

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Education Committee
 2 Representative Diaz, M. offered the following:

3
 4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:
 6 Section 1. Subsection (23) of section 1001.42, Florida
 7 Statutes, is amended to read:

8 1001.42 Powers and duties of district school board.—The
 9 district school board, acting as a board, shall exercise all
 10 powers and perform all duties listed below:

11 (23) ~~FLORIDA VIRTUAL INSTRUCTION SCHOOL.~~—Provide students
 12 with access to courses available through a virtual instruction
 13 program option or the Florida Virtual School and award credit
 14 for successful completion of such courses. ~~Access shall be~~
 15 ~~available to students during and after the normal school day and~~
 16 ~~through summer school enrollment.~~

17 Section 2. Subsection (6) is added to section 1002.321,
 18 Florida Statutes, to read:

19 1002.321 Digital learning.—

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20 (6) ONLINE CATALOG.—The department shall develop an online
21 catalog of available digital learning courses provided pursuant
22 to ss. 1002.37, 1002.45, and 1003.498, which provides, for each
23 course, access to the course description, completion and passage
24 rates, and a method for student and teacher users to provide
25 evaluative feedback.

26 Section 3. Paragraph (a) of subsection (3), subsection
27 (6), paragraph (b) of subsection (8), and paragraph (c) of
28 subsection (9) of section 1002.37, Florida Statutes, are
29 amended, and subsection (11) is added to that section, to read:

30 1002.37 The Florida Virtual School. —

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

33 (a)1. For a student in grades 9 through 12, a "full-time
34 equivalent student" is one student who has successfully
35 completed six full-credit courses that count toward the minimum
36 number of credits required for high school graduation. A student
37 who completes fewer than six full-credit courses is a fraction
38 of a full-time equivalent student. Half-credit course
39 completions shall be included in determining a full-time
40 equivalent student. ~~Credit completed by a student in excess of~~
41 ~~the minimum required for that student for high school graduation~~
42 ~~is not eligible for funding.~~

43 2. For a student in kindergarten through grade 8, a "full-
44 time equivalent student" is one student who has successfully
45 completed six courses or the prescribed level of content that
46 counts toward promotion to the next grade. A student who

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47 completes fewer than six courses or the prescribed level of
48 content shall be a fraction of a full-time equivalent student.

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

54 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~
55 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent
56 students and associated funding of students enrolled in courses
57 requiring passage of an end-of-course assessment under s.
58 1003.4282 to earn a standard high school diploma shall be
59 adjusted if after the student does not pass ~~completes~~ the end-
60 of-course assessment. However, no adjustment shall be made for
61 home education program students who choose not to take an end-
62 of-course assessment or for a student who enrolls in a segmented
63 remedial course delivered online.

64
65 For purposes of this paragraph, the calculation of "full-time
66 equivalent student" shall be as prescribed in s.
67 1011.61(1)(c)1.b.(V) and is subject to the requirements in s.
68 1011.61(4).

69 (6) The board of trustees shall annually submit to the
70 Governor, the Legislature, the Commissioner of Education, and
71 the State Board of Education a complete and detailed report
72 setting forth:

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73 (a) The operations and accomplishments of the Florida
74 Virtual School within the state and those occurring outside the
75 state as Florida Virtual School Global.

76 (b) The marketing and operational plan for the Florida
77 Virtual School and Florida Virtual School Global, including
78 recommendations regarding methods for improving the delivery of
79 education through the Internet and other distance learning
80 technology.

81 (c) The assets and liabilities of the Florida Virtual
82 School and Florida Virtual School Global at the end of the
83 fiscal year.

84 (d) A copy of an annual financial audit of the accounts
85 and records of the Florida Virtual School and Florida Virtual
86 School Global, conducted by an independent certified public
87 accountant and performed in accordance with rules adopted by the
88 Auditor General.

89 (e) Recommendations regarding the unit cost of providing
90 services to students through the Florida Virtual School and
91 Florida Virtual School Global. In order to most effectively
92 develop public policy regarding any future funding of the
93 Florida Virtual School, it is imperative that the cost of the
94 program is accurately identified. The identified cost of the
95 program must be based on reliable data.

96 (f) Recommendations regarding an accountability mechanism
97 to assess the effectiveness of the services provided by the
98 Florida Virtual School and Florida Virtual School Global.

