

By Senator Wise

5-860A-05

See HB 533

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A bill to be entitled

An act relating to the Florida Virtual School;
amending ss. 11.45, 1000.04, 1001.42, 1002.20,
1002.23, 1002.37, 1003.02, 1003.03, 1003.52,
1007.27, and 1011.61, F.S.; providing for
application of provisions relating to the
Florida Virtual School to approved school
district franchises of the school; providing an
effective date.

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

Section 1. Paragraph (x) of subsection (3) of section
11.45, Florida Statutes, is amended to read:

11.45 Definitions; duties; authorities; reports;
rules.--

(3) AUTHORITY FOR AUDITS AND OTHER ENGAGEMENTS.--The
Auditor General may, pursuant to his or her own authority, or
at the direction of the Legislative Auditing Committee,
conduct audits or other engagements as determined appropriate
by the Auditor General of:

(x) The Florida Virtual School and its approved school
district franchises pursuant to s. 1002.37.

Section 2. Subsection (4) of section 1000.04, Florida
Statutes, is amended to read:

1000.04 Components for the delivery of public
education within the Florida K-20 education system.--Florida's
K-20 education system provides for the delivery of public
education through publicly supported and controlled K-12
schools, community colleges, state universities and other
postsecondary educational institutions, other educational

1 institutions, and other educational services as provided or
2 authorized by the Constitution and laws of the state.

3 (4) THE FLORIDA VIRTUAL SCHOOL.--The Florida Virtual
4 School and its approved school district franchises are
5 components ~~is a component~~ of the delivery of public education
6 within Florida's K-20 education system.

7 Section 3. Paragraph (a) of subsection (15) and
8 subsection (21) of section 1001.42, Florida Statutes, are
9 amended to read:

10 1001.42 Powers and duties of district school
11 board.--The district school board, acting as a board, shall
12 exercise all powers and perform all duties listed below:

13 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT
14 PROGRAM.--

15 (a) Adopt procedures whereby the general public can be
16 adequately informed of the educational programs, needs, and
17 objectives of public education within the district, including
18 educational opportunities available through the Florida
19 Virtual School and its approved school district franchises.

20 (21) FLORIDA VIRTUAL SCHOOL.--Provide students with
21 access to enroll in courses available through the Florida
22 Virtual School and its approved school district franchises and
23 award credit for successful completion of such courses. Access
24 shall be available to students during or after the normal
25 school day and through summer school enrollment.

26 Section 4. Paragraph (a) of subsection (6) of section
27 1002.20, Florida Statutes, is amended to read:

28 1002.20 K-12 student and parent rights.--Parents of
29 public school students must receive accurate and timely
30 information regarding their child's academic progress and must
31 be informed of ways they can help their child to succeed in

1 school. K-12 students and their parents are afforded numerous
2 statutory rights including, but not limited to, the following:

3 (6) EDUCATIONAL CHOICE.--

4 (a) Public school choices.--Parents of public school
5 students may seek whatever public school choice options that
6 are applicable to their students and are available to students
7 in their school districts. These options may include
8 controlled open enrollment, lab schools, charter schools,
9 charter technical career centers, magnet schools, alternative
10 schools, special programs, advanced placement, dual
11 enrollment, International Baccalaureate, early admissions,
12 credit by examination or demonstration of competency, the New
13 World School of the Arts, the Florida School for the Deaf and
14 the Blind, and the Florida Virtual School and its approved
15 school district franchises. These options may also include the
16 public school choice options of the Opportunity Scholarship
17 Program and the McKay Scholarships for Students with
18 Disabilities Program.

19 Section 5. Paragraph (d) of subsection (2) of section
20 1002.23, Florida Statutes, is amended to read:

21 1002.23 Family and School Partnership for Student
22 Achievement Act.--

23 (2) To facilitate meaningful parent and family
24 involvement, the Department of Education shall develop
25 guidelines for a parent guide to successful student
26 achievement which describes what parents need to know about
27 their child's educational progress and how they can help their
28 child to succeed in school. The guidelines shall include, but
29 need not be limited to:

30 (d) Opportunities for parents to learn about rigorous
31 academic programs that may be available for their child, such

1 as honors programs, dual enrollment, advanced placement,
2 International Baccalaureate, Florida Virtual ~~High~~ School
3 courses and courses of its approved school district
4 franchises, and accelerated access to postsecondary education;

5 Section 6. Subsection (4) of section 1002.37, Florida
6 Statutes, is amended to read:

7 1002.37 The Florida Virtual School.--

8 (4) School districts operating a virtual school that
9 is an approved franchise of the Florida Virtual School may
10 count full-time equivalent students, as provided in paragraphs
11 ~~paragraph~~(3)(a) and (b), if such school has been certified as
12 an approved franchise by the Commissioner of Education based
13 on criteria established by the board of trustees pursuant to
14 paragraph (2)(i).

