

By Representative Chestnut

1 A bill to be entitled
 2 An act relating to education; creating s.
 3 228.058, F.S.; establishing The Florida High
 4 School, a public high school offering online
 5 computer-mediated curriculum and instruction;
 6 providing for administration by the School
 7 Board of Alachua County; providing for student
 8 admission and fees; providing requirements for
 9 school personnel; requiring establishment of an
 10 advisory board of directors and specifying
 11 duties; providing for allocation of funds to
 12 the school; providing for a public employer of
 13 school personnel; requiring audits; authorizing
 14 the waiver of statutes or related rules;
 15 providing for rules; providing an effective
 16 date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 228.058, Florida Statutes, is
 21 created to read:

22 228.058 Online computer-mediated high school
 23 program.--

24 (1) SHORT TITLE.--This section may be cited as the
 25 "Online High School Act."

26 (2) ESTABLISHMENT.--There is established a public
 27 school to be known as The Florida High School. The school
 28 shall provide instruction to students throughout the state and
 29 shall be administered by the School Board of Alachua County.

30 (3) MISSION.--The mission of The Florida High School
 31 shall be the provision of online computer-mediated curriculum

1 and instruction. Programs of study to achieve the mission of
2 the school shall embody the goals and standards of Florida's
3 system of school improvement and education accountability,
4 established pursuant to ss. 229.591 and 229.592, and shall
5 ensure an appropriate education for its students.

6 (a) The school shall emphasize progressive, sequential
7 academic development. The primary goal of the school is to
8 enhance instruction and student performance skills by using
9 resources created for, and made available through, online
10 electronic media, to develop in students the skills necessary
11 to take advantage of distance learning programs at the
12 postsecondary level, and to provide opportunities for advanced
13 placement into such programs.

14 (b) The school shall provide to secondary teachers
15 throughout the state access to its curriculum and
16 instructional methods for staff development purposes and as a
17 general classroom resource.

18 (c) The exceptional student education programs offered
19 at the school shall be determined by the adaptability of the
20 medium to the needs of the student. The fact that the school
21 offers exceptional student education programs in no way
22 lessens the general responsibility of the student's home
23 school district to provide exceptional student education
24 programs.

25 (4) STUDENT ADMISSIONS.--The school shall abide by the
26 provisions of the Florida Educational Equity Act, pursuant to
27 s. 228.2001, and be open for enrollment on either a part-time
28 or full-time basis to:

29 (a) General education students or exceptional
30 education students statewide who are currently functioning at
31 academic grade levels 9-12.

1 (b) Adult education students who are functioning at
2 academic grade levels 9-12 and working toward a high school
3 diploma.

4 (c) Residents in Department of Corrections' facilities
5 who are functioning at academic grade levels 9-12 and have not
6 received a high school diploma or its equivalent.

7 (d) Homebound and hospitalized students who are
8 functioning at academic grade levels 9-12 on a temporary basis
9 to ensure continuity of their education.

10 (e) Children of migrant workers, regardless of their
11 current district of residence within the state, who are
12 functioning at academic grade levels 9-12.

13 (5) STUDENT FEES.--Students residing in Florida may
14 not be charged a fee for participation in the school's
15 program. Out-of-state students enrolled in the school may be
16 charged a fee equal to, but not exceeding, the average per
17 student expenditure of in-state students enrolled in the
18 school. The cost of technologies necessary to access the
19 school, as well as linking to the national information
20 infrastructure, shall be borne by the student or, if a student
21 is enrolled as part of a school-based program in a
22 participating school district, the cost shall be borne by the
23 school district in which the school-based program is offered.

24 (6) PERSONNEL.--

25 (a) At the discretion of the School Board of Alachua
26 County, the school may employ an administrative staff
27 consisting of a principal and assistant principals. The
28 administrative staff shall be employed by the School Board of
29 Alachua County and shall have the following duties:

30 1. The principal shall be the chief executive officer
31 and shall oversee the educational programs of the school, the

1 technological platform of the school, affiliation agreements
2 with organizations external to the School Board of Alachua
3 County, collaborative relationships between school districts
4 for the provision of services, and the daily operation and
5 administration of the school. The principal shall be
6 responsible for recommending policy to the advisory board of
7 directors. The principal shall be accountable for the
8 financial resources of the school.

9 2. An assistant principal for educational programs
10 shall be the chief educational officer and shall oversee the
11 educational programs of the school. The assistant principal
12 for educational programs shall be accountable for instruction,
13 curriculum development, facilitation, guidance services, staff
14 development, and the daily operation and administration of the
15 school.