99 (8)

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100 (b) For students receiving part-time instruction in
101 kindergarten through grade 5 and students receiving full-time
102 instruction in kindergarten through grade 12 from the Florida
103 Virtual School, the full-time equivalent student enrollment
104 calculated under this subsection is subject to the requirements
105 in s. 1011.61(4) ~~combined total of all FTE reported by both the~~
106 ~~school district and the Florida Virtual School may not exceed~~
107 ~~1.0 FTE.~~

108 (9)(c) Unless an alternative testing site is mutually agreed
109 to by the Florida Virtual School and the school district, ~~a~~All
110 statewide assessments must be taken at the school to which the
111 student would be assigned according to district school board
112 attendance areas. A school district must provide the student
113 with access to the school's testing facilities.

114 (11) The Auditor General shall conduct an operational
115 audit of the Florida Virtual School, including Florida Virtual
116 School Global. The scope of the audit shall include, but not be
117 limited to, the administration of responsibilities relating to
118 personnel; procurement and contracting; revenue production;
119 school funds, including internal funds; student enrollment
120 records; franchise agreements; information technology
121 utilization, assets, and security; performance measures and
122 standards; and accountability. The final report on the audit
123 shall be submitted to the President of the Senate and the
124 Speaker of the House of Representatives no later than January
125 31, 2014.

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126 Section 4. Paragraphs (b), (c) and (d) of subsection (1),
127 paragraph (a) of subsection (2), and subsection (7) of section
128 1002.45, Florida Statutes, are amended to read:

129 1002.45 Virtual instruction programs.—

130 (1) PROGRAM.—

131 (b) Each school district that is eligible for the sparsity
132 supplement pursuant to s. 1011.62(7)(a) and (b) shall provide
133 all enrolled public school students within its boundaries the
134 option of participating in part-time and full-time virtual
135 instruction programs. Each school district that is not eligible
136 for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b)
137 shall provide at least three options for part-time and full-time
138 virtual instruction. All school districts must provide parents
139 with timely written notification of at least one open enrollment
140 period for full-time students of 90 days or more which ends 30
141 days before the first day of the school year. The purpose of the
142 program is to make quality virtual instruction available to
143 students using online and distance learning technology in the
144 nontraditional classroom. A school district virtual instruction
145 program shall consist of the following:

146 1. Full-time and part-time virtual instruction for
147 students enrolled in kindergarten through grade 12.

148 2. Part-time virtual instruction consisting of an
149 individual course or courses, including massive open online
150 courses, for students enrolled in kindergarten through grade 12
151 courses that are measured pursuant to subparagraph (8)(a)2.

152 3. Full-time or part-time virtual instruction for students
153 enrolled in dropout prevention and academic intervention

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154 programs under s. 1003.53, Department of Juvenile Justice
155 education programs under s. 1003.52, core-curricula courses
156 delivered in a virtual learning laboratory on a school campus to
157 meet class size requirements under s. 1003.03, or Florida
158 College System institutions under this section.

159 (c) To provide students with the option of participating
160 in virtual instruction programs as required by paragraph (b), a
161 school district may:

162 1. Contract with the Florida Virtual School or establish a
163 franchise of the Florida Virtual School for the provision of a
164 program under paragraph (b). Using this option is subject to the
165 requirements of this section and s. 1011.61(1)(c)1.b.(III) and
166 (IV) and (4) ~~1011.61(1)(c)1.b.(III) and (IV)~~.

167 2. Contract with an approved provider under subsection (2)
168 for the provision of a full-time or part-time program under
169 paragraph (b) subparagraph (b)1. or subparagraph (b)3. or a
170 part-time program under subparagraph (b)2. or subparagraph (b)3.

171 3. Enter into an agreement with other school districts to
172 allow the participation of its students in an approved virtual
173 instruction program provided by the other school district. The
174 agreement must indicate a process for the transfer of funds
175 required by paragraph (7)(e) ~~(7)(f)~~.

176 4. Establish school district operated part-time or full-
177 time kindergarten through grade 12 virtual instruction programs
178 under paragraph (b) for students enrolled in the school
179 district. A full-time program shall operate under its own Master
180 School Identification Number.

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181 5. Enter into an agreement with a virtual charter school
182 authorized by the school district under s. 1002.33.

183
184 Contracts under subparagraph 1. or subparagraph 2. may include
185 multidistrict contractual arrangements that may be executed by a
186 regional consortium for its member districts. A multidistrict
187 contractual arrangement or an agreement under subparagraph 3. is
188 not subject to s. 1001.42(4)(d) and does not require the
189 participating school districts to be contiguous. These
190 arrangements may be used to fulfill the requirements of
191 paragraph (b).

192 (d) A virtual charter school may provide full-time virtual
193 instruction for students in kindergarten through grade 12 if the
194 virtual charter school has a charter approved pursuant to s.
195 1002.33 authorizing full-time virtual instruction. A virtual
196 charter school may:

- 197 1. Contract with the Florida Virtual School.
- 198 2. Contract with an approved provider under subsection
199 (2).
- 200 3. Be an approved provider under subsection (2).

