

1 A bill to be entitled
2 An act relating to student eligibility for K-12
3 virtual instruction; amending s. 1002.37, F.S.;
4 revising eligibility requirements for specified
5 students to receive part-time instruction at the
6 Florida Virtual School; removing provisions requiring
7 the Auditor General to conduct an operational audit of
8 the Florida Virtual School; amending s. 1002.455,
9 F.S.; authorizing all students, including home
10 education and private school students, to participate
11 in specified virtual instruction options; deleting the
12 eligibility criteria for a student to participate in
13 virtual instruction; amending s. 1003.4282, F.S.;
14 revising the options that a district school board or
15 charter school governing board may offer for a student
16 to satisfy certain online course requirements;
17 amending ss. 1002.33, 1002.45, 1003.498, and 1011.62,
18 F.S.; conforming provisions and cross-references to
19 changes made by the act; providing an effective date.
20

21 Be It Enacted by the Legislature of the State of Florida:
22

23 Section 1. Paragraph (a) of subsection (8) and subsection
24 (11) of section 1002.37, Florida Statutes, are amended to read:
25 1002.37 The Florida Virtual School.—

26 (8) (a) The Florida Virtual School may provide full-time
 27 and part-time instruction for students in kindergarten through
 28 grade 12. ~~To receive part-time instruction in kindergarten~~
 29 ~~through grade 5, a student must meet at least one of the~~
 30 ~~eligibility criteria in s. 1002.455(2).~~

31 ~~(11) The Auditor General shall conduct an operational~~
 32 ~~audit of the Florida Virtual School, including Florida Virtual~~
 33 ~~School Global. The scope of the audit shall include, but not be~~
 34 ~~limited to, the administration of responsibilities relating to~~
 35 ~~personnel; procurement and contracting; revenue production;~~
 36 ~~school funds, including internal funds; student enrollment~~
 37 ~~records; franchise agreements; information technology~~
 38 ~~utilization, assets, and security; performance measures and~~
 39 ~~standards; and accountability. The final report on the audit~~
 40 ~~shall be submitted to the President of the Senate and the~~
 41 ~~Speaker of the House of Representatives no later than January~~
 42 ~~31, 2014.~~

43 Section 2. Section 1002.455, Florida Statutes, is amended
 44 to read:

45 1002.455 Student eligibility for K-12 virtual
 46 instruction.-

47 (1) All students, including home education and private
 48 school students, are eligible to participate in any of the
 49 following ~~A student may participate in virtual instruction in~~
 50 ~~the school district in which he or she resides if the student~~

51 ~~meets the eligibility criteria in subsection (2).~~

52 ~~(2) A student is eligible to participate in virtual~~
53 ~~instruction if:~~

54 ~~(a) The student spent the prior school year in attendance~~
55 ~~at a public school in the state and was enrolled and reported by~~
56 ~~the school district for funding during October and February for~~
57 ~~purposes of the Florida Education Finance Program surveys;~~

58 ~~(b) The student is a dependent child of a member of the~~
59 ~~United States Armed Forces who was transferred within the last~~
60 ~~12 months to this state from another state or from a foreign~~
61 ~~country pursuant to a permanent change of station order;~~

62 ~~(c) The student was enrolled during the prior school year~~
63 ~~in a virtual instruction program under s. 1002.45 or a full-time~~
64 ~~Florida Virtual School program under s. 1002.37(8)(a);~~

65 ~~(d) The student has a sibling who is currently enrolled in~~
66 ~~a virtual instruction program and the sibling was enrolled in~~
67 ~~that program at the end of the prior school year;~~

68 ~~(e) The student is eligible to enter kindergarten or first~~
69 ~~grade; or~~

70 ~~(f) The student is eligible to enter grades 2 through 5~~
71 ~~and is enrolled full-time in a school district virtual~~
72 ~~instruction program, virtual charter school, or the Florida~~
73 ~~Virtual School.~~

74 ~~(3) The virtual instruction options for which this~~
75 ~~eligibility section applies include:~~

76 (1) ~~(a)~~ School district operated part-time or full-time
 77 kindergarten through grade 12 virtual instruction programs under
 78 s. 1002.45(1)(b) for students enrolled in the school district.

79 (2) ~~(b)~~ Full-time virtual charter school instruction
 80 authorized under s. 1002.33.

81 (3) ~~(c)~~ Virtual courses offered in the course code
 82 directory to students within the school district or to students
 83 in other school districts throughout the state pursuant to s.
 84 1003.498.

85 (4) Florida Virtual School instructional services
 86 authorized under s. 1002.37.

87 Section 3. Paragraph (b) of subsection (4) of section
 88 1003.4282, Florida Statutes, is amended to read:

89 1003.4282 Requirements for a standard high school
 90 diploma.—

91 (4) ONLINE COURSE REQUIREMENT.—At least one course within
 92 the 24 credits required under this section must be completed
 93 through online learning.

