

1 A bill to be entitled
2 An act relating to virtual learning; amending s.
3 1002.37, F.S.; revising the purpose of the Florida
4 Virtual School to provide for the development and
5 delivery of blended learning; requiring the Florida
6 Virtual School to give priority to students enrolled
7 in certain Department of Corrections education
8 programs; conforming a reporting requirement to
9 changes made by the act; revising the calculation of
10 funding for the Florida Virtual School; requiring
11 full-time equivalent students enrolled in a certain
12 blended learning program to be reported to the
13 Department of Education in a specified manner;
14 providing conditions under which the Florida Virtual
15 School may be funded through the Florida Education
16 Finance Program; revising the requirements of a report
17 that the board of trustees of the Florida Virtual
18 School must annually submit to certain entities,
19 beginning with a specified school year; requiring
20 students enrolled in the Florida Virtual School
21 Justice Education Program to take specified
22 examinations and assessments at institutions or
23 facilities operated by, or under the supervision of,
24 the Department of Corrections; providing for the
25 determination of Florida Virtual School performance

related to the Justice Education Program; creating s.
1002.371, F.S.; requiring the Florida Virtual School
to establish the Florida Virtual School Justice
Education Program, beginning with a specified school
year; providing the purpose of the program; providing
criteria for course delivery; requiring the Florida
Virtual School to report program students separately
from other students for funding purposes; providing
for funding of students enrolled in the program;
authorizing certain students to remain enrolled under
certain circumstances; prohibiting funding for such a
student from being reported through the Florida
Education Finance Program; requiring the Department of
Education, with assistance from specified entities, to
select a common student assessment instrument and
protocol for measuring student learning gains and
progression; requiring specified entities to jointly
review such assessment instrument and protocol and
implement changes as necessary; authorizing students
to appeal removal from the Florida Virtual School
Justice Education Program, subject to a final
determination on the appeal by the Commissioner of
Education; requiring the Florida Virtual School to
negotiate by a specified date and annually thereafter
a cooperative agreement with the Department of

51 Corrections to implement the Florida Virtual School
52 Justice Education Program for the delivery of
53 educational services to students under the
54 jurisdiction of the Department of Corrections;
55 providing requirements for such agreement; providing
56 construction; requiring the state board and the
57 Department of Corrections to adopt rules; amending s.
58 1011.61, F.S.; revising the definition of the term
59 "full-time equivalent student"; amending s. 1011.62,
60 F.S.; conforming a provision to changes made by the
61 act; providing an effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 **Section 1. Paragraphs (c) through (g) of subsection (3) of**
66 **section 1002.37, Florida Statutes, are redesignated as**
67 **paragraphs (d) through (h), respectively, a new paragraph (c)**
68 **and paragraph (i) are added to that subsection, paragraph (e) is**
69 **added to subsection (10), and paragraphs (a) and (b) of**
70 **subsection (1), paragraphs (c) and (j) of subsection (2),**
71 **paragraph (a) of subsection (3), and subsections (7) and (11) of**
72 **that section are amended, to read:**

73 1002.37 The Florida Virtual School.—

74 (1)(a) The Florida Virtual School is established for the
75 development and delivery of online and blended ~~distance~~ learning

76 education. The Commissioner of Education shall monitor the
77 school's performance and report its performance to the State
78 Board of Education and the Legislature.

79 (b) The mission of the Florida Virtual School is to
80 provide students with technology-based educational opportunities
81 to gain the knowledge and skills necessary to succeed. The
82 school shall serve any student in this ~~the~~ state who meets the
83 profile for success in this educational delivery context and
84 shall give priority to:

85 1. Students who need expanded access to courses in order
86 to meet their educational goals, such as home education students
87 and students in inner-city and rural high schools who do not
88 have access to higher-level courses.

89 2. Students seeking accelerated access in order to obtain
90 a high school diploma at least one semester early.

