



573500

LEGISLATIVE ACTION

|                     |   |       |
|---------------------|---|-------|
| Senate              | . | House |
|                     | . |       |
|                     | . |       |
| Floor: AD/CR        | . |       |
| 05/03/2013 11:56 AM | . |       |
|                     | . |       |

---

---

The Conference Committee on SB 1514, 1st Eng. recommended the following:

1           **Senate Conference Committee Amendment (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Paragraph (e) of subsection (4) of section  
7 288.8175, Florida Statutes, is amended to read:

8           288.8175 Linkage institutes between postsecondary  
9 institutions in this state and foreign countries.—

10           (4) The institutes are:

11           (e) Florida-China Institute (University of West Florida,  
12 University of South Florida, and Eastern Florida State ~~Brevard~~



573500

13 ~~Community~~ College).

14 Section 2. Paragraph (a) of subsection (3) of section  
15 1000.21, Florida Statutes, is amended to read:

16 1000.21 Systemwide definitions.—As used in the Florida K-20  
17 Education Code:

18 (3) "Florida College System institution" except as  
19 otherwise specifically provided, includes all of the following  
20 public postsecondary educational institutions in the Florida  
21 College System and any branch campuses, centers, or other  
22 affiliates of the institution:

23 (a) Eastern Florida State ~~Brevard Community~~ College, which  
24 serves Brevard County.

25 Section 3. Section 1001.27, Florida Statutes, is repealed.

26 Section 4. Subsections (8) and (9) of section 1001.28,  
27 Florida Statutes, are amended to read:

28 1001.28 Distance learning duties.—The duties of the  
29 Department of Education concerning distance learning include,  
30 but are not limited to, the duty to:

31 ~~(8) Manage the state's satellite transponder resources and~~  
32 ~~enter into lease agreements to maximize the use of available~~  
33 ~~transponder time. All net revenue realized through the leasing~~  
34 ~~of available transponder time, after deducting the costs of~~  
35 ~~performing the management function, shall be recycled to support~~  
36 ~~the public education distance learning in this state based upon~~  
37 ~~an allocation formula of one third to the Department of~~  
38 ~~Education, one third to Florida College System institutions, and~~  
39 ~~one third to state universities.~~

40 (8)(9) Hire appropriate staff which may include a position  
41 that shall be exempt from part II of chapter 110 and is included



573500

42 in the Senior Management Service in accordance with s. 110.205.

43

44 Nothing in this section shall be construed to abrogate,  
45 supersede, alter, or amend the powers and duties of any state  
46 agency, district school board, Florida College System  
47 institution board of trustees, university board of trustees, the  
48 Board of Governors, or the State Board of Education.

49 Section 5. Subsection (2) of section 1001.281, Florida  
50 Statutes, is amended to read:

51 1001.281 Operating Trust Fund.—

52 (2) The fund is established for use as a depository for  
53 funds to be used for program operations funded by program  
54 revenues. Moneys to be credited to the trust fund include, but  
55 are not limited to, revenues received from the payment of fees  
56 associated with high school equivalency examinations ~~leasing of~~  
57 ~~available transponder time for the state's satellite transponder~~  
58 ~~resources.~~

59 Section 6. Subsection (23) of section 1001.42, Florida  
60 Statutes, is amended to read:

61 1001.42 Powers and duties of district school board.—The  
62 district school board, acting as a board, shall exercise all  
63 powers and perform all duties listed below:

64 (23) ~~FLORIDA VIRTUAL INSTRUCTION SCHOOL.~~—Provide students  
65 with access to courses available through a virtual instruction  
66 program option, including the Florida Virtual School and other  
67 approved providers, and award credit for successful completion  
68 of such courses. ~~Access shall be available to students during~~  
69 ~~and after the normal school day and through summer school~~  
70 ~~enrollment.~~



573500

71 Section 7. Paragraph (b) of subsection (2) and subsections  
72 (7) and (10) of section 1002.3305, Florida Statutes, are amended  
73 to read:

74 1002.3305 College-Preparatory Boarding Academy Pilot  
75 Program for at-risk students.—

76 (2) DEFINITIONS.—As used in this section, the term:

77 (b) "Eligible student" means a student who is a resident of  
78 the state and entitled to attend school in a participating  
79 school district, is at risk of academic failure, is currently  
80 enrolled in grade 5 or 6, is from a family whose gross income is  
81 at or below 200 percent of the federal poverty guidelines, is  
82 eligible for benefits or services funded by Temporary Assistance  
83 for Needy Families (TANF) or Title IV-E of the Social Security  
84 Act, and ~~who~~ meets at least one of the following additional risk  
85 factors:

86 1. The child is in foster care or has been declared an  
87 adjudicated dependent by a court.

88 2. The student's head of household is not the student's  
89 custodial parent.

90 3. The student resides in a household that receives a  
91 housing voucher or has been determined eligible for public  
92 housing assistance.

93 4. A member of the student's immediate family has been  
94 incarcerated.

95 5. The child is covered under the terms of the state's  
96 Child Welfare Waiver Demonstration project with the United  
97 States Department of Health and Human Services.

98 (7) FUNDING.—The college-preparatory boarding academy must  
99 be a public school and part of the state's program of education.



573500

100 ~~If~~ The program may receive ~~receives~~ state and federal funding  
101 from noneducation sources, and such funds may be transferred  
102 between state agencies to provide for the operations of the  
103 program. The State Board of Education shall coordinate,  
104 streamline, and simplify any requirements to eliminate  
105 duplicate, redundant, or conflicting requirements and oversight  
106 by various governmental programs or agencies. Funding for the  
107 operation of the boarding academy is contingent on the  
108 development of a plan by the Department of Education, the  
109 Department of Juvenile Justice, and the Department of Children  
110 and Family Services which details how educational and  
111 noneducational funds that would otherwise be committed to the  
112 students in the school and their families can be repurposed to  
113 provide for the operation of the school and related services.  
114 Such plans must be based on federal and state funding streams  
115 for children and families meeting the eligibility criteria for  
116 eligible students as specified in paragraph (2) (b) and include  
117 recommendations for modifications to the criteria for eligible  
118 students which further the program's goals or improve the  
119 feasibility of using existing funding sources. The plan shall be  
120 submitted, together with relevant budget requests, through the  
121 legislative budget request process under s. 216.023 or through  
122 requests for budget amendments to the Legislative Budget  
123 Commission in accordance with s. 216.181.

124 (10) ADMISSION.—An eligible student may apply for admission  
125 to the program. If more eligible students apply for admission  
126 than the number of students permitted by the capacity  
127 established by the board of trustees, admission shall be  
128 determined by lottery. The college preparatory boarding academy



573500

129 may enter into an agreement with the Department of Children and  
130 Families to admit a designated number of students who are  
131 covered under the state's Child Welfare Waiver Demonstration  
132 project and develop an alternative admissions process for these  
133 eligible students.

134 Section 8. Paragraphs (a) and (d) of subsection (3),  
135 subsection (6), and paragraph (b) of subsection (8) of section  
136 1002.37, Florida Statutes, are amended to read:

137 1002.37 The Florida Virtual School. -

138 (3) Funding for the Florida Virtual School shall be  
139 provided as follows:

140 (a)1. For a student in grades 9 through 12, a "full-time  
141 equivalent student" is one student who has successfully  
142 completed six full-credit courses that count toward the minimum  
143 number of credits required for high school graduation. A student  
144 who completes fewer than six full-credit courses is a fraction  
145 of a full-time equivalent student. Half-credit course  
146 completions shall be included in determining a full-time  
147 equivalent student. ~~Credit completed by a student in excess of~~  
148 ~~the minimum required for that student for high school graduation~~  
149 ~~is not eligible for funding.~~

150 2. For a student in kindergarten through grade 8, a "full-  
151 time equivalent student" is one student who has successfully  
152 completed six courses or the prescribed level of content that  
153 counts toward promotion to the next grade. A student who  
154 completes fewer than six courses or the prescribed level of  
155 content shall be a fraction of a full-time equivalent student.

