballot process.
- C. A municipality; or other public entity as provided for by law;
- D. A business, which requests a charter school in-the-workplace;
- E. A community college; or
- F. A developmental research school. Private schools, parochial schools, and home education programs are not eligible to become charter schools.

IV. Legal Entity and Requirements

The charter school shall:

- A. Organize as, or be operated by, a nonprofit organization;
- B. Be non-sectarian;
- C. Meet all applicable state and local health, safety, and civil rights requirements;
- D. Publish an annual report;
- E. Analyze and compare student performance.

All charter schools must comply with Florida Statutes applicable to public schools as they relate to civil rights, student health, safety, welfare, public records, public meetings, public inspection, and penalties.

V. Selection of Charter Schools:

- A. Request for Application Information and Form: All persons or entities interested in submitting a charter school application should notify the School Board in writing of such interest in order to receive an application packet prior to the application deadline. Applicants who are planning to submit a proposal by the August 1st deadline should send a letter of intent to the Office of Magnet, Choice and Charter Schools on or before the first working day in July.
- B. Application Deadline: All completed applications must be received in the appropriate designated district office no earlier than the first workday in June and no later than 5:00 p.m. on August 1st for prospective charter schools intending to start operations by the beginning of the subsequent school year. All applications will be stamped with the date when they are received. Applications received after the prescribed deadline may not be considered for a charter for the next school year. If the deadline mentioned herein falls on a Saturday, Sunday or legal holiday, such deadline shall be extended to 5:00 p.m. on the next day that is not a Saturday, Sunday or legal holiday.
- C. Applications: Applications must be in compliance with the Florida Charter Schools standard application format prepared by the Department of Education and the statute. A single application is required for each site with any grade configuration within Pre-K

through grade eight. A separate application must be submitted for any grade configuration within grades nine through twelve and/or post secondary grade configurations. Applications will be reviewed for the schools who are planning to open by the beginning of the subsequent school year, or those schools which will open after an additional planning year.

- D. A sponsor may require an applicant to provide additional information as an addendum to the charter school application as described in F.S. 1002.33 (6)(a)6. At a minimum, these addendums should include, but not be limited to, plans for food service and a table of contents that follows the Florida Charter Schools standard application format.
- E. Each applicant must provide documentation that certifies the applicant has participated in the training required in F.S. 1002.33 (6)(f)2 to be provided by the Department of Education. This certification must be received at the same time as the application is submitted by the August 1 deadline. Any application that does not include such certification will be considered incomplete and will not be accepted for submission.
- F. Applicants will be scheduled for an interview by the charter specialist upon receipt of the completed charter application by the Office of Magnet, Choice and Charter Schools. This interview will ascertain the level of knowledge and overall preparedness to open a charter school exhibited by the founding board and the school's director (if named). A total of three persons may attend this interview on behalf of the charter school. Management company representatives and/or consultants may not attend the interview. Interviews will be conducted by staff from the Office of Magnet, Choice and Charter Schools. Information provided during these interviews will be shared with the Charter Review Committee, the Diversity Council, the superintendent and the School Board.
- G. Charter School Application Review: A committee reporting to the Superintendent of Schools shall review all charter school applications using an evaluation instrument developed by the Department of Education. The Superintendent shall make recommendations to the School Board. The School Board must by a majority vote approve or deny all applications no later than sixty (60) days after the completed application is received, unless a waiver to extend the sixty (60) day window is mutually agreed upon per Florida Statutes 1002.33 (6)(b)3.
- H. Selection Criteria: The School Board shall consider the criteria set forth in the charter school law codified in Florida Statutes 1002.33, to

evaluate applications for charter school approval:

I. Review Committee:

1. Members of the Review Committee: The Review Committee shall be comprised of the following persons:

- a. Associate Superintendent for School Based Operations, or designee;
- b. Associate Superintendent of Learning, or designee;
- c. School Board General Counsel, or designee;
- d. Assistant Superintendent of Human Resource Services, or designee;
- e. Assistant Superintendent of Support Services/Facilities, or designee;
- f. Assistant Superintendent of Business Services or designee;
- g. Assistant Superintendent of Information Systems and Technology, or designee;
- h. Assistant Superintendent of Learning Support, or designee;
- i. Senior Director for Office of Magnet, Choice and Charter Schools;
- j. Senior Director for Assessment, Accountability, and Evaluation;
- k. A Senior Director of Elementary Education;
- l. Senior Director of Middle School Education;
- m. Senior Director of High School Education;

- n. Senior Director of Community Relations;
- o. Senior Director of Diversity Management;
- p. Director of English for Speakers of Other Languages;
- q. The Director of an existing charter school operating in Polk County; and
- r. A community member to be appointed by the School Board.

