

1 A bill to be entitled
2 An act relating to the Florida Virtual School;
3 amending s. 1002.37, F.S.; revising the mission of the
4 Florida Virtual School; revising the students the
5 school may serve; removing requirements for the school
6 to give priority to certain students; authorizing the
7 school's president and chief executive officer to
8 request a meeting of the board of trustees;
9 authorizing the school to use additional funding
10 sources for its education delivery system; authorizing
11 the use of certain funds to support the school's
12 mission; revising the duties and authority of the
13 school's board of trustees; removing the authority of
14 the school's board of trustees to adopt rules and
15 procedures; authorizing the school to accrue
16 supplemental revenue from direct-support
17 organizations; requiring the school's president and
18 chief executive officer or his or her authorized
19 designee to review and approve certain expenditures;
20 removing provisions relating to the school's executive
21 director; providing that certain provisions apply to
22 all administrative personnel, rather than to academic
23 administrative personnel, and educational support
24 employees; providing that certain employees are
25 considered state employees for specified purposes;

26 | authorizing the school to enter into contracts and
 27 | franchise agreements with other educational
 28 | institutions and governmental agencies; revising
 29 | specified reporting requirements; requiring certain
 30 | international assessments be available to Florida
 31 | Virtual School students; requiring school districts to
 32 | provide Florida Virtual School students with access to
 33 | test administrators; providing an effective date.
 34 |

35 | Be It Enacted by the Legislature of the State of Florida:
 36 |

37 | **Section 1. Subsections (1), (2), (4), (7), (9), and (10)**
 38 | **of section 1002.37, Florida Statutes, are amended to read:**

39 | 1002.37 The Florida Virtual School.—

40 | (1) (a) The Florida Virtual School is established for the
 41 | development and delivery of online and distance learning
 42 | education. The Commissioner of Education shall monitor the
 43 | school's performance and report its performance to the State
 44 | Board of Education and the Legislature.

45 | (b) The mission of the Florida Virtual School is to
 46 | provide students with technology-based educational opportunities
 47 | to gain the knowledge and skills necessary to succeed. The
 48 | school shall serve all students ~~any student in the state~~ who
 49 | meet ~~meets~~ the profile for success in this educational delivery
 50 | context, ~~and shall give priority to:~~

51 ~~1. Students who need expanded access to courses in order~~
52 ~~to meet their educational goals, such as home education students~~
53 ~~and students in inner-city and rural high schools who do not~~
54 ~~have access to higher-level courses.~~

55 ~~2. Students seeking accelerated access in order to obtain~~
56 ~~a high school diploma at least one semester early.~~

57 ~~3. Students who are children of an active duty member of~~
58 ~~the United States Armed Forces who is not stationed in this~~
59 ~~state whose home of record or state of legal residence is~~
60 ~~Florida.~~

61 (c) To ensure parents and students are informed of the
62 opportunities offered by the Florida Virtual School, the
63 commissioner shall provide the board of trustees of the Florida
64 Virtual School access to the records of public school students
65 in a format prescribed by the board of trustees.

66
67 The board of trustees of the Florida Virtual School shall
68 identify appropriate performance measures and standards based on
69 student achievement that reflect the school's statutory mission
70 and priorities, and shall implement an accountability system for
71 the school that includes assessment of its effectiveness and
72 efficiency in providing quality services that encourage high
73 student achievement, seamless articulation, and maximum access.

74 (2) The Florida Virtual School shall be governed by a
75 board of trustees comprised of seven members appointed by the

76 Governor to 4-year staggered terms. The board of trustees shall
77 be a public agency entitled to sovereign immunity pursuant to s.
78 768.28, and board members shall be public officers who shall
79 bear fiduciary responsibility for the Florida Virtual School.
80 The board of trustees shall have the following powers and
81 duties:

82 (a)1. The board of trustees shall meet at least 4 times
83 each year, upon the call of the board chair, ~~or~~ at the request
84 of a majority of the board membership, or at the request of the
85 Florida Virtual School president and chief executive officer.

86 2. The fiscal year for the Florida Virtual School shall be
87 the state fiscal year as provided in s. 216.011(1)(q).

88 (b) The board of trustees shall be responsible for the
89 Florida Virtual School's development of a state-of-the-art
90 technology-based education delivery system that is cost-
91 effective, educationally sound, marketable, and capable of
92 sustaining a self-sufficient delivery system through the Florida
93 Education Finance Program and other supplemental funding
94 sources.

95 (c) The board of trustees shall aggressively seek avenues
96 to generate revenue to support its future endeavors, and shall
97 enter into agreements with distance learning providers. The
98 board of trustees may acquire, enjoy, use, and dispose of
99 patents, copyrights, and trademarks and any licenses and other
100 rights or interests thereunder or therein. Ownership of all such

101 patents, copyrights, trademarks, licenses, and rights or
102 interests thereunder or therein shall vest in the state, with
103 the board of trustees having full right of use and full right to
104 retain the revenues derived therefrom. Any funds realized from
105 patents, copyrights, trademarks, or licenses shall be considered
106 internal funds ~~as provided in s. 1011.07~~. Such funds shall be
107 used to support the school's mission and its marketing, ~~and~~
108 research, and development activities in order to improve
109 courseware and services to its students.