201 ~~4~~3. Enter into an agreement with a school district to
202 allow the participation of the virtual charter school's students
203 in the school district's virtual instruction program. The
204 agreement must indicate a process for reporting of student
205 enrollment and the transfer of funds required by paragraph
206 (7)(f).

207 (2) PROVIDER QUALIFICATIONS.—

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208 (a) The department shall annually publish online a list of
209 providers approved to offer virtual instruction programs or
210 online courses, including, but not limited to, massive open
211 online courses that can be measured pursuant to subparagraph
212 (8)(a)2. To be approved by the department, a provider must
213 document that it:

214 1. Is nonsectarian in its programs, admission policies,
215 employment practices, and operations;

216 2. Complies with the antidiscrimination provisions of s.
217 1000.05;

218 3. ~~Locates an administrative office or offices in this~~
219 ~~state, requires its administrative staff to be state residents,~~
220 Requires all instructional staff to be Florida-certified
221 teachers under chapter 1012 or certified as adjunct educators
222 under s. 1012.57, and conducts background screenings for all
223 employees or contracted personnel, as required by s. 1012.32,
224 using state and national criminal history records;

225 4. Provides to parents and students specific information
226 posted and accessible online that includes, but is not limited
227 to, the following teacher-parent and teacher-student contact
228 information for each course:

229 a. How to contact the instructor via phone, email, or
230 online messaging tools.

231 b. How to contact technical support via phone, email, or
232 online messaging tools.

233 c. How to contact the administration office via phone,
234 email, or online messaging tools.

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235 d. Any requirement for regular contact with the instructor
236 for the course and clear expectations for meeting the
237 requirement.

238 e. The requirement that the instructor in each course,
239 with the exception of individuals offering online courses,
240 including but not limited to, massive open online courses, must,
241 at a minimum, conduct one contact via phone with the parent and
242 the student each month.

243 5.4. Possesses prior, successful experience offering
244 online courses to elementary, middle, or high school students as
245 demonstrated by quantified student learning gains in each
246 subject area and grade level provided for consideration as an
247 instructional program option. However, for a provider without
248 sufficient prior, successful experience offering online courses,
249 the department may conditionally approve the provider to offer
250 courses measured pursuant to subparagraph (8) (a)2. Conditional
251 approval shall be valid until the provider has sufficient data
252 to apply for provider approval in accordance with this section
253 and State Board of Education rule.

254 6.5. Is accredited by a regional accrediting association as
255 defined by State Board of Education rule;

256 7.6. Ensures instructional and curricular quality through a
257 detailed curriculum and student performance accountability plan
258 that addresses every subject and grade level it intends to
259 provide through contract with the school district, including:

260 a. Courses and programs that meet the standards of the
261 International Association for K-12 Online Learning and the
262 Southern Regional Education Board.

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263 b. Instructional content and services that align with, and
264 measure student attainment of, student proficiency in the Next
265 Generation Sunshine State Standards.

266 c. Mechanisms that determine and ensure that a student has
267 satisfied requirements for grade level promotion and high school
268 graduation with a standard diploma, as appropriate;

269 ~~8.7.~~ Publishes for the general public, in accordance with
270 disclosure requirements adopted in rule by the State Board of
271 Education, as part of its application as a provider and in all
272 contracts negotiated pursuant to this section:

273 a. Information and data about the curriculum of each full-
274 time and part-time program.

275 b. School policies and procedures.

276 c. Certification status and physical location of all
277 administrative and instructional personnel.

278 d. Hours and times of availability of instructional
279 personnel.

280 e. Student-teacher ratios.

281 f. Student completion and promotion rates.

282 g. Student, educator, and school performance
283 accountability outcomes;

284 ~~9.8.~~ If the provider is a Florida College System
285 institution, employs instructors who meet the certification
286 requirements for instructional staff under chapter 1012; and

287 ~~10.9.~~ Performs an annual financial audit of its accounts
288 and records conducted by an independent certified public
289 accountant which is in accordance with rules adopted by the
290 Auditor General, is conducted in compliance with generally

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291 accepted auditing standards, and includes a report on financial
292 statements presented in accordance with generally accepted
293 accounting principles.

294
295 A person or organization seeking to offer online courses
296 pursuant to this paragraph is not subject to subparagraph 6.,
297 9., and 10., sub-subparagraphs 8a. and b., and paragraphs (8) (c)
298 and (d).