156 3. For a student in a home education program, funding shall  
157 be provided in accordance with this subsection upon course



573500

158 completion if the parent verifies, upon enrollment for each  
159 course, that the student is registered with the school district  
160 as a home education student pursuant to s. 1002.41(1)(a).  
161 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~  
162 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent  
163 students and associated funding of students enrolled in courses  
164 requiring passage of an end-of-course assessment under s.  
165 1003.4282 to earn a standard high school diploma shall be  
166 adjusted if after the student does not pass ~~completes~~ the end-  
167 of-course assessment. However, no adjustment shall be made for  
168 home education program students who choose not to take an end-  
169 of-course assessment or for a student who enrolls in a segmented  
170 remedial course delivered online.

171  
172 For purposes of this paragraph, the calculation of "full-time  
173 equivalent student" shall be as prescribed in s.  
174 1011.61(1)(c)1.b.(V) and is subject to the requirements in s.  
175 1011.61(4).

176 (d) Full-time equivalent student credit completion for  
177 courses offered through the Florida Virtual School shall be  
178 reported only by the Florida Virtual School. School districts  
179 shall report full-time equivalent student membership only for  
180 courses for which the district provides the instruction. Courses  
181 delivered by the Florida Virtual School on a public school  
182 campus shall be reported only by the school district in which  
183 the student is enrolled.

184 (6) The board of trustees shall annually submit to the  
185 Governor, the Legislature, the Commissioner of Education, and  
186 the State Board of Education a complete and detailed report



573500

187 setting forth:

188 (a) The operations and accomplishments of the Florida  
189 Virtual School within the state and those occurring outside the  
190 state as Florida Virtual School Global.

191 (b) The marketing and operational plan for the Florida  
192 Virtual School and Florida Virtual School Global, including  
193 recommendations regarding methods for improving the delivery of  
194 education through the Internet and other distance learning  
195 technology.

196 (c) The assets and liabilities of the Florida Virtual  
197 School and Florida Virtual School Global at the end of the  
198 fiscal year.

199 (d) A copy of an annual financial audit of the accounts and  
200 records of the Florida Virtual School and Florida Virtual School  
201 Global, conducted by an independent certified public accountant  
202 and performed in accordance with rules adopted by the Auditor  
203 General.

204 (e) Recommendations regarding the unit cost of providing  
205 services to students through the Florida Virtual School and  
206 Florida Virtual School Global. In order to most effectively  
207 develop public policy regarding any future funding of the  
208 Florida Virtual School, it is imperative that the cost of the  
209 program is accurately identified. The identified cost of the  
210 program must be based on reliable data.

211 (f) Recommendations regarding an accountability mechanism  
212 to assess the effectiveness of the services provided by the  
213 Florida Virtual School and Florida Virtual School Global.

214 (8)

215 (b) For students receiving part-time instruction in





573500

216 kindergarten through grade 5 and students receiving full-time  
217 instruction in kindergarten through grade 12 from the Florida  
218 Virtual School, the full-time equivalent student enrollment  
219 calculated under this subsection is subject to the requirements  
220 in s. 1011.61(4) ~~combined total of all FTE reported by both the~~  
221 ~~school district and the Florida Virtual School may not exceed~~  
222 ~~1.0 FTE.~~

223 Section 9. Paragraphs (b), (c), and (d) of subsection (1),  
224 paragraph (a) of subsection (2), and subsection (7) of section  
225 1002.45, Florida Statutes, are amended to read:

226 1002.45 Virtual instruction programs.—

227 (1) PROGRAM.—

228 (b) Each school district that is eligible for the sparsity  
229 supplement pursuant to s. 1011.62(7)(a) and (b) shall provide  
230 all enrolled public school students within its boundaries the  
231 option of participating in part-time and full-time virtual  
232 instruction programs. Each school district that is not eligible  
233 for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b)  
234 shall provide at least three options for part-time and full-time  
235 virtual instruction. All school districts must provide parents  
236 with timely written notification of at least one open enrollment  
237 period for full-time students of 90 days or more which ends 30  
238 days before the first day of the school year. The purpose of the  
239 program is to make quality virtual instruction available to  
240 students using online and distance learning technology in the  
241 nontraditional classroom. A school district virtual instruction  
242 program shall consist of the following:

243 1. Full-time and part-time virtual instruction for students  
244 enrolled in kindergarten through grade 12.



573500

245 ~~2. Part-time virtual instruction for students enrolled in~~  
246 ~~kindergarten through grade 12 courses that are measured pursuant~~  
247 ~~to subparagraph (8)(a)2.~~

248 ~~2.3.~~ Full-time or part-time virtual instruction for  
249 students enrolled in dropout prevention and academic  
250 intervention programs under s. 1003.53, Department of Juvenile  
251 Justice education programs under s. 1003.52, core-curricula  
252 courses to meet class size requirements under s. 1003.03, or  
253 Florida College System institutions under this section.

254 (c) To provide students with the option of participating in  
255 virtual instruction programs as required by paragraph (b), a  
256 school district may:

257 1. Contract with the Florida Virtual School or establish a  
258 franchise of the Florida Virtual School for the provision of a  
259 program under paragraph (b). Using this option is subject to the  
260 requirements of this section and s. 1011.61(1)(c)1.b.(III) and  
261 (IV) and (4). A district may report full-time equivalent student  
262 membership for credit earned by a student who is enrolled in a  
263 virtual education course provided by the district which was  
264 completed after the end of the regular school year if the FTE is  
265 reported no later than the deadline for amending the final  
266 student membership report for that year ~~1011.61(1)(c)1.b.(III)~~  
267 ~~and (IV).~~

268 2. Contract with an approved provider under subsection (2)  
269 for the provision of a full-time or part-time program under  
270 paragraph (b) subparagraph (b)1. or subparagraph (b)3. or a  
271 ~~part-time program under subparagraph (b)2. or subparagraph (b)3.~~

272 3. Enter into an agreement with other school districts to  
273 allow the participation of its students in an approved virtual



573500

274 instruction program provided by the other school district. The  
275 agreement must indicate a process for the transfer of funds  
276 required by paragraph (7) (f).

277 4. Establish school district operated part-time or full-  
278 time kindergarten through grade 12 virtual instruction programs  
279 under paragraph (b) for students enrolled in the school  
280 district. A full-time program shall operate under its own Master  
281 School Identification Number.

282 5. Enter into an agreement with a virtual charter school  
283 authorized by the school district under s. 1002.33.

284  
285 Contracts under subparagraph 1. or subparagraph 2. may include  
286 multidistrict contractual arrangements that may be executed by a  
287 regional consortium for its member districts. A multidistrict  
288 contractual arrangement or an agreement under subparagraph 3. is  
289 not subject to s. 1001.42(4) (d) and does not require the  
290 participating school districts to be contiguous. These  
291 arrangements may be used to fulfill the requirements of  
292 paragraph (b).

293 (d) A virtual charter school may provide full-time virtual  
294 instruction for students in kindergarten through grade 12 if the  
295 virtual charter school has a charter approved pursuant to s.  
296 1002.33 authorizing full-time virtual instruction. A virtual  
297 charter school may:

- 298 1. Contract with the Florida Virtual School.  
299 2. Contract with an approved provider under subsection (2).  
300 3. Enter into an agreement with a school district to allow  
301 the participation of the virtual charter school's students in  
302 the school district's virtual instruction program. The agreement



573500

303 must indicate a process for reporting of student enrollment and  
304 the transfer of funds required by paragraph (7) (f).

305 (2) PROVIDER QUALIFICATIONS.—

306 (a) The department shall annually publish online a list of  
307 providers approved to offer virtual instruction programs. To be  
308 approved by the department, a provider must document that it:

309 1. Is nonsectarian in its programs, admission policies,  
310 employment practices, and operations;

311 2. Complies with the antidiscrimination provisions of s.  
312 1000.05;

313 3. Locates an administrative office or offices in this  
314 state, requires its administrative staff to be state residents,  
315 requires all instructional staff to be Florida-certified  
316 teachers under chapter 1012, and conducts background screenings  
317 for all employees or contracted personnel, as required by s.  
318 1012.32, using state and national criminal history records;

319 4. Provides to parents and students specific information  
320 posted and accessible online that includes, but is not limited  
321 to, the following teacher-parent and teacher-student contact  
322 information for each course:

323 a. How to contact the instructor via phone, e-mail, or  
324 online messaging tools.