110 (d) The board of trustees shall be responsible for the
111 administration and control of all local school funds derived
112 from all activities or sources and shall prescribe the
113 principles and policies ~~procedures~~ to be followed in
114 administering these funds.

115 (e) The Florida Virtual School may accrue supplemental
116 revenue from direct-support organizations and supplemental
117 support organizations, which include, but are not limited to,
118 alumni associations, foundations, parent-teacher associations,
119 and booster associations. The governing body of each direct-
120 support organization and supplemental support organization shall
121 recommend the expenditure of moneys collected by the
122 organization for the benefit of the school. Such expenditures
123 shall be contingent upon the review and approval of the Florida
124 Virtual School president and chief executive officer or an
125 authorized designee director. ~~The executive director may~~

126 ~~override any proposed expenditure of the organization that would~~
127 ~~violate Florida law or breach sound educational management.~~

128 (f) In accordance with law and rules of the State Board of
129 Education, the board of trustees shall administer and maintain
130 personnel programs for all employees of the board of trustees
131 and the Florida Virtual School. The board of trustees may adopt
132 ~~rules, policies, and procedures~~ related to the appointment,
133 employment, and removal of personnel.

134 1. The board of trustees shall determine the compensation,
135 including salaries and fringe benefits, and other conditions of
136 employment for such personnel.

137 2. The board of trustees may establish and maintain a
138 personnel loan or exchange program by which persons employed by
139 the board of trustees for the Florida Virtual School as ~~academic~~
140 administrative and instructional staff may be loaned to, or
141 exchanged with persons employed in like capacities by, public
142 agencies either within or without this state, or by private
143 industry. With respect to public agency employees, the program
144 authorized by this subparagraph shall be consistent with the
145 requirements of part II of chapter 112. The salary and benefits
146 of board of trustees personnel participating in the loan or
147 exchange program shall be continued during the period of time
148 they participate in a loan or exchange program, and such
149 personnel shall be deemed to have no break in creditable or
150 continuous service or employment during such time. The salary

151 and benefits of persons participating in the personnel loan or
152 exchange program who are employed by public agencies or private
153 industry shall be paid by the originating employers of those
154 participants, and such personnel shall be deemed to have no
155 break in creditable or continuous service or employment during
156 such time.

157 3. The employment of all Florida Virtual School ~~academic~~
158 administrative and instructional personnel or educational
159 support employees as those terms are defined in s. 1012.01(3),
160 (2), or (6), respectively, is shall be subject to rejection for
161 ~~cause by the board of trustees, and shall be~~ subject to policies
162 of the board of trustees relative to certification, tenure,
163 leaves of absence, sabbaticals, remuneration, and such other
164 conditions of employment as the board of trustees deems
165 necessary and proper, not inconsistent with law.

166 4. Each person employed by the board of trustees in an
167 ~~academic~~ administrative or instructional capacity with the
168 Florida Virtual School shall be entitled to a contract as
169 provided by policies ~~rules~~ of the board of trustees.

170 5. All employees except temporary, seasonal, and student
171 employees shall ~~may~~ be state employees for the purpose of being
172 eligible to participate in the Florida Retirement System and
173 receive benefits. The classification and pay plan, including
174 terminal leave and other benefits, and any amendments thereto,
175 shall be subject to review and approval by the Department of

176 Management Services and the Executive Office of the Governor
177 before ~~prior to~~ adoption.

178 ~~(g) The board of trustees shall establish priorities for~~
179 ~~admission of students in accordance with paragraph (1)(b).~~

180 (g)(h) The board of trustees shall establish and
181 distribute to all school districts and high schools in the state
182 procedures for enrollment of students in courses offered by the
183 Florida Virtual School.

184 (h)(i) The board of trustees shall establish criteria
185 defining the elements of an approved franchise. The board of
186 trustees may enter into contracts and franchise agreements with
187 Florida district school boards and other educational
188 institutions and governmental agencies and may establish the
189 terms and conditions governing such contracts and agreements.
190 ~~The board of trustees shall establish the performance and~~
191 ~~accountability measures and report the performance of each~~
192 ~~school district franchise to the Commissioner of Education.~~

193 (i)(j) The board of trustees shall submit to the State
194 Board of Education both forecasted and actual enrollments and
195 credit completions for the Florida Virtual School, according to
196 procedures established by the State Board of Education. At a
197 minimum, such procedures must include the number of public,
198 private, and home education students served by program and by
199 county of residence.

200 (j)(k) The board of trustees shall provide for the content

201 and custody of student and employee personnel records. Student
 202 records shall be subject to ~~the provisions of~~ s. 1002.22.
 203 Employee records shall be subject to ~~the provisions of~~ s.
 204 1012.31.

