

1 A bill to be entitled
2 An act relating to K-8 virtual schools; creating s.
3 1002.375, F.S.; establishing the Kindergarten through
4 Grade 8 (K-8) Virtual School Program within the Department
5 of Education; providing student eligibility requirements;
6 requiring enrolled students to meet compulsory school
7 attendance requirements and participate in the statewide
8 assessment program; providing school eligibility
9 requirements; authorizing schools to be for-profit or
10 nonprofit entities; providing a school application
11 procedure; requiring applicants to verify certain
12 information and submit certain plans; providing for 3-year
13 contracts for approved schools and authorizing contract
14 renewals; designating participating schools as independent
15 schools; requiring schools to provide each student with
16 the materials, equipment, and services necessary to
17 receive instruction; authorizing the current pilot K-8
18 virtual schools to continue operation through the 2006-
19 2007 school year; requiring pilot schools to meet all
20 application requirements in order to operate beyond the
21 2006-2007 school year; requiring program funding to be
22 established annually in the General Appropriations Act and
23 providing a payment schedule to schools; requiring schools
24 to participate in the statewide assessment program and be
25 subject to the school grading system; requiring school
26 improvement plans for low-performing schools and contract
27 termination for continued low school performance;
28 providing causes for nonrenewal or termination of a school

29 contract and responsibility for debt; providing for
 30 student enrollment in another public school under certain
 31 circumstances; requiring rulemaking; providing an
 32 effective date.

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

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 36 Section 1. Section 1002.375, Florida Statutes, is created
 37 to read:

38 1002.375 K-8 Virtual School Program.--

39 (1) K-8 VIRTUAL SCHOOL PROGRAM.--Subject to annual
 40 legislative appropriation, the Kindergarten through Grade 8 (K-
 41 8) Virtual School Program is established within the Department
 42 of Education for the purpose of making academic instruction
 43 available to full-time students in kindergarten through grade 8
 44 using on-line and distance learning technology. The department
 45 must use an application process to select schools to participate
 46 in the program and to deliver program instruction.

47 (2) STUDENT ELIGIBILITY.--

48 (a) Enrollment in each participating school is open to any
 49 K-8 student in the state provided the student meets at least one
 50 of the following conditions:

51 1. The student has spent the prior school year in
 52 attendance at a Florida public school. Prior year school
 53 attendance means the student was enrolled and reported by a
 54 public school district for funding during the preceding October
 55 and February Florida Education Finance Program surveys.

56 2. The student was enrolled during the prior school year
57 in a K-8 virtual school funded pursuant to this section or the
58 2005-2006 General Appropriations Act.

59 3. The student is eligible to enroll in kindergarten or
60 the first grade.

61 4. The student has a sibling who is currently enrolled in
62 a participating K-8 virtual school and was enrolled at the end
63 of the prior school year.

64 (b) Students enrolled in a participating K-8 virtual
65 school are subject to the compulsory school attendance
66 requirements of s. 1003.21. Student attendance must be verified
67 according to department procedures.

68 (c) Each student enrolled in a participating K-8 virtual
69 school must take the statewide assessments required under s.
70 1008.22 within the student's school district of residence, which
71 must provide that student with access to the district's testing
72 facilities.

73 (3) SCHOOL ELIGIBILITY.--

74 (a) To be eligible to participate in the K-8 Virtual
75 School Program, a school must meet the following conditions:

76 1. Be nonsectarian in its programs, admission policies,
77 employment practices, and operations.

78 2. Comply with the antidiscrimination provisions of s.
79 1000.05.

80 3. Participate in the state's performance accountability
81 system created under s. 1008.31.

82 4. Locate its administrative office in the state and
83 require its administrative and instructional staff members to be
84 state residents.

85 5. Require no tuition or student registration fee.

86 (b) Schools applying to participate in the K-8 Virtual
87 School Program may be for-profit or nonprofit entities.

88 (4) APPLICATION PROCEDURES.--

89 (a) The department must provide an application form to be
90 completed by schools seeking to participate in the K-8 Virtual
91 School Program. Initial application forms must be made available
92 in sufficient time to enable schools to apply and be approved to
93 participate in the program by the beginning of the 2007-2008
94 school year. In addition to information that may be required by
95 the department, each applicant must provide verification that:

96 1. The applicant meets the eligibility criteria required
97 by this section.

98 2. All members of the school's instructional staff are
99 professional educators certified according to the provisions of
100 chapter 1012.

101 3. All school employees have undergone background
102 screening as required by s. 1012.32.

