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1                   A bill to be entitled  
2           An act relating to education; amending ss. 288.8175  
3           and 1000.21, F.S.; renaming Brevard Community College  
4           as "Eastern Florida State College"; repealing s.  
5           1001.27, F.S., relating to a state satellite network;  
6           amending s. 1001.28, F.S.; deleting a duty of the  
7           Department of Education to manage the state's  
8           satellite transponder resources; amending s. 1001.281,  
9           F.S.; revising funds deposited in the Operating Trust  
10          Fund; amending s. 1001.42, F.S.; revising district  
11          school board duties relating to virtual instruction;  
12          amending s. 1002.3305, F.S.; revising a definition;  
13          authorizing the state's program of education to  
14          receive state and federal funding that may be  
15          transferred between state agencies to provide for  
16          operations of the college-preparatory boarding  
17          academy; authorizing the college-preparatory boarding  
18          academy to enter into an agreement with the Department  
19          of Children and Families to admit certain students and  
20          to develop an alternative admissions process; amending  
21          s. 1002.37, F.S.; revising and clarifying requirements  
22          for reporting and funding a full-time equivalent  
23          student in the Florida Virtual School; providing  
24          requirements for funding a home education student  
25          enrolled in the Florida Virtual School; requiring the  
26          school district in which a student is enrolled to  
27          report the courses delivered by the Florida Virtual  
28          School on a public school campus; providing reporting  
29          requirements relating to Florida Virtual School

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30 Global; amending s. 1002.45, F.S.; authorizing a  
31 school district to provide part-time virtual  
32 instruction for K-12 students in all courses; revising  
33 requirements for the use of virtual instruction in  
34 core-curricula courses for the purpose of meeting  
35 class size requirements; authorizing a district to  
36 report full-time equivalent membership for credit  
37 earned by a student who is enrolled in a virtual  
38 education course under certain circumstances; revising  
39 requirements for approval as a provider of virtual  
40 instruction programs; providing requirements for  
41 conditional approval; revising and clarifying the  
42 requirements for reporting and funding a full-time  
43 equivalent student enrolled in a virtual instruction  
44 program; amending s. 1003.498, F.S.; requiring the  
45 Department of Education to provide identifiers for  
46 courses to designate their use for blended learning  
47 courses; authorizing a district to report full-time  
48 equivalent membership for credit earned by a student  
49 who is enrolled in a virtual education course under  
50 certain circumstances; removing restrictions on  
51 students taking online courses across district lines;  
52 clarifying the requirements for reporting a full-time  
53 equivalent student; prohibiting a school district from  
54 requiring a public school student to take an online  
55 course at certain times or places; amending s.  
56 1006.29, F.S.; requiring the department to publish  
57 technology requirements related to instructional  
58 materials; amending s. 1006.73, F.S.; revising

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59 purposes, duties, and responsibilities of the Florida  
60 Virtual Campus; amending s. 1007.271, F.S.; revising  
61 provisions relating to the full-time equivalent  
62 student membership value for dual enrolled students;  
63 revising dual enrollment articulation agreement  
64 requirements; revising funding provisions delineating  
65 costs incurred by the institution providing  
66 instruction; amending s. 1009.24, F.S.; revising the  
67 date in which the Board of Governors is required to  
68 submit a report regarding tuition differential;  
69 repealing s. 1010.79, F.S., relating to the Sophomore  
70 Level Test Trust Fund; terminating the Sophomore Level  
71 Test Trust Fund and providing for the transfer of  
72 funds and payment of outstanding obligations; amending  
73 s. 1010.81, F.S.; renaming the Knott Data Center  
74 Working Capital Trust Fund and revising the deposit  
75 and use of funds; amending s. 1011.61, F.S.; revising  
76 and clarifying the definition of a full-time  
77 equivalent student; revising provisions relating to  
78 funding based on student completion of end-of-course  
79 examinations; revising provisions relating to the  
80 maximum value for funding a student; amending s.  
81 1011.62, F.S.; revising the fiscal years in which  
82 certain school districts may use funds for  
83 supplemental academic instruction and research-based  
84 reading instruction to provide additional intensive  
85 reading instruction; revising provisions relating to  
86 the full-time equivalent student membership value for  
87 dual enrolled students; creating s. 1011.622, F.S.;

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88 providing for funding adjustments for students without  
89 a common student identifier; amending ss. 1012.885,  
90 1012.886, 1012.975, and 1012.976, F.S.; extending  
91 indefinitely provisions relating to remuneration of  
92 Florida College System institution presidents, Florida  
93 College System institution administrative employees,  
94 state university presidents, and state university  
95 administrative employees; specifying the formula to be  
96 used for the 2012-2013 fiscal year in calculating the  
97 alternate compliance calculation amounts to the class  
98 size operating categorical fund, notwithstanding  
99 certain other provisions of law; requiring that the  
100 Commissioner of Education modify payments to school  
101 districts; authorizing a school board or charter  
102 school board to distribute salary increases at any  
103 time before a specified month; authorizing a state  
104 university to enter into a local development agreement  
105 with an affected host local government for specified  
106 purposes; authorizing a university board of trustees  
107 to expend reserve or carryforward balances from  
108 previous years' appropriations for deferred  
109 maintenance needs at a specified civic center;  
110 requiring the Commissioner of Education to  
111 recalculate, and the principals of the Florida  
112 Education Finance Program Appropriation Allocation  
113 Conference to replicate, certain school district  
114 allocations by a specified date; providing a basis for  
115 the revised allocations; requiring the revised  
116 allocations to be calculated for certain districts and

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117 lab schools; providing effective dates.

118  
119 Be It Enacted by the Legislature of the State of Florida:

120  
121 Section 1. Paragraph (e) of subsection (4) of section  
122 288.8175, Florida Statutes, is amended to read:

123 288.8175 Linkage institutes between postsecondary  
124 institutions in this state and foreign countries.—

125 (4) The institutes are:

126 (e) Florida-China Institute (University of West Florida,  
127 University of South Florida, and Eastern Florida State ~~Brevard~~  
128 ~~Community~~ College).

129 Section 2. Paragraph (a) of subsection (3) of section  
130 1000.21, Florida Statutes, is amended to read:

131 1000.21 Systemwide definitions.—As used in the Florida K-20  
132 Education Code:

133 (3) "Florida College System institution" except as  
134 otherwise specifically provided, includes all of the following  
135 public postsecondary educational institutions in the Florida  
136 College System and any branch campuses, centers, or other  
137 affiliates of the institution:

138 (a) Eastern Florida State ~~Brevard Community~~ College, which  
139 serves Brevard County.

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

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

143 1001.28 Distance learning duties.—The duties of the  
144 Department of Education concerning distance learning include,  
145 but are not limited to, the duty to:

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146       ~~(8) Manage the state's satellite transponder resources and~~  
147 ~~enter into lease agreements to maximize the use of available~~  
148 ~~transponder time. All net revenue realized through the leasing~~  
149 ~~of available transponder time, after deducting the costs of~~  
150 ~~performing the management function, shall be recycled to support~~  
151 ~~the public education distance learning in this state based upon~~  
152 ~~an allocation formula of one-third to the Department of~~  
153 ~~Education, one-third to Florida College System institutions, and~~  
154 ~~one-third to state universities.~~

155       (8)~~(9)~~ Hire appropriate staff which may include a position  
156 that shall be exempt from part II of chapter 110 and is included  
157 in the Senior Management Service in accordance with s. 110.205.