325 b. How to contact technical support via phone, e-mail, or  
326 online messaging tools.

327 c. How to contact the administration office via phone, e-  
328 mail, or online messaging tools.

329 d. Any requirement for regular contact with the instructor  
330 for the course and clear expectations for meeting the  
331 requirement.



573500

332           e. The requirement that the instructor in each course must,  
333 at a minimum, conduct one contact via phone with the parent and  
334 the student each month.

335           ~~5.4.~~ Possesses prior, successful experience offering online  
336 courses to elementary, middle, or high school students as  
337 demonstrated by quantified student learning gains in each  
338 subject area and grade level provided for consideration as an  
339 instructional program option. However, for a provider without  
340 sufficient prior, successful experience offering online courses,  
341 the department may conditionally approve the provider to offer  
342 courses measured pursuant to subparagraph (8) (a)2. Conditional  
343 approval shall be valid for 1 school year only and, based on the  
344 provider's experience in offering the courses, the department  
345 shall determine whether to grant approval to offer a virtual  
346 instruction program;

347           ~~6.5.~~ Is accredited by a regional accrediting association as  
348 defined by State Board of Education rule;

349           ~~7.6.~~ Ensures instructional and curricular quality through a  
350 detailed curriculum and student performance accountability plan  
351 that addresses every subject and grade level it intends to  
352 provide through contract with the school district, including:

353           a. Courses and programs that meet the standards of the  
354 International Association for K-12 Online Learning and the  
355 Southern Regional Education Board.

356           b. Instructional content and services that align with, and  
357 measure student attainment of, student proficiency in the Next  
358 Generation Sunshine State Standards.

359           c. Mechanisms that determine and ensure that a student has  
360 satisfied requirements for grade level promotion and high school



573500

361 graduation with a standard diploma, as appropriate;  
362 ~~8.7.~~ Publishes for the general public, in accordance with  
363 disclosure requirements adopted in rule by the State Board of  
364 Education, as part of its application as a provider and in all  
365 contracts negotiated pursuant to this section:  
366 a. Information and data about the curriculum of each full-  
367 time and part-time program.  
368 b. School policies and procedures.  
369 c. Certification status and physical location of all  
370 administrative and instructional personnel.  
371 d. Hours and times of availability of instructional  
372 personnel.  
373 e. Student-teacher ratios.  
374 f. Student completion and promotion rates.  
375 g. Student, educator, and school performance accountability  
376 outcomes;  
377 ~~9.8.~~ If the provider is a Florida College System  
378 institution, employs instructors who meet the certification  
379 requirements for instructional staff under chapter 1012; and  
380 ~~10.9.~~ Performs an annual financial audit of its accounts  
381 and records conducted by an independent certified public  
382 accountant which is in accordance with rules adopted by the  
383 Auditor General, is conducted in compliance with generally  
384 accepted auditing standards, and includes a report on financial  
385 statements presented in accordance with generally accepted  
386 accounting principles.  
387 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL  
388 FUNDING.—  
389 (a) Students enrolled in a virtual instruction program or a



573500

390 virtual charter school shall be funded through the Florida  
391 Education Finance Program as provided in the General  
392 Appropriations Act. However, such funds may not be provided for  
393 the purpose of fulfilling the class size requirements in ss.  
394 1003.03 and 1011.685.

395 (b) For purposes of a virtual instruction program or a  
396 virtual charter school, "full-time equivalent student" has the  
397 same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

398 (c) For a student enrolled in a kindergarten through grade  
399 12 virtual instruction program, a "full-time equivalent student"  
400 has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)  
401 and (IV).

402 (d) The full-time equivalent student membership calculated  
403 under this subsection is subject to the requirements in s.  
404 1011.61(4). ~~A student may not be reported as more than 1.0 full-~~  
405 ~~time equivalent student in any given school year.~~

406 (e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when~~  
407 ~~s. 1008.22(3)(g) is implemented,~~ the reported full-time  
408 equivalent students and associated funding of students enrolled  
409 in courses requiring passage of an end-of-course assessment  
410 under s. 1003.4282 to earn a standard high school diploma shall  
411 be adjusted if after the student does not pass ~~completes~~ the  
412 end-of-course assessment. However, no adjustment shall be made  
413 for a student who enrolls in a segmented remedial course  
414 delivered online.

415 (f) The school district providing virtual instruction shall  
416 report full-time equivalent students for a virtual instruction  
417 program or a virtual charter school to the department in a  
418 manner prescribed by the department, and funding shall be



573500

419 provided through the Florida Education Finance Program.

420 (g) A Florida College System institution provider may not  
421 report students who are served in a virtual instruction program  
422 for funding under the Florida College System Program Fund.

423 Section 10. Section 1003.498, Florida Statutes, is amended  
424 to read:

425 1003.498 School district virtual course offerings.—

426 (1) School districts may deliver courses in the traditional  
427 school setting by personnel certified pursuant to s. 1012.55 who  
428 provide direct instruction through virtual instruction or  
429 through blended learning courses consisting of both traditional  
430 classroom and online instructional techniques. Students in a  
431 blended learning course must be full-time students of the school  
432 and receive the online instruction in a classroom setting at the  
433 school. The funding, performance, and accountability  
434 requirements for blended learning courses are the same as those  
435 for traditional courses. To facilitate the delivery and coding  
436 of blended learning courses, the department shall provide  
437 identifiers for existing courses to designate that they are  
438 being used for blended learning courses for the purpose of  
439 ensuring the efficient reporting of such courses. A district may  
440 report full-time equivalent student membership for credit earned  
441 by a student who is enrolled in a virtual education course  
442 provided by the district which is completed after the end of the  
443 regular school year if the FTE is reported no later than the  
444 deadline for amending the final student membership report for  
445 that year.

446 (2) School districts may offer virtual courses for students  
447 enrolled in the school district. These courses must be





573500

448 identified in the course code directory. Students who meet the  
449 eligibility requirements of s. 1002.455 may participate in these  
450 virtual course offerings.

451 (a) Any eligible student who is enrolled in a school  
452 district may register and enroll in an online course offered by  
453 his or her school district.

454 (b) 1. Any eligible student who is enrolled in a school  
455 district may register and enroll in an online course offered by  
456 any other school district in the state, ~~except as limited by the~~  
457 ~~following:~~

458 ~~1. A student may not enroll in a course offered through a~~  
459 ~~virtual instruction program provided pursuant to s. 1002.45.~~

460 ~~2. A student may not enroll in a virtual course offered by~~  
461 ~~another school district if:~~

462 ~~a. The course is offered online by the school district in~~  
463 ~~which the student resides; or~~

464 ~~b. The course is offered in the school in which the student~~  
465 ~~is enrolled. However, a student may enroll in an online course~~  
466 ~~offered by another school district if the school in which the~~  
467 ~~student is enrolled offers the course but the student is unable~~  
468 ~~to schedule the course in his or her school.~~

469 ~~3.~~ The school district in which the student completes the  
470 course shall report the student's completion of that course for  
471 funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home  
472 school district shall not report the student for funding for  
473 that course.

474 2. The full-time equivalent student membership calculated  
475 under this subsection is subject to the requirements in s.  
476 1011.61(4). ~~For purposes of this paragraph, the combined total~~



573500

477 ~~of all school district reported FTE may not be reported as more~~  
478 ~~than 1.0 full-time equivalent student in any given school year.~~  
479 The Department of Education shall establish procedures to enable  
480 interdistrict coordination for the delivery and funding of this  
481 online option.

482 (3) A school district may not require a public school  
483 student to take a course outside the school day that is in  
484 addition to the student's courses for a given term or on school  
485 grounds.

486 Section 11. Present subsection (4) of section 1006.29,  
487 Florida Statutes, is renumbered as subsection (5), and a new  
488 subsection (4) is added to that section, to read:

489 1006.29 State instructional materials reviewers.-

490 (4) By October 1, 2013, the department shall publish  
491 minimum and recommended technology requirements that include  
492 specifications for hardware, software, networking, security, and  
493 guidelines on the number of students per device necessary to  
494 ensure that students can access all electronic and digital  
495 instructional materials.

