

CHAMBER ACTION

1 The Education Appropriations 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 virtual schools; amending ss.
7 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; requiring district school boards to
13 consider offering students the option of attending schools
14 that are a party to a pilot K-8 virtual school contract
15 for purposes of reducing class size; providing minimum
16 contract terms; providing requirements for funding
17 purposes; providing an effective date.

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

20
21 Section 1. Paragraph (x) of subsection (3) of section
22 11.45, Florida Statutes, is amended to read:

23 11.45 Definitions; duties; authorities; reports; rules.--

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

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

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

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

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

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

47 1001.42 Powers and duties of district school board.--The
48 district school board, acting as a board, shall exercise all
49 powers and perform all duties listed below:

50 (15) PUBLIC INFORMATION AND PARENTAL INVOLVEMENT
51 PROGRAM.--

52 (a) Adopt procedures whereby the general public can be
 53 adequately informed of the educational programs, needs, and
 54 objectives of public education within the district, including
 55 educational opportunities available through the Florida Virtual
 56 School and its approved school district franchises.

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

63 Section 4. Paragraph (a) of subsection (6) of section
 64 1002.20, Florida Statutes, is amended to read:

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

71 (6) EDUCATIONAL CHOICE.--

72 (a) Public school choices.--Parents of public school
 73 students may seek whatever public school choice options that are
 74 applicable to their students and are available to students in
 75 their school districts. These options may include controlled
 76 open enrollment, lab schools, charter schools, charter technical
 77 career centers, magnet schools, alternative schools, special
 78 programs, advanced placement, dual enrollment, International
 79 Baccalaureate, early admissions, credit by examination or

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80 demonstration of competency, the New World School of the Arts,
81 the Florida School for the Deaf and the Blind, and the Florida
82 Virtual School and its approved school district franchises.

83 These options may also include the public school choice options
84 of the Opportunity Scholarship Program and the McKay
85 Scholarships for Students with Disabilities Program.

86 Section 5. Paragraph (d) of subsection (2) of section
87 1002.23, Florida Statutes, is amended to read:

88 1002.23 Family and School Partnership for Student
89 Achievement Act.--

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

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

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

105 1002.37 The Florida Virtual School.--

106 (4) School districts operating a virtual school that is an
107 approved franchise of the Florida Virtual School may count full-

108 | time equivalent students, as provided in ~~paragraphs~~ paragraph
 109 | (3)(a) and (b), if such school has been certified as an approved
 110 | franchise by the Commissioner of Education based on criteria
 111 | established by the board of trustees pursuant to paragraph
 112 | (2)(i). However, for courses taken in excess of a 25-hour week,
 113 | approved school district franchises may not count full-time
 114 | equivalent students in excess of 2 percent of their own school
 115 | district high school 180-day FTE student enrollment for the
 116 | current year.

117 | Section 7. Paragraph (i) of subsection (1) of section
 118 | 1003.02, Florida Statutes, is amended to read:

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

132 | (1) Provide for the proper accounting for all students of
 133 | school age, for the attendance and control of students at
 134 | school, and for proper attention to health, safety, and other

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135 matters relating to the welfare of students in the following
136 fields:

137 (i) Parental notification of acceleration mechanisms.--At
138 the beginning of each school year, notify parents of students in
139 or entering high school of the opportunity and benefits of
140 advanced placement, International Baccalaureate, Advanced
141 International Certificate of Education, dual enrollment, and
142 Florida Virtual School courses and courses of its approved
143 school district franchises.

144 Section 8. Paragraph (b) of subsection (3) of section
145 1003.03, Florida Statutes, is amended, paragraph (l) is
146 redesignated as paragraph (m), and a new paragraph (l) is added
147 to said subsection, to read:

148 1003.03 Maximum class size.--

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

154 (b) Adopt policies to encourage students to take courses
155 from the Florida Virtual School or its approved school district
156 franchises.