158  
159 Nothing in this section shall be construed to abrogate,  
160 supersede, alter, or amend the powers and duties of any state  
161 agency, district school board, Florida College System  
162 institution board of trustees, university board of trustees, the  
163 Board of Governors, or the State Board of Education.

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

166       1001.281 Operating Trust Fund.—

167       (2) The fund is established for use as a depository for  
168 funds to be used for program operations funded by program  
169 revenues. Moneys to be credited to the trust fund include, but  
170 are not limited to, revenues received from the payment of fees  
171 associated with high school equivalency examinations ~~leasing of~~  
172 ~~available transponder time for the state's satellite transponder~~  
173 ~~resources.~~

174       Section 6. Subsection (23) of section 1001.42, Florida

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175 Statutes, is amended to read:

176 1001.42 Powers and duties of district school board.—The  
177 district school board, acting as a board, shall exercise all  
178 powers and perform all duties listed below:

179 (23) ~~FLORIDA VIRTUAL INSTRUCTION SCHOOL~~.—Provide students  
180 with access to courses available through a virtual instruction  
181 program option, including the Florida Virtual School and other  
182 approved providers, and award credit for successful completion  
183 of such courses. ~~Access shall be available to students during~~  
184 ~~and after the normal school day and through summer school~~  
185 ~~enrollment.~~

186 Section 7. Paragraph (b) of subsection (2) and subsections  
187 (7) and (10) of section 1002.3305, Florida Statutes, are amended  
188 to read:

189 1002.3305 College-Preparatory Boarding Academy Pilot  
190 Program for at-risk students.—

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

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

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

203 2. The student's head of household is not the student's

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204 custodial parent.

205 3. The student resides in a household that receives a  
206 housing voucher or has been determined eligible for public  
207 housing assistance.

208 4. A member of the student's immediate family has been  
209 incarcerated.

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

213 (7) FUNDING.—The college-preparatory boarding academy must  
214 be a public school and part of the state's program of education.  
215 ~~If~~ The program may receive ~~receives~~ state and federal funding  
216 from noneducation sources, and such funds may be transferred  
217 between state agencies to provide for the operations of the  
218 program. The State Board of Education shall coordinate,  
219 streamline, and simplify any requirements to eliminate  
220 duplicate, redundant, or conflicting requirements and oversight  
221 by various governmental programs or agencies. Funding for the  
222 operation of the boarding academy is contingent on the  
223 development of a plan by the Department of Education, the  
224 Department of Juvenile Justice, and the Department of Children  
225 and Family Services which details how educational and  
226 noneducational funds that would otherwise be committed to the  
227 students in the school and their families can be repurposed to  
228 provide for the operation of the school and related services.  
229 Such plans must be based on federal and state funding streams  
230 for children and families meeting the eligibility criteria for  
231 eligible students as specified in paragraph (2) (b) and include  
232 recommendations for modifications to the criteria for eligible



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233 students which further the program's goals or improve the  
234 feasibility of using existing funding sources. The plan shall be  
235 submitted, together with relevant budget requests, through the  
236 legislative budget request process under s. 216.023 or through  
237 requests for budget amendments to the Legislative Budget  
238 Commission in accordance with s. 216.181.

239 (10) ADMISSION.—An eligible student may apply for admission  
240 to the program. If more eligible students apply for admission  
241 than the number of students permitted by the capacity  
242 established by the board of trustees, admission shall be  
243 determined by lottery. The college preparatory boarding academy  
244 may enter into an agreement with the Department of Children and  
245 Families to admit a designated number of students who are  
246 covered under the state's Child Welfare Waiver Demonstration  
247 project and develop an alternative admissions process for these  
248 eligible students.

249 Section 8. Paragraphs (a) and (d) of subsection (3),  
250 subsection (6), and paragraph (b) of subsection (8) of section  
251 1002.37, Florida Statutes, are amended to read:

252 1002.37 The Florida Virtual School.—

253 (3) Funding for the Florida Virtual School shall be  
254 provided as follows:

255 (a)1. For a student in grades 9 through 12, a "full-time  
256 equivalent student" is one student who has successfully  
257 completed six full-credit courses that count toward the minimum  
258 number of credits required for high school graduation. A student  
259 who completes fewer than six full-credit courses is a fraction  
260 of a full-time equivalent student. Half-credit course  
261 completions shall be included in determining a full-time

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262 equivalent student. ~~Credit completed by a student in excess of~~  
263 ~~the minimum required for that student for high school graduation~~  
264 ~~is not eligible for funding.~~

265 2. For a student in kindergarten through grade 8, a "full-  
266 time equivalent student" is one student who has successfully  
267 completed six courses or the prescribed level of content that  
268 counts toward promotion to the next grade. A student who  
269 completes fewer than six courses or the prescribed level of  
270 content shall be a fraction of a full-time equivalent student.

271 3. For a student in a home education program, funding shall  
272 be provided in accordance with this subsection upon course  
273 completion if the parent verifies, upon enrollment for each  
274 course, that the student is registered with the school district  
275 as a home education student pursuant to s. 1002.41(1)(a).  
276 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~  
277 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent  
278 students and associated funding of students enrolled in courses  
279 requiring passage of an end-of-course assessment under s.  
280 1003.4282 to earn a standard high school diploma shall be  
281 adjusted if after the student does not pass ~~completes~~ the end-  
282 of-course assessment. However, no adjustment shall be made for  
283 home education program students who choose not to take an end-  
284 of-course assessment or for a student who enrolls in a segmented  
285 remedial course delivered online.

286  
287 For purposes of this paragraph, the calculation of "full-time  
288 equivalent student" shall be as prescribed in s.  
289 1011.61(1)(c)1.b.(V) and is subject to the requirements in s.  
290 1011.61(4).

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291 (d) Full-time equivalent student credit completion for  
292 courses offered through the Florida Virtual School shall be  
293 reported only by the Florida Virtual School. School districts  
294 shall report full-time equivalent student membership only for  
295 courses for which the district provides the instruction. Courses  
296 delivered by the Florida Virtual School on a public school  
297 campus shall be reported only by the school district in which  
298 the student is enrolled.

299 (6) The board of trustees shall annually submit to the  
300 Governor, the Legislature, the Commissioner of Education, and  
301 the State Board of Education a complete and detailed report  
302 setting forth:

303 (a) The operations and accomplishments of the Florida  
304 Virtual School within the state and those occurring outside the  
305 state as Florida Virtual School Global.

306 (b) The marketing and operational plan for the Florida  
307 Virtual School and Florida Virtual School Global, including  
308 recommendations regarding methods for improving the delivery of  
309 education through the Internet and other distance learning  
310 technology.

311 (c) The assets and liabilities of the Florida Virtual  
312 School and Florida Virtual School Global at the end of the  
313 fiscal year.

314 (d) A copy of an annual financial audit of the accounts and  
315 records of the Florida Virtual School and Florida Virtual School  
316 Global, conducted by an independent certified public accountant  
317 and performed in accordance with rules adopted by the Auditor  
318 General.

319 (e) Recommendations regarding the unit cost of providing

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320 services to students through the Florida Virtual School and  
321 Florida Virtual School Global. In order to most effectively  
322 develop public policy regarding any future funding of the  
323 Florida Virtual School, it is imperative that the cost of the  
324 program is accurately identified. The identified cost of the  
325 program must be based on reliable data.

326 (f) Recommendations regarding an accountability mechanism  
327 to assess the effectiveness of the services provided by the  
328 Florida Virtual School and Florida Virtual School Global.

