

of resources among schools within an LEA.

(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State’s charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and
- (v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State’s success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for (F)(2)(i):

- A description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.
- The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.
- The number and types of charter schools currently operating in the State.

Evidence for (F)(2)(ii):

- A description of the State’s approach to charter school accountability and authorization, and a description of the State’s applicable laws, statutes, regulations, or other relevant legal documents.
- For each of the last five years:
 - The number of charter school applications made in the State.
 - The number of charter school applications approved.
 - The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).
 - The number of charter schools closed (including charter schools that were not reauthorized to operate).

Evidence for (F)(2)(iii):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the State’s approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.

Evidence for (F)(2)(iv):

- A description of the State’s applicable statutes, regulations, or other relevant legal documents.
- A description of the statewide facilities supports provided to charter schools, if any.

Evidence for (F)(2)(v):

- A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

Recommended maximum response length: Six pages

(F)(2) – Key Highlights

- Florida is one of the top charter states in the country (4th in number of schools, 3rd in enrollment, and charter school laws recognized by the Center for Education Reform) and, in addition, significant footprint in innovative schools through the development of the Florida Virtual School, with a current enrollment of 155,000 students.
- Through RTTT, Florida will aggressively expand educational options for traditionally under-served urban communities through partnerships with national charter funding organizations.
- Florida will continue to leverage virtual schools to serve students in rural area schools.

(i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools

Florida law does not prohibit or effectively inhibit increasing the number of high-performing charter schools as it does not impose caps or restrictions on the number of charter schools permitted to operate or the number of students eligible to attend charter schools. In fact, it expressly permits a variety of charter school types, including start-ups, conversions, university-sponsored charter lab schools, charter schools in the workplace, and charter schools in a municipality, while also allowing for any elementary and/or secondary grade configuration (s. 1002.33, F.S.).

External independent reviews have consistently ranked Florida’s charter school law as one of the strongest in the nation. The Center for American Progress, in its annual “Leaders and Laggards” report, stated that Florida has an “above average charter school law,” and awarded Florida a gold star in the school management category for “holding charter schools accountable for their performance.” The Center for Education Reform’s (CER) recent report stated that Florida’s law is one of only 13 state charter school laws that do not require significant revisions in order to meet the criteria for RTTT. (See Appendix F2-1 for a copy of Florida’s Profile in the CER report). A separate study published in the American Journal of Education titled “*Charter Ranking Roulette: An Analysis of Reports that Grade States’ Charter School Laws*” ranked Florida’s law as one of the ten strongest laws in

the United States (see Appendix F2-2 on page 283 for a copy of the American Journal of Education article).

Legislation authorizing the creation of charter schools as a part of Florida’s public education system was enacted in May 1996. The law specifically charges charter schools to improve educational opportunities for low-performing students, increase parental choice, influence the traditional public school system, and foster innovation. Thirteen years later, Florida has over 400 charter schools (fourth most in the country) educating approximately 137,000 students (third most in the country). Florida’s charter schools now include 148 elementary, 68 middle, 107 high, and 87 combination schools, most of which offer a myriad of different programs, including but not limited to charter schools with focuses on science, the arts, dropout prevention, career education, and students with disabilities.

Table F2-1: Number and Percent of Public School and Charter School Schools and Students

	Total Number of Schools	Percent of Public Schools	Total Number of Students	Percent of Public School Students
All Public Schools	3,807	100.00%	2,634,507	100.00%
Charter Schools Only	410	10.77%	137,918	5.24%

Data Source: 2009-10 Survey 2 Data as of 12/27/2009.

As impressive as the growth of charter schools in Florida has been in terms of quantity and quality, there is still room for improvement. While there are a number of charter schools in Florida that have had success serving high-need student populations, many of the charter schools that have taken on this task have struggled both financially and academically. Nevertheless, we have seen that remarkable increases in such student populations are achievable in the charter school context in Florida and elsewhere, and that those successes can be replicated. Florida is committed to using this grant opportunity to dramatically increase the number of high-quality charter schools that successfully increase student achievement among high-need student populations.

