

1 A bill to be entitled
2 An act relating to digital learning; amending s.
3 1001.42, F.S.; revising district school board duties
4 relating to virtual instruction; amending s. 1002.321,
5 F.S.; requiring the Department of Education to develop
6 an online catalog of digital learning courses;
7 amending s. 1002.37, F.S.; revising and clarifying the
8 requirements for reporting and funding a full-time
9 equivalent student in the Florida Virtual School;
10 providing requirements for funding a home education
11 student enrolled in the Florida Virtual School;
12 providing reporting requirements relating to Florida
13 Virtual School Global; requiring the Auditor General
14 to conduct an operational audit of the Florida Virtual
15 School; amending s. 1002.45, F.S.; authorizing a
16 school district to provide part-time virtual
17 instruction for K-12 students in all courses; revising
18 requirements for the use of virtual instruction in
19 core-curricula courses for the purpose of meeting
20 class size requirements; revising requirements for
21 approval as a provider of virtual instruction programs
22 or courses; providing requirements for conditional
23 approval; revising and clarifying the requirements for
24 reporting and funding a full-time equivalent student
25 enrolled in a virtual instruction program; creating s.
26 1002.451, F.S.; authorizing a district school board to
27 operate a district innovation school as a pilot
28 program; providing delivery models for implementation

29 | of a schoolwide blended learning program; providing
30 | funding requirements; providing exemption from
31 | statutes and rules; amending s. 1003.01, F.S.;
32 | removing blended learning courses provided by a
33 | traditional public school, a charter school, or a
34 | district innovation school from the definition of core
35 | curricular courses for purposes of class size
36 | requirements; amending s. 1003.498, F.S.; requiring
37 | the Department of Education to provide identifiers for
38 | courses to designate their use for blended learning
39 | courses; removing restrictions on students taking
40 | online courses across district lines; clarifying the
41 | requirements for reporting a full-time student;
42 | prohibiting a school district from requiring a public
43 | school student to take an online course at certain
44 | times or places; amending s. 1007.01, F.S.; requiring
45 | the Articulation Coordinating Committee to recommend a
46 | funding model and financial accountability mechanism
47 | for providers of online courses; amending s. 1007.24,
48 | F.S.; including online courses provided by providers
49 | in the statewide course numbering system; amending s.
50 | 1011.61, F.S.; revising and clarifying the definition
51 | of a full-time equivalent student; revising provisions
52 | relating to funding based on student completion of
53 | end-of-course examinations; revising provisions
54 | relating to the maximum value for funding a student;
55 | creating s. 1011.622, F.S.; providing for funding
56 | adjustments for students without a common student

57 | identifier; providing an effective date.

58 |

59 | Be It Enacted by the Legislature of the State of Florida:

60 |

61 | Section 1. Subsection (23) of section 1001.42, Florida
62 | Statutes, is amended to read:

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

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

72 | Section 2. Subsection (6) is added to section 1002.321,
73 | Florida Statutes, to read:

74 | 1002.321 Digital learning.—

75 | (6) ONLINE CATALOG.—The department shall develop an online
76 | catalog of available digital learning courses provided pursuant
77 | to ss. 1002.37, 1002.45, and 1003.498, which provides, for each
78 | course, access to the course description, completion and passage
79 | rates, and a method for student and teacher users to provide
80 | evaluative feedback.

81 | Section 3. Paragraph (a) of subsection (3), subsection
82 | (6), paragraph (b) of subsection (8), and paragraph (c) of
83 | subsection (9) of section 1002.37, Florida Statutes, are
84 | amended, and subsection (11) is added to that section, to read:

85 | 1002.37 The Florida Virtual School. -

86 | (3) Funding for the Florida Virtual School shall be
 87 | provided as follows:

88 | (a)1. For a student in grades 9 through 12, a "full-time
 89 | equivalent student" is one student who has successfully
 90 | completed six full-credit courses that count toward the minimum
 91 | number of credits required for high school graduation. A student
 92 | who completes fewer than six full-credit courses is a fraction
 93 | of a full-time equivalent student. Half-credit course
 94 | completions shall be included in determining a full-time
 95 | equivalent student. ~~Credit completed by a student in excess of~~
 96 | ~~the minimum required for that student for high school graduation~~
 97 | ~~is not eligible for funding.~~

98 | 2. For a student in kindergarten through grade 8, a "full-
 99 | time equivalent student" is one student who has successfully
 100 | completed six courses or the prescribed level of content that
 101 | counts toward promotion to the next grade. A student who
 102 | completes fewer than six courses or the prescribed level of
 103 | content shall be a fraction of a full-time equivalent student.

