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LEGISLATIVE ACTION

Senate

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House

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Senator Baxley moved the following:

1           **Senate Substitute for Amendment (936818) (with directory**  
2 **and title amendments)**

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4           Between lines 1535 and 1536  
5 insert:

6           (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may  
7 annually provide in the Florida Education Finance Program a  
8 virtual education contribution. The amount of the virtual  
9 education contribution shall be the difference between the  
10 amount per FTE established in the General Appropriations Act for  
11 virtual education and the amount per FTE for each district and



718536

12 the Florida Virtual School, which may be calculated by taking  
13 the sum of the base FEFP allocation, the discretionary local  
14 effort, the state-funded discretionary contribution, the  
15 discretionary millage compression supplement, the research-based  
16 reading instruction allocation, and the instructional materials  
17 allocation, and then dividing by the total unweighted FTE. This  
18 difference shall be multiplied by the virtual education  
19 unweighted FTE for programs and options identified in s.  
20 1002.455 ~~s. 1002.455(3)~~ and the Florida Virtual School and its  
21 franchises to equal the virtual education contribution and shall  
22 be included as a separate allocation in the funding formula.

23 Section 18. Paragraph (a) of subsection (8) and subsection  
24 (11) of section 1002.37, Florida Statutes, are amended to read:  
25 1002.37 The Florida Virtual School.—

26 (8) (a) The Florida Virtual School may provide full-time and  
27 part-time instruction for students in kindergarten through grade  
28 12. ~~To receive part-time instruction in kindergarten through~~  
29 ~~grade 5, a student must meet at least one of the eligibility~~  
30 ~~criteria in s. 1002.455(2).~~

31 ~~(11) The Auditor General shall conduct an operational audit~~  
32 ~~of the Florida Virtual School, including Florida Virtual School~~  
33 ~~Global. The scope of the audit shall include, but not be limited~~  
34 ~~to, the administration of responsibilities relating to~~  
35 ~~personnel; procurement and contracting; revenue production;~~  
36 ~~school funds, including internal funds; student enrollment~~  
37 ~~records; franchise agreements; information technology~~  
38 ~~utilization, assets, and security; performance measures and~~  
39 ~~standards; and accountability. The final report on the audit~~  
40 ~~shall be submitted to the President of the Senate and the~~



718536

41 ~~Speaker of the House of Representatives no later than January~~  
42 ~~31, 2014.~~

43 Section 19. Section 1002.455, Florida Statutes, is amended  
44 to read:

45 1002.455 Student eligibility for K-12 virtual instruction.-

46 ~~(1) All students, including home education and private~~  
47 ~~school students, are eligible to participate in any of the~~  
48 ~~following A student may participate in virtual instruction in~~  
49 ~~the school district in which he or she resides if the student~~  
50 ~~meets the eligibility criteria in subsection (2).~~

51 ~~(2) A student is eligible to participate in virtual~~  
52 ~~instruction if:~~

53 ~~(a) The student spent the prior school year in attendance~~  
54 ~~at a public school in the state and was enrolled and reported by~~  
55 ~~the school district for funding during October and February for~~  
56 ~~purposes of the Florida Education Finance Program surveys;~~

57 ~~(b) The student is a dependent child of a member of the~~  
58 ~~United States Armed Forces who was transferred within the last~~  
59 ~~12 months to this state from another state or from a foreign~~  
60 ~~country pursuant to a permanent change of station order;~~

61 ~~(c) The student was enrolled during the prior school year~~  
62 ~~in a virtual instruction program under s. 1002.45 or a full-time~~  
63 ~~Florida Virtual School program under s. 1002.37(8) (a);~~

64 ~~(d) The student has a sibling who is currently enrolled in~~  
65 ~~a virtual instruction program and the sibling was enrolled in~~  
66 ~~that program at the end of the prior school year;~~

67 ~~(e) The student is eligible to enter kindergarten or first~~  
68 ~~grade; or~~

69 ~~(f) The student is eligible to enter grades 2 through 5 and~~



718536

70 ~~is enrolled full-time in a school district virtual instruction~~  
71 ~~program, virtual charter school, or the Florida Virtual School.~~

72 ~~(3) The virtual instruction options for which this~~  
73 ~~eligibility section applies include:~~

74 ~~(1)(a) School district operated part-time or full-time~~  
75 ~~kindergarten through grade 12 virtual instruction programs under~~  
76 ~~s. 1002.45 s. 1002.45(1)(b) for students enrolled in the school~~  
77 ~~district.~~

78 ~~(2)(b) Full-time virtual charter school instruction~~  
79 ~~authorized under s. 1002.33 to students within the school~~  
80 ~~district or to students in other school districts throughout the~~  
81 ~~state pursuant to s. 1002.31.~~