496 Section 12. Paragraphs (b), (c), and (d) of subsection (1),  
497 subsection (2), paragraphs (b) and (c) of subsection (5), and  
498 subsection (6) of section 1006.73, Florida Statutes, are  
499 amended, and paragraph (i) is added to subsection (5) of that  
500 section, to read:

501 1006.73 Florida Virtual Campus.-

502 (1) The Florida Virtual Campus is established to provide  
503 access to online student and library support services and to  
504 serve as a statewide resource and clearinghouse for public  
505 postsecondary education distance learning courses and degree



573500

506 programs. The primary purposes of the Florida Virtual Campus are  
507 to:

508 (b) Provide information and ~~Enhance and expand educational~~  
509 access to distance learning courses and degree programs offered  
510 by the state's and increase public postsecondary education  
511 institutions degree attainment across the state.

512 (c) Coordinate with the Florida College System and the  
513 State University System to identify and provide online academic  
514 support services and resources when the multi-institutional  
515 provision of such services and resources is more cost or  
516 operationally effective. ~~Address the educational needs of~~  
517 ~~traditional students, place-bound students, time-bound students,~~  
518 ~~and adult learners.~~

519 ~~(d) Increase workforce skills and expand professional~~  
520 ~~development opportunities.~~

521 (2) The chancellors of the Florida College System and the  
522 State University System shall exercise joint oversight of the  
523 Florida Virtual Campus and shall establish its governance and  
524 reporting structure, administrative and operational guidelines  
525 and processes, staffing requirements, and operational budget.  
526 Effective January 31, 2014, all data center services needed by  
527 the Florida Virtual Campus shall be provided by the Northwest  
528 Regional Data Center ~~a primary data center~~ established pursuant  
529 to s. ss. 282.201 and 1004.649. The chancellors may delegate the  
530 authority and responsibility granted in this subsection.

531 (a) In carrying out the purposes of this section:

532 1. The campus is not an "agency" as defined in s. 20.03(11)  
533 and is not subject to chapter 287.

534 2. The campus shall be deemed to be acting as an



573500

535 instrumentality of the state for purposes of sovereign immunity  
536 pursuant to s. 768.28(2).

537 3. All records of the campus are public records unless made  
538 confidential or exempt from law.

539 (b) The campus shall maintain an unencumbered balance of  
540 not less than 5 percent of its approved operating budget.

541 (c) The campus may secure comprehensive general liability  
542 coverage, professional liability coverage, property and casualty  
543 coverage, and any other insurance coverage deemed appropriate by  
544 the chancellors.

545 (d) The campus may contract for administrative services  
546 with a public postsecondary education institution. The  
547 administrative overhead costs charged by the institution may not  
548 exceed the actual cost of providing the services and shall  
549 require a specific appropriation in the General Appropriations  
550 Act.

551 (5) The Florida Virtual Campus shall:

552 (b) Develop and manage a statewide Internet-based catalog  
553 of distance learning courses, degree programs, and resources  
554 offered by public postsecondary education institutions which is  
555 intended to assist in the coordination and collaboration of  
556 articulation and access pursuant to parts II and III of chapter  
557 1007. The campus shall establish operational guidelines and  
558 procedures for the catalog which must:

559 1. Require participating institutions to provide  
560 information concerning the distance learning course or degree  
561 program to include course number and classification of  
562 instructional programs number and information on the  
563 availability of the course or degree program; the type of



573500

564 required technology; any prerequisite course or technology  
565 competency or skill; the availability of academic support  
566 services and financial aid resources; and course costs, fees,  
567 and payment policies.

568 2. Require that distance learning courses and degree  
569 programs meet applicable accreditation standards and criteria.

570 3. Require that, at a minimum, the catalog is reviewed at  
571 the start of each academic semester to ensure that distance  
572 learning courses and degree programs comply with all operational  
573 guidelines and procedures.

574 4. Define and describe the catalog's search and retrieval  
575 options that, at a minimum, will allow users to search by  
576 academic term or course start date; institution, multiple  
577 institutions, or all institutions; and course or program  
578 delivery method, course type, course availability, subject or  
579 discipline, and course number or classification of instructional  
580 programs number.

581 ~~5.4.~~ Use an Internet-based analytic tool that allows for  
582 the collection and analysis of data, including, but not limited  
583 to:

584 a. The number and type of students who use the catalog to  
585 search for distance learning courses and degree programs.

586 b. The number and type of requests for information on  
587 distance learning courses and degree programs that are not  
588 listed in the catalog.

589 c. A summary of specific requests by course type or course  
590 number, delivery method, offering institution, and semester.

591 ~~6.5.~~ Periodically obtain and analyze data from the Florida  
592 College System and the State University System concerning:



573500

- 593           a. Costs of distance learning courses and degree programs.  
594           b. Completion, graduation, and retention rates of students  
595 enrolled in distance learning course and degree programs.  
596           c. Distance learning course completion.  
597           (c) Implement a streamlined, automated, online admissions  
598 application process for undergraduate transient students who are  
599 currently enrolled and pursuing a degree at a public  
600 postsecondary education institution and who enroll in a course  
601 offered by a public postsecondary education institution that is  
602 not the student's degree-granting institution. The Florida  
603 Virtual Campus shall work with the Florida College System and  
604 the State University System to implement this process which  
605 requires all Florida College System institutions and state  
606 universities to:
- 607           1. Use the transient student admissions application  
608 available through the statewide computer-assisted student  
609 advising system established pursuant to paragraph (d). This  
610 admissions application is the only application required for the  
611 enrollment of a transient student as described in this  
612 paragraph.
  - 613           2. Implement the financial aid procedures required by the  
614 transient student admissions application process.
  - 615           3. Transfer credit awarded by the institutions offering the  
616 course to the transient student's degree-granting institution.
  - 617           4. ~~By December 1, 2012,~~ Provide for an interface between  
618 the institutional advising system and the statewide computer-  
619 assisted student advising system established pursuant to  
620 paragraph (d) in order to electronically send, receive, and  
621 process the transient student admissions application.



573500

622           (i) In consultation with the public postsecondary education  
623 institutions, develop and implement a plan that describes the  
624 services and resources available at the Florida Virtual Campus  
625 to encourage current and prospective students' use of such  
626 services and resources.

627           (6) Beginning September 30, 2013, and annually thereafter,  
628 the chancellors of the Florida College System and the State  
629 University System shall jointly publish a report regarding the  
630 activities of the Florida Virtual Campus in the prior fiscal  
631 year. The report shall include, but not be limited to,  
632 information related to the provision of library services and  
633 electronic resources, to include those resources licensed  
634 pursuant to s. 1006.72; distance learning resources; the  
635 computer-assisted student advising system; the transient student  
636 online admissions process; and other provided programs,  
637 activities, and services.

638           Section 13. Subsections (2) and (4) and paragraph (n) of  
639 subsection (21) of section 1007.271, Florida Statutes, are  
640 amended to read:

641           1007.271 Dual enrollment programs.—

642           (2) For the purpose of this section, an eligible secondary  
643 student is a student who is enrolled in a Florida public  
644 secondary school or in a Florida private secondary school which  
645 is in compliance with s. 1002.42(2) and provides a secondary  
646 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.  
647 Students who are eligible for dual enrollment pursuant to this  
648 section may enroll in dual enrollment courses conducted during  
649 school hours, after school hours, and during the summer term.  
650 However, if the student is projected to graduate from high



573500

651 school before the scheduled completion date of a postsecondary  
652 course, the student may not register for that course through  
653 dual enrollment. The student may apply to the postsecondary  
654 institution and pay the required registration, tuition, and fees  
655 if the student meets the postsecondary institution's admissions  
656 requirements under s. 1007.263. Instructional time for dual  
657 enrollment may vary from 900 hours; however, the full-time  
658 equivalent student membership value shall be subject to the  
659 provisions in school district may only report the student for a  
660 maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student  
661 enrolled as a dual enrollment student is exempt from the payment  
662 of registration, tuition, and laboratory fees. Vocational-  
663 preparatory instruction, college-preparatory instruction, and  
664 other forms of precollegiate instruction, as well as physical  
665 education courses that focus on the physical execution of a  
666 skill rather than the intellectual attributes of the activity,  
667 are ineligible for inclusion in the dual enrollment program.  
668 Recreation and leisure studies courses shall be evaluated  
669 individually in the same manner as physical education courses  
670 for potential inclusion in the program.