104 | 3. For a student in a home education program, funding
 105 | shall be provided in accordance with this subsection upon course
 106 | completion if the parent verifies, upon enrollment for each
 107 | course, that the student is registered with the school district
 108 | as a home education student pursuant to s. 1002.41(1)(a).
 109 | Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~
 110 | ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent
 111 | students and associated funding of students enrolled in courses
 112 | requiring passage of an end-of-course assessment under s.

113 1003.4282 to earn a standard high school diploma shall be
114 adjusted ~~if after~~ the student does not pass ~~completes~~ the end-
115 of-course assessment. However, no adjustment shall be made for
116 home education program students who choose not to take an end-
117 of-course assessment or for a student who enrolls in a segmented
118 remedial course delivered online.

119
120 For purposes of this paragraph, the calculation of "full-time
121 equivalent student" shall be as prescribed in s.

122 1011.61(1)(c)1.b.(V) and is subject to the requirements of s.
123 1011.61(4).

124 (6) The board of trustees shall annually submit to the
125 Governor, the Legislature, the Commissioner of Education, and
126 the State Board of Education a complete and detailed report
127 setting forth:

128 (a) The operations and accomplishments of the Florida
129 Virtual School within the state and those occurring outside the
130 state as Florida Virtual School Global.

131 (b) The marketing and operational plan for the Florida
132 Virtual School and Florida Virtual School Global, including
133 recommendations regarding methods for improving the delivery of
134 education through the Internet and other distance learning
135 technology.

136 (c) The assets and liabilities of the Florida Virtual
137 School and Florida Virtual School Global at the end of the
138 fiscal year.

139 (d) A copy of an annual financial audit of the accounts
140 and records of the Florida Virtual School and Florida Virtual

141 School Global, conducted by an independent certified public
142 accountant and performed in accordance with rules adopted by the
143 Auditor General.

144 (e) Recommendations regarding the unit cost of providing
145 services to students through the Florida Virtual School and
146 Florida Virtual School Global. In order to most effectively
147 develop public policy regarding any future funding of the
148 Florida Virtual School, it is imperative that the cost of the
149 program is accurately identified. The identified cost of the
150 program must be based on reliable data.

151 (f) Recommendations regarding an accountability mechanism
152 to assess the effectiveness of the services provided by the
153 Florida Virtual School and Florida Virtual School Global.

154 (8)

155 (b) For students receiving part-time instruction in
156 kindergarten through grade 5 and students receiving full-time
157 instruction in kindergarten through grade 12 from the Florida
158 Virtual School, the full-time equivalent student enrollment
159 calculated under this subsection is subject to the requirements
160 of s. 1011.61(4) combined total of all FTE reported by both the
161 school district and the Florida Virtual School may not exceed
162 1.0 FTE.

163 (9)

164 (c) Unless an alternative testing site is mutually agreed
165 to by the Florida Virtual School and the school district, all
166 statewide assessments must be taken at the school to which the
167 student would be assigned according to district school board
168 attendance areas. A school district must provide the student

169 with access to the school's testing facilities.

170 (11) The Auditor General shall conduct an operational
171 audit of the Florida Virtual School, including Florida Virtual
172 School Global. The scope of the audit shall include, but not be
173 limited to, the administration of responsibilities relating to
174 personnel; procurement and contracting; revenue production;
175 school funds, including internal funds; student enrollment
176 records; franchise agreements; information technology
177 utilization, assets, and security; performance measures and
178 standards; and accountability. The final report on the audit
179 shall be submitted to the President of the Senate and the
180 Speaker of the House of Representatives no later than January
181 31, 2014.

182 Section 4. Paragraphs (b), (c), and (d) of subsection (1),
183 paragraph (a) of subsection (2), subsection (7), and paragraph
184 (a) of subsection (8) of section 1002.45, Florida Statutes, are
185 amended to read:

186 1002.45 Virtual instruction programs.—

187 (1) PROGRAM.—

188 (b) Each school district that is eligible for the sparsity
189 supplement pursuant to s. 1011.62(7)(a) and (b) shall provide
190 all enrolled public school students within its boundaries the
191 option of participating in part-time and full-time virtual
192 instruction programs. Each school district that is not eligible
193 for the sparsity supplement pursuant to s. 1011.62(7)(a) and (b)
194 shall provide at least three options for part-time and full-time
195 virtual instruction. All school districts must provide parents
196 with timely written notification of at least one open enrollment

197 period for full-time students of 90 days or more which ends 30
198 days before the first day of the school year. The purpose of the
199 program is to make quality virtual instruction available to
200 students using online and distance learning technology in the
201 nontraditional classroom. A school district virtual instruction
202 program shall consist of the following:

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

205 2. Part-time virtual instruction consisting of an
206 individual course or courses, including massive open online
207 courses, for students enrolled in kindergarten through grade 12
208 courses that are measured pursuant to subparagraph (8)(a)2.