2. Review of Charter School Applications by the Diversity Council: Copies of each of the charter school applications shall be made available to the Diversity Council at their first meeting after the application deadline. The Diversity Council will have the opportunity to review each of the charter school applications and provide specific feedback regarding the issues of equity, diversity and demographic change. This feedback will be provided to the Charter Review Committee. The Charter Review Committee will consider this information in determining the community impact of the proposed charter school. A written copy of the Diversity Council's recommendation will be included in the information provided to the superintendent.

3. Review of Charter School Applications by Review Committee: The Review Committee shall review all applications and by majority vote make a recommendation for acceptance or denial of each application to the Superintendent who shall take such recommendation to the School Board for its approval or denial of a charter school application. A copy of the review committee notes will be provided to the charter school applicant and any timely responses to the charter review committee comments from the charter school applicant will be forwarded to the school board along with the charter review committee's notes. The Superintendent and the School Board will consider responses to specific questions raised by the Charter Review Committee and/or the Diversity Council; however, no deletions, additions or major changes to the application will be considered after submittal for the review process.

- a. All applications will be submitted to the School Board with an explanation of the review committee's recommendation for acceptance or denial, including the committee vote.

b. The School Board will vote on all applications.

4. Mediation Procedures: The School Board recognizes that charter schools represent an additional form of school choice. Charter schools provide parents with an educational opportunity beyond the traditional public school setting. In compliance with the intent of the creation of charter schools, it is the desire of the School Board to allow as much autonomy for these schools as possible. At the same time, the School Board recognizes its responsibility for the educational achievement, safety, and welfare of all public school students. For that reason, the following mediation procedures are established:

- a. Individuals or parties that wish to address disputes regarding a charter school should bring their concerns to the school administration and/or the board of directors of the charter school. If the dispute cannot be resolved at the school level or by the board of directors of the charter school, the individual or party may bring the matter before the School Board. All parties may avail themselves of the opportunities provided under Florida Statutes pertaining to mediation services as defined in charter school law.
- b. As with all public schools, the Superintendent of Schools or his/her designee may investigate issues that are brought to his/her attention that may affect the immediate safety and welfare of students.

VI. Charter Renewal

A. No later than the first working day in November of the last year of the charter, the governing body of the charter school shall submit a completed copy of the Department of Education's Charter Renewal format to the school district. The renewal format will be made available to the charter school on or before the last working day in July of the final year of the charter. The renewal format should be a sound, well-supported explanation of why the Polk School Board should renew a school's charter. Key questions answered by the renewal format submitted by the charter school include:

1. Is the academic program a success?
2. Is the school a viable organization?

3. Is the school's program and operation faithful to the terms of its charter?

A renewal charter's focus should rest on demonstrated, documented performance. A successful renewal document must be able to stand on its own as a clear and credible explanation, addressing both the school's strengths and weaknesses, of why the school's charter should be renewed. The explanation should be complete, and should not require further explanation or clarification by the school.

B. The Charter Review Committee shall review each of the renewal documents and make recommendations for acceptance or denial of each request for renewal to the Superintendent of Schools. The Superintendent will submit all requests for renewals to the School Board within thirty (30) days of receiving the Charter Review Committee's recommendation with a recommendation for approval or denial. The School Board will vote on the Superintendent's recommendation within sixty (60) days of receiving the recommendation.

VII. Charter Nonrenewal or Termination

- A. At the end of the term of a charter, the Polk School Board may choose not to renew the charter for any of the following grounds:
1. Failure to participate in the state's education accountability system created in F. S. 1008.31, as required by law, or failure to meet the requirements for student performance stated in the charter.
 2. Failure to meet generally accepted standards of fiscal management.
 3. Violation of law.
 4. Other good cause shown.
- B. During the term of a charter, the Polk School Board may terminate the charter for any of the grounds listed in paragraph (a).
- C. At least 90 days prior to renewing or terminating a charter, the Polk School Board shall notify the governing body of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school's governing body may, within 14 calendar days after receiving the notice,

request an informal hearing before the Polk School Board. The Polk School Board shall conduct the informal hearing within 30 calendar days after receiving a written request.