299 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
300 FUNDING.—

301 (a) Students enrolled in a virtual instruction program or
302 a virtual charter school shall be funded through the Florida
303 Education Finance Program as provided in the General
304 Appropriations Act. However, such funds may not be provided for
305 the purpose of fulfilling the class size requirements in ss.
306 1003.03 and 1011.685.

307 (b) For purposes of a virtual instruction program or a
308 virtual charter school, "full-time equivalent student" has the
309 same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

310 (c) For a student enrolled in a kindergarten through grade
311 12 virtual instruction program, a "full-time equivalent student"
312 has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)
313 and (IV).

314 (d) The full-time equivalent student enrollment calculated
315 under this subsection is subject to the requirements in s.
316 1011.61(4) A student may not be reported as more than 1.0 full-
317 time equivalent student in any given school year.

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318 (e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when~~
319 ~~s. 1008.22(3)(g) is implemented,~~ the reported full-time
320 equivalent students and associated funding of students enrolled
321 in courses requiring passage of an end-of-course assessment
322 under s. 1003.4282 to earn a standard high school diploma shall
323 be adjusted if after the student does not pass ~~completes~~ the
324 end-of-course assessment. However, no adjustment shall be made
325 for students who enroll in a segmented remedial course delivered
326 online.

327 (f) The school district providing virtual instruction
328 shall report full-time equivalent students for a virtual
329 instruction program or a virtual charter school, including
330 credits completed during the summer, to the department in a
331 manner prescribed by the department, and funding shall be
332 provided through the Florida Education Finance Program.

333 (g) A Florida College System institution provider may not
334 report students who are served in a virtual instruction program
335 for funding under the Florida College System Program Fund.

336 (8) ASSESSMENT AND ACCOUNTABILITY.—

337 (a) Each approved provider contracted under this section
338 must:

339 1. Participate in the statewide assessment program under
340 s. 1008.22 and in the state's education performance
341 accountability system under s. 1008.31.

342 2. Receive a school grade under s. 1008.34 or a school
343 improvement rating under s. 1008.341, as applicable. The school
344 grade or school improvement rating received by each approved
345 provider shall be based upon the aggregated assessment scores of

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346 all students served by the provider statewide. The department
347 shall publish the school grade or school improvement rating
348 received by each approved provider on its Internet website. The
349 department shall develop an evaluation method for providers of
350 part-time programs and courses which includes the percentage of
351 students making learning gains, the percentage of students
352 successfully passing any required end-of-course assessment, the
353 percentage of students taking Advanced Placement examinations,
354 and the percentage of students scoring 3 or higher on an
355 Advanced Placement examination.

356 Section 5. Section 1002.451, Florida Statutes, is created
357 to read:

358 1002.451 District innovation school pilot program.-

359 (1) DISTRICT INNOVATION SCHOOL.-

360 (a) A district school board may operate a district
361 innovation school for the purpose of encouraging innovation
362 while requiring high student academic achievement and
363 accountability in exchange for flexibility and exemption from
364 specific statutes and rules. The innovation school shall operate
365 as a pilot program within existing resources.

366 (b) A district innovation school is a school that has, on
367 a schoolwide basis, adopted and implemented a blended learning
368 program. A blended learning program is a formal education
369 program in which a student learns in part through online
370 delivery of content and instruction with some element of student
371 control over time, place, path, or pace and in part at a
372 supervised brick-and-mortar location away from home. Blended
373 learning models shall include major components such as

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374 differentiated instruction, data-driven placement, flexible
375 scheduling, differentiated teaching, and self-paced learning.
376 The school shall use one of the following blended learning
377 models:

378 1. Flipped classroom model in which students use online
379 instructional videos at home for homework and practice concepts
380 in the classroom with the support of the teacher;

381 2. Flex model in which students learn primarily online in
382 a brick-and-mortar school and teachers act as facilitators; or

383 3. Rotation model in which students move between different
384 learning modalities, such as online instruction, teacher-
385 directed instruction, seminar or group projects, and one-on-one
386 teacher coaching. Rotation models include individual, station,
387 and laboratory models.

388 (2) GUIDING PRINCIPLES.—A district innovation school shall
389 be guided by the following principles:

390 (a) Meet high standards of student achievement in exchange
391 for flexibility with respect to statutes and rules.

392 (b) Implement innovative learning methods, including
393 blended learning, and measurement tools to implement a
394 schoolwide, rather than specific course, transformation to
395 improve student learning and academic achievement.

396 (c) Promote enhanced academic success and financial
397 efficiency by aligning responsibility with accountability.

398 (d) Require the measurement of learning outcomes.

399 (e) Provide a parent with sufficient information as to
400 whether his or her child is reading at grade level and making
401 learning gains each year spent in the innovation school.