To that end, and as noted in section (e) above, FDOE intends to partner with national charter school funding organizations to “flood the zone” of the feeder patterns of persistently lowest-achieving schools with high-quality charter schools. This partnership would allow Florida to align its RTTT funds with Charter Schools Program (CSP) grant funds to provide incentives and support to charter school operators with a proven track record of success in high-need neighborhoods to replicate charter schools within the

neighborhoods of Florida’s persistently lowest-achieving schools. In addition to the RTTT grant funds made available to national charter school funding organizations for this purpose, and the philanthropic funds that these funding organizations would raise for the benefit of these schools, FDOE will double the amount of CSP funds available to charter operators opening a school within these high-need neighborhoods. These efforts will improve the options available to students in these neighborhoods and improve the struggling schools to which they matriculate by graduating more students who are at or near proficiency.

(ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools

Florida Statutes and State Board of Education rules provide explicit instructions for approving, monitoring, renewing, and closing charter schools. Each of these processes is required to include an assessment of student achievement as the primary determining factor. As provided by law, Florida’s approach to charter school accountability and authorization is directed by high standards of student achievement, enhanced academic success, financial efficiency, and the alignment of responsibility with accountability [s. 1002.33(2), F.S.]. Florida law requires that charter schools demonstrate how they will serve student populations similar to other schools in the LEA, as well as increase learning opportunities for all students, and specifically encourages charter schools to enroll high-need students by allowing them to limit their enrollment to target students at risk of dropping out or academic failure [s. 1002.33(10)(e), F.S.]. Florida law also specifically requires charter schools to be one of the options available to school districts to turn around schools categorized as “Intervene” under the state’s Differentiated Accountability program. [s. 1008.33(5), F.S.].

Florida law outlines the process for applying to an authorizer to open a charter school, and provides a broad description of the

required components of the application [s. 1002.33(6), F.S.]. A model charter school application, developed by the FDOE in partnership with the National Association of Charter School Authorizers (NACSA), requires applicants to present a detailed and comprehensive plan for how the proposed school will provide a high-quality educational program that will result in high student achievement. The model application specifically emphasizes educational design, curriculum implementation, and student performance, assessment, and evaluation. In 2009, the Legislature required that all charter school applicants use the model application [s. 1002.33(6)(a), F.S.]. FDOE also developed an evaluation instrument that Florida law requires authorizers to use in their evaluation of applications [s. 1002.33(6)(b), F.S.] (see Appendix F2-3). The evaluation instrument provides authorizers with a rigorous and clear set of criteria for evaluating charter school applications, and ensures that only applications that set forth a credible plan for a high-quality charter school will receive approval.

The disposition of charter school applications and reasons for denial from 2004-2010 is represented below.

Table F2-2: Disposition of Charter School Applications

Year	Applications Submitted	Applications Approved	Applications Withdrawn	Applications Denied	School Closures
2009-2010	250	Un available	Unavailable	Unavailable	Unavailable
2008-2009	145	66	48	31	23
2007-2008	94	51	24	19	11
2006-2007	83	45	16	22	26
2005-2006	123	68	20	35	25
2004-2005	126	86	13	27	29
Totals 57	1	316	121	134	114

Table F2-3: Reasons for Denials

	Academic/Curriculum	Financial	Governance Structure	Low Enrollment	Other (Specify)
2008-2009	11	8	9	1	2
2007-2008	4	4	6	1	4
2006-2007	8	8	6	0	0
2005-2006	11	8	5	0	11
2004-2005	9	6	5	1	6
Totals 43		34	31	3	25

With the exception of a handful of university-run charter lab schools established in statute, school districts are the only entities authorized to approve charter schools; however, charter school application denials and charter school contract terminations are appealable to the State Board of Education (SBE). Since Florida law was revised in January 2003 to give the SBE the authority to overturn LEA application denials, the use of this appellate authority has been limited, as districts have generally become more sophisticated and responsible in their review of charter applications. As a result, less than three percent of the charter schools currently operating in Florida were granted an application by way of an appeal to the SBE.

Florida law requires that charter contracts include specific information about the educational design of the program and projected student achievement, including school mission, focus of the curriculum, instructional methods to be used, current incoming baseline standard of student academic achievement, outcomes to be achieved, and the methods of measurement that will be used [s. 1002.33(7), F.S.]. All contracts must explicitly describe how baseline data and prior student achievement will be determined, how those baseline rates will be compared to rates of academic progress after students are enrolled in the charter school, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations, the methods used to identify the educational strengths and needs of students, and how well educational goals and performance standards are met

by students attending the charter school.