209 3. Full-time or part-time virtual instruction for students
210 enrolled in dropout prevention and academic intervention
211 programs under s. 1003.53, Department of Juvenile Justice
212 education programs under s. 1003.52, core-curricula courses
213 delivered in a virtual learning laboratory on a school campus to
214 meet class size requirements under s. 1003.03, or Florida
215 College System institutions under this section.

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

219 1. Contract with the Florida Virtual School or establish a
220 franchise of the Florida Virtual School for the provision of a
221 program under paragraph (b). Using this option is subject to the
222 requirements of this section and s. 1011.61(1)(c)1.b.(III) and
223 (IV) and (4) ~~1011.61(1)(c)1.b.(III) and (IV).~~

224 2. Contract with an approved provider under subsection (2)

225 | for the provision of a full-time or part-time program under
226 | paragraph (b) ~~subparagraph (b)1. or subparagraph (b)3. or a~~
227 | ~~part-time program under subparagraph (b)2. or subparagraph (b)3.~~

228 | 3. Enter into an agreement with other school districts to
229 | allow the participation of its students in an approved virtual
230 | instruction program provided by the other school district. The
231 | agreement must indicate a process for the transfer of funds
232 | required by paragraph (7) (f).

233 | 4. Establish school district operated part-time or full-
234 | time kindergarten through grade 12 virtual instruction programs
235 | under paragraph (b) for students enrolled in the school
236 | district. A full-time program shall operate under its own Master
237 | School Identification Number.

238 | 5. Enter into an agreement with a virtual charter school
239 | authorized by the school district under s. 1002.33.

240 |
241 | Contracts under subparagraph 1. or subparagraph 2. may include
242 | multidistrict contractual arrangements that may be executed by a
243 | regional consortium for its member districts. A multidistrict
244 | contractual arrangement or an agreement under subparagraph 3. is
245 | not subject to s. 1001.42(4) (d) and does not require the
246 | participating school districts to be contiguous. These
247 | arrangements may be used to fulfill the requirements of
248 | paragraph (b).

249 | (d) A virtual charter school may provide full-time virtual
250 | instruction for students in kindergarten through grade 12 if the
251 | virtual charter school has a charter approved pursuant to s.
252 | 1002.33 authorizing full-time virtual instruction. A virtual

253 charter school may:

- 254 1. Contract with the Florida Virtual School.
- 255 2. Contract with an approved provider under subsection
- 256 (2).
- 257 3. Be an approved provider under subsection (2).
- 258 ~~4.3.~~ Enter into an agreement with a school district to
- 259 allow the participation of the virtual charter school's students
- 260 in the school district's virtual instruction program. The
- 261 agreement must indicate a process for reporting of student
- 262 enrollment and the transfer of funds required by paragraph
- 263 (7) (f).

264 (2) PROVIDER QUALIFICATIONS.—

265 (a) The department shall annually publish online a list of

266 providers approved to offer virtual instruction programs or

267 online courses, including, but not limited to, massive open

268 online courses that can be measured pursuant to subparagraph

269 (8) (a) 2. To be approved by the department, a provider must

270 document that it:

- 271 1. Is nonsectarian in its programs, admission policies,
- 272 employment practices, and operations;
- 273 2. Complies with the antidiscrimination provisions of s.
- 274 1000.05;
- 275 3. ~~Locates an administrative office or offices in this~~
- 276 ~~state, requires its administrative staff to be state residents,~~
- 277 Requires all instructional staff to be Florida-certified
- 278 teachers under chapter 1012 or certified as adjunct educators
- 279 under s. 1012.57, and conducts background screenings for all
- 280 employees or contracted personnel, as required by s. 1012.32,

281 using state and national criminal history records;

282 4. Provides to parents and students specific information
283 posted and accessible online that includes, but is not limited
284 to, the following teacher-parent and teacher-student contact
285 information for each course:

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

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

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

292 d. Any requirement for regular contact with the instructor
293 for the course and clear expectations for meeting the
294 requirement.

295 e. The requirement that the instructor in each course,
296 with the exception of individuals offering online courses,
297 including, but not limited to, massive open online courses,
298 must, at a minimum, conduct one contact via phone with the
299 parent and the student each month.