91 3. Students who are children of an active duty member of
92 the United States Armed Forces who is not stationed in this
93 state whose home of record or state of legal residence is
94 Florida.

95 4. Students enrolled in the Florida Virtual School Justice
96 Education Program pursuant to s. 1002.371.

97
98 The board of trustees of the Florida Virtual School shall
99 identify appropriate performance measures and standards based on
100 student achievement that reflect the school's statutory mission

101 and priorities, and shall implement an accountability system for
102 the school that includes assessment of its effectiveness and
103 efficiency in providing quality services that encourage high
104 student achievement, seamless articulation, and maximum access.

105 (2) The Florida Virtual School shall be governed by a
106 board of trustees comprised of seven members appointed by the
107 Governor to 4-year staggered terms. The board of trustees shall
108 be a public agency entitled to sovereign immunity pursuant to s.
109 768.28, and board members shall be public officers who shall
110 bear fiduciary responsibility for the Florida Virtual School.
111 The board of trustees shall have the following powers and
112 duties:

113 (c) The board of trustees shall aggressively seek avenues
114 to generate revenue to support its future endeavors, and shall
115 enter into agreements with blended ~~distance~~ learning providers.
116 The board of trustees may acquire, enjoy, use, and dispose of
117 patents, copyrights, and trademarks and any licenses and other
118 rights or interests thereunder or therein. Ownership of all such
119 patents, copyrights, trademarks, licenses, and rights or
120 interests thereunder or therein shall vest in the state, with
121 the board of trustees having full right of use and full right to
122 retain the revenues derived therefrom. Any funds realized from
123 patents, copyrights, trademarks, or licenses are ~~shall be~~
124 considered internal funds as provided in s. 1011.07. Such funds
125 shall be used to support the school's marketing and research and

development activities in order to improve courseware and services to its students.

(j) The board of trustees shall submit to the State Board of Education both forecasted and actual enrollments and credit completions for the Florida Virtual School, according to procedures established by the State Board of Education. At a minimum, such procedures must include the number of public, private, and home education students served, by program and by county of residence, and the number of students enrolled in the Florida Virtual School Justice Education Program pursuant to s. 1002.371.

The Governor shall designate the initial chair of the board of trustees to serve a term of 4 years. Members of the board of trustees shall serve without compensation, but may be reimbursed for per diem and travel expenses pursuant to s. 112.061. The board of trustees shall be a body corporate with all the powers of a body corporate and such authority as is needed for the proper operation and improvement of the Florida Virtual School. The board of trustees is specifically authorized to adopt rules, policies, and procedures, consistent with law and rules of the State Board of Education related to governance, personnel, budget and finance, administration, programs, curriculum and instruction, travel and purchasing, technology, students, contracts and grants, and property as necessary for optimal,

efficient operation of the Florida Virtual School. Tangible personal property owned by the board of trustees shall be subject to the provisions of chapter 273.

(3) Funding for the Florida Virtual School shall be provided as follows:

(a)1. The calculation of a "full-time equivalent student" enrolled in an online learning program must ~~shall~~ be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject to s. 1011.61(3).

2. The calculation of a "full-time equivalent student" enrolled in a blended learning program offered pursuant to s. 1002.371 must be as prescribed in s. 1011.61(1)(c)1.b.(I) and is subject to s. 1011.61(3).

3.2. For a student in a home education program, funding shall be provided in accordance with this subsection upon course completion if the parent verifies, upon enrollment for each course, that the student is registered with the school district as a home education student pursuant to s. 1002.41(1)(a).

(c) A full-time equivalent student enrolled in a blended learning program offered pursuant to s. 1002.371, including a student enrolled during the summer, must be reported to the Department of Education in the manner the department prescribes and must be funded through the Florida Education Finance Program.