329 (8)

330 (b) For students receiving part-time instruction in  
331 kindergarten through grade 5 and students receiving full-time  
332 instruction in kindergarten through grade 12 from the Florida  
333 Virtual School, the full-time equivalent student enrollment  
334 calculated under this subsection is subject to the requirements  
335 in s. 1011.61(4) ~~combined total of all FTE reported by both the~~  
336 ~~school district and the Florida Virtual School may not exceed~~  
337 1.0 FTE.

338 Section 9. Paragraphs (b), (c), and (d) of subsection (1),  
339 paragraph (a) of subsection (2), and subsection (7) of section  
340 1002.45, Florida Statutes, are amended to read:

341 1002.45 Virtual instruction programs.—

342 (1) PROGRAM.—

343 (b) Each school district that is eligible for the sparsity  
344 supplement pursuant to s. 1011.62(7)(a) and (b) shall provide  
345 all enrolled public school students within its boundaries the  
346 option of participating in part-time and full-time virtual  
347 instruction programs. Each school district that is not eligible  
348 for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b)

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349 shall provide at least three options for part-time and full-time  
350 virtual instruction. All school districts must provide parents  
351 with timely written notification of at least one open enrollment  
352 period for full-time students of 90 days or more which ends 30  
353 days before the first day of the school year. The purpose of the  
354 program is to make quality virtual instruction available to  
355 students using online and distance learning technology in the  
356 nontraditional classroom. A school district virtual instruction  
357 program shall consist of the following:

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

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

363 ~~2.3.~~ Full-time or part-time virtual instruction for  
364 students enrolled in dropout prevention and academic  
365 intervention programs under s. 1003.53, Department of Juvenile  
366 Justice education programs under s. 1003.52, core-curricula  
367 courses to meet class size requirements under s. 1003.03, or  
368 Florida College System institutions under this section.

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

372 1. Contract with the Florida Virtual School or establish a  
373 franchise of the Florida Virtual School for the provision of a  
374 program under paragraph (b). Using this option is subject to the  
375 requirements of this section and s. 1011.61(1)(c)1.b.(III) and  
376 (IV) and (4). A district may report full-time equivalent student  
377 membership for credit earned by a student who is enrolled in a

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378 virtual education course provided by the district which was  
379 completed after the end of the regular school year if the FTE is  
380 reported no later than the deadline for amending the final  
381 student membership report for that year ~~1011.61(1)(c)1.b.(III)~~  
382 ~~and (IV).~~

383 2. Contract with an approved provider under subsection (2)  
384 for the provision of a full-time or part-time program under  
385 paragraph (b) subparagraph (b)1. or subparagraph (b)3. or a  
386 ~~part-time program under subparagraph (b)2. or subparagraph (b)3.~~

387 3. Enter into an agreement with other school districts to  
388 allow the participation of its students in an approved virtual  
389 instruction program provided by the other school district. The  
390 agreement must indicate a process for the transfer of funds  
391 required by paragraph (7) (f).

392 4. Establish school district operated part-time or full-  
393 time kindergarten through grade 12 virtual instruction programs  
394 under paragraph (b) for students enrolled in the school  
395 district. A full-time program shall operate under its own Master  
396 School Identification Number.

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

399

400 Contracts under subparagraph 1. or subparagraph 2. may include  
401 multidistrict contractual arrangements that may be executed by a  
402 regional consortium for its member districts. A multidistrict  
403 contractual arrangement or an agreement under subparagraph 3. is  
404 not subject to s. 1001.42(4) (d) and does not require the  
405 participating school districts to be contiguous. These  
406 arrangements may be used to fulfill the requirements of

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407 paragraph (b).

408 (d) A virtual charter school may provide full-time virtual  
409 instruction for students in kindergarten through grade 12 if the  
410 virtual charter school has a charter approved pursuant to s.  
411 1002.33 authorizing full-time virtual instruction. A virtual  
412 charter school may:

- 413 1. Contract with the Florida Virtual School.
- 414 2. Contract with an approved provider under subsection (2).
- 415 3. Enter into an agreement with a school district to allow  
416 the participation of the virtual charter school's students in  
417 the school district's virtual instruction program. The agreement  
418 must indicate a process for reporting of student enrollment and  
419 the transfer of funds required by paragraph (7) (f).

420 (2) PROVIDER QUALIFICATIONS.—

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

- 424 1. Is nonsectarian in its programs, admission policies,  
425 employment practices, and operations;
- 426 2. Complies with the antidiscrimination provisions of s.  
427 1000.05;
- 428 3. Locates an administrative office or offices in this  
429 state, requires its administrative staff to be state residents,  
430 requires all instructional staff to be Florida-certified  
431 teachers under chapter 1012~~7~~ and conducts background screenings  
432 for all employees or contracted personnel, as required by s.  
433 1012.32, using state and national criminal history records;

434 4. Provides to parents and students specific information  
435 posted and accessible online that includes, but is not limited

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436 to, the following teacher-parent and teacher-student contact  
437 information for each course:

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

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

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

444 d. Any requirement for regular contact with the instructor  
445 for the course and clear expectations for meeting the  
446 requirement.

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

450 5.4. Possesses prior, successful experience offering online  
451 courses to elementary, middle, or high school students as  
452 demonstrated by quantified student learning gains in each  
453 subject area and grade level provided for consideration as an  
454 instructional program option. However, for a provider without  
455 sufficient prior, successful experience offering online courses,  
456 the department may conditionally approve the provider to offer  
457 courses measured pursuant to subparagraph (8) (a)2. Conditional  
458 approval shall be valid for 1 school year only and, based on the  
459 provider's experience in offering the courses, the department  
460 shall determine whether to grant approval to offer a virtual  
461 instruction program;

462 6.5. Is accredited by a regional accrediting association as  
463 defined by State Board of Education rule;

464 7.6. Ensures instructional and curricular quality through a



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465 detailed curriculum and student performance accountability plan  
466 that addresses every subject and grade level it intends to  
467 provide through contract with the school district, including:

468 a. Courses and programs that meet the standards of the  
469 International Association for K-12 Online Learning and the  
470 Southern Regional Education Board.

471 b. Instructional content and services that align with, and  
472 measure student attainment of, student proficiency in the Next  
473 Generation Sunshine State Standards.

474 c. Mechanisms that determine and ensure that a student has  
475 satisfied requirements for grade level promotion and high school  
476 graduation with a standard diploma, as appropriate;

477 8.7. Publishes for the general public, in accordance with  
478 disclosure requirements adopted in rule by the State Board of  
479 Education, as part of its application as a provider and in all  
480 contracts negotiated pursuant to this section:

481 a. Information and data about the curriculum of each full-  
482 time and part-time program.

483 b. School policies and procedures.

484 c. Certification status and physical location of all  
485 administrative and instructional personnel.

486 d. Hours and times of availability of instructional  
487 personnel.

488 e. Student-teacher ratios.

489 f. Student completion and promotion rates.

490 g. Student, educator, and school performance accountability  
491 outcomes;

492 9.8. If the provider is a Florida College System  
493 institution, employs instructors who meet the certification

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494 requirements for instructional staff under chapter 1012; and  
495 10.9. Performs an annual financial audit of its accounts  
496 and records conducted by an independent certified public  
497 accountant which is in accordance with rules adopted by the  
498 Auditor General, is conducted in compliance with generally  
499 accepted auditing standards, and includes a report on financial  
500 statements presented in accordance with generally accepted  
501 accounting principles.