- D. If a charter is not renewed or is terminated pursuant to paragraph C, the Polk School Board shall, within 10 calendar days, articulate in writing the specific reasons for its nonrenewal or termination of the charter and must provide the letter of nonrenewal or termination and documentation supporting the reasons to the charter school governing body, the charter school principal, and the Department of Education. The charter school's governing body may, within 30 calendar days after receiving the Polk School Board's final written decision to terminate or refuse to renew the charter, appeal the decision pursuant to the procedure established by Florida Statutes.
- E. A charter may be terminated immediately if the Polk School Board determines that good cause has been shown or if the health, safety, or welfare of the students is threatened. The Polk School Board shall notify in writing the charter school's governing body, the charter school principal, and the Department of Education if a charter is immediately terminated. The Polk School Board shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. The Polk School Board shall assume operation of the school under these circumstances. The charter school's governing board may, within 30 days after receiving the Polk School Board's decision to terminate the charter, appeal the decision pursuant to the procedure established by Florida Statutes.
- F. The Polk School Board and each charter school's governing board shall enter into a written agreement that includes provisions for the reversion of any unencumbered funds and all equipment and property purchased with public education funds to the ownership of the Polk School Board.

VIII. Transportation and Food Services:

- A. Responsibility of Charter Schools: Transportation and food services are the responsibility of charter schools, and must be provided according to district, state, and federal rules and regulations.
- B. Contract with School Board: If mutually agreed upon, a charter school may contract with the School Board for transportation and/or food services, or may contract with a private provider.

IX. Governing Board Duties

The governing board of the charter school shall:

- A. Annually adopt and maintain an operating budget.
- B. Exercise continuing oversight over charter school operations.
- C. Report its progress annually to the Polk County School Board, which shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports.

X. Facility:

- A. It is the responsibility of the applicant to have an appropriate facility consistent with all applicable Florida Statutes, or provide evidence that one will be available for the beginning of the school year. Appropriate facility documentation, as determined by the Sponsor, shall be provided to the school district no later than the first working day in July unless mutually agreed upon by the charter school and the sponsor.
- B. In order to be eligible for a capital outlay funding allocation, a charter school must:
 - 1. a. Have been in operation for three (3) or more years;
 - b. Be part of an expanded feeder pattern of a charter school within the same school district that is currently receiving charter school capital outlay funds and meets the criteria as described by the Department of Education; or
 - c. Have been accredited by the Commission on Schools of the Southern Association of Colleges and Schools.
 - d. Is governed by a governing board, which has been established in Florida for 3 or more years and operates both charter and conversion schools in Florida
- 2. Have financial stability for future operation as a charter school.
- 3. Have satisfactory student achievement based on state accountability standards applicable to the charter school.
- 4. Have received final approval from its sponsor pursuant to s. 1002.33 for operation during that fiscal year.

5. Serve students in facilities that are not provided by the charter school's sponsor.
- C. In the event the charter school elects to enter into lease agreements for real property, it shall be the responsibility of the school to obtain any and all necessary inspections, permits and approvals prior to occupancy and use of such premises for school purposes. The School shall consider the term of its charter when negotiating the length of any leases into which it may enter. Prior to entering into any lease for a term that does not end coincident with the renewal date of its charter contract; the charter school shall provide the School Board a written plan to ensure a facility consistent with state and federal law and the terms of the charter contract.
- D. The charter school's opening date must be consistent with the beginning day for students as designated on the approved school district calendar, unless the School Board allows a waiver of this provision for good cause. A charter school shall provide instruction for at least 180 days and may provide instruction for additional days. Reimbursement for additional days of instruction will be subject to the limits of the Florida Education Finance Program, General Appropriations Act and other rules or programs that restrict funding to the district.
- E. Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33 (20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

XI. Funding:

- A. Florida Education Finance Program: Funding for a charter school shall be the proportionate share (based on FTE) of appropriate funds, including FEFP and categorical funds of district operating and capital funds from the Florida Education Finance Program as prescribed by DOE.
- B. Federal Funds: Federal funds received by the school district for the provision of services shall be used to provide charter school students the level of services provided to other students enrolled in schools operated by the School Board as appropriate in consideration of the provisions of the funding sources.
- C. Total funding shall be recalculated during the school year to reflect actual weighted FTE students reported by the charter school during the FTE student survey periods.