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402 (3) TERM OF THE PILOT PROGRAM.—A district innovation
403 school may operate pursuant to a performance contract with the
404 district school board for a period of 5 years, at the end of
405 which the school's performance shall be evaluated for purposes
406 of renewal. After the initial 3-year period, if a district
407 innovation school receives a school grade of "F" for 2
408 consecutive years, the district school board shall terminate the
409 contract with the school, and the school is no longer eligible
410 for the statutory and regulatory flexibilities provided in
411 subsection (4).

412 (4) FUNDING.—A district school board operating a district
413 innovation school shall report full-time equivalent students to
414 the department in a manner prescribed by the department, and
415 funding shall be provided through the Florida Education Finance
416 Program as provided in ss. 1011.61 and 1011.62.

417 (5) EXEMPTION FROM STATUTES AND RULES.—

418 (a) A district innovation school is exempt from chapters
419 1000-1013. However, a district innovation school shall be in
420 compliance with the following statutes in chapters 1000-1013:

421 1. Those statutes specifically applying to district
422 innovation schools, including this section.

423 2. Those statutes pertaining to the student assessment
424 program and school grading system.

425 3. Those statutes pertaining to the provision of services
426 to students with disabilities.

427 4. Those statutes pertaining to civil rights, including s.
428 1000.05, relating to discrimination.

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429 5. Those statutes pertaining to student health, safety,
430 and welfare.

431 (b) Additionally, a district innovation school shall be in
432 compliance with the following statutes:

433 1. Section 286.011, relating to public meetings and
434 records, public inspection, and criminal and civil penalties.

435 2. Chapter 119, relating to public records.

436 3. Section 1012.22(1)(c), relating to compensation and
437 salary schedules.

438 4. Section 1012.33(5), relating to workforce reductions.

439 5. Section 1012.335, relating to contracts with
440 instructional personnel hired on or after July 1, 2011.

441 6. Section 1012.34, relating to personnel evaluation.

442 Section 6. Subsection (14) of section 1003.01, Florida
443 Statutes, is amended to read:

444 1003.01 Definitions.—As used in this chapter, the term:

445 (14) "Core-curricula courses" means:

446 (a) Courses in language arts/reading, mathematics, social
447 studies, and science in prekindergarten through grade 3,
448 excluding any extracurricular courses pursuant to subsection
449 (15);

450 (b) Courses in grades 4 through 8 in subjects that are
451 measured by state assessment at any grade level and courses
452 required for middle school promotion, excluding any
453 extracurricular courses pursuant to subsection (15);

454 (c) Courses in grades 9 through 12 in subjects that are
455 measured by state assessment at any grade level and courses that
456 are specifically identified by name in statute as required for

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457 high school graduation and that are not measured by state
458 assessment, excluding any extracurricular courses pursuant to
459 subsection (15);

460 (d) Exceptional student education courses; and

461 (e) English for Speakers of Other Languages courses.

462

463 The term is limited in meaning and used for the sole purpose of
464 designating classes that are subject to the maximum class size
465 requirements established in s. 1, Art. IX of the State
466 Constitution. This term does not include courses offered under
467 ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.415, and
468 1002.45, and 1002.451.

469 Section 7. Section 1003.498, Florida Statutes, is amended
470 to read:

471 1003.498 School district virtual course offerings.—

472 (1) School districts may deliver courses in the
473 traditional school setting by personnel certified pursuant to s.
474 1012.55 who provide direct instruction through virtual
475 instruction or through blended learning courses consisting of
476 both traditional classroom and online instructional techniques.
477 Students in a blended learning course must be full-time students
478 of the school and receive the online instruction in a classroom
479 setting at the school. The funding, performance, and
480 accountability requirements for blended learning courses are the
481 same as those for traditional courses. To facilitate the
482 delivery and coding of blended learning courses, the department
483 shall provide identifiers for existing courses to designate that

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484 they are being used for blended learning courses for the purpose
485 of ensuring the efficient reporting of such courses.

486 (2) School districts may offer virtual courses for
487 students enrolled in the school district. These courses must be
488 identified in the course code directory. Students who meet the
489 eligibility requirements of s. 1002.455 may participate in these
490 virtual course offerings.

491 (a) Any eligible student who is enrolled in a school
492 district may register and enroll in an online course offered by
493 his or her school district.