502 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL  
503 FUNDING.—

504 (a) Students enrolled in a virtual instruction program or a  
505 virtual charter school shall be funded through the Florida  
506 Education Finance Program as provided in the General  
507 Appropriations Act. However, such funds may not be provided for  
508 the purpose of fulfilling the class size requirements in ss.  
509 1003.03 and 1011.685.

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

513 (c) For a student enrolled in a kindergarten through grade  
514 12 virtual instruction program, a "full-time equivalent student"  
515 has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)  
516 and (IV).

517 (d) The full-time equivalent student membership calculated  
518 under this subsection is subject to the requirements in s.  
519 1011.61(4). ~~A student may not be reported as more than 1.0 full-~~  
520 ~~time equivalent student in any given school year.~~

521 (e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when~~  
522 ~~s. 1008.22(3)(g) is implemented,~~ the reported full-time

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523 equivalent students and associated funding of students enrolled  
524 in courses requiring passage of an end-of-course assessment  
525 under s. 1003.4282 to earn a standard high school diploma shall  
526 be adjusted if after the student does not pass ~~completes~~ the  
527 end-of-course assessment. However, no adjustment shall be made  
528 for a student who enrolls in a segmented remedial course  
529 delivered online.

530 (f) The school district providing virtual instruction shall  
531 report full-time equivalent students for a virtual instruction  
532 program or a virtual charter school to the department in a  
533 manner prescribed by the department, and funding shall be  
534 provided through the Florida Education Finance Program.

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

538 Section 10. Section 1003.498, Florida Statutes, is amended  
539 to read:

540 1003.498 School district virtual course offerings.—

541 (1) School districts may deliver courses in the traditional  
542 school setting by personnel certified pursuant to s. 1012.55 who  
543 provide direct instruction through virtual instruction or  
544 through blended learning courses consisting of both traditional  
545 classroom and online instructional techniques. Students in a  
546 blended learning course must be full-time students of the school  
547 and receive the online instruction in a classroom setting at the  
548 school. The funding, performance, and accountability  
549 requirements for blended learning courses are the same as those  
550 for traditional courses. To facilitate the delivery and coding  
551 of blended learning courses, the department shall provide

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552 identifiers for existing courses to designate that they are  
553 being used for blended learning courses for the purpose of  
554 ensuring the efficient reporting of such courses. A district may  
555 report full-time equivalent student membership for credit earned  
556 by a student who is enrolled in a virtual education course  
557 provided by the district which is completed after the end of the  
558 regular school year if the FTE is reported no later than the  
559 deadline for amending the final student membership report for  
560 that year.

561 (2) School districts may offer virtual courses for students  
562 enrolled in the school district. These courses must be  
563 identified in the course code directory. Students who meet the  
564 eligibility requirements of s. 1002.455 may participate in these  
565 virtual course offerings.

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

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

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

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

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

579 ~~b. The course is offered in the school in which the student~~  
580 ~~is enrolled. However, a student may enroll in an online course~~

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581 ~~offered by another school district if the school in which the~~  
582 ~~student is enrolled offers the course but the student is unable~~  
583 ~~to schedule the course in his or her school.~~

584 ~~3.~~ The school district in which the student completes the  
585 course shall report the student's completion of that course for  
586 funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home  
587 school district shall not report the student for funding for  
588 that course.

589 2. The full-time equivalent student membership calculated  
590 under this subsection is subject to the requirements in s.  
591 1011.61(4). ~~For purposes of this paragraph, the combined total~~  
592 ~~of all school district reported FTE may not be reported as more~~  
593 ~~than 1.0 full-time equivalent student in any given school year.~~  
594 The Department of Education shall establish procedures to enable  
595 interdistrict coordination for the delivery and funding of this  
596 online option.

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

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

604 1006.29 State instructional materials reviewers.—

605 (4) By October 1, 2013, the department shall publish  
606 minimum and recommended technology requirements that include  
607 specifications for hardware, software, networking, security, and  
608 guidelines on the number of students per device necessary to  
609 ensure that students can access all electronic and digital

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610 instructional materials.

611 Section 12. Paragraphs (b), (c), and (d) of subsection (1),  
612 subsection (2), paragraphs (b) and (c) of subsection (5), and  
613 subsection (6) of section 1006.73, Florida Statutes, are  
614 amended, and paragraph (i) is added to subsection (5) of that  
615 section, to read:

616 1006.73 Florida Virtual Campus.—

617 (1) The Florida Virtual Campus is established to provide  
618 access to online student and library support services and to  
619 serve as a statewide resource and clearinghouse for public  
620 postsecondary education distance learning courses and degree  
621 programs. The primary purposes of the Florida Virtual Campus are  
622 to:

623 (b) Provide information and ~~Enhance and expand educational~~  
624 access to distance learning courses and degree programs offered  
625 by the state's and increase public postsecondary education  
626 institutions degree attainment across the state.

627 (c) Coordinate with the Florida College System and the  
628 State University System to identify and provide online academic  
629 support services and resources when the multi-institutional  
630 provision of such services and resources is more cost or  
631 operationally effective. ~~Address the educational needs of~~  
632 ~~traditional students, place-bound students, time-bound students,~~  
633 ~~and adult learners.~~

634 ~~(d) Increase workforce skills and expand professional~~  
635 ~~development opportunities.~~

636 (2) The chancellors of the Florida College System and the  
637 State University System shall exercise joint oversight of the  
638 Florida Virtual Campus and shall establish its governance and

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639 reporting structure, administrative and operational guidelines  
640 and processes, staffing requirements, and operational budget.  
641 Effective January 31, 2014, all data center services needed by  
642 the Florida Virtual Campus shall be provided by the Northwest  
643 Regional Data Center ~~a primary data center~~ established pursuant  
644 to s. ~~ss. 282.201~~ and 1004.649. The chancellors may delegate the  
645 authority and responsibility granted in this subsection.

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

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

649 2. The campus shall be deemed to be acting as an  
650 instrumentality of the state for purposes of sovereign immunity  
651 pursuant to s. 768.28(2).

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

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

656 (c) The campus may secure comprehensive general liability  
657 coverage, professional liability coverage, property and casualty  
658 coverage, and any other insurance coverage deemed appropriate by  
659 the chancellors.

660 (d) The campus may contract for administrative services  
661 with a public postsecondary education institution. The  
662 administrative overhead costs charged by the institution may not  
663 exceed the actual cost of providing the services and shall  
664 require a specific appropriation in the General Appropriations  
665 Act.

666 (5) The Florida Virtual Campus shall:

667 (b) Develop and manage a statewide Internet-based catalog

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668 of distance learning courses, degree programs, and resources  
669 offered by public postsecondary education institutions which is  
670 intended to assist in the coordination and collaboration of  
671 articulation and access pursuant to parts II and III of chapter  
672 1007. The campus shall establish operational guidelines and  
673 procedures for the catalog which must:

674 1. Require participating institutions to provide  
675 information concerning the distance learning course or degree  
676 program to include course number and classification of  
677 instructional programs number and information on the  
678 availability of the course or degree program; the type of  
679 required technology; any prerequisite course or technology  
680 competency or skill; the availability of academic support  
681 services and financial aid resources; and course costs, fees,  
682 and payment policies.

683 2. Require that distance learning courses and degree  
684 programs meet applicable accreditation standards and criteria.

685 3. Require that, at a minimum, the catalog is reviewed at  
686 the start of each academic semester to ensure that distance  
687 learning courses and degree programs comply with all operational  
688 guidelines and procedures.