These comparisons are valid because Florida law requires that charter school students be assessed in the same manner as traditional public school students. All students in grades 3 through 10 are annually assessed by the Florida Comprehensive Achievement Test (FCAT). Student achievement data derived from the FCAT, which includes both proficiency and learning gains, are used to calculate a school-wide grade assigned to each public school with a sufficient number of tested students. For schools that do not meet the minimum size requirement to receive a school grade, Florida law requires that the school's student achievement data be provided to all parents of students currently enrolled and on the waiting list, and posted on the school's website.

Charter renewal decisions are driven primarily by the school's record of student achievement. Florida law directs authorizers to consider the school's success or failure to meet the requirements for student performance found in the charter when considering charter renewals. To provide additional clarity to authorizers, and to ensure that only high-quality charter schools are renewed, the Legislature recently required the FDOE to create a standardized charter renewal document. The FDOE, in partnership with NACSA and the Florida Association of Charter School Authorizers (FACSA), has released draft versions of the renewal document, and is currently seeking public comment. These draft versions direct authorizers to closely scrutinize student academic achievement, including performance on the FCAT, Adequate Yearly Progress, and any additional relevant assessment results. Additionally, the FDOE plans to collaborate with FACSA and the Center For Research On Education Outcomes (CREDO) at Stanford University in the development of a model renewal process and will continue to coordinate with both NACSA and FACSA on authorizer training and support that will continue to strengthen the monitoring and authorization of charter schools.

Student achievement is the primary focus of charter schools, authorizers, and FDOE. Florida law requires that all charter schools be guided by the principles of high standards of student achievement. Charter schools that do not live up to these expectations and do not improve student achievement are closed. The law provides authorizers with a clear and unambiguous standard for charter school closure, stating that an authorizer may terminate or decline to renew any charter school that does not meet the student performance requirements set forth in the charter, or if insufficient progress has been made in attaining the student

achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter [s. 1002.33(7)(a)12, F.S.]. Over the past five years, authorizers have overseen the closure of 111 charter schools, the vast majority of which were related to poor academic or financial performance (see Appendix F2-4).

The conventional practice of closing failing charter schools does not mean that FDOE or authorizers are unwilling to provide assistance to charter schools with potential for success. Florida has and will continue to leverage state and federal resources to survey the technical assistance and training needs of both charter schools and authorizers. In addition to charter schools' inclusion in Florida's statewide Differentiated Accountability program referenced in Section (E), the FDOE is using federal CSP grant funds to expand the support provided to charter schools located in high-need neighborhoods, to survey the unique needs of charter schools, and to provide training and support for charter school principals and teachers to meet those needs in ways that will increase student achievement. Specifically, the FDOE has already provided new charter applicant training, and is in the process of conducting surveys of charter school principals and teachers to assess the need for training in special education instruction, Response to Intervention, and Instructional strategies. The FDOE will also target at least 20 new charter school leaders for training in best practices at the Performance Management Institute at the Center for Research on Education Outcomes during the summer of 2010.

Florida's unwavering commitment and focus on student achievement has resulted in a robust charter school system that has produced excellent results. Student-level data for the 2008-2009 school year indicates that a higher percentage of charter school students are proficient in reading, math, and science, at the elementary, middle, and high school levels as compared to their traditional public school peers. In addition, the achievement gap between white students and African-American students in reading, math, and science is smaller in Florida's charter schools as compared to traditional public schools at every grade level. This is also true for the achievement gap between white students and Hispanic students (see Appendix F2-5 "2008-2009 Charter School Student Achievement Report-Data"). Almost 80 percent of graded charter schools received an "A" or "B" under the State's grading system, and a higher percentage of charter schools made Adequately Yearly Progress as compared to traditional public schools.