671 (4) District school boards may not refuse to enter into a  
672 dual enrollment articulation agreement with a local Florida  
673 College System institution if that Florida College System  
674 institution has the capacity to offer dual enrollment courses. ~~A  
675 Florida College System institution may limit dual enrollment  
676 participation based upon capacity. Such limitation must be  
677 clearly specified in the dual enrollment articulation agreement.~~

678 (21) Each district school superintendent and Florida  
679 College System institution president shall develop a





573500

680 comprehensive dual enrollment articulation agreement for the  
681 respective school district and Florida College System  
682 institution. The superintendent and president shall establish an  
683 articulation committee for the purpose of developing the  
684 agreement. Each state university president may designate a  
685 university representative to participate in the development of a  
686 dual enrollment articulation agreement. A dual enrollment  
687 articulation agreement shall be completed and submitted annually  
688 by the Florida College System institution to the Department of  
689 Education on or before August 1. The agreement must include, but  
690 is not limited to:

691 (n) A funding provision that delineates costs incurred by  
692 each entity. School districts shall pay the standard tuition  
693 rate per credit hour from funds provided in the Florida  
694 Education Finance Program to the institution providing  
695 instruction when such instruction takes place on the  
696 postsecondary campus ~~should share funding~~ to cover instructional  
697 and support costs incurred by the postsecondary institution.  
698 When dual enrollment is provided on the high school site by  
699 postsecondary institution faculty, the school district shall  
700 reimburse the costs associated with the proportion of salary and  
701 benefits and other actual costs of the postsecondary institution  
702 to provide the instruction. When dual enrollment is provided on  
703 the high school site by school district faculty, the school  
704 district shall be responsible only for the postsecondary  
705 institution's actual costs associated with offering the program.  
706 A postsecondary institution may enter into an agreement with the  
707 school district to authorize teachers who teach dual enrollment  
708 courses at the high school site or the postsecondary



573500

709 institution. A school district may not deny a student access to  
710 dual enrollment unless the student is ineligible to participate  
711 in the program subject to provisions specifically outlined in  
712 this section.

713 Section 14. Paragraph (e) of subsection (16) of section  
714 1009.24, Florida Statutes, is amended to read:

715 1009.24 State university student fees.—

716 (16) Each university board of trustees may establish a  
717 tuition differential for undergraduate courses upon receipt of  
718 approval from the Board of Governors. The tuition differential  
719 shall promote improvements in the quality of undergraduate  
720 education and shall provide financial aid to undergraduate  
721 students who exhibit financial need.

722 (e) The Board of Governors shall submit a report to the  
723 President of the Senate, the Speaker of the House of  
724 Representatives, and the Governor describing the implementation  
725 of the provisions of this subsection no later than February 1 of  
726 January 1, 2010, and no later than January 1 each year

727 ~~thereafter~~. The report shall summarize proposals received by the  
728 board during the preceding fiscal year and actions taken by the  
729 board in response to such proposals. In addition, the report  
730 shall provide the following information for each university that  
731 has been approved by the board to assess a tuition differential:

732 1. The course or courses for which the tuition differential  
733 was assessed and the amount assessed.

734 2. The total revenues generated by the tuition  
735 differential.

736 3. With respect to waivers authorized under subparagraph  
737 (b)8., the number of students eligible for a waiver, the number



573500

738 of students receiving a waiver, and the value of waivers  
739 provided.

740 4. Detailed expenditures of the revenues generated by the  
741 tuition differential.

742 5. Changes in retention rates, graduation rates, the  
743 percentage of students graduating with more than 110 percent of  
744 the hours required for graduation, pass rates on licensure  
745 examinations, the number of undergraduate course offerings, the  
746 percentage of undergraduate students who are taught by faculty,  
747 student-faculty ratios, and the average salaries of faculty who  
748 teach undergraduate courses.

749 Section 15. Section 1010.79, Florida Statutes, is repealed.

750 Section 16. (1) The Sophomore Level Test Trust Fund, FLAIR  
751 number 48-2-646, within the Department of Education is  
752 terminated.

753 (2) All current balances remaining in, and all revenues of,  
754 the trust fund shall be transferred to the General Revenue Fund.

755 (3) The Department of Education shall pay any outstanding  
756 debts or obligations of the terminated trust fund as soon as  
757 practicable, and the Chief Financial Officer shall close out and  
758 remove the terminated trust fund from the various state  
759 accounting systems using generally accepted accounting  
760 principles concerning warrants outstanding, assets, and  
761 liabilities.

762 Section 17. Section 1010.81, Florida Statutes, is amended  
763 to read:

764 1010.81 Education Knott Data Center Working Capital Trust  
765 Fund. Chapter 99-29, Laws of Florida, re-created The Education  
766 Knott Data Center Working Capital Trust Fund shall be



573500

767 administered by the Department of Education as a depository for  
768 funds received to record the revenue from fees paid for services  
769 provided by the department's technology office, interest  
770 earnings, and cash advances from customer entities. Moneys  
771 deposited in the trust fund shall be used to fund the services  
772 provided by the department's technology office ~~Department of~~  
773 ~~Education's data center and disbursements to pay the costs of~~  
774 ~~operating the data center as authorized in s. 216.272.~~

775 Section 18. Paragraph (c) of subsection (1) and subsection  
776 (4) of section 1011.61, Florida Statutes, are amended to read:

777 1011.61 Definitions.—Notwithstanding the provisions of s.  
778 1000.21, the following terms are defined as follows for the  
779 purposes of the Florida Education Finance Program:

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

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

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

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

790 (I) A full-time student in a combination of programs listed  
791 in s. 1011.62(1)(c) shall be a fraction of a full-time  
792 equivalent membership in each special program equal to the  
793 number of net hours per school year for which he or she is a  
794 member, divided by the appropriate number of hours set forth in  
795 subparagraph (a)1. or subparagraph (a)2. The difference between



573500

796 that fraction or sum of fractions and the maximum value as set  
797 forth in subsection (4) for each full-time student is presumed  
798 to be the balance of the student's time not spent in a special  
799 program and shall be recorded as time in the appropriate basic  
800 program. The sum of the fractions for each program may not  
801 exceed the maximum value set forth in subsection (4).

802 (II) A prekindergarten student with a disability shall meet  
803 the requirements specified for kindergarten students.

804 (III) A full-time equivalent student for students in  
805 kindergarten through grade 12 in a full-time virtual instruction  
806 program under s. 1002.45 or a virtual charter school under s.  
807 1002.33 shall consist of six full-credit completions or the  
808 prescribed level of content that counts toward promotion to the  
809 next grade in programs listed in s. 1011.62(1)(c). Credit  
810 completions may be a combination of full-credit courses or half-  
811 credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal  
812 year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-  
813 time equivalent students and associated funding of students  
814 enrolled in courses requiring passage of an end-of-course  
815 assessment under s. 1003.4282 to earn a standard high school  
816 diploma shall be adjusted if after the student does not pass  
817 completes the end-of-course assessment. However, no adjustment  
818 shall be made for a student who enrolls in a segmented remedial  
819 course delivered online.

820 (IV) A full-time equivalent student for students in  
821 kindergarten through grade 12 in a part-time virtual instruction  
822 program under s. 1002.45 shall consist of six full-credit  
823 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
824 Credit completions may be a combination of full-credit courses



573500

825 or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~  
826 fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported  
827 full-time equivalent students and associated funding of students  
828 enrolled in courses requiring passage of an end-of-course  
829 assessment under s. 1003.4282 to earn a standard high school  
830 diploma shall be adjusted if after the student does not pass  
831 ~~completes~~ the end-of-course assessment. However, no adjustment  
832 shall be made for a student who enrolls in a segmented remedial  
833 course delivered online.