300 ~~5.4.~~ Possesses prior, successful experience offering
301 online courses to elementary, middle, or high school students as
302 demonstrated by quantified student learning gains in each
303 subject area and grade level provided for consideration as an
304 instructional program option. However, for a provider without
305 sufficient prior, successful experience offering online courses,
306 the department may conditionally approve the provider to offer
307 courses measured pursuant to subparagraph (8) (a)2. Conditional
308 approval shall be valid until the provider has sufficient data

309 | to apply for provider approval in accordance with this section
310 | and State Board of Education rule;

311 | ~~6.5.~~ Is accredited by a regional accrediting association as
312 | defined by State Board of Education rule;

313 | ~~7.6.~~ Ensures instructional and curricular quality through a
314 | detailed curriculum and student performance accountability plan
315 | that addresses every subject and grade level it intends to
316 | provide through contract with the school district, including:

317 | a. Courses and programs that meet the standards of the
318 | International Association for K-12 Online Learning and the
319 | Southern Regional Education Board.

320 | b. Instructional content and services that align with, and
321 | measure student attainment of, student proficiency in the Next
322 | Generation Sunshine State Standards.

323 | c. Mechanisms that determine and ensure that a student has
324 | satisfied requirements for grade level promotion and high school
325 | graduation with a standard diploma, as appropriate;

326 | ~~8.7.~~ Publishes for the general public, in accordance with
327 | disclosure requirements adopted in rule by the State Board of
328 | Education, as part of its application as a provider and in all
329 | contracts negotiated pursuant to this section:

330 | a. Information and data about the curriculum of each full-
331 | time and part-time program.

332 | b. School policies and procedures.

333 | c. Certification status and physical location of all
334 | administrative and instructional personnel.

335 | d. Hours and times of availability of instructional
336 | personnel.

- 337 e. Student-teacher ratios.
338 f. Student completion and promotion rates.
339 g. Student, educator, and school performance
340 accountability outcomes;

341 ~~9.8.~~ If the provider is a Florida College System
342 institution, employs instructors who meet the certification
343 requirements for instructional staff under chapter 1012; and

344 ~~10.9.~~ Performs an annual financial audit of its accounts
345 and records conducted by an independent certified public
346 accountant which is in accordance with rules adopted by the
347 Auditor General, is conducted in compliance with generally
348 accepted auditing standards, and includes a report on financial
349 statements presented in accordance with generally accepted
350 accounting principles.

351
352 A person or organization seeking to offer online courses
353 pursuant to this paragraph is not subject to subparagraphs 6.,
354 9., and 10., sub-subparagraphs 8.a. and b., and paragraphs
355 (8) (c) and (d).

356 (7) VIRTUAL INSTRUCTION PROGRAM AND VIRTUAL CHARTER SCHOOL
357 FUNDING.—

358 (a) Students enrolled in a virtual instruction program or
359 a virtual charter school shall be funded through the Florida
360 Education Finance Program as provided in the General
361 Appropriations Act. However, such funds may not be provided for
362 the purpose of fulfilling the class size requirements in ss.
363 1003.03 and 1011.685.

364 (b) For purposes of a virtual instruction program or a

365 virtual charter school, "full-time equivalent student" has the
366 same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

367 (c) For a student enrolled in a kindergarten through grade
368 12 virtual instruction program, a "full-time equivalent student"
369 has the same meaning as provided in s. 1011.61(1)(c)1.b.(III)
370 and (IV).

371 (d) The full-time equivalent student enrollment calculated
372 under this subsection is subject to the requirements of s.
373 1011.61(4) ~~A student may not be reported as more than 1.0 full-~~
374 ~~time equivalent student in any given school year.~~

375 (e) Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when~~
376 ~~s. 1008.22(3)(g) is implemented,~~ the reported full-time
377 equivalent students and associated funding of students enrolled
378 in courses requiring passage of an end-of-course assessment
379 under s. 1003.4282 to earn a standard high school diploma shall
380 be adjusted if after the student does not pass ~~completes~~ the
381 end-of-course assessment. However, no adjustment shall be made
382 for a student who enrolls in a segmented remedial course
383 delivered online.

384 (f) The school district providing virtual instruction
385 shall report full-time equivalent students for a virtual
386 instruction program or a virtual charter school, including
387 credits completed during the summer, to the department in a
388 manner prescribed by the department, and funding shall be
389 provided through the Florida Education Finance Program.

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

393 (8) ASSESSMENT AND ACCOUNTABILITY.—

394 (a) Each approved provider contracted under this section
395 must:

396 1. Participate in the statewide assessment program under
397 s. 1008.22 and in the state's education performance
398 accountability system under s. 1008.31.