494 (b)1. Any eligible student who is enrolled in a school
495 district may register and enroll in an online course offered by
496 any other school district in the state, ~~except as limited by the~~
497 ~~following:~~

498 ~~1. A student may not enroll in a course offered through a~~
499 ~~virtual instruction program provided pursuant to s. 1002.45.~~

500 ~~2. A student may not enroll in a virtual course offered by~~
501 ~~another school district if:~~

502 ~~a. The course is offered online by the school district in~~
503 ~~which the student resides; or~~

504 ~~b. The course is offered in the school in which the~~
505 ~~student is enrolled. However, a student may enroll in an online~~
506 ~~course offered by another school district if the school in which~~
507 ~~the student is enrolled offers the course but the student is~~
508 ~~unable to schedule the course in his or her school.~~

509 3. The school district in which the student completes the
510 course shall report the student's completion of that course for
511 funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home

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512 school district shall not report the student for funding for
513 that course.

514 2. The full-time equivalent student enrollment calculated
515 under this subsection is subject to the requirements in s.
516 1011.61(4). ~~For purposes of this paragraph, the combined total~~
517 ~~of all school district reported FTE may not be reported as more~~
518 ~~than 1.0 full-time equivalent student in any given school year.~~
519 The Department of Education shall establish procedures to enable
520 interdistrict coordination for the delivery and funding of this
521 online option.

522 (3) A school district may not require a public school
523 student to take a course outside the school day that is in
524 addition to the student's courses for a given term or on school
525 grounds.

526 Section 8. Paragraph (i) is added to subsection (3) of
527 section 1007.01, Florida Statutes, to read:

528 1007.01 Articulation; legislative intent; purpose; role of
529 the State Board of Education and the Board of Governors;
530 Articulation Coordinating Committee.—

531 (3) The Commissioner of Education, in consultation with
532 the Chancellor of the State University System, shall establish
533 the Articulation Coordinating Committee which shall make
534 recommendations related to statewide articulation policies to
535 the Higher Education Coordination Council, the State Board of
536 Education, and the Board of Governors. The committee shall
537 consist of two members each representing the State University
538 System, the Florida College System, public career and technical
539 education, public K-12 education, and nonpublic education and

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540 one member representing students. The chair shall be elected
541 from the membership. The committee shall:

542 (i) Recommend by December 31, 2013, a funding model and a
543 financial accountability mechanism for funding and assessing an
544 approved organization or an individual offering online courses,
545 including, but not limited to, massive open online courses. This
546 paragraph expires July 1, 2014.

547 Section 9. Subsection (6) of section 1007.24, Florida
548 Statutes, is amended to read:

549 1007.24 Statewide course numbering system.—

550 (6) Providers of online courses and nonpublic colleges and
551 schools that are fully accredited by a regional or national
552 accrediting agency recognized by the United States Department of
553 Education and are either eligible to participate in the William
554 L. Boyd, IV, Florida Resident Access Grant or have been issued a
555 regular license pursuant to s. 1005.31, may participate in the
556 statewide course numbering system pursuant to this section.
557 Participating providers, colleges, and schools shall bear the
558 costs associated with inclusion in the system and shall meet the
559 terms and conditions for institutional participation in the
560 system. The department shall adopt a fee schedule that includes
561 the expenses incurred through data processing, faculty task
562 force travel and per diem, and staff and clerical support time.
563 Such fee schedule may differentiate between the costs associated
564 with initial course inclusion in the system and costs associated
565 with subsequent course maintenance in the system. Decisions
566 regarding initial course inclusion and subsequent course
567 maintenance must be made within 360 days after submission of the

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568 required materials and fees by the institution. The Department
569 of Education may select a date by which providers and colleges
570 must submit requests for new courses to be included, and may
571 delay review of courses submitted after that date until the next
572 year's cycle. Any college that currently participates in the
573 system, and that participated in the system prior to July 1,
574 1986, shall not be required to pay the costs associated with
575 initial course inclusion in the system. Fees collected for
576 participation in the statewide course numbering system pursuant
577 to the provisions of this section shall be deposited in the
578 Institutional Assessment Trust Fund. Any provider and nonpublic,
579 nonprofit college or university that is eligible to participate
580 in the statewide course numbering system shall not be required
581 to pay the costs associated with participation in the system. No
582 provider, college, or school shall record student transcripts or
583 document courses offered by the provider, college, or school in
584 accordance with this subsection unless the provider, college, or
585 school is actually participating in the system pursuant to rules
586 of the State Board of Education. Any college or school deemed to
587 be in violation of this section shall be subject to the
588 provisions of s. 1005.38.