94 (b) A district school board or a charter school governing
 95 board, as applicable, may allow a student ~~offer students the~~
 96 ~~following options~~ to satisfy the online course requirements of
 97 this subsection by completing÷

98 1. ~~Completion of~~ a course in which the a student earns a
 99 nationally recognized industry certification in information
 100 technology that is identified on the CAPE Industry Certification

101 Funding List pursuant to s. 1008.44 or passing ~~passage~~ of the
102 information technology certification examination without
103 enrolling ~~enrollment~~ in or completing ~~completion~~ of the
104 corresponding course or courses, as applicable.

105 ~~2. Passage of an online content assessment, without~~
106 ~~enrollment in or completion of the corresponding course or~~
107 ~~courses, as applicable, by which the student demonstrates skills~~
108 ~~and competency in locating information and applying technology~~
109 ~~for instructional purposes.~~

110

111 For purposes of this subsection, a school district may not
112 require a student to take the online course outside the school
113 day or in addition to a student's courses for a given semester.
114 This subsection does not apply to a student who has an
115 individual education plan under s. 1003.57 which indicates that
116 an online course would be inappropriate or to an out-of-state
117 transfer student who is enrolled in a Florida high school and
118 has 1 academic year or less remaining in high school.

119 Section 4. Subsection (1) of section 1002.33, Florida
120 Statutes, is amended to read:

121 1002.33 Charter schools.—

122 (1) AUTHORIZATION.—Charter schools shall be part of the
123 state's program of public education. All charter schools in
124 Florida are public schools. A charter school may be formed by
125 creating a new school or converting an existing public school to

126 charter status. A charter school may operate a virtual charter
 127 school pursuant to s. 1002.45(1)(d) to provide full-time online
 128 instruction to ~~eligible~~ students, pursuant to s. 1002.455, in
 129 kindergarten through grade 12. An existing charter school that
 130 is seeking to become a virtual charter school must amend its
 131 charter or submit a new application pursuant to subsection (6)
 132 to become a virtual charter school. A virtual charter school is
 133 subject to the requirements of this section; however, a virtual
 134 charter school is exempt from subsections (18) and (19),
 135 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and
 136 s. 1003.03. A public school may not use the term charter in its
 137 name unless it has been approved under this section.

138 Section 5. Subsection (5) of section 1002.45, Florida
 139 Statutes, is amended to read:

140 1002.45 Virtual instruction programs.—

141 (5) STUDENT ELIGIBILITY.—A student may enroll in a virtual
 142 instruction program provided by the school district or by a
 143 virtual charter school operated in the district in which he or
 144 she resides ~~if the student meets eligibility requirements for~~
 145 ~~virtual instruction~~ pursuant to s. 1002.455.

146 Section 6. Subsection (2) of section 1003.498, Florida
 147 Statutes, is amended to read:

148 1003.498 School district virtual course offerings.—

149 (2) School districts may offer virtual courses for
 150 students enrolled in the school district. These courses must be

151 identified in the course code directory. Students ~~who meet the~~
152 ~~eligibility requirements of s. 1002.455~~ may participate in these
153 virtual course offerings pursuant to s. 1002.455.

154 (a) Any ~~eligible~~ student who is enrolled in a school
155 district may register and enroll in an online course offered by
156 his or her school district.

157 (b)1. Any ~~eligible~~ student who is enrolled in a school
158 district may register and enroll in an online course offered by
159 any other school district in the state. The school district in
160 which the student completes the course shall report the
161 student's completion of that course for funding pursuant to s.
162 1011.61(1)(c)1.b.(VI), and the home school district shall not
163 report the student for funding for that course.

164 2. The full-time equivalent student membership calculated
165 under this subsection is subject to the requirements in s.
166 1011.61(4). The Department of Education shall establish
167 procedures to enable interdistrict coordination for the delivery
168 and funding of this online option.

169 Section 7. Subsection (11) of section 1011.62, Florida
170 Statutes, is amended to read:

171 1011.62 Funds for operation of schools.—If the annual
172 allocation from the Florida Education Finance Program to each
173 district for operation of schools is not determined in the
174 annual appropriations act or the substantive bill implementing
175 the annual appropriations act, it shall be determined as

176 follows:

177 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
178 annually provide in the Florida Education Finance Program a
179 virtual education contribution. The amount of the virtual
180 education contribution shall be the difference between the
181 amount per FTE established in the General Appropriations Act for
182 virtual education and the amount per FTE for each district and
183 the Florida Virtual School, which may be calculated by taking
184 the sum of the base FEFP allocation, the discretionary local
185 effort, the state-funded discretionary contribution, the
186 discretionary millage compression supplement, the research-based
187 reading instruction allocation, and the instructional materials
188 allocation, and then dividing by the total unweighted FTE. This
189 difference shall be multiplied by the virtual education
190 unweighted FTE for programs and options identified in s.
191 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its
192 franchises to equal the virtual education contribution and shall
193 be included as a separate allocation in the funding formula.

194 Section 8. This act shall take effect July 1, 2017.