15 Section 7. Paragraph (i) of subsection (1) of section
16 1003.02, Florida Statutes, is amended to read:

17 1003.02 District school board operation and control of
18 public K-12 education within the school district.--As provided
19 in part II of chapter 1001, district school boards are
20 constitutionally and statutorily charged with the operation
21 and control of public K-12 education within their school
22 district. The district school boards must establish, organize,
23 and operate their public K-12 schools and educational
24 programs, employees, and facilities. Their responsibilities
25 include staff development, public K-12 school student
26 education including education for exceptional students and
27 students in juvenile justice programs, special programs, adult
28 education programs, and career education programs.
29 Additionally, district school boards must:

30 (1) Provide for the proper accounting for all students
31 of school age, for the attendance and control of students at

1 | school, and for proper attention to health, safety, and other
2 | matters relating to the welfare of students in the following
3 | fields:

4 | (i) Parental notification of acceleration
5 | mechanisms.--At the beginning of each school year, notify
6 | parents of students in or entering high school of the
7 | opportunity and benefits of advanced placement, International
8 | Baccalaureate, Advanced International Certificate of
9 | Education, dual enrollment, and Florida Virtual School courses
10 | and courses of its approved school district franchises.

11 | Section 8. Paragraph (b) of subsection (3) of section
12 | 1003.03, Florida Statutes, is amended to read:

13 | 1003.03 Maximum class size.--

14 | (3) IMPLEMENTATION OPTIONS.--District school boards
15 | must consider, but are not limited to, implementing the
16 | following items in order to meet the constitutional class size
17 | maximums described in subsection (1) and the
18 | two-student-per-year reduction required in subsection (2):

19 | (b) Adopt policies to encourage students to take
20 | courses from the Florida Virtual School or its approved school
21 | district franchises.

22 | Section 9. Subsection (4) of section 1003.52, Florida
23 | Statutes, is amended to read:

24 | 1003.52 Educational services in Department of Juvenile
25 | Justice programs.--

26 | (4) Educational services shall be provided at times of
27 | the day most appropriate for the juvenile justice program.
28 | School programming in juvenile justice detention, commitment,
29 | and rehabilitation programs shall be made available by the
30 | local school district during the juvenile justice school year,
31 | as defined in s. 1003.01(11). In addition, students in

1 juvenile justice education programs shall have access to
2 Florida Virtual School courses and courses of its approved
3 school district franchises. The Department of Education and
4 the school districts shall adopt policies necessary to ensure
5 such access.

6 Section 10. Subsection (1) of section 1007.27, Florida
7 Statutes, is amended to read:

8 1007.27 Articulated acceleration mechanisms.--

9 (1) It is the intent of the Legislature that a variety
10 of articulated acceleration mechanisms be available for
11 secondary and postsecondary students attending public
12 educational institutions. It is intended that articulated
13 acceleration serve to shorten the time necessary for a student
14 to complete the requirements associated with the conference of
15 a high school diploma and a postsecondary degree, broaden the
16 scope of curricular options available to students, or increase
17 the depth of study available for a particular subject.

18 Articulated acceleration mechanisms shall include, but not be
19 limited to, dual enrollment as provided for in s. 1007.271,
20 early admission, advanced placement, credit by examination,
21 the International Baccalaureate Program, and the Advanced
22 International Certificate of Education Program. Credit earned
23 through the Florida Virtual School and its approved school
24 district franchises shall provide additional opportunities for
25 early graduation and acceleration.

26 Section 11. Paragraph (c) of subsection (1) of section
27 1011.61, Florida Statutes, is amended to read:

28 1011.61 Definitions.--Notwithstanding the provisions
29 of s. 1000.21, the following terms are defined as follows for
30 the purposes of the Florida Education Finance Program:
31

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

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

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

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

11 (I) A full-time student, except a postsecondary or
12 adult student or a senior high school student enrolled in
13 adult education when such courses are required for high school
14 graduation, in a combination of programs listed in s.
15 1011.62(1)(c) shall be a fraction of a full-time equivalent
16 membership in each special program equal to the number of net
17 hours per school year for which he or she is a member, divided
18 by the appropriate number of hours set forth in subparagraph
19 (a)1. or subparagraph (a)2. The difference between that
20 fraction or sum of fractions and the maximum value as set
21 forth in subsection (4) for each full-time student is presumed
22 to be the balance of the student's time not spent in such
23 special education programs and shall be recorded as time in
24 the appropriate basic program.

25 (II) A prekindergarten handicapped student shall meet
26 the requirements specified for kindergarten students.

27 (III) A Florida Virtual School full-time equivalent
28 student shall consist of six full credit completions in the
29 programs listed in s. 1011.62(1)(c)1. and 4. Credit
30 completions can be a combination of either full credits or
31 half credits.

1 2. A student in membership in a program scheduled for
2 more or less than 180 school days is a fraction of a full-time
3 equivalent membership equal to the number of instructional
4 hours in membership divided by the appropriate number of hours
5 set forth in subparagraph (a)1.; however, for the purposes of
6 this subparagraph, membership in programs scheduled for more
7 than 180 days is limited to students enrolled in juvenile
8 justice education programs and the Florida Virtual School and
9 its approved school district franchises.

10
11 The department shall determine and implement an equitable
12 method of equivalent funding for experimental schools and for
13 schools operating under emergency conditions, which schools
14 have been approved by the department to operate for less than
15 the minimum school day.

16 Section 12. This act shall take effect July 1, 2005.

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