(iii) The State’s charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues

Florida law requires that “students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district” [s. 1002.33(17), F.S.]. State taxes, appropriate federal funds (including ARRA State Fiscal Stabilization Funds), local property taxes, and lottery proceeds fund charter schools in the same manner as traditional public schools for current operating costs. Charter schools receive a per-student share of these operating funds through the authorizing LEA. Authorizers may withhold an administrative fee of up to a maximum of five percent of the funds as defined in s. 1002.33(17)(b), F.S., for which they must provide certain administrative and educational services, including contract management services, full-time equivalent and data reporting services, special education administration services, test administration services (including payment of the costs of state-required or LEA-required student assessments), processing of teacher certificate data services, and information services (including equal access to student information systems that are used by the LEA schools).

Florida law affirms the right of charter schools to receive federal funds for which they are eligible, including Title I funds. Section 1002.33(17)(c), F.S., states, “If the district school board is providing programs or services to students funded by federal funds, any eligible student enrolled in charter schools in the district shall be provided federal funds for the same level of service provided students in the schools operated by the public school board.” Accordingly, federal entitlement programs such as No Child Left Behind (NCLB) and Individual with Disabilities Education Act (IDEA) are to be allocated proportionally by districts to charter schools that provide the services or programs. These allocations can be accomplished by providing the dollar amounts or equivalent program resources as negotiated by charter contract or other contractual agreement. Additionally, Florida law was recently amended to require the FDOE and school districts to include charter schools in requests for federal stimulus funds [s. 1002.33(17)(d), F.S.].

Accordingly, the MOU specifically requires participating LEAs to ensure that charter schools have the same opportunity as other public schools to participate in the RTTT grant and that they receive a commensurate share of any funds and services provided by the grant.

To further ensure that charter school students are able to participate and benefit from grant funds to an extent equal to all other public school students, Florida will set aside RTTT funds for a competitive grant that would allow potential vendors to submit proposals that meet the unique needs of charter school students in ways that align with one or more of the assurances. These vendors might include charter school membership organizations, charter operators, charter schools, charter authorizers, or any other entity with a product, program, or service that meets the unique needs of charter schools in a way that will increase student achievement. Vendor proposals would have to demonstrate three things: 1) a need for the product, program, or service among charter schools, 2) that the need and the product, program, or service is aligned with one or more of the four assurances, and 3) how their product, program, or service meets that need. This could potentially include, but not necessarily be limited to, data systems for smaller charter schools that currently lack the systems necessary to implement data-driven instruction, or charter school principal and leadership training. Charter schools located in districts that do not to participate in RTTT will be given priority for such grants. The grant application process would begin during the 2010-11 school year and would allow potential vendors to apply for sub-grants that would last through the end of the grant period.

(iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools

FDOE provides charter schools with facilities funding [ss. 1002.33(9) and 1013.62, F.S.]. Florida initiated a charter school facility funding program in 1998 by establishing a separate capital outlay program in statute. The Legislature appropriated \$7.8 million for charter school capital outlay in 2000 and, as the number of charter schools has grown, the Legislature has increased the

annual appropriation to its current amount of approximately \$57 million. The per-student amount of this facilities funding for eligible charter schools is comparable to the average per-student amount available to LEA schools across the state after districts' debt service is removed. Some school districts have chosen to provide charter schools with additional facilities funding from local property tax revenues as well.

The state provides charter school capital outlay funds only to those schools that demonstrate satisfactory student achievement, financial stability, and sound governance. Charter school capital outlay funds may be used to purchase real property, construct school facilities, purchase or lease relocatable facilities, renovate and repair existing facilities, purchase equipment, or pay premiums for property and casualty insurance necessary to insure the school facility.

In addition to the facilities funding provided by the state, Florida law also provides greater flexibility in facilities requirements for charter schools. Charter schools are not required to use facilities that meet the rigorous State Requirements for Educational Facilities (SREF) with which LEA-owned school buildings must comply. Facilities used by charter schools must comply with the Florida Building Code, pursuant to s. 553.73, F.S., except for the SREF portions, and the Florida Fire Prevention Code (s. 663.025, F.S.). The law further states that charter schools may use a variety of facilities, including libraries, museums, and churches, under the facilities' preexisting zoning and land use designations. Charter school facilities are exempt from assessments of building permit fees (with exceptions), building and occupational license fees, impact fees, service availability fees, and assessments for special benefits [s. 1002.33(18)(d), F.S.]. Charter schools are also eligible to receive funds from impact fees assessed when residential developments cause increased enrollment.