157 (1) Subject to student eligibility criteria determined by
158 the school district, offer students the option of attending any
159 school that is a party to a pilot K-8 virtual school contract
160 with the Department of Education. A school district that offers
161 its students this educational option may enter into a separate
162 contract with any such school to provide for the education of

163 district students. Minimum contract terms shall include
 164 requirements that the school conform all curriculum and course
 165 content to the Sunshine State Standards; that the school
 166 administer the FCAT or, for those students in grades that are
 167 not required to take the FCAT, local assessments and administer
 168 the K-3 state-approved assessment for reading adopted by the
 169 "Just Read, Florida! Office"; and that the school employ online
 170 teachers who are certified in the state. For funding purposes,
 171 students availing themselves of this educational option shall be
 172 treated as if they were full-time students at the public school
 173 to which they would ordinarily be assigned. The per student
 174 amount to be paid by the school district to the pilot K-8
 175 virtual school shall be subject to negotiation by the school
 176 district and the school and shall be set forth in their
 177 contract. The Legislature intends this educational option to be
 178 in addition to, rather than a replacement for, any pilot K-8
 179 virtual school program of the Department of Education.

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

182 1003.52 Educational services in Department of Juvenile
 183 Justice programs.--

184 (4) Educational services shall be provided at times of the
 185 day most appropriate for the juvenile justice program. School
 186 programming in juvenile justice detention, commitment, and
 187 rehabilitation programs shall be made available by the local
 188 school district during the juvenile justice school year, as
 189 defined in s. 1003.01(11). In addition, students in juvenile
 190 justice education programs shall have access to Florida Virtual

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191 School courses and courses of its approved school district
192 franchises. The Department of Education and the school districts
193 shall adopt policies necessary to ensure such access.

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

196 1007.27 Articulated acceleration mechanisms.--

197 (1) It is the intent of the Legislature that a variety of
198 articulated acceleration mechanisms be available for secondary
199 and postsecondary students attending public educational
200 institutions. It is intended that articulated acceleration serve
201 to shorten the time necessary for a student to complete the
202 requirements associated with the conference of a high school
203 diploma and a postsecondary degree, broaden the scope of
204 curricular options available to students, or increase the depth
205 of study available for a particular subject. Articulated
206 acceleration mechanisms shall include, but not be limited to,
207 dual enrollment as provided for in s. 1007.271, early admission,
208 advanced placement, credit by examination, the International
209 Baccalaureate Program, and the Advanced International
210 Certificate of Education Program. Credit earned through the
211 Florida Virtual School and its approved school district
212 franchises shall provide additional opportunities for early
213 graduation and acceleration.

214 Section 11. Paragraph (c) of subsection (1) of section
215 1011.61, Florida Statutes, is amended to read:

216 1011.61 Definitions.--Notwithstanding the provisions of s.
217 1000.21, the following terms are defined as follows for the
218 purposes of the Florida Education Finance Program:

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

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

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

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

229 (I) A full-time student, except a postsecondary or adult
230 student or a senior high school student enrolled in adult
231 education when such courses are required for high school
232 graduation, in a combination of programs listed in s.
233 1011.62(1)(c) shall be a fraction of a full-time equivalent
234 membership in each special program equal to the number of net
235 hours per school year for which he or she is a member, divided
236 by the appropriate number of hours set forth in subparagraph
237 (a)1. or subparagraph (a)2. The difference between that fraction
238 or sum of fractions and the maximum value as set forth in
239 subsection (4) for each full-time student is presumed to be the
240 balance of the student's time not spent in such special
241 education programs and shall be recorded as time in the
242 appropriate basic program.

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

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

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

249 | 2. A student in membership in a program scheduled for more
250 | or less than 180 school days is a fraction of a full-time
251 | equivalent membership equal to the number of instructional hours
252 | in membership divided by the appropriate number of hours set
253 | forth in subparagraph (a)1.; however, for the purposes of this
254 | subparagraph, membership in programs scheduled for more than 180
255 | days is limited to students enrolled in juvenile justice
256 | education programs and the Florida Virtual School and its
257 | approved school district franchises.

258 |
259 | The department shall determine and implement an equitable method
260 | of equivalent funding for experimental schools and for schools
261 | operating under emergency conditions, which schools have been
262 | approved by the department to operate for less than the minimum
263 | school day.

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