(i) The Florida Virtual School may be funded for blended

176 learning through the Florida Education Finance Program only for
177 full-time students enrolled in the Florida Virtual School
178 Justice Education Program pursuant to s. 1002.371. However, such
179 students may enroll in online courses and be funded as provided
180 in paragraph (a).

181 (7) The board of trustees shall annually submit to the
182 Governor, the Legislature, the Commissioner of Education, and
183 the State Board of Education the audit report prepared pursuant
184 to subsection (6) and a complete and detailed report setting
185 forth:

186 (a) The operations and accomplishments of the Florida
187 Virtual School within this ~~the~~ state and those occurring outside
188 this ~~the~~ state as Florida Virtual School Global and, beginning
189 with the 2026-2027 school year, the Florida Virtual School
190 Justice Education Program established under s. 1002.371.

191 (b) The marketing and operational plan for the Florida
192 Virtual School, and Florida Virtual School Global, and,
193 beginning with the 2026-2027 school year, the Florida Virtual
194 School Justice Education Program established under s. 1002.371,
195 including recommendations regarding methods for improving the
196 delivery of education through the Internet and other distance
197 learning technology.

198 (c) The assets and liabilities of the Florida Virtual
199 School and Florida Virtual School Global at the end of the
200 fiscal year.

(d) Recommendations regarding the unit cost of providing services to students through the Florida Virtual School, ~~and~~ Florida Virtual School Global, and, beginning with the 2026-2027 school year, the Florida Virtual School Justice Education Program established under s. 1002.371. In order to most effectively develop public policy regarding any future funding of the Florida Virtual School, it is imperative that the cost of the program is accurately identified. The identified cost of the program must be based on reliable data.

(e) Recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the Florida Virtual School, ~~and~~ Florida Virtual School Global, and, beginning with the 2026-2027 school year, the Florida Virtual School Justice Education Program established under s. 1002.371.

(10)

(e) Students enrolled in the Florida Virtual School Justice Education Program pursuant to s. 1002.371 must take all industry certification examinations, national assessments, and statewide, standardized assessments at the institution or facility operated by, or under the supervision of, the Department of Corrections.

(11) The Florida Virtual School shall receive a school grade pursuant to s. 1008.34 for students receiving full-time instruction pursuant to this section. School performance for the Florida Virtual School as it relates to the Justice Education

Program must be assessed based on student learning gains and student progression as demonstrated by the student assessment instrument and protocol selected pursuant to s. 1002.371(6).

Section 2. Section 1002.371, Florida Statutes, is created to read:

1002.371 Florida Virtual School Justice Education Program.—

(1) Beginning with the 2026-2027 school year, the Florida Virtual School shall establish the Florida Virtual School Justice Education Program to offer inmates younger than 22 years of age housed in institutions and facilities operated by, or under the supervision of, the Department of Corrections the opportunity to earn a standard high school diploma pursuant to s. 1003.4282. Courses must be delivered in an educational setting under the supervision of the Department of Corrections by Florida Virtual School personnel certified pursuant to s. 1012.55 who provide instruction through online courses pursuant to s. 1002.37 or through blended learning courses consisting of both traditional classroom and online instructional techniques. Students in blended learning courses must be full-time students of the school as provided in s. 1011.61(1)(a)1. The funding, performance, and accountability requirements for blended learning courses are the same as those for traditional classroom courses.

(2) The Florida Virtual School shall separately report all

251 students enrolled in the program for purposes of the Florida
252 Education Finance Program.

253 (3) The Florida Virtual School shall receive state funds
254 for operating purposes as provided in the General Appropriations
255 Act for students enrolled in the program. The calculation to
256 determine the amount of state funds shall be as prescribed in s.
257 1002.37(3)(g).

258 (4) The program must include and receive funding for a
259 summer school period that must begin on the day immediately
260 following the end of the regular school year and end on the day
261 immediately preceding the subsequent regular school year.
262 Students may not be funded for more than 25 hours per week of
263 instruction.