399 2. Receive a school grade under s. 1008.34 or a school
400 improvement rating under s. 1008.341, as applicable. The school
401 grade or school improvement rating received by each approved
402 provider shall be based upon the aggregated assessment scores of
403 all students served by the provider statewide. The department
404 shall publish the school grade or school improvement rating
405 received by each approved provider on its Internet website. The
406 department shall develop an evaluation method for providers of
407 part-time programs and courses which includes the percentage of
408 students making learning gains, the percentage of students
409 successfully passing any required end-of-course assessment, the
410 percentage of students taking Advanced Placement examinations,
411 and the percentage of students scoring 3 or higher on an
412 Advanced Placement examination.

413 Section 5. Section 1002.451, Florida Statutes, is created
414 to read:

415 1002.451 District innovation school pilot program.—

416 (1) DISTRICT INNOVATION SCHOOL.—

417 (a) A district school board may operate a district
418 innovation school for the purpose of encouraging innovation
419 while requiring high student academic achievement and
420 accountability in exchange for flexibility and exemption from

421 specific statutes and rules. The innovation school shall operate
422 as a pilot program within existing resources.

423 (b) A district innovation school is a school that has, on
424 a schoolwide basis, adopted and implemented a blended learning
425 program. A blended learning program is a formal education
426 program in which a student learns in part through online
427 delivery of content and instruction with some element of student
428 control over time, place, path, or pace and in part at a
429 supervised brick-and-mortar location away from home. Blended
430 learning models shall include major components such as
431 differentiated instruction, data-driven placement, flexible
432 scheduling, differentiated teaching, and self-paced learning.
433 The school shall use one of the following blended learning
434 models:

435 1. Flipped classroom model in which students use online
436 instructional videos at home for homework and practice concepts
437 in the classroom with the support of the teacher;

438 2. Flex model in which students learn primarily online in
439 a brick-and-mortar school and teachers act as facilitators; or

440 3. Rotation model in which students move between different
441 learning modalities, such as online instruction, teacher-
442 directed instruction, seminar or group projects, and one-on-one
443 teacher coaching. Rotation models include individual, station,
444 and laboratory models.

445 (2) GUIDING PRINCIPLES.—A district innovation school shall
446 be guided by the following principles:

447 (a) Meet high standards of student achievement in exchange
448 for flexibility with respect to statutes and rules.

449 (b) Implement innovative learning methods, including
450 blended learning, and measurement tools to implement a
451 schoolwide, rather than specific course, transformation to
452 improve student learning and academic achievement.

453 (c) Promote enhanced academic success and financial
454 efficiency by aligning responsibility with accountability.

455 (d) Require the measurement of learning outcomes.

456 (e) Provide a parent with sufficient information as to
457 whether his or her child is reading at grade level and making
458 learning gains each year spent in the innovation school.

459 (3) TERM OF THE PILOT PROGRAM.—A district innovation
460 school may operate pursuant to a performance contract with the
461 district school board for a period of 5 years, at the end of
462 which the school's performance shall be evaluated for purposes
463 of renewal. After the initial 3-year period, if a district
464 innovation school receives a school grade of "F" for 2
465 consecutive years, the district school board shall terminate the
466 contract with the school, and the school is no longer eligible
467 for the statutory and regulatory flexibilities provided in
468 subsection (4).

469 (4) FUNDING.—A district school board operating a district
470 innovation school shall report full-time equivalent students to
471 the department in a manner prescribed by the department, and
472 funding shall be provided through the Florida Education Finance
473 Program as provided in ss. 1011.61 and 1011.62.

474 (5) EXEMPTION FROM STATUTES AND RULES.—

475 (a) A district innovation school is exempt from chapters
476 1000-1013. However, a district innovation school shall be in

477 compliance with the following statutes in chapters 1000-1013:

478 1. Those statutes specifically applying to district
 479 innovation schools, including this section.

480 2. Those statutes pertaining to the student assessment
 481 program and school grading system.

482 3. Those statutes pertaining to the provision of services
 483 to students with disabilities.

484 4. Those statutes pertaining to civil rights, including s.
 485 1000.05, relating to discrimination.

486 5. Those statutes pertaining to student health, safety,
 487 and welfare.

488 (b) Additionally, a district innovation school shall be in
 489 compliance with the following statutes:

490 1. Section 286.011, relating to public meetings and
 491 records, public inspection, and criminal and civil penalties.

492 2. Chapter 119, relating to public records.

493 3. Section 1012.22(1)(c), relating to compensation and
 494 salary schedules.

495 4. Section 1012.33(5), relating to workforce reductions.

496 5. Section 1012.335, relating to contracts with
 497 instructional personnel hired on or after July 1, 2011.

498 6. Section 1012.34, relating to personnel evaluation.