689 4. Define and describe the catalog's search and retrieval  
690 options that, at a minimum, will allow users to search by  
691 academic term or course start date; institution, multiple  
692 institutions, or all institutions; and course or program  
693 delivery method, course type, course availability, subject or  
694 discipline, and course number or classification of instructional  
695 programs number.

696 ~~5.4.~~ Use an Internet-based analytic tool that allows for



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697 the collection and analysis of data, including, but not limited  
698 to:

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

701 b. The number and type of requests for information on  
702 distance learning courses and degree programs that are not  
703 listed in the catalog.

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

706 ~~6.5.~~ Periodically obtain and analyze data from the Florida  
707 College System and the State University System concerning:

708 a. Costs of distance learning courses and degree programs.

709 b. Completion, graduation, and retention rates of students  
710 enrolled in distance learning course and degree programs.

711 c. Distance learning course completion.

712 (c) Implement a streamlined, automated, online admissions  
713 application process for undergraduate transient students who are  
714 currently enrolled and pursuing a degree at a public  
715 postsecondary education institution and who enroll in a course  
716 offered by a public postsecondary education institution that is  
717 not the student's degree-granting institution. The Florida  
718 Virtual Campus shall work with the Florida College System and  
719 the State University System to implement this process which  
720 requires all Florida College System institutions and state  
721 universities to:

722 1. Use the transient student admissions application  
723 available through the statewide computer-assisted student  
724 advising system established pursuant to paragraph (d). This  
725 admissions application is the only application required for the

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726 enrollment of a transient student as described in this  
727 paragraph.

728 2. Implement the financial aid procedures required by the  
729 transient student admissions application process.

730 3. Transfer credit awarded by the institutions offering the  
731 course to the transient student's degree-granting institution.

732 4. ~~By December 1, 2012,~~ Provide for an interface between  
733 the institutional advising system and the statewide computer-  
734 assisted student advising system established pursuant to  
735 paragraph (d) in order to electronically send, receive, and  
736 process the transient student admissions application.

737 (i) In consultation with the public postsecondary education  
738 institutions, develop and implement a plan that describes the  
739 services and resources available at the Florida Virtual Campus  
740 to encourage current and prospective students' use of such  
741 services and resources.

742 (6) Beginning September 30, 2013, and annually thereafter,  
743 the chancellors of the Florida College System and the State  
744 University System shall jointly publish a report regarding the  
745 activities of the Florida Virtual Campus in the prior fiscal  
746 year. The report shall include, but not be limited to,  
747 information related to the provision of library services and  
748 electronic resources, to include those resources licensed  
749 pursuant to s. 1006.72; distance learning resources; the  
750 computer-assisted student advising system; the transient student  
751 online admissions process; and other provided programs,  
752 activities, and services.

753 Section 13. Subsections (2) and (4) and paragraph (n) of  
754 subsection (21) of section 1007.271, Florida Statutes, are

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755 amended to read:

756 1007.271 Dual enrollment programs.—

757 (2) For the purpose of this section, an eligible secondary  
758 student is a student who is enrolled in a Florida public  
759 secondary school or in a Florida private secondary school which  
760 is in compliance with s. 1002.42(2) and provides a secondary  
761 curriculum pursuant to s. 1003.428, s. 1003.429, or s. 1003.43.  
762 Students who are eligible for dual enrollment pursuant to this  
763 section may enroll in dual enrollment courses conducted during  
764 school hours, after school hours, and during the summer term.  
765 However, if the student is projected to graduate from high  
766 school before the scheduled completion date of a postsecondary  
767 course, the student may not register for that course through  
768 dual enrollment. The student may apply to the postsecondary  
769 institution and pay the required registration, tuition, and fees  
770 if the student meets the postsecondary institution's admissions  
771 requirements under s. 1007.263. Instructional time for dual  
772 enrollment may vary from 900 hours; however, the full-time  
773 equivalent student membership value shall be subject to the  
774 provisions in school district may only report the student for a  
775 maximum of 1.0 FTE, as provided in s. 1011.61(4). Any student  
776 enrolled as a dual enrollment student is exempt from the payment  
777 of registration, tuition, and laboratory fees. Vocational-  
778 preparatory instruction, college-preparatory instruction, and  
779 other forms of precollegiate instruction, as well as physical  
780 education courses that focus on the physical execution of a  
781 skill rather than the intellectual attributes of the activity,  
782 are ineligible for inclusion in the dual enrollment program.  
783 Recreation and leisure studies courses shall be evaluated

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784 individually in the same manner as physical education courses  
785 for potential inclusion in the program.

786 (4) District school boards may not refuse to enter into a  
787 dual enrollment articulation agreement with a local Florida  
788 College System institution if that Florida College System  
789 institution has the capacity to offer dual enrollment courses. ~~A~~  
790 ~~Florida College System institution may limit dual enrollment~~  
791 ~~participation based upon capacity. Such limitation must be~~  
792 ~~clearly specified in the dual enrollment articulation agreement.~~

793 (21) Each district school superintendent and Florida  
794 College System institution president shall develop a  
795 comprehensive dual enrollment articulation agreement for the  
796 respective school district and Florida College System  
797 institution. The superintendent and president shall establish an  
798 articulation committee for the purpose of developing the  
799 agreement. Each state university president may designate a  
800 university representative to participate in the development of a  
801 dual enrollment articulation agreement. A dual enrollment  
802 articulation agreement shall be completed and submitted annually  
803 by the Florida College System institution to the Department of  
804 Education on or before August 1. The agreement must include, but  
805 is not limited to:

806 (n) A funding provision that delineates costs incurred by  
807 each entity. School districts shall pay the standard tuition  
808 rate per credit hour from funds provided in the Florida  
809 Education Finance Program to the institution providing  
810 instruction when such instruction takes place on the  
811 postsecondary campus ~~should share funding~~ to cover instructional  
812 and support costs incurred by the postsecondary institution.

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813 When dual enrollment is provided on the high school site by  
814 postsecondary institution faculty, the school district shall  
815 reimburse the costs associated with the proportion of salary and  
816 benefits and other actual costs of the postsecondary institution  
817 to provide the instruction. When dual enrollment is provided on  
818 the high school site by school district faculty, the school  
819 district shall be responsible only for the postsecondary  
820 institution's actual costs associated with offering the program.  
821 A postsecondary institution may enter into an agreement with the  
822 school district to authorize teachers who teach dual enrollment  
823 courses at the high school site or the postsecondary  
824 institution. A school district may not deny a student access to  
825 dual enrollment unless the student is ineligible to participate  
826 in the program subject to provisions specifically outlined in  
827 this section.

828 Section 14. Paragraph (e) of subsection (16) of section  
829 1009.24, Florida Statutes, is amended to read:

830 1009.24 State university student fees.—

831 (16) Each university board of trustees may establish a  
832 tuition differential for undergraduate courses upon receipt of  
833 approval from the Board of Governors. The tuition differential  
834 shall promote improvements in the quality of undergraduate  
835 education and shall provide financial aid to undergraduate  
836 students who exhibit financial need.

837 (e) The Board of Governors shall submit a report to the  
838 President of the Senate, the Speaker of the House of  
839 Representatives, and the Governor describing the implementation  
840 of the provisions of this subsection no later than February 1 of  
841 January 1, 2010, and no later than January 1 each year

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

847 1. The course or courses for which the tuition differential  
848 was assessed and the amount assessed.

849 2. The total revenues generated by the tuition  
850 differential.

851 3. With respect to waivers authorized under subparagraph  
852 (b)8., the number of students eligible for a waiver, the number  
853 of students receiving a waiver, and the value of waivers  
854 provided.

