

By the Committee on Education; and Senators Wise, Dawson, Posey and Dockery

581-2290-05

1 A bill to be entitled
2 An act relating to education; amending ss.
3 11.45, 1000.04, 1001.42, 1002.20, 1002.23,
4 1002.37, 1003.02, 1003.03, 1003.52, 1007.27,
5 and 1011.61, F.S.; providing for application of
6 provisions relating to the Florida Virtual
7 School to approved school district franchises
8 of the school; requiring district school boards
9 to adopt procedures for notifying parents and
10 students when the student has met certain
11 graduation requirements; providing an effective
12 date.

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

16 Section 1. Paragraph (x) of subsection (3) of section
17 11.45, Florida Statutes, is amended to read:

18 11.45 Definitions; duties; authorities; reports;
19 rules.--

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

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

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

29 1000.04 Components for the delivery of public
30 education within the Florida K-20 education system.--Florida's
31 K-20 education system provides for the delivery of public

1 education through publicly supported and controlled K-12
2 schools, community colleges, state universities and other
3 postsecondary educational institutions, other educational
4 institutions, and other educational services as provided or
5 authorized by the Constitution and laws of the state.

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

10 Section 3. Paragraph (a) of subsection (15) and
11 subsection (21) of section 1001.42, Florida Statutes, are
12 amended, present paragraphs (b) through (e) of subsection (15)
13 of that section are redesignated paragraphs (c) through (f),
14 respectively, and a new paragraph (b) is added to that
15 subsection, to read:

16 1001.42 Powers and duties of district school
17 board.--The district school board, acting as a board, shall
18 exercise all powers and perform all duties listed below:

19 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT
20 PROGRAM.--

21 (a) Adopt procedures whereby the general public can be
22 adequately informed of the educational programs, needs, and
23 objectives of public education within the district, including
24 educational opportunities available through the Florida
25 Virtual School and its approved school district franchises.

26 (b) Adopt procedures to notify parents and students in
27 writing when the student has met the required credits for high
28 school graduation provided in s. 1003.43 and, in such
29 notification, inform the parent that the student may depart
30 the district school system if the parent so chooses.

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

7 Section 4. Paragraph (a) of subsection (6) of section
8 1002.20, Florida Statutes, is amended to read:

9 1002.20 K-12 student and parent rights.--Parents of
10 public school students must receive accurate and timely
11 information regarding their child's academic progress and must
12 be informed of ways they can help their child to succeed in
13 school. K-12 students and their parents are afforded numerous
14 statutory rights including, but not limited to, the following:

15 (6) EDUCATIONAL CHOICE.--

16 (a) Public school choices.--Parents of public school
17 students may seek whatever public school choice options that
18 are applicable to their students and are available to students
19 in their school districts. These options may include
20 controlled open enrollment, lab schools, charter schools,
21 charter technical career centers, magnet schools, alternative
22 schools, special programs, advanced placement, dual
23 enrollment, International Baccalaureate, early admissions,
24 credit by examination or demonstration of competency, the New
25 World School of the Arts, the Florida School for the Deaf and
26 the Blind, and the Florida Virtual School and its approved
27 school district franchises. These options may also include the
28 public school choice options of the Opportunity Scholarship
29 Program and the McKay Scholarships for Students with
30 Disabilities Program.
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1 Section 5. Paragraph (d) of subsection (2) of section
2 1002.23, Florida Statutes, is amended to read:

3 1002.23 Family and School Partnership for Student
4 Achievement Act.--

5 (2) To facilitate meaningful parent and family
6 involvement, the Department of Education shall develop
7 guidelines for a parent guide to successful student
8 achievement which describes what parents need to know about
9 their child's educational progress and how they can help their
10 child to succeed in school. The guidelines shall include, but
11 need not be limited to:

12 (d) Opportunities for parents to learn about rigorous
13 academic programs that may be available for their child, such
14 as honors programs, dual enrollment, advanced placement,
15 International Baccalaureate, Florida Virtual ~~High~~ School
16 courses and courses of its approved school district
17 franchises, and accelerated access to postsecondary education;

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

20 1002.37 The Florida Virtual School.--

21 (4) School districts operating a virtual school that
22 is an approved franchise of the Florida Virtual School may
23 count full-time equivalent students, as provided in paragraphs
24 ~~paragraph~~(3)(a) and (b), if such school has been certified as
25 an approved franchise by the Commissioner of Education based
26 on criteria established by the board of trustees pursuant to
27 paragraph (2)(i). However, for courses taken in excess of a
28 25-hour week, approved school district franchises may not
29 count full-time equivalent students in excess of 2 percent of
30 their own district high school 180-day FTE enrollment for the
31 current year.

1 Section 7. Paragraph (i) of subsection (1) of section
2 1003.02, Florida Statutes, is amended to read:

3 1003.02 District school board operation and control of
4 public K-12 education within the school district.--As provided
5 in part II of chapter 1001, district school boards are
6 constitutionally and statutorily charged with the operation
7 and control of public K-12 education within their school
8 district. The district school boards must establish, organize,
9 and operate their public K-12 schools and educational
10 programs, employees, and facilities. Their responsibilities
11 include staff development, public K-12 school student
12 education including education for exceptional students and
13 students in juvenile justice programs, special programs, adult
14 education programs, and career education programs.