499 Section 6. Subsection (14) of section 1003.01, Florida
 500 Statutes, is amended to read:

501 1003.01 Definitions.—As used in this chapter, the term:

502 (14) "Core-curricula courses" means:

503 (a) Courses in language arts/reading, mathematics, social
 504 studies, and science in prekindergarten through grade 3,

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505 | excluding any extracurricular courses pursuant to subsection
506 | (15);

507 | (b) Courses in grades 4 through 8 in subjects that are
508 | measured by state assessment at any grade level and courses
509 | required for middle school promotion, excluding any
510 | extracurricular courses pursuant to subsection (15);

511 | (c) Courses in grades 9 through 12 in subjects that are
512 | measured by state assessment at any grade level and courses that
513 | are specifically identified by name in statute as required for
514 | high school graduation and that are not measured by state
515 | assessment, excluding any extracurricular courses pursuant to
516 | subsection (15);

517 | (d) Exceptional student education courses; and

518 | (e) English for Speakers of Other Languages courses.

519 |

520 | The term is limited in meaning and used for the sole purpose of
521 | designating classes that are subject to the maximum class size
522 | requirements established in s. 1, Art. IX of the State
523 | Constitution. This term does not include courses offered under
524 | ss. 1002.321(4)(e), 1002.33(7)(a)2.b., 1002.37, 1002.415, and
525 | 1002.45, and 1002.451.

526 | Section 7. Section 1003.498, Florida Statutes, is amended
527 | to read:

528 | 1003.498 School district virtual course offerings.—

529 | (1) School districts may deliver courses in the
530 | traditional school setting by personnel certified pursuant to s.
531 | 1012.55 who provide direct instruction through virtual
532 | instruction or through blended learning courses consisting of

533 both traditional classroom and online instructional techniques.
 534 Students in a blended learning course must be full-time students
 535 of the school and receive the online instruction in a classroom
 536 setting at the school. The funding, performance, and
 537 accountability requirements for blended learning courses are the
 538 same as those for traditional courses. To facilitate the
 539 delivery and coding of blended learning courses, the department
 540 shall provide identifiers for existing courses to designate that
 541 they are being used for blended learning courses for the purpose
 542 of ensuring the efficient reporting of such courses.

543 (2) School districts may offer virtual courses for
 544 students enrolled in the school district. These courses must be
 545 identified in the course code directory. Students who meet the
 546 eligibility requirements of s. 1002.455 may participate in these
 547 virtual course offerings.

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

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

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

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

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

561 ~~b. The course is offered in the school in which the~~
562 ~~student is enrolled. However, a student may enroll in an online~~
563 ~~course offered by another school district if the school in which~~
564 ~~the student is enrolled offers the course but the student is~~
565 ~~unable to schedule the course in his or her school.~~

566 ~~3. The school district in which the student completes the~~
567 ~~course shall report the student's completion of that course for~~
568 ~~funding pursuant to s. 1011.61(1)(c)1.b.(VI), and the home~~
569 ~~school district shall not report the student for funding for~~
570 ~~that course.~~

571 2. The full-time equivalent student enrollment calculated
572 under this subsection is subject to the requirements of s.
573 1011.61(4). ~~For purposes of this paragraph, the combined total~~
574 ~~of all school district reported FTE may not be reported as more~~
575 ~~than 1.0 full-time equivalent student in any given school year.~~
576 The Department of Education shall establish procedures to enable
577 interdistrict coordination for the delivery and funding of this
578 online option.

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

583 Section 8. Paragraph (i) is added to subsection (3) of
584 section 1007.01, Florida Statutes, to read:

585 1007.01 Articulation; legislative intent; purpose; role of
586 the State Board of Education and the Board of Governors;
587 Articulation Coordinating Committee.—

588 (3) The Commissioner of Education, in consultation with

589 the Chancellor of the State University System, shall establish
590 the Articulation Coordinating Committee which shall make
591 recommendations related to statewide articulation policies to
592 the Higher Education Coordination Council, the State Board of
593 Education, and the Board of Governors. The committee shall
594 consist of two members each representing the State University
595 System, the Florida College System, public career and technical
596 education, public K-12 education, and nonpublic education and
597 one member representing students. The chair shall be elected
598 from the membership. The committee shall:

599 (i) Recommend by December 31, 2013, a funding model and a
600 financial accountability mechanism for funding and assessing an
601 organization or an individual offering online courses,
602 including, but not limited to, massive open online courses. This
603 paragraph expires July 1, 2014.