82 ~~(3)(e) Virtual courses offered in the course code directory~~  
83 ~~to students within the school district or to students in other~~  
84 ~~school districts throughout the state pursuant to s. 1003.498.~~

85 ~~(4) Florida Virtual School instructional services~~  
86 ~~authorized under s. 1002.37.~~

87 Section 20. Subsection (1) of section 1002.33, Florida  
88 Statutes, is amended to read:

89 1002.33 Charter schools.—

90 (1) AUTHORIZATION.—Charter schools shall be part of the  
91 state's program of public education. All charter schools in  
92 Florida are public schools. A charter school may be formed by  
93 creating a new school or converting an existing public school to  
94 charter status. A charter school may operate a virtual charter  
95 school pursuant to s. 1002.45(1)(d) to provide full-time online  
96 instruction to ~~eligible~~ students, pursuant to s. 1002.455, in  
97 kindergarten through grade 12. An existing charter school that  
98 is seeking to become a virtual charter school must amend its



718536

99 charter or submit a new application pursuant to subsection (6)  
100 to become a virtual charter school. A virtual charter school is  
101 subject to the requirements of this section; however, a virtual  
102 charter school is exempt from subsections (18) and (19),  
103 subparagraphs (20)(a)2., 4., 5., and 7., paragraph (20)(c), and  
104 s. 1003.03. A public school may not use the term charter in its  
105 name unless it has been approved under this section.

106 Section 21. Subsection (5) and paragraph (b) of subsection  
107 (6) of section 1002.45, Florida Statutes, is amended to read:

108 1002.45 Virtual instruction programs.—

109 (5) STUDENT ELIGIBILITY.—A student may enroll in a virtual  
110 instruction program provided by the school district or by a  
111 virtual charter school ~~operated in the district in which he or~~  
112 ~~she resides if the student meets eligibility requirements for~~  
113 ~~virtual instruction~~ pursuant to s. 1002.455.

114 (6) STUDENT PARTICIPATION REQUIREMENTS.—Each student  
115 enrolled in a virtual instruction program or virtual charter  
116 school must:

117 (b) Take statewide assessments pursuant to s. 1008.22.  
118 Statewide assessments may be administered ~~state assessment tests~~  
119 within the school district in which such student resides, or as  
120 specified in the contract in accordance with s. 1008.24(3). If  
121 requested by the approved provider or virtual charter school,  
122 the district of residence ~~which~~ must provide the student with  
123 access to the district's testing facilities.

124 Section 22. Subsection (2) of section 1003.498, Florida  
125 Statutes, is amended to read:

126 1003.498 School district virtual course offerings.—

127 (2) School districts may offer virtual courses for students



718536

128 enrolled in a ~~the~~ school district. These courses must be  
129 identified in the course code directory. Students ~~who meet the~~  
130 ~~eligibility requirements of s. 1002.455~~ may participate in these  
131 virtual course offerings pursuant to s. 1002.455.

132 (a) Any ~~eligible~~ student who is enrolled in a school  
133 district may register and enroll in an online course ~~offered by~~  
134 ~~his or her school district~~.

135 (b)1. Any ~~eligible~~ student who is enrolled in a school  
136 district may register and enroll in an online course offered by  
137 any other school district in the state. The school district in  
138 which the student completes the course shall report the  
139 student's completion of that course for funding pursuant to s.  
140 1011.61(1)(c)1.b.(VI), and the home school district shall not  
141 report the student for funding for that course.

142 2. The full-time equivalent student membership calculated  
143 under this subsection is subject to the requirements in s.  
144 1011.61(4). The Department of Education shall establish  
145 procedures to enable interdistrict coordination for the delivery  
146 and funding of this online option.

147  
148 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

149 And the directory clause is amended as follows:

150 Delete line 1266

151 and insert:

152 Section 17. Paragraphs (l) through (o) of subsection (1)  
153 and subsection (11) of

154  
155 ===== T I T L E A M E N D M E N T =====

156 And the title is amended as follows:



718536

157 Delete line 97  
158 and insert:  
159 student completion of certain courses; conforming a  
160 cross-reference; amending s. 1002.37, F.S.; revising  
161 eligibility requirements for specified students to  
162 receive part-time instruction at the Florida Virtual  
163 School; removing provisions requiring the Auditor  
164 General to conduct an operational audit of the Florida  
165 Virtual School; amending s. 1002.455, F.S.;  
166 authorizing all students, including home education and  
167 private school students, to participate in specified  
168 virtual instruction options; deleting the eligibility  
169 criteria for a student to participate in virtual  
170 instruction; amending s. 1002.33, F.S.; conforming a  
171 provision to changes made in the act; amending s.  
172 1002.45, F.S.; revising student eligibility and  
173 participation requirements for virtual instruction  
174 programs; amending s. 1003.498, F.S.; conforming  
175 provisions and a cross-reference to changes made by  
176 the act; amending s.