



337510

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

The Committee on Appropriations (Baxley) recommended the following:

1 **Senate Amendment to Amendment (240726) (with title**
2 **amendment)**

3
4 Between lines 608 and 609
5 insert:

6 Section 12. Present paragraph (c) of subsection (9) of
7 section 1002.37, Florida Statutes, is amended, and a new
8 paragraph (c) is added to that subsection, to read:

9 1002.37 The Florida Virtual School.—
10 (9)



337510

11 (c) Industry certification examinations, national
12 assessments, and statewide assessments offered by the school
13 district must be available to all Florida Virtual School
14 students.

15 ~~(d)~~ Unless an alternative testing site is mutually
16 agreed to by the Florida Virtual School and the school district
17 or as contracted under s. 1008.24, all industry certification
18 examinations, national assessments, and statewide assessments
19 must be taken at the school to which the student would be
20 assigned according to district school board attendance areas. A
21 school district must provide the student with access to the
22 school's testing facilities and the date and time of the
23 administration of each examination or assessment.

24 Section 13. Paragraph (a) of subsection (2) and paragraph
25 (d) of subsection (8) of section 1002.45, Florida Statutes, are
26 amended to read:

27 1002.45 Virtual instruction programs.—

28 (2) PROVIDER QUALIFICATIONS.—

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

32 1. Is nonsectarian in its programs, admission policies,
33 employment practices, and operations;

34 2. Complies with the antidiscrimination provisions of s.
35 1000.05;

36 3. Locates an administrative office or offices in this
37 state, requires its administrative staff to be state residents,
38 requires all instructional staff to be Florida-certified
39 teachers under chapter 1012 and conducts background screenings



337510

40 for all employees or contracted personnel, as required by s.
41 1012.32, using state and national criminal history records;

42 4. Provides to parents and students specific information
43 posted and accessible online that includes, but is not limited
44 to, the following teacher-parent and teacher-student contact
45 information for each course:

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

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

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

52 d. Any requirement for regular contact with the instructor
53 for the course and clear expectations for meeting the
54 requirement.

55 e. The requirement that the instructor in each course must,
56 at a minimum, conduct one contact ~~via phone~~ with the parent and
57 the student each month;

58 5. Possesses prior, successful experience offering online
59 courses to elementary, middle, or high school students as
60 demonstrated by quantified student learning gains in each
61 subject area and grade level provided for consideration as an
62 instructional program option. However, for a provider without
63 sufficient prior, successful experience offering online courses,
64 the department may conditionally approve the provider to offer
65 courses measured pursuant to subparagraph (8)(a)2. Conditional
66 approval shall be valid for 1 school year only and, based on the
67 provider's experience in offering the courses, the department
68 shall determine whether to grant approval to offer a virtual



337510

69 instruction program;

70 6. Is accredited by a regional accrediting association as
71 defined by State Board of Education rule;

72 7. Ensures instructional and curricular quality through a
73 detailed curriculum and student performance accountability plan
74 that addresses every subject and grade level it intends to
75 provide through contract with the school district, including:

76 a. Courses and programs that meet the standards of the
77 International Association for K-12 Online Learning and the
78 Southern Regional Education Board.

79 b. Instructional content and services that align with, and
80 measure student attainment of, student proficiency in the Next
81 Generation Sunshine State Standards.

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

85 8. Publishes for the general public, in accordance with
86 disclosure requirements adopted in rule by the State Board of
87 Education, as part of its application as a provider and in all
88 contracts negotiated pursuant to this section:

89 a. Information and data about the curriculum of each full-
90 time and part-time program.

91 b. School policies and procedures.

92 c. Certification status and physical location of all
93 administrative and instructional personnel.

94 d. Hours and times of availability of instructional
95 personnel.

96 e. Student-teacher ratios.

97 f. Student completion and promotion rates.



337510

98 g. Student, educator, and school performance accountability
99 outcomes;

100 9. If the provider is a Florida College System institution,
101 employs instructors who meet the certification requirements for
102 instructional staff under chapter 1012; and

103 10. Performs an annual financial audit of its accounts and
104 records conducted by an independent certified public accountant
105 which is in accordance with rules adopted by the Auditor
106 General, is conducted in compliance with generally accepted
107 auditing standards, and includes a report on financial
108 statements presented in accordance with generally accepted
109 accounting principles.