604 Section 9. Subsection (6) of section 1007.24, Florida
605 Statutes, is amended to read:

606 1007.24 Statewide course numbering system.—

607 (6) Providers of online courses and nonpublic colleges and
608 schools that are fully accredited by a regional or national
609 accrediting agency recognized by the United States Department of
610 Education and are either eligible to participate in the William
611 L. Boyd, IV, Florida Resident Access Grant or have been issued a
612 regular license pursuant to s. 1005.31, may participate in the
613 statewide course numbering system pursuant to this section.
614 Participating providers, colleges, and schools shall bear the
615 costs associated with inclusion in the system and shall meet the
616 terms and conditions for institutional participation in the

617 system. The department shall adopt a fee schedule that includes
618 the expenses incurred through data processing, faculty task
619 force travel and per diem, and staff and clerical support time.
620 Such fee schedule may differentiate between the costs associated
621 with initial course inclusion in the system and costs associated
622 with subsequent course maintenance in the system. Decisions
623 regarding initial course inclusion and subsequent course
624 maintenance must be made within 360 days after submission of the
625 required materials and fees by the institution. The Department
626 of Education may select a date by which providers and colleges
627 must submit requests for new courses to be included, and may
628 delay review of courses submitted after that date until the next
629 year's cycle. Any college that currently participates in the
630 system, and that participated in the system prior to July 1,
631 1986, shall not be required to pay the costs associated with
632 initial course inclusion in the system. Fees collected for
633 participation in the statewide course numbering system pursuant
634 to the provisions of this section shall be deposited in the
635 Institutional Assessment Trust Fund. Any provider and nonpublic,
636 nonprofit college or university that is eligible to participate
637 in the statewide course numbering system shall not be required
638 to pay the costs associated with participation in the system. No
639 provider, college, or school shall record student transcripts or
640 document courses offered by the provider, college, or school in
641 accordance with this subsection unless the provider, college, or
642 school is actually participating in the system pursuant to rules
643 of the State Board of Education. Any college or school deemed to
644 be in violation of this section shall be subject to the

645 provisions of s. 1005.38.

646 Section 10. Paragraph (c) of subsection (1) and subsection
647 (4) of section 1011.61, Florida Statutes, are amended to read:

648 1011.61 Definitions.— Notwithstanding the provisions of s.
649 1000.21, the following terms are defined as follows for the
650 purposes of the Florida Education Finance Program:

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

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

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

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

661 (I) A full-time student in a combination of programs
662 listed in s. 1011.62(1)(c) shall be a fraction of a full-time
663 equivalent membership in each program equal to the number of net
664 hours per school year for which he or she is a member, divided
665 by the appropriate number of hours set forth in subparagraph
666 (a)1. or subparagraph (a)2. The difference between that fraction
667 or sum of fractions and the maximum value as set forth in
668 subsection (4) for each full-time student is presumed to be the
669 balance of the student's time not spent in a nonbasic program
670 and shall be recorded as time in the appropriate basic program.
671 ~~The sum of the fractions for each program may not exceed the~~
672 ~~maximum value set forth in subsection (4).~~

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

675 (III) A full-time equivalent student for students in
676 kindergarten through grade 12 in a full-time virtual instruction
677 program under s. 1002.45 or a virtual charter school under s.
678 1002.33 shall consist of six full-credit completions or the
679 prescribed level of content that counts toward promotion to the
680 next grade in programs listed in s. 1011.62(1)(c). Credit
681 completions may be a combination of full-credit courses or half-
682 credit courses. Beginning in the 2016-2017 ~~2014-2015~~ fiscal
683 year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported full-
684 time equivalent students and associated funding of students
685 enrolled in courses requiring passage of an end-of-course
686 assessment under s. 1003.4282 to earn a standard high school
687 diploma shall be adjusted if after the student does not pass
688 ~~completes~~ the end-of-course assessment. However, no adjustment
689 shall be made for a student who enrolls in a segmented remedial
690 course delivered online.

691 (IV) A full-time equivalent student for students in
692 kindergarten through grade 12 in a part-time virtual instruction
693 program under s. 1002.45 shall consist of six full-credit
694 completions in programs listed in s. 1011.62(1)(c)1. and 3.
695 Credit completions may be a combination of full-credit courses
696 or half-credit courses. Beginning in the 2016-2017 ~~2014-2015~~
697 fiscal year, ~~when s. 1008.22(3)(g) is implemented,~~ the reported
698 full-time equivalent students and associated funding of students
699 enrolled in courses requiring passage of an end-of-course
700 assessment under s. 1003.4282 to earn a standard high school

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701 diploma shall be adjusted if after the student does not pass
702 ~~completes~~ the end-of-course assessment. However, no adjustment
703 shall be made for a student who enrolls in a segmented remedial
704 course delivered online.

