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CHAMBER ACTION

1 The Choice & Innovation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Florida Virtual School; amending
7 ss. 11.45, 1000.04, 1001.42, 1002.20, 1002.23, 1002.37,
8 1003.02, 1003.03, 1003.52, 1007.27, and 1011.61, F.S.;
9 providing for application of provisions relating to the
10 Florida Virtual School to approved school district
11 franchises of the school; providing a limitation with
12 respect to funding; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
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; rules.--

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

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

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

28 1000.04 Components for the delivery of public education
29 within the Florida K-20 education system.--Florida's K-20
30 education system provides for the delivery of public education
31 through publicly supported and controlled K-12 schools,
32 community colleges, state universities and other postsecondary
33 educational institutions, other educational institutions, and
34 other educational services as provided or authorized by the
35 Constitution and laws of the state.

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

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

42 1001.42 Powers and duties of district school board.--The
43 district school board, acting as a board, shall exercise all
44 powers and perform all duties listed below:

45 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT
46 PROGRAM.--

47 (a) Adopt procedures whereby the general public can be
48 adequately informed of the educational programs, needs, and
49 objectives of public education within the district, including
50 educational opportunities available through the Florida Virtual
51 School and its approved school district franchises.

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

58 Section 4. Paragraph (a) of subsection (6) of section
59 1002.20, Florida Statutes, is amended to read:

60 1002.20 K-12 student and parent rights.--Parents of public
61 school students must receive accurate and timely information
62 regarding their child's academic progress and must be informed
63 of ways they can help their child to succeed in school. K-12
64 students and their parents are afforded numerous statutory
65 rights including, but not limited to, the following:

66 (6) EDUCATIONAL CHOICE.--

67 (a) Public school choices.--Parents of public school
68 students may seek whatever public school choice options that are
69 applicable to their students and are available to students in
70 their school districts. These options may include controlled
71 open enrollment, lab schools, charter schools, charter technical
72 career centers, magnet schools, alternative schools, special
73 programs, advanced placement, dual enrollment, International
74 Baccalaureate, early admissions, credit by examination or
75 demonstration of competency, the New World School of the Arts,
76 the Florida School for the Deaf and the Blind, and the Florida
77 Virtual School and its approved school district franchises.
78 These options may also include the public school choice options

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79 | of the Opportunity Scholarship Program and the McKay
80 | Scholarships for Students with Disabilities Program.

81 | Section 5. Paragraph (d) of subsection (2) of section
82 | 1002.23, Florida Statutes, is amended to read:

83 | 1002.23 Family and School Partnership for Student
84 | Achievement Act.--

85 | (2) To facilitate meaningful parent and family
86 | involvement, the Department of Education shall develop
87 | guidelines for a parent guide to successful student achievement
88 | which describes what parents need to know about their child's
89 | educational progress and how they can help their child to
90 | succeed in school. The guidelines shall include, but need not be
91 | limited to:

92 | (d) Opportunities for parents to learn about rigorous
93 | academic programs that may be available for their child, such as
94 | honors programs, dual enrollment, advanced placement,
95 | International Baccalaureate, Florida Virtual ~~High~~ School courses
96 | and courses of its approved school district franchises, and
97 | accelerated access to postsecondary education;

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

100 | 1002.37 The Florida Virtual School.--

101 | (4) School districts operating a virtual school that is an
102 | approved franchise of the Florida Virtual School may count full-
103 | time equivalent students, as provided in paragraphs ~~paragraph~~
104 | (3)(a) and (b), if such school has been certified as an approved
105 | franchise by the Commissioner of Education based on criteria
106 | established by the board of trustees pursuant to paragraph

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107 | (2)(i). However, for courses taken in excess of a 25-hour week,
 108 | approved school district franchises may not count full-time
 109 | equivalent students in excess of 2 percent of their own school
 110 | district high school 180-day FTE student enrollment for the
 111 | current year.