16 3. An assistant principal for technologies shall be
17 the chief technology officer of the school. The assistant
18 principal for technologies shall be accountable for the
19 development and maintenance of the computers, networks, and
20 related equipment upon which the school resides, the network
21 links to outside vendors and resources, the development of the
22 technologies utilized in instruction and curriculum, and the
23 daily operation and administration of the technological
24 platform of the school.

25 (b) At the discretion of the School Board of Alachua
26 County, the school may employ a professional staff consisting
27 of teachers, guidance personnel, and staff development
28 experts. The professional staff shall be the faculty of the
29 school and shall be employed by the School Board of Alachua
30 County. The faculty of the school shall be divided into four
31 distinct functions as follows:

1 1. Curriculum developers shall be responsible for the
2 development and maintenance of the instructional programs of
3 the school. The curriculum developers may be employed by the
4 School Board of Alachua County or may be contractees employed
5 by other school districts in the state. If employed by the
6 School Board of Alachua County, curriculum developers shall be
7 retained as teachers on special assignment and shall receive
8 supplements and release time for that portion of the school
9 day allocated to maintaining the curriculum of The Florida
10 High School.

11 2. Facilitators shall be responsible for providing
12 assistance, advice, and academic guidance to students enrolled
13 in the school. Facilitators may be employed by the School
14 Board of Alachua County or may be contractees employed by
15 other school districts in the state. If employed by the
16 School Board of Alachua County, facilitators shall be retained
17 as teachers on special assignment and shall receive
18 supplements and release time for that portion of the school
19 day allocated to maintaining the curriculum of The Florida
20 High School.

21 3. Guidance personnel shall be responsible for all
22 normal services provided by a school guidance department, plus
23 additional services that may be unique to needs of students
24 enrolled in The Florida High School. Guidance personnel shall
25 be employed by the School Board of Alachua County and shall
26 provide services to all students enrolled in the school,
27 regardless of geographic location.

28 4. Staff development personnel shall be responsible
29 for developing and providing training to personnel of the
30 school and to education professionals statewide regarding the
31 resources of the school and shall actively pursue and develop

1 staff development opportunities that can be successfully
2 delivered through the medium of the school. Staff development
3 personnel may be employed by the School Board of Alachua
4 County or may be contractees.

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6 Faculty members shall meet the certification requirements of
7 ss. 231.02, 231.095, and 231.096.

8 (7) ADVISORY BOARD.--The intent and provisions of
9 Florida's system of school improvement and education
10 accountability specify that, pursuant to s. 229.58, each
11 public school in the state shall establish a school advisory
12 council that is reflective of the population served by the
13 school and is responsible for the development and evaluation
14 of the school improvement plan pursuant to s. 230.23(18). The
15 Florida High School shall comply with the provisions of s.
16 229.58 by establishing an advisory board of directors
17 consisting of five representatives from school districts other
18 than Alachua County, two representatives from the Department
19 of Education, two representatives from the business community
20 with statewide representation, two representatives from the
21 Department of Corrections, two representatives from
22 postsecondary education, two representatives from parent
23 groups with statewide representation, and two representatives
24 at large. The board shall:

25 (a) Provide leadership and support in the efforts to
26 ensure the fiscal viability of the school.

27 (b) Develop and recommend guidelines for the
28 appropriate distribution of funds to participating school
29 districts.

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1 (c) Serve as an advisory board in allocating
2 curriculum development tasks to participating school
3 districts.

4 (d) Serve as a review board for maintaining the
5 quality of curriculum and instruction offered to students in
6 the school.

7 (e) Advise the staff on affiliation agreements with
8 other school districts and third-party vendors associated with
9 the school.

10 (f) Assist in developing policies and procedures for
11 the effective operation of the school.

12 (g) Address issues of general concern to the operation
13 of the school as they arise.

14 (8) FUNDING.--

15 (a) The proportional share of operating funds from the
16 Florida Education Finance Program, as provided in s. 236.081,
17 and the General Appropriations Act for The Florida High School
18 shall be allocated to the school as a separate entity from the
19 allocation to the School Board of Alachua County. The School
20 Board of Alachua County shall serve as fiscal agent for the
21 school. The nonvoted ad valorem millage that would otherwise
22 be required for the school shall be allocated from state
23 funds. The required local effort funds calculated pursuant to
24 s. 236.081 shall be allocated from state funds to the school
25 as a part of the allocation of operating funds pursuant to s.
26 236.081. The school shall receive its proportional share of
27 all categorical funds and new categorical funds enacted after
28 July 1, 1997, for the purpose of secondary academic program
29 enhancement with the exception of funds for student
30 transportation, pursuant to s. 236.083. The school shall not
31 receive a sparsity supplement, pursuant to s. 236.081(6).