589 Section 10. Section 1011.61, Florida Statutes, is amended
590 to read:

591 1011.61 Definitions.— Notwithstanding the provisions of s.
592 1000.21, the following terms are defined as follows for the
593 purposes of the Florida Education Finance Program:

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

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

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

600 b. A combination of full-time or part-time students in any
601 one of the programs listed in s. 1011.62(1)(c) which is the
602 equivalent of one full-time student based on the following
603 calculations:

604 (I) A full-time student in a combination of programs
605 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
606 equivalent membership in each program equal to the number of net
607 hours per school year for which he or she is a member, divided
608 by the appropriate number of hours set forth in subparagraph
609 (a)1. or subparagraph (a)2. The difference between that fraction
610 or sum of fractions and the maximum value as set forth in
611 subsection (4) for each full-time student is presumed to be the
612 balance of the student's time not spent in a nonbasic program
613 and shall be recorded as time in the appropriate basic program.
614 ~~The sum of the fractions for each program may not exceed the~~
615 ~~maximum value set forth in subsection (4).~~

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

618 (III) A full-time equivalent student for students in
619 kindergarten through grade 12 in a full-time virtual instruction
620 program under s. 1002.45 or a virtual charter school under s.
621 1002.33 shall consist of six full-credit completions or the

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622 prescribed level of content that counts toward promotion to the
623 next grade in programs listed in s. 1011.62(1)(c). Credit
624 completions may be a combination of full-credit courses or half-
625 credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal
626 year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-
627 time equivalent students and associated funding of students
628 enrolled in courses requiring passage of an end-of-course
629 assessment under s. 1003.4282 to earn a standard high school
630 diploma shall be adjusted if after the student does not pass
631 completes the end-of-course assessment. However, no adjustment
632 shall be made for students who enroll in a segmented remedial
633 course delivered online.

634 (IV) A full-time equivalent student for students in
635 kindergarten through grade 12 in a part-time virtual instruction
636 program under s. 1002.45 shall consist of six full-credit
637 completions in programs listed in s. 1011.62(1)(c)1. and 3.
638 Credit completions may be a combination of full-credit courses
639 or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~
640 fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported
641 full-time equivalent students and associated funding of students
642 enrolled in courses requiring passage of an end-of-course
643 assessment under s. 1003.4282 to earn a standard high school
644 diploma shall be adjusted if after the student does not pass
645 completes the end-of-course assessment. However, no adjustment
646 shall be made for students who enroll in a segmented remedial
647 course delivered online.

648 (V) A Florida Virtual School full-time equivalent student
649 shall consist of six full-credit completions or the prescribed

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650 level of content that counts toward promotion to the next grade
651 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
652 participating in kindergarten through grade 12 part-time virtual
653 instruction and the programs listed in s. 1011.62(1)(c) for
654 students participating in kindergarten through grade 12 full-
655 time virtual instruction. Credit completions may be a
656 combination of full-credit courses or half-credit courses.
657 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~
658 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent
659 students and associated funding of students enrolled in courses
660 requiring passage of an end-of-course assessment under s.
661 1003.4282 to earn a standard high school diploma shall be
662 adjusted if after the student does not pass ~~completes~~ the end-
663 of-course assessment. However, no adjustment shall be made for
664 students who enroll in a segmented remedial course delivered
665 online.

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

670 ~~(VII) Each successfully completed credit earned under the~~
671 ~~alternative high school course credit requirements authorized in~~
672 ~~s. 1002.375, which is not reported as a portion of the 900 net~~
673 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~
674 ~~calculated as 1/6 FTE.~~

675 ~~(VIII)(A)~~ A full-time equivalent student for courses
676 requiring passage of a statewide, standardized end-of-course
677 assessment under s. 1003.4282 to earn a standard high school

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678 ~~diploma pursuant to s. 1008.22(3)(c)2.a.~~ shall be defined and
679 reported based on the number of instructional hours as provided
680 in this subsection until the 2016-2017 fiscal year ~~for the first~~
681 ~~3 years of administering the end-of-course assessment.~~ Beginning
682 in the 2016-2017 fiscal year ~~fourth year of administering the~~
683 ~~end-of-course assessment,~~ the FTE for the course shall be
684 assessment-based ~~credit-based~~ and ~~each course~~ shall be equal to
685 1/6 FTE. The reported FTE shall be adjusted if ~~after~~ the student
686 does not pass ~~successfully completes~~ the end-of-course
687 assessment ~~pursuant to s. 1008.22(3)(c)2.a.~~ However, no
688 adjustment shall be made for students who enroll in a segmented
689 remedial course delivered online.

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

694 ~~(C) The FTE earned under this sub-sub-subparagraph and any~~
695 ~~FTE for courses or programs listed in s. 1011.62(1)(c) that do~~
696 ~~not require passing a statewide, standardized end-of-course~~
697 ~~assessment are subject to the requirements in subsection (4).~~

698 2. A student in membership in a program scheduled for more
699 or less than 180 school days or the equivalent on an hourly
700 basis as specified by rules of the State Board of Education is a
701 fraction of a full-time equivalent membership equal to the
702 number of instructional hours in membership divided by the
703 appropriate number of hours set forth in subparagraph (a)1.;

704 however, for the purposes of this subparagraph, membership in

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705 programs scheduled for more than 180 days is limited to students
706 enrolled in:

707 a. Juvenile justice education programs.