- D. A charter school shall not levy taxes or issue bonds secured by tax revenue.

- E. Any administrative fee charged by the School Board for a charter school shall be limited to five percent (5%) of available funds for the first 250 students. For charter schools with a population of 251 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2). The School Board shall provide certain administrative and educational services to charter schools at no additional fee. These services shall include contract management services, FTE and data reporting, exceptional student education administration, services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school; test administration, processing of teacher certificate data, and information services. Additional service may be provided at cost, based on mutual agreement.

- F. The charter schools shall prepare and submit monthly financial reports in accordance with State Board Rule 6A-1.0081 to the designated charter contact in the school board financial office. This monthly financial report shall be reviewed by the Governing Board of the charter school and signed by the governing board chair prior to submission to the Sponsor's financial office. Each charter school shall provide an audited annual financial report by September 30 of each year. Such audits shall be in conformance with applicable DOE and OAG requirements.

- G. When a charter is not renewed or is terminated, disposition of unencumbered funds from the charter school and all School Board property and improvements, furnishings, and equipment purchased with public funds, and responsibility for all debts of the charter school shall be governed by the statute and the charter.

- H. The School Board shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. The School Board may distribute funds to a charter school for up to three (3) months based on the projected full-time equivalent student membership of the charter school. Thereafter, the results of full-time equivalent student membership surveys must be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. Payment shall be made to the charter school no later than ten (10) working days after the School Board receives a distribution of state or federal funds. If a warrant for payment is not issued

within ten (10) working days after receipt of funding by the School Board, the School Board shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of one percent (1%) per month calculated on a daily basis on the unpaid balance from the expiration of the ten (10) working days until such time as the warrant is issued. Payment shall be on a monthly basis in arrears based upon the estimated number of FTE students enrolled during the FTE survey periods. The final payment during any fiscal year shall be adjusted to reflect the number of actual FTE students in membership during the FTE survey periods.

- I. Information Services will provide a Survey 2 list of students enrolled in ESE by March 1 each year. Gifted students are not calculated in the Survey 2 count for purposes of IDEA funding.

By April 1st, charter schools must submit a proposed budget to the District ESE Department for the upcoming school year to be eligible for the disbursement of IDEA funds.

IDEA funds are calculated on the prior year's Survey 2 count as per DOE's Memorandum dated May 1, 2006 stating, "Beginning with the 2006-07 school year, districts will no longer be required to submit survey 9 data for exceptional students. Instead, data collected during the October survey will be used to fulfill the data reporting requirements under the Individuals with Disabilities Education Act (IDEA)." and prorated based on the number of non-gifted ESE students. Non-gifted ESE students who were enrolled on that date will constitute the student population for IDEA funding purposes.

IDEA funding for new charter schools not in operation the previous year will be determined by a student count (gifted excluded) conducted on the date of the grant notification and also enrolled in ESE on the prior Survey 2 count. This will constitute the student population for IDEA funding purposes.

These procedures will provide the same level of funding and services as students in the schools operated by the District School Board.

- J. If a charter school internal audit or annual financial audit reveals a state of financial emergency as defined in s. 218.503 or deficit financial position, the auditors are required to notify the charter school governing board, the sponsor, and the Department of Education pursuant to the requirements of section 5 of s. 218.503 subsections (1)-(4).

XII. Management Companies

- A. If a management company will be managing the charter school, the contract between the management company and the governing body of the charter school shall be submitted to the school district prior to the approval of the charter.
- B. The contract between the governing body of the charter school and the management company shall require that the management company operate the charter school in accordance with the terms stipulated in the charter and all applicable laws, ordinances, rules, and regulations.
- C. The requirements of this provision shall be included in the charter.

XIII. Curriculum:

- A. Charter schools are public schools and represent a part of the continuum of ESE services.
- B. Charter schools who in their charter have elected to not follow the District's Special Programs and Procedures (SP&P) document will provide the District with a written document comparable in content and scope as established in the current SP&P.
- C. Individual Education Plans (IEP) will not reflect specific methodologies but rather goals and objectives that will address education needs.
- D. For purposes of audit, compliance, and District reporting systems, charter schools will conform to District methodology.
- E. Charter schools must demonstrate compliance with the statutory requirement to utilize the Next Generation Sunshine State Standards within the school's curriculum. This documentation shall be included in the annual report and renewal documentation; and shall be made available within three (3) working days at the request of the Office of Magnet, Choice and Charter Schools.
- F. A person or entity wishing to open a charter school shall prepare an application that:
 - 1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
 - 2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Next Generation Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated and specific results to be attained through instruction.
4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

XIV. Local Education Agency (LEA):

The District will provide a staffing specialist to serve as the Local Education Agency (LEA) representative when the IEP meeting is considering an initial placement, change in placement, a dismissal from a program or a change in personnel assignments or reassignments. Staffing difference will be resolved through established procedures listed in the Procedural Safeguards Pamphlet (IDEA, Part B Regulations: 34 C. F. R. 300.54).