15 Additionally, district school boards must:

16 (1) Provide for the proper accounting for all students
17 of school age, for the attendance and control of students at
18 school, and for proper attention to health, safety, and other
19 matters relating to the welfare of students in the following
20 fields:

21 (i) Parental notification of acceleration
22 mechanisms.--At the beginning of each school year, notify
23 parents of students in or entering high school of the
24 opportunity and benefits of advanced placement, International
25 Baccalaureate, Advanced International Certificate of
26 Education, dual enrollment, and Florida Virtual School courses
27 and courses of its approved school district franchises.

28 Section 8. Paragraph (b) of subsection (3) of section
29 1003.03, Florida Statutes, is amended to read:

30 1003.03 Maximum class size.--
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1 (3) IMPLEMENTATION OPTIONS.--District school boards
2 must consider, but are not limited to, implementing the
3 following items in order to meet the constitutional class size
4 maximums described in subsection (1) and the
5 two-student-per-year reduction required in subsection (2):

6 (b) Adopt policies to encourage students to take
7 courses from the Florida Virtual School or its approved school
8 district franchises.

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

11 1003.52 Educational services in Department of Juvenile
12 Justice programs.--

13 (4) Educational services shall be provided at times of
14 the day most appropriate for the juvenile justice program.
15 School programming in juvenile justice detention, commitment,
16 and rehabilitation programs shall be made available by the
17 local school district during the juvenile justice school year,
18 as defined in s. 1003.01(11). In addition, students in
19 juvenile justice education programs shall have access to
20 Florida Virtual School courses and courses of its approved
21 school district franchises. The Department of Education and
22 the school districts shall adopt policies necessary to ensure
23 such access.

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

26 1007.27 Articulated acceleration mechanisms.--

27 (1) It is the intent of the Legislature that a variety
28 of articulated acceleration mechanisms be available for
29 secondary and postsecondary students attending public
30 educational institutions. It is intended that articulated
31 acceleration serve to shorten the time necessary for a student

1 | to complete the requirements associated with the conference of
2 | a high school diploma and a postsecondary degree, broaden the
3 | scope of curricular options available to students, or increase
4 | the depth of study available for a particular subject.
5 | Articulated acceleration mechanisms shall include, but not be
6 | limited to, dual enrollment as provided for in s. 1007.271,
7 | early admission, advanced placement, credit by examination,
8 | the International Baccalaureate Program, and the Advanced
9 | International Certificate of Education Program. Credit earned
10 | through the Florida Virtual School and its approved school
11 | district franchises shall provide additional opportunities for
12 | early graduation and acceleration.

13 | Section 11. Paragraph (c) of subsection (1) of section
14 | 1011.61, Florida Statutes, is amended to read:

15 | 1011.61 Definitions.--Notwithstanding the provisions
16 | of s. 1000.21, the following terms are defined as follows for
17 | the purposes of the Florida Education Finance Program:

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

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

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

24 | b. A combination of full-time or part-time students in
25 | any one of the programs listed in s. 1011.62(1)(c) which is
26 | the equivalent of one full-time student based on the following
27 | calculations:

28 | (I) A full-time student, except a postsecondary or
29 | adult student or a senior high school student enrolled in
30 | adult education when such courses are required for high school
31 | graduation, in a combination of programs listed in s.

1 1011.62(1)(c) shall be a fraction of a full-time equivalent
2 membership in each special program equal to the number of net
3 hours per school year for which he or she is a member, divided
4 by the appropriate number of hours set forth in subparagraph
5 (a)1. or subparagraph (a)2. The difference between that
6 fraction or sum of fractions and the maximum value as set
7 forth in subsection (4) for each full-time student is presumed
8 to be the balance of the student's time not spent in such
9 special education programs and shall be recorded as time in
10 the appropriate basic program.

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

13 (III) A Florida Virtual School full-time equivalent
14 student shall consist of six full credit completions in the
15 programs listed in s. 1011.62(1)(c)1. and 4. Credit
16 completions can be a combination of either full credits or
17 half credits.

18 2. A student in membership in a program scheduled for
19 more or less than 180 school days is a fraction of a full-time
20 equivalent membership equal to the number of instructional
21 hours in membership divided by the appropriate number of hours
22 set forth in subparagraph (a)1.; however, for the purposes of
23 this subparagraph, membership in programs scheduled for more
24 than 180 days is limited to students enrolled in juvenile
25 justice education programs and the Florida Virtual School and
26 its approved school district franchises.

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28 The department shall determine and implement an equitable
29 method of equivalent funding for experimental schools and for
30 schools operating under emergency conditions, which schools
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1 have been approved by the department to operate for less than
2 the minimum school day.

3 Section 12. This act shall take effect July 1, 2005.
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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 Senate Bill 2190

8 The Committee Substitute:

9 Requires school districts to adopt procedures to notify
10 parents and students in writing once the student has met
11 credits required for high school graduation; and

12 Limits courses taken through the Florida Virtual School
13 franchises in excess of a 25-hour week to no more than 2
14 percent of the district's high school 180-day FTE enrollment.
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