

THE FLORIDA SENATE
2011 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

CS/CS/HB 7197 — Digital Learning

by Education Committee; Appropriations Committee; K-20 Innovation Subcommittee; and Rep. Stargel and others (CS/SB 1620 by Rules Committee and Senator Flores)

Virtual Education Framework

The bill revises the current framework and funding for virtual instruction in Florida. Beginning with the 2011-2012 school year, the bill expands the virtual instruction program by requiring school districts to provide at least three part-time and full-time virtual instruction program options, with the exception of certain smaller school districts that are required to provide one option to participate in part-time and full-time virtual instruction. Under the bill, a school district may fulfill the requirements through agreements with more than one school district, multidistrict contractual arrangements, and a school district operated program, as well as through a contract with the Florida Virtual School (FLVS) or an approved provider.

Charter Schools

Under the bill, a charter school would be permitted to operate a virtual charter school to provide full-time online instruction to eligible students in kindergarten through grade 12, subject to approval under s. 1002.33, F.S. The virtual charter school would contract with the FLVS or an approved provider or enter into an agreement with a school district.

Full-time virtual charter schools would be established by amending the existing charter or submitting a new application. They are subject to the same application process as are other charter schools. Virtual charter schools would be subject to all charter school requirements, with the exception of the provisions related to facilities, capital outlay, class size, administrative fees, and transportation.

The bill requires a charter school governing board to appoint a representative who resides in the same district where the charter school is located to resolve disputes and work with parents and the public. However, a single representative would be permitted to serve multiple charter schools if the board oversees multiple schools in the same district. The bill prohibits a sponsor from requiring board members to reside in the same district in which the charter school is located, if the school complies with the requirements for representation.

The bill also permits “blended-learning charter schools,” which combine traditional classroom instruction with online instruction; however, the schools may only offer this instruction to their full-time students in a classroom at the charter school.

Providers

The bill revises the criteria for approving providers. To be approved, all providers must have courses that meet the standards of the International Association for K-12 Online Learning or the

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Southern Regional Education Board, have the requisite plan for the curriculum and student performance accountability, have a method for determining if a student has satisfied grade level promotion and high school graduation requirements, and have instructional content and services that measure student proficiency in the Next Generation Sunshine State Standards. Providers would also be required to disclose to the public information that includes certification and physical location of instructional personnel, the curriculum, student-teacher ratios, student completion and promotion rates, and performance accountability outcomes for students, instructors, and schools.

Assessments

The bill requires the online administration of all statewide end-of-course assessments, beginning in the 2014-2015 school year. Part-time FLVS public school students who take courses requiring statewide end-of-course assessments must take these assessments. Districts must provide access to the district's testing facilities for FLVS full-time public school students in kindergarten through grade 12.

Funding

The bill revises the manner in which virtual instruction is funded. All virtual instruction options (the FLVS, school district operated virtual instruction programs, and virtual charter schools) would be funded through the Florida Education Finance Program (FEFP), as provided in the General Appropriations Act, but would not include funding for class size requirements. The FLVS would serve and receive funding for students in grades kindergarten through five.

Additionally, students in full-time programs could not be reported for more than 1.0 Full Time Equivalent (FTE). Beginning in the 2014-2015 fiscal year, the reported FTE and associated funding of students enrolled in courses requiring passage of an end-of-course assessment would be adjusted after the student completes the assessment.

School districts would be required to expend the difference between the amount funded for students participating in the program and the price paid for contractual services on the district's local instructional improvement system or other technological tools that are required to access electronic and digital instructional materials. Districts would also be required to report to the DOE the amount paid for contractual services and an itemized list of the purchases.

Accountability

Under the bill, the FLVS would receive a school grade for students receiving full-time instruction. Additionally, the bill requires the DOE to develop an evaluation system for part-time providers of virtual instruction, which must include the percentage of students making learning gains, successfully passing end-of-course assessments, and taking and scoring a three or higher on Advanced Placement course exams.

Instructional Personnel

The bill specifically permits a school district to issue adjunct certificates to qualified individuals. A district may renew an adjunct certificate and award another annual contract only if the individual is rated as effective or highly effective. The bill also specifies the certification requirements for instructional personnel providing direct instruction to students through a virtual environment or through a blended virtual and physical environment.

High School Graduation

Students entering the ninth grade in 2011-2012 and thereafter would be required to take at least one online course in order to meet high school graduation requirements. The requirement is also deemed met if the student has taken an online course in grades six through eight or participates as a dually enrolled student in an online course offered by a postsecondary institution.

Student Eligibility and Access

The bill authorizes the FLVS to directly offer virtual education in kindergarten through grade five and part-time education to students in grades four through 12. However, part-time instruction for fourth and fifth grade students is limited to public school students taking grade 6-8 courses for acceleration purposes. The FTE generated by the FLVS for fourth and fifth grade students must be part of the total FTE of 1.0 reported for the student for the fiscal year. To receive full-time instruction, a student in grades two through five must meet at least one of the statutory eligibility requirements.

The bill revises the eligibility requirements for students. Under the bill, students who were enrolled full-time in an FLVS program during the prior school year would be eligible for virtual instruction. Students entering kindergarten or first grade would be eligible without having to meet the requirement for prior year enrollment in a public school.

If approved by the Governor, these provisions take effect July 1, 2011.

Vote: Senate 27-12; House 98-19