855 4. Detailed expenditures of the revenues generated by the  
856 tuition differential.

857 5. Changes in retention rates, graduation rates, the  
858 percentage of students graduating with more than 110 percent of  
859 the hours required for graduation, pass rates on licensure  
860 examinations, the number of undergraduate course offerings, the  
861 percentage of undergraduate students who are taught by faculty,  
862 student-faculty ratios, and the average salaries of faculty who  
863 teach undergraduate courses.

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

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

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

870 (3) The Department of Education shall pay any outstanding

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871 debts or obligations of the terminated trust fund as soon as  
872 practicable, and the Chief Financial Officer shall close out and  
873 remove the terminated trust fund from the various state  
874 accounting systems using generally accepted accounting  
875 principles concerning warrants outstanding, assets, and  
876 liabilities.

877 Section 17. Section 1010.81, Florida Statutes, is amended  
878 to read:

879 1010.81 Education Knott Data Center Working Capital Trust  
880 Fund. ~~Chapter 99-29, Laws of Florida, re-created~~ The Education  
881 Knott Data Center Working Capital Trust Fund shall be  
882 administered by the Department of Education as a depository for  
883 funds received ~~to record the revenue from fees paid for services~~  
884 ~~provided by the~~ department's technology office, interest  
885 earnings, and cash advances from customer entities. Moneys  
886 deposited in the trust fund shall be used to fund the services  
887 provided by the department's technology office ~~Department of~~  
888 ~~Education's data center and disbursements to pay the costs of~~  
889 ~~operating the data center as authorized in s. 216.272.~~

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

892 1011.61 Definitions.—Notwithstanding the provisions of s.  
893 1000.21, the following terms are defined as follows for the  
894 purposes of the Florida Education Finance Program:

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

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

899 a. A full-time student in any one of the programs listed in

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900 s. 1011.62(1)(c); or

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

905 (I) A full-time student in a combination of programs listed  
906 in s. 1011.62(1)(c) shall be a fraction of a full-time  
907 equivalent membership in each special program equal to the  
908 number of net hours per school year for which he or she is a  
909 member, divided by the appropriate number of hours set forth in  
910 subparagraph (a)1. or subparagraph (a)2. The difference between  
911 that fraction or sum of fractions and the maximum value as set  
912 forth in subsection (4) for each full-time student is presumed  
913 to be the balance of the student's time not spent in a special  
914 program and shall be recorded as time in the appropriate basic  
915 program. ~~The sum of the fractions for each program may not~~  
916 ~~exceed the maximum value set forth in subsection (4).~~

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

919 (III) A full-time equivalent student for students in  
920 kindergarten through grade 12 in a full-time virtual instruction  
921 program under s. 1002.45 or a virtual charter school under s.  
922 1002.33 shall consist of six full-credit completions or the  
923 prescribed level of content that counts toward promotion to the  
924 next grade in programs listed in s. 1011.62(1)(c). Credit  
925 completions may be a combination of full-credit courses or half-  
926 credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal  
927 year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-  
928 time equivalent students and associated funding of students



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929 enrolled in courses requiring passage of an end-of-course  
930 assessment under s. 1003.4282 to earn a standard high school  
931 diploma shall be adjusted if after the student does not pass  
932 ~~completes~~ the end-of-course assessment. However, no adjustment  
933 shall be made for a student who enrolls in a segmented remedial  
934 course delivered online.

935 (IV) A full-time equivalent student for students in  
936 kindergarten through grade 12 in a part-time virtual instruction  
937 program under s. 1002.45 shall consist of six full-credit  
938 completions in programs listed in s. 1011.62(1)(c)1. and 3.  
939 Credit completions may be a combination of full-credit courses  
940 or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~  
941 fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported  
942 full-time equivalent students and associated funding of students  
943 enrolled in courses requiring passage of an end-of-course  
944 assessment under s. 1003.4282 to earn a standard high school  
945 diploma shall be adjusted if after the student does not pass  
946 ~~completes~~ the end-of-course assessment. However, no adjustment  
947 shall be made for a student who enrolls in a segmented remedial  
948 course delivered online.

949 (V) A Florida Virtual School full-time equivalent student  
950 shall consist of six full-credit completions or the prescribed  
951 level of content that counts toward promotion to the next grade  
952 in the programs listed in s. 1011.62(1)(c)1. and 3. for students  
953 participating in kindergarten through grade 12 part-time virtual  
954 instruction and the programs listed in s. 1011.62(1)(c) for  
955 students participating in kindergarten through grade 12 full-  
956 time virtual instruction. Credit completions may be a  
957 combination of full-credit courses or half-credit courses.

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958 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~  
959 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent  
960 students and associated funding of students enrolled in courses  
961 requiring passage of an end-of-course assessment under s.  
962 1003.4282 to earn a standard high school diploma shall be  
963 adjusted if after the student does not pass ~~completes~~ the end-  
964 of-course assessment. However, no adjustment shall be made for a  
965 student who enrolls in a segmented remedial course delivered  
966 online.

967 (VI) Each successfully completed full-credit course earned  
968 through an online course delivered by a district other than the  
969 one in which the student resides shall be calculated as 1/6 FTE.

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

975 (VII)(VIII)(A) A full-time equivalent student for courses  
976 requiring passage of a statewide, standardized end-of-course  
977 assessment under s. 1003.4282 to earn a standard high school  
978 diploma pursuant to s. 1008.22(3)(c)2.a. shall be defined and  
979 reported based on the number of instructional hours as provided  
980 in this subsection until the 2016-2017 fiscal year ~~for the first~~  
981 ~~3 years of administering the end-of-course assessment.~~ Beginning  
982 in the 2016-2017 fiscal year ~~fourth year of administering the~~  
983 ~~end-of-course assessment,~~ the FTE for the course shall be  
984 assessment-based ~~credit-based~~ and each course shall be equal to  
985 1/6 FTE. The reported FTE shall be adjusted if after the student  
986 does not pass ~~successfully completes~~ the end-of-course

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987 ~~assessment pursuant to s. 1008.22(3)(c)2.a. However, no~~  
988 adjustment shall be made for a student who enrolls in a  
989 segmented remedial course delivered online.

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

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

998 2. A student in membership in a program scheduled for more  
999 or less than 180 school days or the equivalent on an hourly  
1000 basis as specified by rules of the State Board of Education is a  
1001 fraction of a full-time equivalent membership equal to the  
1002 number of instructional hours in membership divided by the  
1003 appropriate number of hours set forth in subparagraph (a)1.;  
1004 however, for the purposes of this subparagraph, membership in  
1005 programs scheduled for more than 180 days is limited to students  
1006 enrolled in:

1007 a. Juvenile justice education programs.

1008 b. ~~and~~ The Florida Virtual School.

1009 c. Virtual instruction programs and virtual charter schools  
1010 for the purpose of course completion and credit recovery  
1011 pursuant to ss. 1002.45 and 1003.498. Course completion applies  
1012 only to a student who is reported during the second or third  
1013 membership surveys and who does not complete a virtual education  
1014 course by the end of the regular school year. The course must be  
1015 completed no later than the deadline for amending the final

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1016 student enrollment survey for that year. Credit recovery applies  
1017 only to a student who has unsuccessfully completed a traditional  
1018 or virtual education course during the regular school year and  
1019 must re-take the course in order to be eligible to graduate with  
1020 the student's class.