264 (5) A student who turns 22 years of age while enrolled in
265 the program may remain enrolled if his or her continued
266 enrollment is approved by the Florida Virtual School and the
267 Department of Corrections; however, funding for such a student
268 may not be reported through the Florida Education Finance
269 Program.

270 (6) The Department of Education, with the assistance of
271 the Florida Virtual School and the Department of Corrections,
272 shall select a common student assessment instrument and protocol
273 for measuring student learning gains and student progression for
274 students receiving full-time instruction pursuant to this
275 section. The Department of Education, the Florida Virtual

276 School, and the Department of Corrections, jointly, shall review
277 the effectiveness of such assessment instrument and protocol and
278 implement changes as necessary.

279 (7) A student who is removed from the program may appeal
280 to the Department of Education to seek reinstatement, subject to
281 a final determination on the appeal by the Commissioner of
282 Education.

283 (8) By July 1, 2027, and annually thereafter, the Florida
284 Virtual School shall negotiate a cooperative agreement with the
285 Department of Corrections for the delivery of educational
286 services to students under the jurisdiction of the Department of
287 Corrections to implement the program. Such agreement must
288 provide for, but is not limited to:

289 (a) Roles and responsibilities of the Florida Virtual
290 School and the Department of Corrections, including the roles
291 and responsibilities of contract providers.

292 (b) Resolution of administrative issues, including
293 procedures for sharing information.

294 (c) Allocation of resources, including the maximization of
295 state and federal funding.

296 (d) Procedures for educational evaluation for exceptional
297 education students and those with special needs.

298 (e) Procedures for individualized progress monitoring
299 plans developed for all students not classified upon entry to
300 the program as exceptional education students. These plans must

301 address academic, literacy, career, and technical skills and
302 must include provisions for intensive remedial instruction in
303 areas of weakness.

304 (f) Curriculum and delivery of instruction, including
305 resources required for delivery of instruction through
306 technological means.

307 (g) Procedures for assessments, including, but not limited
308 to, industry certification examinations, national assessments,
309 and statewide, standardized assessments administered pursuant to
310 s. 1008.22 at an institution or facility operated by the
311 Department of Corrections.

312 (h) Classroom management procedures and attendance
313 policies.

314 (i) Procedures for provision of qualified personnel,
315 whether supplied by the Florida Virtual School or the Department
316 of Corrections, and for the performance of their duties in a
317 Department of Corrections setting.

318 (j) Provisions for improving skills in teaching and
319 working with students in the program.

320 (k) Transition plans for students moving into and out of
321 the program, including graduates transitioning to postsecondary
322 education or into the workforce.

323 (l) Procedures and timelines for the timely documentation
324 of credits earned and the transfer of student records.

325 (m) Methods and procedures for dispute resolution.

326 (n) Provisions for ensuring the safety of education
327 personnel and support for the agreed-upon education program.

328 (9) This section and the cooperative agreement required
329 under subsection (8) do not require the Florida Virtual School
330 to provide more services than can be supported by the funds
331 generated by students participating in the program.

332 (10) This section does not prohibit a student from
333 participating in the Correctional Education Program pursuant to
334 s. 944.801.

335 (11) The State Board of Education and the Department of
336 Corrections shall adopt rules to administer this section.

337 **Section 3. Paragraph (c) of subsection (1) of section**
338 **1011.61, Florida Statutes, is amended to read:**

339 1011.61 Definitions.—Notwithstanding the provisions of s.
340 1000.21, the following terms are defined as follows for the
341 purposes of the Florida Education Finance Program:

342 (1) A "full-time equivalent student" in each program of
343 the district is defined in terms of full-time students and part-
344 time students as follows:

345 (c)1. A "full-time equivalent student" is:

346 a. A full-time student in any one of the programs listed
347 in s. 1011.62(1)(c); or

348 b. A combination of full-time or part-time students in any
349 one of the programs listed in s. 1011.62(1)(c) which is the
350 equivalent of one full-time student based on the following

calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in a special program and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten student with a disability shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in kindergarten through grade 12 in a full-time virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in programs listed in s. 1011.62(1)(c). Credit completions may be a combination of full-credit courses or half-credit courses.