834 (V) A Florida Virtual School full-time equivalent student  
835 shall consist of six full-credit completions or the prescribed  
836 level of content that counts toward promotion to the next grade  
837 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
838 participating in kindergarten through grade 12 part-time virtual  
839 instruction and the programs listed in s. 1011.62(1)(c) for  
840 students participating in kindergarten through grade 12 full-  
841 time virtual instruction. Credit completions may be a  
842 combination of full-credit courses or half-credit courses.  
843 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~  
844 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent  
845 students and associated funding of students enrolled in courses  
846 requiring passage of an end-of-course assessment under s.  
847 1003.4282 to earn a standard high school diploma shall be  
848 adjusted if after the student does not pass ~~completes~~ the end-  
849 of-course assessment. However, no adjustment shall be made for a  
850 student who enrolls in a segmented remedial course delivered  
851 online.

852 (VI) Each successfully completed full-credit course earned  
853 through an online course delivered by a district other than the



573500

854 one in which the student resides shall be calculated as 1/6 FTE.

855 ~~(VII) Each successfully completed credit earned under the~~  
856 ~~alternative high school course credit requirements authorized in~~  
857 ~~s. 1002.375, which is not reported as a portion of the 900 net~~  
858 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~  
859 ~~calculated as 1/6 FTE.~~

860 (VII) (VIII) (A) A full-time equivalent student for courses  
861 requiring passage of a statewide, standardized end-of-course  
862 assessment under s. 1003.4282 to earn a standard high school  
863 diploma pursuant to s. 1008.22(3)(e)2.a. shall be defined and  
864 reported based on the number of instructional hours as provided  
865 in this subsection until the 2016-2017 fiscal year for the first  
866 3 years of administering the end-of-course assessment. Beginning  
867 in the 2016-2017 fiscal year fourth year of administering the  
868 end-of-course assessment, the FTE for the course shall be  
869 assessment-based credit-based and each course shall be equal to  
870 1/6 FTE. The reported FTE shall be adjusted if after the student  
871 does not pass successfully completes the end-of-course  
872 assessment pursuant to s. 1008.22(3)(e)2.a. However, no  
873 adjustment shall be made for a student who enrolls in a  
874 segmented remedial course delivered online.

875 (VIII) (B) For students enrolled in a school district as a  
876 full-time student, the district may report 1/6 FTE for each  
877 student who passes a statewide, standardized end-of-course  
878 assessment without being enrolled in the corresponding course.

879 ~~(C) The FTE earned under this sub-sub-subparagraph and any~~  
880 ~~FTE for courses or programs listed in s. 1011.62(1)(c) that do~~  
881 ~~not require passing a statewide, standardized end-of-course~~  
882 ~~assessment are subject to the requirements in subsection (4).~~



573500

883           2. A student in membership in a program scheduled for more  
884 or less than 180 school days or the equivalent on an hourly  
885 basis as specified by rules of the State Board of Education is a  
886 fraction of a full-time equivalent membership equal to the  
887 number of instructional hours in membership divided by the  
888 appropriate number of hours set forth in subparagraph (a)1.;

889 however, for the purposes of this subparagraph, membership in  
890 programs scheduled for more than 180 days is limited to students  
891 enrolled in:

892           a. Juvenile justice education programs.

893           b. ~~and~~ The Florida Virtual School.

894           c. Virtual instruction programs and virtual charter schools  
895 for the purpose of course completion and credit recovery  
896 pursuant to ss. 1002.45 and 1003.498. Course completion applies  
897 only to a student who is reported during the second or third  
898 membership surveys and who does not complete a virtual education  
899 course by the end of the regular school year. The course must be  
900 completed no later than the deadline for amending the final  
901 student enrollment survey for that year. Credit recovery applies  
902 only to a student who has unsuccessfully completed a traditional  
903 or virtual education course during the regular school year and  
904 must re-take the course in order to be eligible to graduate with  
905 the student's class.

906           3. The department shall determine and implement an  
907 equitable method of equivalent funding for experimental schools  
908 and for schools operating under emergency conditions, which  
909 schools have been approved by the department to operate for less  
910 than the minimum school day.

911





573500

912 The full-time equivalent student enrollment calculated under  
913 this subsection is subject to the requirements in subsection  
914 (4).

915 (4) The maximum value for funding a student in kindergarten  
916 through grade 12 or in a prekindergarten program for exceptional  
917 children as provided in s. 1003.21(1)(e) shall be the sum of the  
918 calculations in paragraphs (a), (b), and (c) as calculated by  
919 the department ~~is one full-time equivalent student membership~~  
920 ~~for a school year or equivalent.~~

921 (a) The sum of the student's full-time equivalent student  
922 membership value for the school year or the equivalent derived  
923 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-  
924 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and  
925 subsection (2). If the sum is greater than 1.0, the full-time  
926 equivalent student membership value for each program or course  
927 shall be reduced by an equal proportion so that the student's  
928 total full-time equivalent student membership value is equal to  
929 1.0.

930 (b) If the result in paragraph (a) is less than 1.0 full-  
931 time equivalent student and the student has full-time equivalent  
932 student enrollment pursuant to sub-sub-subparagraph  
933 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the  
934 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of  
935 1.0 less the value in paragraph (a).

936 (c) The full-time equivalent student enrollment value in  
937 sub-subparagraph (1)(c)2.a.

938 Section 19. Paragraphs (f) and (i) of subsection (1) and  
939 paragraph (a) of subsection (9) of section 1011.62, Florida  
940 Statutes, are amended to read:



573500

941           1011.62 Funds for operation of schools.—If the annual  
942 allocation from the Florida Education Finance Program to each  
943 district for operation of schools is not determined in the  
944 annual appropriations act or the substantive bill implementing  
945 the annual appropriations act, it shall be determined as  
946 follows:

947           (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
948 OPERATION.—The following procedure shall be followed in  
949 determining the annual allocation to each district for  
950 operation:

951           (f) *Supplemental academic instruction; categorical fund.*—

952           1. There is created a categorical fund to provide  
953 supplemental academic instruction to students in kindergarten  
954 through grade 12. This paragraph may be cited as the  
955 “Supplemental Academic Instruction Categorical Fund.”

956           2. Categorical funds for supplemental academic instruction  
957 shall be allocated annually to each school district in the  
958 amount provided in the General Appropriations Act. These funds  
959 shall be in addition to the funds appropriated on the basis of  
960 FTE student membership in the Florida Education Finance Program  
961 and shall be included in the total potential funds of each  
962 district. These funds shall be used to provide supplemental  
963 academic instruction to students enrolled in the K-12 program.  
964 For the 2012-2013, ~~and~~ 2013-2014, and 2014-2015 fiscal years,  
965 each school district that has one or more of the 100 lowest-  
966 performing elementary schools based on the state reading  
967 assessment shall use these funds, together with the funds  
968 provided in the district’s research-based reading instruction  
969 allocation and other available funds, to provide an additional



573500

970 hour of instruction beyond the normal school day for each day of  
971 the entire school year for intensive reading instruction for the  
972 students in each of these schools. This additional hour of  
973 instruction must be provided only by teachers or reading  
974 specialists who are effective in teaching reading. Students  
975 enrolled in these schools who have level 5 assessment scores may  
976 participate in the additional hour of instruction on an optional  
977 basis. Exceptional student education centers shall not be  
978 included in the 100 schools. After this requirement has been  
979 met, supplemental instruction strategies may include, but are  
980 not limited to: modified curriculum, reading instruction, after-  
981 school instruction, tutoring, mentoring, class size reduction,  
982 extended school year, intensive skills development in summer  
983 school, and other methods for improving student achievement.  
984 Supplemental instruction may be provided to a student in any  
985 manner and at any time during or beyond the regular 180-day term  
986 identified by the school as being the most effective and  
987 efficient way to best help that student progress from grade to  
988 grade and to graduate.

989 3. Effective with the 1999-2000 fiscal year, funding on the  
990 basis of FTE membership beyond the 180-day regular term shall be  
991 provided in the FEFP only for students enrolled in juvenile  
992 justice education programs or in education programs for  
993 juveniles placed in secure facilities or programs under s.  
994 985.19. Funding for instruction beyond the regular 180-day  
995 school year for all other K-12 students shall be provided  
996 through the supplemental academic instruction categorical fund  
997 and other state, federal, and local fund sources with ample  
998 flexibility for schools to provide supplemental instruction to



573500

999 assist students in progressing from grade to grade and  
1000 graduating.