112 | Section 7. Paragraph (i) of subsection (1) of section
 113 | 1003.02, Florida Statutes, is amended to read:

114 | 1003.02 District school board operation and control of
 115 | public K-12 education within the school district.--As provided
 116 | in part II of chapter 1001, district school boards are
 117 | constitutionally and statutorily charged with the operation and
 118 | control of public K-12 education within their school district.
 119 | The district school boards must establish, organize, and operate
 120 | their public K-12 schools and educational programs, employees,
 121 | and facilities. Their responsibilities include staff
 122 | development, public K-12 school student education including
 123 | education for exceptional students and students in juvenile
 124 | justice programs, special programs, adult education programs,
 125 | and career education programs. Additionally, district school
 126 | boards must:

127 | (1) Provide for the proper accounting for all students of
 128 | school age, for the attendance and control of students at
 129 | school, and for proper attention to health, safety, and other
 130 | matters relating to the welfare of students in the following
 131 | fields:

132 | (i) Parental notification of acceleration mechanisms.--At
 133 | the beginning of each school year, notify parents of students in
 134 | or entering high school of the opportunity and benefits of

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135 advanced placement, International Baccalaureate, Advanced
 136 International Certificate of Education, dual enrollment, and
 137 Florida Virtual School courses and courses of its approved
 138 school district franchises.

139 Section 8. Paragraph (b) of subsection (3) of section
 140 1003.03, Florida Statutes, is amended to read:

141 1003.03 Maximum class size.--

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

147 (b) Adopt policies to encourage students to take courses
 148 from the Florida Virtual School or its approved school district
 149 franchises.

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

152 1003.52 Educational services in Department of Juvenile
 153 Justice programs.--

154 (4) Educational services shall be provided at times of the
 155 day most appropriate for the juvenile justice program. School
 156 programming in juvenile justice detention, commitment, and
 157 rehabilitation programs shall be made available by the local
 158 school district during the juvenile justice school year, as
 159 defined in s. 1003.01(11). In addition, students in juvenile
 160 justice education programs shall have access to Florida Virtual
 161 School courses and courses of its approved school district

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162 | franchises. The Department of Education and the school districts
163 | shall adopt policies necessary to ensure such access.

164 | Section 10. Subsection (1) of section 1007.27, Florida
165 | Statutes, is amended to read:

166 | 1007.27 Articulated acceleration mechanisms.--

167 | (1) It is the intent of the Legislature that a variety of
168 | articulated acceleration mechanisms be available for secondary
169 | and postsecondary students attending public educational
170 | institutions. It is intended that articulated acceleration serve
171 | to shorten the time necessary for a student to complete the
172 | requirements associated with the conference of a high school
173 | diploma and a postsecondary degree, broaden the scope of
174 | curricular options available to students, or increase the depth
175 | of study available for a particular subject. Articulated
176 | acceleration mechanisms shall include, but not be limited to,
177 | dual enrollment as provided for in s. 1007.271, early admission,
178 | advanced placement, credit by examination, the International
179 | Baccalaureate Program, and the Advanced International
180 | Certificate of Education Program. Credit earned through the
181 | Florida Virtual School and its approved school district
182 | franchises shall provide additional opportunities for early
183 | graduation and acceleration.

184 | Section 11. Paragraph (c) of subsection (1) of section
185 | 1011.61, Florida Statutes, is amended to read:

186 | 1011.61 Definitions.--Notwithstanding the provisions of s.
187 | 1000.21, the following terms are defined as follows for the
188 | purposes of the Florida Education Finance Program:

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

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

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

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

199 (I) A full-time student, except a postsecondary or adult
200 student or a senior high school student enrolled in adult
201 education when such courses are required for high school
202 graduation, in a combination of programs listed in s.
203 1011.62(1)(c) shall be a fraction of a full-time equivalent
204 membership in each special program equal to the number of net
205 hours per school year for which he or she is a member, divided
206 by the appropriate number of hours set forth in subparagraph
207 (a)1. or subparagraph (a)2. The difference between that fraction
208 or sum of fractions and the maximum value as set forth in
209 subsection (4) for each full-time student is presumed to be the
210 balance of the student's time not spent in such special
211 education programs and shall be recorded as time in the
212 appropriate basic program.

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

215 (III) A Florida Virtual School full-time equivalent
216 student shall consist of six full credit completions in the

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217 | programs listed in s. 1011.62(1)(c)1. and 4. Credit completions
218 | can be a combination of either full credits or half credits.

219 | 2. A student in membership in a program scheduled for more
220 | or less than 180 school days is a fraction of a full-time
221 | equivalent membership equal to the number of instructional hours
222 | in membership divided by the appropriate number of hours set
223 | forth in subparagraph (a)1.; however, for the purposes of this
224 | subparagraph, membership in programs scheduled for more than 180
225 | days is limited to students enrolled in juvenile justice
226 | education programs and the Florida Virtual School and its
227 | approved school district franchises.

228 |
229 | The department shall determine and implement an equitable method
230 | of equivalent funding for experimental schools and for schools
231 | operating under emergency conditions, which schools have been
232 | approved by the department to operate for less than the minimum
233 | school day.

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