(IV) A full-time equivalent student for students in kindergarten through grade 12 in a part-time virtual instruction program under s. 1002.45 shall consist of six full-credit completions in programs listed in s. 1011.62(1)(c)1. and 3.

Credit completions may be a combination of full-credit courses or half-credit courses.

(V) A Florida Virtual School full-time equivalent student in an online program shall consist of six full-credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1. and 3. for students participating in kindergarten through grade 12 part-time virtual instruction and the programs listed in s. 1011.62(1)(c) for students participating in kindergarten through grade 12 full-time virtual instruction. Credit completions may be a combination of full-credit courses or half-credit courses.

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) A full-time equivalent student for courses requiring passage of a statewide, standardized end-of-course assessment under s. 1003.4282 to earn a standard high school diploma shall be defined and reported based on the number of instructional hours as provided in this subsection.

(VIII) For students enrolled in a school district as a full-time student, the district may report 1/6 FTE for each student who passes a statewide, standardized end-of-course assessment without being enrolled in the corresponding course.

2. A student in membership in a program scheduled for more

401 or less than 180 school days or the equivalent on an hourly
402 basis as specified by rules of the State Board of Education is a
403 fraction of a full-time equivalent membership equal to the
404 number of instructional hours in membership divided by the
405 appropriate number of hours set forth in subparagraph (a)1.;
406 however, for the purposes of this subparagraph, membership in
407 programs scheduled for more than 180 days is limited to students
408 enrolled in:

- 409 a. Juvenile justice education programs.
- 410 b. The Florida Virtual School.
- 411 c. Virtual instruction programs and virtual charter
412 schools for the purpose of course completion and credit recovery
413 pursuant to ss. 1002.45 and 1003.498. Course completion applies
414 only to a student who is reported during the second or third
415 membership surveys and who does not complete a virtual education
416 course by the end of the regular school year. The course must be
417 completed no later than the deadline for amending the final
418 student enrollment survey for that year. Credit recovery applies
419 only to a student who has unsuccessfully completed a traditional
420 or virtual education course during the regular school year and
421 must retake the course in order to be eligible to graduate with
422 the student's class.

423
424 The full-time equivalent student enrollment calculated under
425 this subsection is subject to the requirements in subsection

426 (3).

427
428 The department shall determine and implement an equitable method
429 of equivalent funding for schools operating under emergency
430 conditions, which schools have been approved by the department
431 to operate for less than the minimum term as provided in s.
432 1011.60(2).

433 **Section 4. Paragraph (d) of subsection (7) of section**
434 **1011.62, Florida Statutes, is amended to read:**

435 1011.62 Funds for operation of schools.—If the annual
436 allocation from the Florida Education Finance Program to each
437 district for operation of schools is not determined in the
438 annual appropriations act or the substantive bill implementing
439 the annual appropriations act, it shall be determined as
440 follows:

441 (7) EDUCATIONAL ENRICHMENT ALLOCATION.—

442 (d) Funding on the basis of full-time equivalent
443 membership beyond the 180-day regular term shall be provided in
444 the Florida Education Finance Program only for students enrolled
445 in juvenile justice education programs, the Florida Virtual
446 School Justice Education Program pursuant to s. 1002.371, or in
447 education programs for juveniles placed in secure facilities or
448 programs pursuant to s. 985.19. Funding for instruction beyond
449 the regular 180-day school year for all other kindergarten
450 through grade 12 students shall be provided through the

educational enrichment allocation and other state, federal, and
local funding sources with flexibility for schools to provide
educational enrichment activities and services to assist
students in grades kindergarten through 12.

Section 5. This act shall take effect July 1, 2026.