110 (8) ASSESSMENT AND ACCOUNTABILITY.—

111 (d) An approved provider's contract is automatically must
112 ~~be~~ terminated if the provider earns two consecutive receives a
113 school grades grade of "~~D~~" or "F" under s. 1008.34 after all
114 school grade appeals are final or receives two consecutive a
115 school improvement ratings rating of "Unsatisfactory" under s.
116 1008.341 ~~for 2 years during any consecutive 4 year period~~ or has
117 violated any qualification requirement pursuant to subsection
118 (2); however, the State Board of Education may grant the
119 provider a waiver of termination. A provider that has a contract
120 terminated under this paragraph may not be an approved provider
121 for a period of at least 1 year after the date upon which the
122 contract was terminated and until the department determines that
123 the provider is in compliance with subsection (2) and has
124 corrected each cause of the provider's low performance.

125 Section 14. Subsection (13) and paragraph (b) of subsection
126 (24) of section 1007.271, Florida Statutes, are amended to read:



337510

127 1007.271 Dual enrollment programs.—

128 (13) (a) The dual enrollment program for a home education
129 student, including, but not limited to, students with
130 disabilities, consists of the enrollment of an eligible home
131 education secondary student in a postsecondary course creditable
132 toward an associate degree, a career certificate, or a
133 baccalaureate degree. To participate in the dual enrollment
134 program, an eligible home education secondary student must:

135 1. Provide proof of enrollment in a home education program
136 pursuant to s. 1002.41.

137 2. Be responsible for his or her own ~~instructional~~
138 ~~materials and~~ transportation unless provided for in the
139 articulation agreement.

140 3. Sign a home education articulation agreement pursuant to
141 paragraph (b).

142 (b) Each postsecondary institution eligible to participate
143 in the dual enrollment program pursuant to s. 1011.62(1)(i) must
144 enter into a home education articulation agreement with each
145 home education student seeking enrollment in a dual enrollment
146 course and the student's parent. By August 1 of each year, the
147 eligible postsecondary institution shall complete and submit the
148 home education articulation agreement to the Department of
149 Education. The home education articulation agreement must
150 include, at a minimum:

151 1. A delineation of courses and programs available to
152 dually enrolled home education students. Courses and programs
153 may be added, revised, or deleted at any time by the
154 postsecondary institution.

155 2. The initial and continued eligibility requirements for



337510

156 home education student participation, not to exceed those
157 required of other dually enrolled students.

158 3. The student's responsibilities for providing his or her
159 own ~~instructional materials and~~ transportation.

160 4. A copy of the statement on transfer guarantees developed
161 by the Department of Education under subsection (15).

162 (24)

163 (b) Each public postsecondary institution eligible to
164 participate in the dual enrollment program pursuant to s.
165 1011.62(1)(i) must enter into a private school articulation
166 agreement with each eligible private school in its geographic
167 service area seeking to offer dual enrollment courses to its
168 students, including, but not limited to, students with
169 disabilities. By August 1 of each year, the eligible
170 postsecondary institution shall complete and submit the private
171 school articulation agreement to the Department of Education.
172 The private school articulation agreement must include, at a
173 minimum:

174 1. A delineation of courses and programs available to the
175 private school student. The postsecondary institution may add,
176 revise, or delete courses and programs at any time.

177 2. The initial and continued eligibility requirements for
178 private school student participation, not to exceed those
179 required of other dual enrollment students.

180 3. The student's responsibilities for providing his or her
181 own instructional materials and transportation.

182 4. A provision clarifying that the private school will
183 award appropriate credit toward high school completion for the
184 postsecondary course under the dual enrollment program.



337510

185 5. A provision expressing that costs associated with
186 tuition and fees, including registration, and laboratory fees,
187 will not be passed along to the student or the private school
188 that the student attends.

189 ~~6. A provision stating whether the private school will~~
190 ~~compensate the postsecondary institution for the standard~~
191 ~~tuition rate per credit hour for each dual enrollment course~~
192 ~~taken by its students.~~

193
194 ===== T I T L E A M E N D M E N T =====

195 And the title is amended as follows:

196 Between lines 3383 and 3384

197 insert:

198 1002.37, F.S.; requiring school districts to provide
199 Florida Virtual School students access to certain
200 examinations and assessments and certain information;
201 amending s. 1002.45, F.S.; revising documentation
202 requirements for virtual education providers;
203 providing for the automatic termination of a virtual
204 instruction provider's contract under certain
205 circumstances; authorizing the State Board of
206 Education to grant a waiver of such termination;
207 amending s. 1007.271, F.S.; deleting a requirement for
208 a home education student to provide his or her own
209 instructional materials; revising the requirements for
210 home education and private school articulation
211 agreements; amending s.