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1
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.