1001 4. The Florida State University School, as a lab school, is  
1002 authorized to expend from its FEFP or Lottery Enhancement Trust  
1003 Fund allocation the cost to the student of remediation in  
1004 reading, writing, or mathematics for any graduate who requires  
1005 remediation at a postsecondary educational institution.

1006 5. Beginning in the 1999-2000 school year, dropout  
1007 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),  
1008 (b), and (c), and 1003.54 shall be included in group 1 programs  
1009 under subparagraph (d)3.

1010 (i) *Calculation of full-time equivalent membership with*  
1011 *respect to dual enrollment instruction.*—Students enrolled in  
1012 dual enrollment instruction pursuant to s. 1007.271 may be  
1013 included in calculations of full-time equivalent student  
1014 memberships for basic programs for grades 9 through 12 by a  
1015 district school board. Instructional time for dual enrollment  
1016 may vary from 900 hours; however, the full-time equivalent  
1017 student membership value shall be subject to the provisions in  
1018 ~~school district may only report the student for a maximum of 1.0~~  
1019 ~~full-time equivalent student membership, as provided in s.~~  
1020 1011.61(4). Dual enrollment full-time equivalent student  
1021 membership shall be calculated in an amount equal to the hours  
1022 of instruction that would be necessary to earn the full-time  
1023 equivalent student membership for an equivalent course if it  
1024 were taught in the school district. Students in dual enrollment  
1025 courses may also be calculated as the proportional shares of  
1026 full-time equivalent enrollments they generate for a Florida  
1027 College System institution or university conducting the dual



573500

1028 enrollment instruction. Early admission students shall be  
1029 considered dual enrollments for funding purposes. Students may  
1030 be enrolled in dual enrollment instruction provided by an  
1031 eligible independent college or university and may be included  
1032 in calculations of full-time equivalent student memberships for  
1033 basic programs for grades 9 through 12 by a district school  
1034 board. However, those provisions of law which exempt dual  
1035 enrolled and early admission students from payment of  
1036 instructional materials and tuition and fees, including  
1037 laboratory fees, shall not apply to students who select the  
1038 option of enrolling in an eligible independent institution. An  
1039 independent college or university which is located and chartered  
1040 in Florida, is not for profit, is accredited by the Commission  
1041 on Colleges of the Southern Association of Colleges and Schools  
1042 or the Accrediting Council for Independent Colleges and Schools,  
1043 and confers degrees as defined in s. 1005.02 shall be eligible  
1044 for inclusion in the dual enrollment or early admission program.  
1045 Students enrolled in dual enrollment instruction shall be exempt  
1046 from the payment of tuition and fees, including laboratory fees.  
1047 No student enrolled in college credit mathematics or English  
1048 dual enrollment instruction shall be funded as a dual enrollment  
1049 unless the student has successfully completed the relevant  
1050 section of the entry-level examination required pursuant to s.  
1051 1008.30.

1052 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1053 (a) The research-based reading instruction allocation is  
1054 created to provide comprehensive reading instruction to students  
1055 in kindergarten through grade 12. For the 2012-2013, ~~and~~ 2013-  
1056 2014, and 2014-2015 fiscal years, in each school district that



573500

1057 has one or more of the 100 lowest-performing elementary schools  
1058 based on the state reading assessment, priority shall be given  
1059 to providing an additional hour per day of intensive reading  
1060 instruction beyond the normal school day for each day of the  
1061 entire school year for the students in each school. Students  
1062 enrolled in these schools who have level 5 assessment scores may  
1063 participate in the additional hour of instruction on an optional  
1064 basis. Exceptional student education centers shall not be  
1065 included in the 100 schools. The intensive reading instruction  
1066 delivered in this additional hour and for other students shall  
1067 include: research-based reading instruction that has been proven  
1068 to accelerate progress of students exhibiting a reading  
1069 deficiency; differentiated instruction based on student  
1070 assessment data to meet students' specific reading needs;  
1071 explicit and systematic reading development in phonemic  
1072 awareness, phonics, fluency, vocabulary, and comprehension, with  
1073 more extensive opportunities for guided practice, error  
1074 correction, and feedback; and the integration of social studies,  
1075 science, and mathematics-text reading, text discussion, and  
1076 writing in response to reading. For the 2012-2013 and 2013-2014  
1077 fiscal years, a school district may not hire more reading  
1078 coaches than were hired during the 2011-2012 fiscal year unless  
1079 all students in kindergarten through grade 5 who demonstrate a  
1080 reading deficiency, as determined by district and state  
1081 assessments, including students scoring Level 1 or Level 2 on  
1082 FCAT Reading, are provided an additional hour per day of  
1083 intensive reading instruction beyond the normal school day for  
1084 each day of the entire school year.

1085 Section 20. Section 1011.622, Florida Statutes, is created



573500

1086 to read:  
1087 1011.622 Adjustments for students without a common student  
1088 identifier.—The Florida Education Finance Program funding  
1089 calculations, including the calculations authorized in ss.  
1090 1011.62, 1011.67, 1011.68, and 1011.685, shall include funding  
1091 for a student only when all of the student's records are  
1092 reported to the Department of Education under a common student  
1093 identifier. The State Board of Education may adopt rules  
1094 pursuant to ss. 120.536(1) and 120.54, to implement this  
1095 section.

1096 Section 21. Subsection (4) of section 1012.885, Florida  
1097 Statutes, is amended to read:

1098 1012.885 Remuneration of Florida College System institution  
1099 presidents; limitations.—

1100 (4) LIMITATION ON REMUNERATION.—Notwithstanding the  
1101 provisions of this section, ~~for the 2012-2013 fiscal year,~~ a  
1102 Florida College System institution president may not receive  
1103 more than \$200,000 in remuneration from appropriated state  
1104 funds. Only compensation, as defined in s. 121.021(22), provided  
1105 to a Florida College System institution president may be used in  
1106 calculating benefits under chapter 121.

1107 Section 22. Effective upon this act becoming a law,  
1108 subsection (4) of section 1012.886, Florida Statutes, is amended  
1109 to read:

1110 1012.886 Remuneration of Florida College System institution  
1111 administrative employees; limitations.—

1112 ~~(4) EXPIRATION.—This section expires June 30, 2013.~~

1113 Section 23. Subsection (4) of section 1012.975, Florida  
1114 Statutes, is amended to read:



573500

1115 1012.975 Remuneration of state university presidents;  
1116 limitations.-

1117 (4) LIMITATION ON REMUNERATION.-Notwithstanding the  
1118 provisions of this section, ~~for the 2012-2013 fiscal year,~~ a  
1119 state university president may not receive more than \$200,000 in  
1120 remuneration from public funds. Only compensation, as defined in  
1121 s. 121.021(22), provided to a state university president may be  
1122 used in calculating benefits under chapter 121.

1123 Section 24. Effective upon this act becoming a law,  
1124 subsection (4) of section 1012.976, Florida Statutes, is amended  
1125 to read:

1126 1012.976 Remuneration of state university administrative  
1127 employees; limitations.-

1128 ~~(4) EXPIRATION. This section expires June 30, 2013.~~

1129 Section 25. Notwithstanding the required review by the  
1130 Legislative Budget Commission pursuant to s. 1003.03(4)(c),  
1131 Florida Statutes, for the 2012-2013 fiscal year, the alternate  
1132 compliance calculation amounts to the class size operating  
1133 categorical fund authorized by s. 1003.03(4)(c), Florida  
1134 Statutes, shall be the reduction calculation required by s.  
1135 1003.03(4), Florida Statutes. The Commissioner of Education  
1136 shall modify payments to districts as required by s. 1003.03(4),  
1137 Florida Statutes, for the 2012-2013 fiscal year. This section  
1138 shall take effect upon this act becoming a law.