1 (b) It is the intent of the Legislature to allow the
2 statewide online educational program the ability to generate
3 operating funds based on student performance notwithstanding
4 the provisions of s. 236.013. For the purposes of The Florida
5 High School, the following provisions apply:

6 1. A "full-time equivalent student" is a student who
7 is registered simultaneously for six courses in The Florida
8 High School.

9 2. A "part-time student" is a student who is
10 registered simultaneously for fewer than six courses in The
11 Florida High School.

12 3. The district cost differential for the school shall
13 equal the average district cost differential of the 67 county
14 contiguous school districts of the state.

15 4. The program cost factors as described in s.
16 236.081(1)(c) shall apply with the following exceptions:

17 a. Unless other program cost factors apply, any
18 enrolled student 18 years of age or younger shall be
19 classified in the program cost factor of basic programs,
20 grades 9, 10, 11, and 12, for weighted full-time equivalent
21 calculations.

22 b. Unless other program cost factors apply, any
23 enrolled student 19 years of age or older shall be classified
24 in the program cost factor of adult general education
25 programs, adult secondary education, for weighted full-time
26 equivalent calculations.

27 5. The funds allocated to The Florida High School
28 shall be calculated using the average funds per weighted FTE
29 of the 67 county contiguous school districts of the state.

30 6. The following formula shall apply for the
31 allocation of funds to The Florida High School:

1 a. Funds shall be allocated to the school based on
2 course registration and student performance. For each course
3 registration, the school shall be allocated one-sixth of the
4 average funds per weighted FTE of the 67 county contiguous
5 school districts of the state.

6 b. Funds shall be allocated to the school quarterly,
7 on July 1, October 1, January 1, and April 1.

8 c. Quarterly allocation shall be made as follows:

9 (I) For each course in which a student has registered
10 since the last allocation date, the school shall receive
11 one-half of the allocation for registration in that course.
12 For each student who has completed one-half of the
13 competencies and skills for a course during the time period
14 between the last allocation date and the current allocation
15 being calculated, the school shall receive one-fourth of the
16 allocation for registration in that course. For each student
17 who has completed all course requirements during the time
18 period between the last allocation date and the current
19 allocation being calculated, the school shall receive the
20 remaining one-fourth of the allocation for registration in
21 that course.

22 (II) The allocation shall be made to The Florida High
23 School and forwarded to the school's fiscal agent, and all
24 funds less administrative fees to the fiscal agent for
25 oversight shall be placed in an account for the operation of
26 the school.

27 (9) PUBLIC EMPLOYER.--The School Board of Alachua
28 County shall be the public employer of school personnel for
29 collective bargaining purposes unless such personnel are
30 employed by another school district and providing services to
31 the The Florida High School through special contract. In such

1 situation, the home school district of the contracted
2 personnel shall be the public employer of the personnel.

3 (10) AUDIT.--

4 (a) The Auditor General shall include The Florida High
5 School within the scope of his or her annual financial and
6 compliance audits of the School Board of Alachua County. The
7 Auditor General shall further conduct compliance and program
8 audits of the school no less than once every 10 years.

9 (b) A report of the audit findings shall be provided
10 to the school, the School Board of Alachua County, the State
11 Board of Education, the President of the Senate, and the
12 Speaker of the House of Representatives.

13 (11) EXCEPTIONS TO LAW.--To encourage innovative
14 practices and facilitate the development of online media as an
15 educational delivery tool, in addition to the exceptions to
16 law specified in s. 229.592(6), the following statutes or
17 related rules may be waived by The Florida High School
18 provided the general statutory purpose of each section is met
19 and the school has submitted a request to the Department of
20 Education for approval: ss. 230.655, 232.02, 232.021,
21 232.022, 232.0225, 232.023, 232.0315, 232.032, 232.10, 232.19,
22 232.23, 232.2452, 232.2454, 232.246, 232.2465, 232.425,
23 232.43, 233.058, 233.063, 233.255, 233.37, 233.45, 235.295,
24 and 235.198.

25 (12) IMPLEMENTATION.--The State Board of Education
26 shall adopt any rules necessary to facilitate the
27 implementation of this section.

28 Section 2. This act shall take effect July 1, 1997.

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HOUSE SUMMARY

Creates the "Online High School Act" to provide for the establishment of The Florida High School, a public school administered by the School Board of Alachua County. Specifies the school mission to provide online computer-mediated curriculum and instruction statewide. Provides student admission and fee policies. Provides administrative and professional staff requirements. Provides for establishment of an advisory board of directors and specifies duties thereof. Provides for school funding, a public employer, annual audits, and rulemaking. Authorizes the waiver of statutes or related rules to facilitate the development of online media as an educational delivery tool.