705 (V) A Florida Virtual School full-time equivalent student
706 shall consist of six full-credit completions or the prescribed
707 level of content that counts toward promotion to the next grade
708 in the programs listed in s. 1011.62(1)(c)1. and 3. for students
709 participating in kindergarten through grade 12 part-time virtual
710 instruction and the programs listed in s. 1011.62(1)(c) for
711 students participating in kindergarten through grade 12 full-
712 time virtual instruction. Credit completions may be a
713 combination of full-credit courses or half-credit courses.
714 Beginning in the 2016-2017 ~~2014-2015~~ fiscal year, ~~when s.~~
715 ~~1008.22(3)(g) is implemented,~~ the reported full-time equivalent
716 students and associated funding of students enrolled in courses
717 requiring passage of an end-of-course assessment under s.
718 1003.4282 to earn a standard high school diploma shall be
719 adjusted if after the student does not pass ~~completes~~ the end-
720 of-course assessment. However, no adjustment shall be made for a
721 student who enrolls in a segmented remedial course delivered
722 online.

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

727 ~~(VII) Each successfully completed credit earned under the~~
728 ~~alternative high school course credit requirements authorized in~~

729 ~~s. 1002.375, which is not reported as a portion of the 900 net~~
730 ~~hours of instruction pursuant to subparagraph (1)(a)1., shall be~~
731 ~~calculated as 1/6 FTE.~~

732 (VII) ~~(VIII)(A)~~ A full-time equivalent student for courses
733 requiring passage of a statewide, standardized end-of-course
734 assessment under s. 1003.4282 to earn a standard high school
735 diploma pursuant to s. 1008.22(3)(c)2.a. shall be defined and
736 reported based on the number of instructional hours as provided
737 in this subsection until the 2016-2017 fiscal year ~~for the first~~
738 ~~3 years of administering the end-of-course assessment.~~ Beginning
739 in the 2016-2017 fiscal year ~~fourth year of administering the~~
740 ~~end-of-course assessment,~~ the FTE for the course shall be
741 assessment based ~~credit-based~~ and each course shall be equal to
742 1/6 FTE. The reported FTE shall be adjusted if after the student
743 does not pass successfully completes the end-of-course
744 assessment pursuant to s. 1008.22(3)(c)2.a. However, no
745 adjustment shall be made for a student who enrolls in a
746 segmented remedial course delivered online.

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

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

755 2. A student in membership in a program scheduled for more
756 or less than 180 school days or the equivalent on an hourly

757 basis as specified by rules of the State Board of Education is a
758 fraction of a full-time equivalent membership equal to the
759 number of instructional hours in membership divided by the
760 appropriate number of hours set forth in subparagraph (a)1.;
761 however, for the purposes of this subparagraph, membership in
762 programs scheduled for more than 180 days is limited to students
763 enrolled in:

764 a. Juvenile justice education programs.

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

766 c. Virtual instruction programs and virtual charter
767 schools pursuant to ss. 1002.45 and 1003.498 for the purpose of
768 course completion and credit recovery.

769 3. The department shall determine and implement an
770 equitable method of equivalent funding for experimental schools
771 and for schools operating under emergency conditions, which
772 schools have been approved by the department to operate for less
773 than the minimum school day.

774

775 The full-time equivalent student enrollment calculated under
776 this subsection is subject to the requirements of subsection
777 (4).

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

784 (a) The sum of the student's full-time equivalent student

785 membership value for the school year or the equivalent derived
786 from paragraphs (1)(a) and (b), subparagraph (1)(c)1., sub-
787 subparagraphs (1)(c)2.b. and c., subparagraph (1)(c)3., and
788 subsection (2). If the sum is greater than 1.0, the full-time
789 equivalent student membership value for each program or course
790 shall be reduced by an equal proportion so that the student's
791 total full-time equivalent student membership value is equal to
792 1.0.

793 (b) If the result in paragraph (a) is less than 1.0 full-
794 time equivalent student and the student has full-time equivalent
795 student enrollment pursuant to sub-sub-subparagraph
796 (1)(c)1.b.(VIII), calculate an amount that is the lesser of the
797 value in sub-sub-subparagraph (1)(c)1.b.(VIII) or the value of
798 1.0 less the value in paragraph (a).

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

801 Section 11. Section 1011.622, Florida Statutes, is created
802 to read:

803 1011.622 Adjustments for students without a common student
804 identifier.—For a student without a common student identifier
805 who transfers from a public school district or the Florida
806 Virtual School to another public school district or the Florida
807 Virtual School, the Department of Education shall decrease the
808 Florida Education Finance Program funds from the district or the
809 Florida Virtual School which the student attended prior to the
810 transfer.

811 Section 12. This act shall take effect July 1, 2013.