103 (b) In addition to a completed application form, each
104 applicant must provide the department with:

105 1. A detailed plan describing how the school curriculum
106 and course content will conform to the Sunshine State Standards.

107 2. An annual financial plan for each year of operation of
108 the school for a minimum of 3 years. The plan must contain
109 anticipated fund balances based on revenue projections, a

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110 spending plan based on projected revenues and expenses, and a
111 description of controls that will safeguard finances and
112 projected enrollment trends.

113 (c) The department must approve or deny a school's
114 participation in the K-8 Virtual School Program within 90 days
115 after the receipt of an application.

116 (5) PARTICIPATING SCHOOLS.--

117 (a) A school approved by the department to participate in
118 the K-8 Virtual School Program must receive an initial 3-year
119 contract with the department to provide program services,
120 subject to annual department review and legislative
121 appropriation. Contract renewals may be for up to 5 years upon
122 agreement of both parties, contingent upon annual funding in the
123 General Appropriations Act.

124 (b) A school approved to participate in the program is
125 deemed to be an independent virtual school, providing on behalf
126 of the state a full-time, 180-day, on-line program of
127 instruction to students in kindergarten through grade 8.

128 (c) A school approved to participate in the program must
129 provide each student with:

130 1. All necessary instructional materials.

131 2. All equipment, including, but not limited to, a
132 computer, computer monitor, and printer for each household that
133 has a student enrolled in the virtual school.

134 3. Access to or reimbursement for all Internet services
135 necessary for on-line delivery of instruction for each household
136 that has a student enrolled in the virtual school.

137 (6) PILOT SCHOOLS.--

138 (a) The two pilot K-8 virtual schools for which funding
 139 was provided in the 2005-2006 General Appropriations Act are
 140 authorized to continue operation for the 2006-2007 school year.

141 (b) With the exception of the application and contracting
 142 requirements, the pilot schools are subject to the provisions of
 143 this section for the 2006-2007 school year.

144 (c) Each pilot school must complete the application
 145 requirements of this section and be approved by the department
 146 in order to participate in the K-8 Virtual School Program beyond
 147 the 2006-2007 school year.

148 (7) FUNDING.--

149 (a) State funding for each participating K-8 virtual
 150 school must be based on total program enrollment and an amount
 151 per full-time equivalent student established annually in the
 152 General Appropriations Act.

153 (b) Upon proper documentation of student enrollment
 154 reviewed and approved by the department, payments must be made
 155 to participating K-8 virtual schools in four equal payments no
 156 later than September 1, November 1, February 1, and April 15 of
 157 each academic year. The initial payment must be made after
 158 department verification of student admission acceptance, and
 159 subsequent payments must be made upon verification of continued
 160 enrollment and attendance.

161 (8) ASSESSMENT AND ACCOUNTABILITY.--

162 (a) Each participating K-8 virtual school must participate
 163 in the statewide assessment program created under s. 1008.22 and
 164 be subject to the school grading system created under s.
 165 1008.34.

166 (b) A participating K-8 virtual school with a performance
 167 grade category of "D" or "F" must file a school improvement plan
 168 with the department for consultation to determine the causes for
 169 low performance and to develop a plan for correction and
 170 improvement.

171 (c) The department must terminate the contract of any K-8
 172 virtual school receiving a performance grade category of "D" or
 173 "F" for 2 school years in a 4-year period.

174 (9) CAUSES FOR NONRENEWAL OR TERMINATION OF CONTRACT.--

175 (a) At the end of a contract with a K-8 virtual school,
 176 the department may choose not to renew the contract on any of
 177 the following grounds:

178 1. Failure to participate in the state's performance
 179 accountability system created under s. 1008.31, as required in
 180 this section.

181 2. Failure to receive a school performance grade category
 182 of "C" or better under the school grading system created under
 183 s. 1008.34 for 2 school years in a 4-year period.

184 3. Failure to meet generally accepted standards of fiscal
 185 management.

186 4. Violation of law.

187 5. Failure of the Legislature to fund the K-8 Virtual
 188 School Program.

189 6. Other good cause shown.

190 (b) During the term of a contract, the department may
 191 terminate the contract on any of the grounds listed in paragraph

192 (a).

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193 (c) If a contract is not renewed or is terminated, the K-8
194 virtual school is responsible for all debts of the school.

195 (d) If a contract is not renewed or is terminated, a
196 student who attended the school may apply to and shall be
197 enrolled in another public school.

198 (10) RULES.--The State Board of Education shall adopt
199 rules under ss. 120.536(1) and 120.54 as may be necessary to
200 implement and administer this section.

201 Section 2. This act shall take effect July 1, 2006.