1139 Section 26. Notwithstanding the distribution provisions in  
1140 the salary increase portion of the proviso following Specific  
1141 Appropriation 87 contained in Senate Bill 1500, enacted during  
1142 the 2013 regular session of the Florida Legislature, a district  
1143 school board or charter school board may distribute salary





573500

1144 increases at any time before June 2014, in conformance with  
1145 requirements of the proviso or board-approved evaluation plan,  
1146 and as negotiated with collective bargaining units and  
1147 educators, as appropriate.

1148 Section 27. Notwithstanding, subsections (10), (11), (12)  
1149 and (13) of s. 1013.30, Florida Statutes, and subsection (4) of  
1150 s. 1013.51, Florida Statutes, for the 2013-2014 fiscal year, a  
1151 state university may enter into a local development agreement  
1152 with an affected host local government, to identify specific  
1153 projects in the university's campus master plan to be  
1154 constructed by the university, for purposes of negotiating  
1155 mitigation of the impact of such projects on the host local  
1156 government.

1157 Section 28. In order to implement Specific Appropriation  
1158 142 of the 2013-2014 General Appropriations Act and  
1159 notwithstanding any other law, for the 2013-2014 and 2014-2015  
1160 fiscal years only, a university board of trustees may expend  
1161 reserve or carryforward balances from previous years'  
1162 operational and programmatic appropriations for deferred  
1163 maintenance needs at the Donald L. Tucker Civic Center.

1164 Section 29. Notwithstanding the school district allocations  
1165 for Technology Transformation Grants for Rural School Districts  
1166 provided in Specific Appropriation 102A contained in Senate Bill  
1167 1500 enacted during the 2013 Regular Session of the Florida  
1168 Legislature, allocations for this purpose shall be recalculated  
1169 by the Commissioner of Education and replicated by the  
1170 principals of the Florida Education Finance Program  
1171 Appropriation Allocation Conference no later than July 15, 2013.  
1172 The revised allocations shall be based on each entity's



573500

1173 proportionate share of unweighted FTE and shall be calculated  
1174 for all districts and lab schools receiving funds in Specific  
1175 Appropriation 102A plus any other member school district of a  
1176 regional consortium service organization as of April 30, 2013.

1177 Section 30. Except as otherwise expressly provided in this  
1178 act and except for this section, which shall take effect upon  
1179 becoming a law, this act shall take effect July 1, 2013.

1180  
1181 ===== T I T L E A M E N D M E N T =====

1182 And the title is amended as follows:

1183 Delete everything before the enacting clause  
1184 and insert:

1185 A bill to be entitled  
1186 An act relating to education; amending ss. 288.8175  
1187 and 1000.21, F.S.; renaming Brevard Community College  
1188 as "Eastern Florida State College"; repealing s.  
1189 1001.27, F.S., relating to a state satellite network;  
1190 amending s. 1001.28, F.S.; deleting a duty of the  
1191 Department of Education to manage the state's  
1192 satellite transponder resources; amending s. 1001.281,  
1193 F.S.; revising funds deposited in the Operating Trust  
1194 Fund; amending s. 1001.42, F.S.; revising district  
1195 school board duties relating to virtual instruction;  
1196 amending s. 1002.3305, F.S.; revising a definition;  
1197 authorizing the state's program of education to  
1198 receive state and federal funding that may be  
1199 transferred between state agencies to provide for  
1200 operations of the college-preparatory boarding  
1201 academy; authorizing the college-preparatory boarding



573500

1202 academy to enter into an agreement with the Department  
1203 of Children and Families to admit certain students and  
1204 to develop an alternative admissions process; amending  
1205 s. 1002.37, F.S.; revising and clarifying requirements  
1206 for reporting and funding a full-time equivalent  
1207 student in the Florida Virtual School; providing  
1208 requirements for funding a home education student  
1209 enrolled in the Florida Virtual School; requiring the  
1210 school district in which a student is enrolled to  
1211 report the courses delivered by the Florida Virtual  
1212 School on a public school campus; providing reporting  
1213 requirements relating to Florida Virtual School  
1214 Global; amending s. 1002.45, F.S.; authorizing a  
1215 school district to provide part-time virtual  
1216 instruction for K-12 students in all courses; revising  
1217 requirements for the use of virtual instruction in  
1218 core-curricula courses for the purpose of meeting  
1219 class size requirements; authorizing a district to  
1220 report full-time equivalent membership for credit  
1221 earned by a student who is enrolled in a virtual  
1222 education course under certain circumstances; revising  
1223 requirements for approval as a provider of virtual  
1224 instruction programs; providing requirements for  
1225 conditional approval; revising and clarifying the  
1226 requirements for reporting and funding a full-time  
1227 equivalent student enrolled in a virtual instruction  
1228 program; amending s. 1003.498, F.S.; requiring the  
1229 Department of Education to provide identifiers for  
1230 courses to designate their use for blended learning



573500

1231 courses; authorizing a district to report full-time  
1232 equivalent membership for credit earned by a student  
1233 who is enrolled in a virtual education course under  
1234 certain circumstances; removing restrictions on  
1235 students taking online courses across district lines;  
1236 clarifying the requirements for reporting a full-time  
1237 equivalent student; prohibiting a school district from  
1238 requiring a public school student to take an online  
1239 course at certain times or places; amending s.  
1240 1006.29, F.S.; requiring the department to publish  
1241 technology requirements related to instructional  
1242 materials; amending s. 1006.73, F.S.; revising  
1243 purposes, duties, and responsibilities of the Florida  
1244 Virtual Campus; amending s. 1007.271, F.S.; revising  
1245 provisions relating to the full-time equivalent  
1246 student membership value for dual enrolled students;  
1247 revising dual enrollment articulation agreement  
1248 requirements; revising funding provisions delineating  
1249 costs incurred by the institution providing  
1250 instruction; amending s. 1009.24, F.S.; revising the  
1251 date in which the Board of Governors is required to  
1252 submit a report regarding tuition differential;  
1253 repealing s. 1010.79, F.S., relating to the Sophomore  
1254 Level Test Trust Fund; terminating the Sophomore Level  
1255 Test Trust Fund and providing for the transfer of  
1256 funds and payment of outstanding obligations; amending  
1257 s. 1010.81, F.S.; renaming the Knott Data Center  
1258 Working Capital Trust Fund and revising the deposit  
1259 and use of funds; amending s. 1011.61, F.S.; revising



573500

1260 and clarifying the definition of a full-time  
1261 equivalent student; revising provisions relating to  
1262 funding based on student completion of end-of-course  
1263 examinations; revising provisions relating to the  
1264 maximum value for funding a student; amending s.  
1265 1011.62, F.S.; revising the fiscal years in which  
1266 certain school districts may use funds for  
1267 supplemental academic instruction and research-based  
1268 reading instruction to provide additional intensive  
1269 reading instruction; revising provisions relating to  
1270 the full-time equivalent student membership value for  
1271 dual enrolled students; creating s. 1011.622, F.S.;  
1272 providing for funding adjustments for students without  
1273 a common student identifier; amending ss. 1012.885,  
1274 1012.886, 1012.975, and 1012.976, F.S.; extending  
1275 indefinitely provisions relating to remuneration of  
1276 Florida College System institution presidents, Florida  
1277 College System institution administrative employees,  
1278 state university presidents, and state university  
1279 administrative employees; specifying the formula to be  
1280 used for the 2012-2013 fiscal year in calculating the  
1281 alternate compliance calculation amounts to the class  
1282 size operating categorical fund, notwithstanding  
1283 certain other provisions of law; requiring that the  
1284 Commissioner of Education modify payments to school  
1285 districts; authorizing a school board or charter  
1286 school board to distribute salary increases at any  
1287 time before a specified month; authorizing a state  
1288 university to enter into a local development agreement



573500

1289 with an affected host local government for specified  
1290 purposes; authorizing a university board of trustees  
1291 to expend reserve or carryforward balances from  
1292 previous years' appropriations for deferred  
1293 maintenance needs at a specified civic center;  
1294 requiring the Commissioner of Education to  
1295 recalculate, and the principals of the Florida  
1296 Education Finance Program Appropriation Allocation  
1297 Conference to replicate, certain school district  
1298 allocations by a specified date; providing a basis for  
1299 the revised allocations; requiring the revised  
1300 allocations to be calculated for certain districts and  
1301 lab schools; providing effective dates.