1021 3. The department shall determine and implement an  
1022 equitable method of equivalent funding for experimental schools  
1023 and for schools operating under emergency conditions, which  
1024 schools have been approved by the department to operate for less  
1025 than the minimum school day.

1026  
1027 The full-time equivalent student enrollment calculated under  
1028 this subsection is subject to the requirements in subsection  
1029 (4).

1030 (4) The maximum value for funding a student in kindergarten  
1031 through grade 12 or in a prekindergarten program for exceptional  
1032 children as provided in s. 1003.21(1)(e) shall be the sum of the  
1033 calculations in paragraphs (a), (b), and (c) as calculated by  
1034 the department ~~is one full-time equivalent student membership~~  
1035 ~~for a school year or equivalent.~~

1036 (a) The sum of the student's full-time equivalent student  
1037 membership value for the school year or the equivalent derived  
1038 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-  
1039 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and  
1040 subsection (2). If the sum is greater than 1.0, the full-time  
1041 equivalent student membership value for each program or course  
1042 shall be reduced by an equal proportion so that the student's  
1043 total full-time equivalent student membership value is equal to  
1044 1.0.

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1045 (b) If the result in paragraph (a) is less than 1.0 full-  
1046 time equivalent student and the student has full-time equivalent  
1047 student enrollment pursuant to sub-sub-subparagraph  
1048 (1) (c) 1.b. (VIII), calculate an amount that is the lesser of the  
1049 value in sub-sub-subparagraph (1) (c) 1.b. (VIII) or the value of  
1050 1.0 less the value in paragraph (a).

1051 (c) The full-time equivalent student enrollment value in  
1052 sub-subparagraph (1) (c) 2.a.

1053 Section 19. Paragraphs (f) and (i) of subsection (1) and  
1054 paragraph (a) of subsection (9) of section 1011.62, Florida  
1055 Statutes, are amended to read:

1056 1011.62 Funds for operation of schools.—If the annual  
1057 allocation from the Florida Education Finance Program to each  
1058 district for operation of schools is not determined in the  
1059 annual appropriations act or the substantive bill implementing  
1060 the annual appropriations act, it shall be determined as  
1061 follows:

1062 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
1063 OPERATION.—The following procedure shall be followed in  
1064 determining the annual allocation to each district for  
1065 operation:

1066 (f) *Supplemental academic instruction; categorical fund.*—

1067 1. There is created a categorical fund to provide  
1068 supplemental academic instruction to students in kindergarten  
1069 through grade 12. This paragraph may be cited as the  
1070 “Supplemental Academic Instruction Categorical Fund.”

1071 2. Categorical funds for supplemental academic instruction  
1072 shall be allocated annually to each school district in the  
1073 amount provided in the General Appropriations Act. These funds

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1074 shall be in addition to the funds appropriated on the basis of  
1075 FTE student membership in the Florida Education Finance Program  
1076 and shall be included in the total potential funds of each  
1077 district. These funds shall be used to provide supplemental  
1078 academic instruction to students enrolled in the K-12 program.  
1079 For the 2012-2013, ~~and 2013-2014,~~ and 2014-2015 fiscal years,  
1080 each school district that has one or more of the 100 lowest-  
1081 performing elementary schools based on the state reading  
1082 assessment shall use these funds, together with the funds  
1083 provided in the district's research-based reading instruction  
1084 allocation and other available funds, to provide an additional  
1085 hour of instruction beyond the normal school day for each day of  
1086 the entire school year for intensive reading instruction for the  
1087 students in each of these schools. This additional hour of  
1088 instruction must be provided only by teachers or reading  
1089 specialists who are effective in teaching reading. Students  
1090 enrolled in these schools who have level 5 assessment scores may  
1091 participate in the additional hour of instruction on an optional  
1092 basis. Exceptional student education centers shall not be  
1093 included in the 100 schools. After this requirement has been  
1094 met, supplemental instruction strategies may include, but are  
1095 not limited to: modified curriculum, reading instruction, after-  
1096 school instruction, tutoring, mentoring, class size reduction,  
1097 extended school year, intensive skills development in summer  
1098 school, and other methods for improving student achievement.  
1099 Supplemental instruction may be provided to a student in any  
1100 manner and at any time during or beyond the regular 180-day term  
1101 identified by the school as being the most effective and  
1102 efficient way to best help that student progress from grade to

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1103 grade and to graduate.

1104 3. Effective with the 1999-2000 fiscal year, funding on the  
1105 basis of FTE membership beyond the 180-day regular term shall be  
1106 provided in the FEFP only for students enrolled in juvenile  
1107 justice education programs or in education programs for  
1108 juveniles placed in secure facilities or programs under s.  
1109 985.19. Funding for instruction beyond the regular 180-day  
1110 school year for all other K-12 students shall be provided  
1111 through the supplemental academic instruction categorical fund  
1112 and other state, federal, and local fund sources with ample  
1113 flexibility for schools to provide supplemental instruction to  
1114 assist students in progressing from grade to grade and  
1115 graduating.

1116 4. The Florida State University School, as a lab school, is  
1117 authorized to expend from its FEFP or Lottery Enhancement Trust  
1118 Fund allocation the cost to the student of remediation in  
1119 reading, writing, or mathematics for any graduate who requires  
1120 remediation at a postsecondary educational institution.

1121 5. Beginning in the 1999-2000 school year, dropout  
1122 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),  
1123 (b), and (c), and 1003.54 shall be included in group 1 programs  
1124 under subparagraph (d)3.

1125 (i) *Calculation of full-time equivalent membership with*  
1126 *respect to dual enrollment instruction.*—Students enrolled in  
1127 dual enrollment instruction pursuant to s. 1007.271 may be  
1128 included in calculations of full-time equivalent student  
1129 memberships for basic programs for grades 9 through 12 by a  
1130 district school board. Instructional time for dual enrollment  
1131 may vary from 900 hours; however, the full-time equivalent

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1132 student membership value shall be subject to the provisions in  
1133 ~~school district may only report the student for a maximum of 1.0~~  
1134 ~~full-time equivalent student membership, as provided in s.~~  
1135 1011.61(4). Dual enrollment full-time equivalent student  
1136 membership shall be calculated in an amount equal to the hours  
1137 of instruction that would be necessary to earn the full-time  
1138 equivalent student membership for an equivalent course if it  
1139 were taught in the school district. Students in dual enrollment  
1140 courses may also be calculated as the proportional shares of  
1141 full-time equivalent enrollments they generate for a Florida  
1142 College System institution or university conducting the dual  
1143 enrollment instruction. Early admission students shall be  
1144 considered dual enrollments for funding purposes. Students may  
1145 be enrolled in dual enrollment instruction provided by an  
1146 eligible independent college or university and may be included  
1147 in calculations of full-time equivalent student memberships for  
1148 basic programs for grades 9 through 12 by a district school  
1149 board. However, those provisions of law which exempt dual  
1150 enrolled and early admission students from payment of  
1151 instructional materials and tuition and fees, including  
1152 laboratory fees, shall not apply to students who select the  
1153 option of enrolling in an eligible independent institution. An  
1154 independent college or university which is located and chartered  
1155 in Florida, is not for profit, is accredited by the Commission  
1156 on Colleges of the Southern Association of Colleges and Schools  
1157 or the Accrediting Council for Independent Colleges and Schools,  
1158 and confers degrees as defined in s. 1005.02 shall be eligible  
1159 for inclusion in the dual enrollment or early admission program.  
1160 Students enrolled in dual enrollment instruction shall be exempt



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1161 from the payment of tuition and fees, including laboratory fees.  
1162 No student enrolled in college credit mathematics or English  
1163 dual enrollment instruction shall be funded as a dual enrollment  
1164 unless the student has successfully completed the relevant  
1165 section of the entry-level examination required pursuant to s.  
1166 1008.30.