XV. Insurance and Indemnification:

- A. The governing body and employees of a charter school are governed by Section 768.28, Florida Statutes. In accordance with Section 768.28, the governing body and employees of charter schools shall be liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability shall not include punitive damages or interest for the period before the judgment. The governing body and employees of charter schools shall not be liable to pay a claim or judgment by any one person which exceeds the sum of one hundred thousand dollars (\$100,000) or any claim or judgment or portions thereof, which, when totaled with all other claims or judgments paid by the charter school arising out of the same incident or occurrence, exceeds the sum of two hundred thousand dollars (\$200,000).
- B. The School Board of Polk County, Florida will not be held liable for any claim, action, loss, damage, injury, liability, cost or expense of whatsoever kind or nature including, but not by way of limitation, attorney's fees and court costs arising out of injury to persons or damage to property arising out of any injury to persons or property damage as a result of the negligence of the charter school or its agents, employees, invitees, or contractors.

- C. The charter school must maintain appropriate Commercial General Liability Insurance, Automobile Liability Insurance, Workers' Compensation Insurance and Professional Liability Insurance. The School Board of Polk County, Florida must be listed as an additional named insured on these policies.

XVI. Employees of Charter Schools

- A. A charter school shall select its own employees.
- B. Pursuant to Section 1002.33 (12) F. S. Charter school employees must meet certification requirements as stated in Chapter 1012, Florida Statutes, and must meet eligibility requirements for a Florida Educator's Certificate.
- C. General drug screening shall be conducted on all applicants for instructional and non-instructional positions with the charter school. A negative drug screen shall be a requirement for employment. The processing of each employee's drug screening shall be coordinated through the school district. The cost of drug screening shall be borne by the charter school or the applicant.
- D. All applicants for instructional and non-instructional positions shall be fingerprinted and processed as required by Section 1012.32, Florida Statutes, and in accordance with PCSB administrative procedures. The Sponsor shall perform the processing of each applicant's fingerprints. The cost of fingerprinting will be borne by the school or the applicant. Employees shall be on probationary status pending fingerprint processing through the Florida Department of Law Enforcement and the Federal Bureau of Investigation. The school shall dismiss employees whose fingerprint check results reveal non-compliance with standards of good moral character.
- E. All members of the governing body shall also be fingerprinted by the school district as required by Section 1012.32, Florida Statutes. The sponsor shall perform the processing of each member's fingerprints. The cost of fingerprinting will be borne by the school or the member. Members of the governing body shall be on probationary status pending fingerprint processing through the Florida Department of Law Enforcement and the Federal Bureau of Investigation, The governing board shall replace members whose fingerprint check results reveal non-compliance with standards of good moral character.

- F. All applicants for instructional and non-instructional positions and all members of the governing body shall be fingerprinted within ten (10) working days of their appointment.
- G. Conversion charter school employees will become employees of the charter school upon commencement of the charter school contract. Polk County School Board employees who elect to teach at a charter school may request charter school leave.
- H. Charter Schools must provide full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school who has equivalent decision-making authority pursuant to F.S. 1002.33 (7)(a)18.
- I. Charter School personnel in a charter school operated by a public entity shall adhere to F.S. 1002.33 (24) Restriction on Employment of Relatives.