Charter schools may also have access to LEA-owned facilities. If a LEA has a facility or property that is available because it is surplus, marked for disposal, or otherwise unused, it must be provided for a charter school's use on the same basis as it is made available to other schools in the LEA [s. 1002.33(18)(e), F.S.].

(v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools

Florida enables LEAs to operate innovative, autonomous public schools as evidenced below via the Florida Virtual School (FLVS), the School District Virtual Instruction Program, and developmental research (laboratory) schools. Florida's innovative, autonomous public schools cover the gamut from a statewide accessible virtual school to regional developmental research laboratory schools operated by state universities to virtual instruction programs sponsored by LEAs. Thus, every Florida public school student has at least one option and, in some instances, as many as three options to attend an innovative, autonomous public school in Florida.

Florida's virtual innovative, autonomous public school options. Florida has comprehensive public virtual education options for its students. All of Florida's virtual education options are designated as part of Florida's public education system (s. 1000.04, F.S.) and as public school choice options for Florida students (s. 1002.20, F.S.). Virtual education provides expanded access to high-quality courses and teachers for students no matter where they live or what their schools or other educational programs offer. This is particularly important for students in rural schools and other schools that are not able to offer a wide variety of courses, including some of the higher-level Advanced Placement (AP) courses.

In addition, all virtual education options are funded through the state's public education funding formula so that the funding follows the students to the program of choice and there are no legislative caps for enrollment. The funding includes an innovative twist in that it is based on student performance or successful completion of virtual programs or courses rather than seat time. Florida's virtual education options are not merely reforming education; they are transforming education.

The Center for Digital Education surveys and ranks states based on their policies and practices related to virtual education. For the last two years, it has ranked Florida #1 in the nation for its vision, policies, programs, and strategies related to online learning and its use of online education to transform education and to meet student needs. The Center's national analysis examines the types of programs offered, access to these programs, enrollment and growth in online education, course offerings, K-20 ventures, and whether online learning is a strategy for school reform in the state. According to the 2009 release of a study conducted by the

Evergreen Education Group, Florida's online learning opportunities provide Florida students with more access to online learning than students in any other state (Watson et al., 2009).

The Florida Virtual School. FLVS, established in law (s. 1002.37, F.S.) for the development and delivery of online and distance learning education to Florida middle and high school students, has led the way in this educational transformation. FLVS, which began with a "Break the Mold" grant in 1997 and an enrollment of 77 students, has become a national and international leader in online education, with the largest enrollment of any state virtual school in the nation by far (154,125 course enrollments compared to 28,014 for the state with the second highest enrollment in 2008-09). Priority for enrollment is given to students who need expanded access to courses and teachers (e.g., students in inner-city or rural schools and home education students) and students seeking acceleration. School districts are not allowed to limit or deny access to their students to courses offered by FLVS.

FLVS provides access to over 125 online courses 365 days per year, 24 hours a day. FLVS provides individualized and personalized instruction and flexible pacing for students. Students can access lessons when they want, where they want, through multiple devices and means. Learning is based on achievement instead of seat time and so is its funding. Teachers are held accountable for student performance through a variety of metrics and all staff is on annual contracts. Access to expanded curriculum is available for every student in the state (including rural, urban, and low-performing) by FLVS. This includes AP, foreign languages, electives, and core requirements. Even fiscally strapped districts can offer a full range of AP courses and test preparation by qualified instructors, something not available to students in many smaller school districts.

The results achieved in providing access to AP courses to students that may not otherwise have such access has been impressive and is something Florida expects to build on in the future:

In 2008-09, FLVS had **154,125** successful half-credit completions. Of these:

- Over 12,300 were from rural schools.

- Over 24,600 were from low-performing schools.
- Over 27,700 were from high-minority schools.

In 2008-09, FLVS had **3,020** successful half-credit completions in its 10 AP courses. It has 13 AP courses in 2009-10 and more in development. Of these successful completions:

- Over 1260 (42%) were minority students
- Over 780 were from high-minority schools
- Over 480 were from low-performing schools
- Over 90 were from rural schools

On average, FLVS AP students have higher pass rates than their state and national peers. Across all FLVS AP exams, the average pass rates are: FLVS 58.56%, Florida 40.72%, and US 55.32%.