708 b. ~~and~~ The Florida Virtual School.

709 c. Virtual instruction programs and virtual charter
710 schools pursuant to ss. 1002.45 and 1003.498 for the purpose of
711 course completion and credit recovery.

712 3. The department shall determine and implement an
713 equitable method of equivalent funding for experimental schools
714 and for schools operating under emergency conditions, which
715 schools have been approved by the department to operate for less
716 than the minimum school day.

717
718 The full-time equivalent student enrollment calculated under
719 this subsection is subject to the requirements in subsection
720 (4).

721 (4) The maximum value for funding a student in
722 kindergarten through grade 12 or in a prekindergarten program
723 for exceptional children as provided in s. 1003.21(1)(e) shall
724 be the sum of the calculations in paragraphs (a), (b), and (c)
725 as calculated by the department ~~is one full-time equivalent~~
726 ~~student membership for a school year or equivalent.~~

727 (a) The sum of the student's full-time equivalent student
728 membership value for the school year or the equivalent derived
729 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-
730 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and
731 subsection (2). If the sum is greater than 1.0, the full-time
732 equivalent student membership value for each program or course

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733 shall be reduced by an equal proportion so that the student's
734 total full-time equivalent student membership value is equal to
735 1.0.

736 (b) If the result in paragraph (a) is less than 1.0 full-
737 time equivalent student and the student has full-time equivalent
738 student enrollment pursuant to sub-sub-subparagraph
739 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the
740 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of
741 1.0 less the value in paragraph (a).

742 (c) The full-time equivalent student enrollment value in
743 sub-subparagraph (1)(c)2.a.

744 Section 11. Section 1011.622, Florida Statutes, is created
745 to read:

746 1011.622 Adjustments for students without a common student
747 identifier.— For a student without a common student identifier
748 who transfers from a public school district or the Florida
749 Virtual School to another public school district or the Florida
750 Virtual School, the Department of Education shall decrease the
751 Florida Education Finance Program funds from the district or the
752 Florida Virtual School which the student attended prior to the
753 transfer.

754 Section 12. This act shall take effect July 1, 2013.

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759 **T I T L E A M E N D M E N T**

760 Remove everything before the enacting clause and insert:

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761 A bill to be entitled
762 An act relating to digital learning; amending s. 1001.42, F.S.;
763 revising district school board duties relating to virtual
764 instruction; amending s. 1002.321, F.S.; requiring the
765 Department of Education to develop an online catalog of digital
766 learning courses; amending s. 1002.37, F.S.; revising and
767 clarifying the requirements for reporting and funding a full-
768 time equivalent student in the Florida Virtual School; providing
769 requirements for funding a home education student enrolled in
770 the Florida Virtual School; providing reporting requirements
771 relating to Florida Virtual School Global; requiring the Auditor
772 General to conduct an operational audit of the Florida Virtual
773 School; amending s. 1002.45, F.S.; authorizing a school district
774 to provide part-time virtual instruction for K-12 students in
775 all courses; revising requirements for the use of virtual
776 instruction in core-curricula courses for the purpose of meeting
777 class size requirements; revising requirements for approval as a
778 provider of virtual instruction programs; providing requirements
779 for conditional approval; revising and clarifying the
780 requirements for reporting and funding a full-time equivalent
781 student enrolled in a virtual instruction program; creating s.
782 1002.451, F.S.; authorizing a district school board to operate a
783 district innovation school as a pilot program; providing
784 delivery models for implementation of a schoolwide blended
785 learning program; providing funding requirements; providing
786 exemption from statutes and rules; amending s. 1003.01, F.S.;
787 removing blended learning courses provided by a traditional
788 public school, a charter school, or a district innovation school

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7029 (2013)

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789 from the definition of core curricular courses for purposes of
790 class size requirements; amending s. 1003.498, F.S.; requiring
791 the Department of Education to provide identifiers for courses
792 to designate their use for blended learning courses; removing
793 restrictions on students taking online courses across district
794 lines; clarifying the requirements for reporting a full-time
795 student; prohibiting a school district from requiring a public
796 school student to take an online course at certain times or
797 places; amending s. 1011.61, F.S.; requiring schools to use a
798 student identifier for purposes of the Florida Education Finance
799 Program; revising and clarifying the definition of a full-time
800 equivalent student; revising provisions relating to the maximum
801 value for funding a student; providing an effective date.

802