205 (k)~~(l)~~ The financial records and accounts of the Florida
 206 Virtual School shall be maintained under the direction of the
 207 board of trustees and under rules adopted by the State Board of
 208 Education for the uniform system of financial records and
 209 accounts for the schools of the state.

210
 211 The Governor shall designate the initial chair of the board of
 212 trustees to serve a term of 4 years. Members of the board of
 213 trustees shall serve without compensation, but may be reimbursed
 214 for per diem and travel expenses pursuant to s. 112.061. The
 215 board of trustees shall be a body corporate with all the powers
 216 of a body corporate and such authority as is needed for the
 217 proper operation and improvement of the Florida Virtual School.
 218 The board of trustees is specifically authorized to adopt ~~rules,~~
 219 ~~policies, and procedures,~~ consistent with law and rules of the
 220 State Board of Education related to governance, personnel,
 221 budget and finance, administration, programs, curriculum and
 222 instruction, travel and purchasing, technology, students,
 223 contracts and grants, and property as necessary for optimal,
 224 efficient operation of the Florida Virtual School. Tangible
 225 personal property owned by the board of trustees shall be

226 | subject to ~~the provisions of~~ chapter 273.

227 | (4) School districts operating a virtual school that is an
228 | approved franchise of the Florida Virtual School may count full-
229 | time equivalent students, as provided in paragraph (3) (a), if
230 | such school has been certified as an approved franchise by the
231 | Commissioner of Education based on criteria established by the
232 | board of trustees pursuant to paragraph (2) (h) ~~(2) (i)~~.

233 | (7) The board of trustees shall annually submit to the
234 | Governor, the Legislature, the Commissioner of Education, and
235 | the State Board of Education the audit report prepared pursuant
236 | to subsection (6) and a complete and detailed report setting
237 | forth:

238 | ~~(a) the operations and accomplishments of the Florida~~
239 | ~~Virtual School within the state and those occurring outside the~~
240 | ~~state as Florida Virtual School Global.~~

241 | ~~(b) The marketing and operational plan for the Florida~~
242 | ~~Virtual School and Florida Virtual School Global, including~~
243 | ~~recommendations regarding methods for improving the delivery of~~
244 | ~~education through the Internet and other distance learning~~
245 | ~~technology.~~

246 | ~~(c) The assets and liabilities of the Florida Virtual~~
247 | ~~School and Florida Virtual School Global at the end of the~~
248 | ~~fiscal year.~~

249 | ~~(d) Recommendations regarding the unit cost of providing~~
250 | ~~services to students through the Florida Virtual School and~~

251 ~~Florida Virtual School Global. In order to most effectively~~
252 ~~develop public policy regarding any future funding of the~~
253 ~~Florida Virtual School, it is imperative that the cost of the~~
254 ~~program is accurately identified. The identified cost of the~~
255 ~~program must be based on reliable data.~~

256 ~~(c) Recommendations regarding an accountability mechanism~~
257 ~~to assess the effectiveness of the services provided by the~~
258 ~~Florida Virtual School and Florida Virtual School Global.~~

259 (9) (a) The Florida Virtual School may provide full-time
260 and part-time instruction for students in kindergarten through
261 grade 12.

262 (b) For students receiving part-time or full-time
263 instruction in kindergarten through grade 12 ~~5~~ ~~and students~~
264 ~~receiving full-time instruction in kindergarten through grade 12~~
265 from the Florida Virtual School, the full-time equivalent
266 student enrollment calculated under this subsection is subject
267 to the requirements in s. 1011.61(4).

268 (10) (a) Public school students receiving full-time
269 instruction in kindergarten through grade 12 by the Florida
270 Virtual School must take all statewide assessments required
271 pursuant to s. 1008.22 and participate in the coordinated
272 screening and progress monitoring system under s. 1008.25(9).

273 (b) Public school students receiving part-time instruction
274 by the Florida Virtual School in courses requiring statewide
275 end-of-course assessments must take all statewide end-of-course

276 assessments required pursuant to s. 1008.22.

277 (c) Industry certification examinations, national
 278 assessments, ~~and~~ statewide assessments, and international
 279 assessments offered by the school district shall be available to
 280 all Florida Virtual School students.

281 (d) Unless an alternative testing site is mutually agreed
 282 to by the Florida Virtual School and the school district or as
 283 contracted under s. 1008.24, all industry certification
 284 examinations, national assessments, progress monitoring under s.
 285 1008.25(9), ~~and~~ statewide assessments, and international
 286 assessments must be taken at the school to which the student
 287 would be assigned according to district school board attendance
 288 areas. A school district must provide the student with access to
 289 the school's testing facilities, a test administrator, and the
 290 date and time of the administration of progress monitoring and
 291 each examination or assessment.

292 **Section 2.** This act shall take effect July 1, 2025.