Seventeen Florida school districts have established franchises of FLVS. School districts provide the administration and instruction for franchise students while FLVS provides the curriculum, Learning Management System, Student Information System, teacher training and mentoring, leadership training, and more. This innovative partnership only costs school districts \$50 per half-credit enrollment to offer a nationally-recognized, online education program for their students. FLVS also provides virtual solutions to 45 states and 39 countries.

School District Virtual Instruction Program. The 2008 Legislature created the School District Virtual Instruction Program (s. 1002.45, F.S.). Beginning in 2009-10, all school districts offered full-time, LEA-level virtual instruction programs for their students in grades K-12. The instruction in these programs takes place in an interactive environment in which the teacher and student are separated by time and space. Students primarily access their virtual instruction program from home. This program is designated by law (s. 1002.20, F.S.) as a public school choice option within the LEA. Districts have a number of options for offering this choice to their students, including the following: operating their own program, contracting with FLVS, establishing a district franchise of FLVS, contracting with FDOE-approved providers, and entering into agreements with other school districts. In 2010-11, more

LEAs will be operating their own virtual instruction programs rather than using private providers. For example, twice as many LEAs will be operating their own franchises of FLVS (from 17 in 2009-10 to 34 in 2010-11). LEAs provide the administration and teachers for their franchises while using the highly-rated FLVS curriculum. The providers of full-time virtual programs under contract with school districts are held accountable for student achievement through a statewide school grade based on the performance of the students in all of their LEA programs. The contract for any provider earning less than a “C” performance grade for two out of four years must be terminated. Funding for these programs is based on successful completions (completion of the program and promotion to a higher grade level for students in grades K-5 and successful course or credit completion for students in grades 6-12) [s. 1011.61(1)(c)1.b.III, IV, and V, F.S.].

Florida’s state university-sponsored innovative, autonomous public school options.

Developmental Research (laboratory) Schools. Florida also established in law a category of public schools known as developmental research schools (lab schools) (see s. 1002.32, F.S.). Florida has four Title I-eligible lab schools (P.K. Yonge School at UF, FAMU Lab School, FSU Lab School, and Henderson School at FAU), and three of them are participating LEAs for RTTT. Each lab school is affiliated with the college of education within the state university of closest geographic proximity. For the purpose of state funding, Florida Agricultural and Mechanical University, Florida Atlantic University, Florida State University, the University of Florida, and other universities approved by the State Board of Education and the Legislature are authorized to sponsor a lab school. The mission of the lab schools is to be a vehicle for the conduct of research, demonstration, and evaluation regarding management, teaching, and learning. Each lab school must emphasize mathematics, science, computer science, and foreign languages. The primary goals of these lab schools are to enhance instruction and research in these specialized subjects by using the resources available on a state university campus, while also providing an education in non-specialized subjects. Each lab school may establish a primary research objective related to fundamental issues and problems that occur in the public elementary and secondary schools of the state. A student population reflective of the student population of the public school environment, in which those

issues and problems are most prevalent, shall be promoted and encouraged through the establishment and implementation of an admission process that is designed to result in a representative sample of public school enrollment based on gender, race, socioeconomic status, and academic ability.

Florida's powerful K-12 student and parent rights law requires LEAs to provide educational choice (Chapter 1002, Part III, F.S.). Innovative LEA school choices, in addition to those described above and included in legislation, are single-gender schools, charter technical career centers, New World School of the Arts, Florida School for the Deaf and the Blind, magnet schools, and career and professional academies (s. 1003.491, F.S.). Choice options must adhere to federal desegregation requirements; allow parents to declare school preferences; encourage placement of siblings within the same school; enroll students through a lottery procedure; include an appeals process for hardship cases; maintain socioeconomic, demographic, and racial balance; making transportation available; promote strong parental involvement; and provide information to assist parents in making informed choices.

(F)(3) Demonstrating other significant reform conditions (5 points)

The extent to which the State, in addition to information provided under other State Reform Conditions Criteria, has created, through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for (F)(3):

- A description of the State's other applicable key education laws, statutes, regulations, or relevant legal documents.

Recommended maximum response length: Two pages