1167 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1168 (a) The research-based reading instruction allocation is  
1169 created to provide comprehensive reading instruction to students  
1170 in kindergarten through grade 12. For the 2012-2013, ~~and~~ 2013-  
1171 2014, and 2014-2015 fiscal years, in each school district that  
1172 has one or more of the 100 lowest-performing elementary schools  
1173 based on the state reading assessment, priority shall be given  
1174 to providing an additional hour per day of intensive reading  
1175 instruction beyond the normal school day for each day of the  
1176 entire school year for the students in each school. Students  
1177 enrolled in these schools who have level 5 assessment scores may  
1178 participate in the additional hour of instruction on an optional  
1179 basis. Exceptional student education centers shall not be  
1180 included in the 100 schools. The intensive reading instruction  
1181 delivered in this additional hour and for other students shall  
1182 include: research-based reading instruction that has been proven  
1183 to accelerate progress of students exhibiting a reading  
1184 deficiency; differentiated instruction based on student  
1185 assessment data to meet students' specific reading needs;  
1186 explicit and systematic reading development in phonemic  
1187 awareness, phonics, fluency, vocabulary, and comprehension, with  
1188 more extensive opportunities for guided practice, error  
1189 correction, and feedback; and the integration of social studies,

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1190 science, and mathematics-text reading, text discussion, and  
1191 writing in response to reading. For the 2012-2013 and 2013-2014  
1192 fiscal years, a school district may not hire more reading  
1193 coaches than were hired during the 2011-2012 fiscal year unless  
1194 all students in kindergarten through grade 5 who demonstrate a  
1195 reading deficiency, as determined by district and state  
1196 assessments, including students scoring Level 1 or Level 2 on  
1197 FCAT Reading, are provided an additional hour per day of  
1198 intensive reading instruction beyond the normal school day for  
1199 each day of the entire school year.

1200 Section 20. Section 1011.622, Florida Statutes, is created  
1201 to read:

1202 1011.622 Adjustments for students without a common student  
1203 identifier.—The Florida Education Finance Program funding  
1204 calculations, including the calculations authorized in ss.  
1205 1011.62, 1011.67, 1011.68, and 1011.685, shall include funding  
1206 for a student only when all of the student's records are  
1207 reported to the Department of Education under a common student  
1208 identifier. The State Board of Education may adopt rules  
1209 pursuant to ss. 120.536(1) and 120.54, to implement this  
1210 section.

1211 Section 21. Subsection (4) of section 1012.885, Florida  
1212 Statutes, is amended to read:

1213 1012.885 Remuneration of Florida College System institution  
1214 presidents; limitations.—

1215 (4) LIMITATION ON REMUNERATION.—Notwithstanding the  
1216 provisions of this section, ~~for the 2012-2013 fiscal year,~~ a  
1217 Florida College System institution president may not receive  
1218 more than \$200,000 in remuneration from appropriated state

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1219 funds. Only compensation, as defined in s. 121.021(22), provided  
1220 to a Florida College System institution president may be used in  
1221 calculating benefits under chapter 121.

1222 Section 22. Effective upon this act becoming a law,  
1223 subsection (4) of section 1012.886, Florida Statutes, is amended  
1224 to read:

1225 1012.886 Remuneration of Florida College System institution  
1226 administrative employees; limitations.-

1227 ~~(4) EXPIRATION. This section expires June 30, 2013.~~

1228 Section 23. Subsection (4) of section 1012.975, Florida  
1229 Statutes, is amended to read:

1230 1012.975 Remuneration of state university presidents;  
1231 limitations.-

1232 (4) LIMITATION ON REMUNERATION.-Notwithstanding the  
1233 provisions of this section, ~~for the 2012-2013 fiscal year,~~ a  
1234 state university president may not receive more than \$200,000 in  
1235 remuneration from public funds. Only compensation, as defined in  
1236 s. 121.021(22), provided to a state university president may be  
1237 used in calculating benefits under chapter 121.

1238 Section 24. Effective upon this act becoming a law,  
1239 subsection (4) of section 1012.976, Florida Statutes, is amended  
1240 to read:

1241 1012.976 Remuneration of state university administrative  
1242 employees; limitations.-

1243 ~~(4) EXPIRATION. This section expires June 30, 2013.~~

1244 Section 25. Notwithstanding the required review by the  
1245 Legislative Budget Commission pursuant to s. 1003.03(4)(c),  
1246 Florida Statutes, for the 2012-2013 fiscal year, the alternate  
1247 compliance calculation amounts to the class size operating

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1248 categorical fund authorized by s. 1003.03(4)(c), Florida  
1249 Statutes, shall be the reduction calculation required by s.  
1250 1003.03(4), Florida Statutes. The Commissioner of Education  
1251 shall modify payments to districts as required by s. 1003.03(4),  
1252 Florida Statutes, for the 2012-2013 fiscal year. This section  
1253 shall take effect upon this act becoming a law.

1254 Section 26. Notwithstanding the distribution provisions in  
1255 the salary increase portion of the proviso following Specific  
1256 Appropriation 87 contained in Senate Bill 1500, enacted during  
1257 the 2013 Regular Session of the Florida Legislature, a district  
1258 school board or charter school board may distribute salary  
1259 increases at any time before June 2014, in conformance with  
1260 requirements of the proviso or board-approved evaluation plan,  
1261 and as negotiated with collective bargaining units and  
1262 educators, as appropriate.

1263 Section 27. Notwithstanding subsections (10), (11), (12)  
1264 and (13) of s. 1013.30, Florida Statutes, and subsection (4) of  
1265 s. 1013.51, Florida Statutes, for the 2013-2014 fiscal year, a  
1266 state university may enter into a local development agreement  
1267 with an affected host local government, to identify specific  
1268 projects in the university's campus master plan to be  
1269 constructed by the university, for purposes of negotiating  
1270 mitigation of the impact of such projects on the host local  
1271 government.

1272 Section 28. In order to implement Specific Appropriation  
1273 142 of the 2013-2014 General Appropriations Act and  
1274 notwithstanding any other law, for the 2013-2014 and 2014-2015  
1275 fiscal years only, a university board of trustees may expend  
1276 reserve or carryforward balances from previous years'

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1277 operational and programmatic appropriations for deferred  
1278 maintenance needs at the Donald L. Tucker Civic Center.

1279       Section 29. Notwithstanding the school district allocations  
1280 for Technology Transformation Grants for Rural School Districts  
1281 provided in Specific Appropriation 102A contained in Senate Bill  
1282 1500 enacted during the 2013 Regular Session of the Florida  
1283 Legislature, allocations for this purpose shall be recalculated  
1284 by the Commissioner of Education and replicated by the  
1285 principals of the Florida Education Finance Program  
1286 Appropriation Allocation Conference no later than July 15, 2013.  
1287 The revised allocations shall be based on each entity's  
1288 proportionate share of unweighted FTE and shall be calculated  
1289 for all districts and lab schools receiving funds in Specific  
1290 Appropriation 102A plus any other member school district of a  
1291 regional consortium service organization as of April 30, 2013.

1292       Section 30. Except as otherwise expressly provided in this  
1293 act and except for this section, which shall take effect upon  
1294 becoming a law, this act shall take effect July 1, 2013.