XVII. Charter Amendments

- A. A charter school's charter may be modified during its initial term or any renewal term upon the recommendation of the Polk Office of Magnet, Choice and Charter Schools' staff or the charter school governing board and the approval of both parties to the agreement.
- B. The charter governing board shall request a charter amendment in writing, using standard strikethrough and underline draft format. The rationale for the change shall be included in the charter amendment request, as well as the impact of the change on the charter school, students, staff or district. The letter requesting a charter amendment will be submitted to the Polk Office of Magnet, Choice and Charter Schools. Staff from the Office of Magnet, Choice and Charter Schools, in consultation with the legal department and other district staff, will make a recommendation to the Superintendent. The Superintendent shall make a recommendation to the Polk School Board regarding the charter amendment. The Polk School Board shall vote on the Superintendent's recommendation within thirty (30) days of receiving the recommendation. The governing board of a charter school shall have thirty (30) days to act on a charter amendment received from the Polk School Board staff.
- C. If a charter school amendment is recommended, but cannot be agreed upon by both parties, the alternative dispute measures outlined in a charter school's contract may be invoked by either party.

XVIII. Monitoring of Charter School's Performance:

In furtherance of the School Board's statutory authority and responsibility, as sponsor of all charter schools, to monitor each charter school's performance and compliance with the applicable charter, the charter school statute, and this policy, a Charter School Monitoring Committee shall carry out those tasks described below:

- A. **Monitoring and Oversight:** The Charter School Monitoring Committee shall meet as needed to determine progress towards the goals established in the charter and shall serve to assist in matters of dispute between the sponsor and the charter school. The committee shall advise as to any other actions that should be taken by the Superintendent or as to any recommendation that the Superintendent might make to the School Board to resolve such disputes.

- B. **Charter School Monitoring Committee Membership:** The Charter School Monitoring Committee shall consist of the following members:
 - 1. Senior Director of Magnet, Choice and Charter Schools, who shall act as Chair;
 - 2. Senior Director for Planning, Accountability and Evaluation
 - 3. Assistant Superintendent of Business Services
 - 4. School Board General Counsel or his designee
 - 5. At the discretion of the Senior Director of Magnet, Choice and Charter Schools (chair), in consideration of the nature of the charter school's educational program and the age or grade level of its students other directors or department heads may be added to the Charter School Monitoring Committee from time to time.

- C. **Charter School Responsibilities:** It shall be the charter school's governing board's responsibility to provide written documentation, via its annual report, to show the level at which the charter school is achieving its goals, as set forth in the charter. The report shall include at least the following components:
 - 1. Student achievement performance data, including the information required for the annual school report and the education accountability system governed by F. S. 1008.31 and 1008.345. Charter schools are subject to the same accountability requirements as other public schools, including reports of student

achievement information that links baseline student data to the school's performance projections identified in the charter. The charter school shall identify reasons for any difference between projected and actual student performance.

2. Financial status of the charter school which must include revenues and expenditures at a level of detail that allows for analysis of the ability to meet financial obligations and timely repayment of debt.
 3. Documentation of the facilities in current use and any planned facilities for use by the charter school for instruction of students, administrative functions, or investment purposes.
 4. Descriptive information about the charter school's personnel, including salary and benefit levels of charter school employees, the proportion of instructional personnel who hold professional or temporary certificates, and the proportion of instructional personnel teaching in-field or out-of-field.
- D. Evaluation of Annual Report Data: Each charter school's annual report will be reviewed and analyzed by the school district's Office of Assessment, Accountability and Evaluation in conjunction with the Office of Magnet, Choice and Charter Schools. An analysis comparing the charter school's standardized test scores to those of other district schools with similar student populations, will also be conducted; the results of the annual review conducted by the Office of Magnet, Choice and Charter Schools shall be transmitted to the School Board and the Commissioner of Education; and at the time of charter renewal, evaluative data pertaining to the charter school will be provided to the School Board at least thirty (30) days prior to the date on which renewal of the charter will be considered for approval or denial.
- E. Financial Audit Recommendations: The school director and each member of the governing board will receive a copy of financial audit findings and recommendations. The charter school shall respond to all financial audit findings and recommendations in writing to the governing board and sponsor within 10 working days, unless the time to respond is altered by mutual agreement. The response shall include proposed corrective action(s), as required.

Statutory Authority: Florida Statutes 1001.32, 1001.41, 1001.42, 1001.43

Laws Implemented: Florida Statutes 1002.31(8), 1002.33, 1008.31, 1012.32, 1013.62, and Florida Administrative Code 6A-6.0781

The School Board of Polk County, Florida
Policy 4.020

Adopted: October 08, 1996

Amended:

December 09, 1997

July 14, 1998

July 6, 1999

November 30, 1999

March 21, 2000

April 9, 2002

August 12, 2003

January 27, 2004

September 27, 2005

August 14, 2007

April 22, 2008

June 28, 2011