

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 885](#)  
**TITLE:** Florida Virtual School  
**SPONSOR(S):** Smith

**COMPANION BILL:** [CS/SB 1122](#) (Burton)  
**LINKED BILLS:** None  
**RELATED BILLS:** None

## Committee References

[Education Administration](#)  
17 Y, 0 N, As CS

[PreK-12 Budget](#)

[Education & Employment](#)

## SUMMARY

### Effect of the Bill:

The bill amends a number of provisions in the Florida Virtual School (FLVS) statute by allowing the FLVS to serve all students in Florida without need for a priority system, clarifying existing authority regarding the receipt and use of supplemental funding, providing additional authority regarding contracting, and clarifying the role of school districts when providing support for FLVS students taking assessments.

### Fiscal or Economic Impact:

None

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

## ANALYSIS

### **EFFECT OF THE BILL:**

The bill removes language from the [Florida Virtual School](#) (FLVS) statute related to priority enrollment due to the ability of the FLVS to serve all students without the need to resort to a priority system. The bill authorizes the FLVS president and chief executive officer to call a meeting of the FLVS board of trustees (board). The bill includes direct-support organizations in the entities the FLVS is authorized to accrue supplemental funding from. The bill provides that the use of supplemental funds is subject to review and approval by the FLVS president and chief executive officer or his or her designee.

The bill clarifies which personnel are subject to the FLVS board policies governing certification, tenure, leaves of absence, sabbaticals, remuneration, and such other conditions of employment. The bill removes language expressly making administrative and instructional personnel subject to rejection from employment by the board for cause.

The bill authorizes the FLVS board to enter into contracts with educational entities and governmental agencies in addition to the existing authority to establish franchise agreements with school districts. The bill maintains the requirement that that the FLVS submit an annual report setting forth the operations and accomplishments of the FLVS but removes specified requirements related to the contents of the report.

With regard to funding, the bill includes all full-time and part-time FLVS students for purposes of full-time equivalent student calculations. With regard to assessments, the bill authorizes the FLVS to offer international assessments. The bill also requires that a school district provide a test administrator for FLVS students taking the progress monitoring and other assessments at the students' assigned school. (Section [1](#)).

The effective date of the bill is July 1, 2025. (Section [2](#)).

**STORAGE NAME:** h0885a.EAS

**DATE:** 3/28/2025

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### Florida Virtual School Background

Founded in 1997,<sup>1</sup> the FLVS was established for the development and delivery of online and distance learning education.<sup>2</sup> The mission of the FLVS is to provide all students in Florida with technology-based educational opportunities to gain knowledge and gain the necessary skills to succeed. The FLVS is required to prioritize admission of students:<sup>3</sup>

- That need expanded access to courses to meet their educational goals.
- That are seeking accelerated access to graduate at least one semester early.
- That are children of an active-duty member of the United States Armed Forces who is not stationed in this state whose home of record or state of legal residence is Florida.

To ensure students are informed of opportunities offered by the FLVS, the Commissioner of Education (Commissioner) is required to provide the FLVS board with access to records of public school students.<sup>4</sup>

In the 2024-2025 school year, 9,035 students are enrolled in the FLVS full-time in grades kindergarten through grade 12 and taught by 2,517 teachers.<sup>5</sup>

#### Florida Virtual School Governance

The FLVS board is comprised of seven members appointed by the Governor to 4-year staggered terms. Board members are public officers who bear fiduciary responsibility for the FLVS.<sup>6</sup> The board is required to meet at least four times a year, upon the call of the chair or at the request of the majority of the board.<sup>7</sup>

The board oversees the development of the FLVS' technology-based education system, ensuring its programs are cost-effective, educationally sound, marketable, and self-sustaining through the Florida Education Finance Program (FEFP).<sup>8</sup> The board is also tasked with seeking avenues to generate revenue to support its future programs and any funds that are generated from patents, copyrights, trademarks, or licenses are considered internal funds.<sup>9</sup> Additionally, the board may receive supplemental revenue from support organizations such as alumni associations, foundations, parent-teacher associations, and booster clubs. These organizations can recommend expenditures for the FLVS, subject to review by the executive director, who has the authority to reject any spending that violates Florida law or sound educational management.<sup>10</sup>

The FLVS board, like other district school boards, is responsible for administering and maintaining a personnel program for all the FLVS employees.<sup>11</sup> The employment of all the FLVS academic administrative and instructional personnel shall be subject to rejection for cause by the board, and shall be subject to policies of the board relative to certification, tenure, leaves of absence, sabbaticals, remuneration, and such other conditions of employment as the board deems necessary and proper, not inconsistent with the law.<sup>12</sup> All employees of the FLVS, except for temporary, seasonal, and student employees may be state employees eligible to participate in the Florida Retirement System and receive benefits. The classification and pay plan, including terminal leave and other

---

<sup>1</sup> Florida Virtual School, *About Us*, <https://www.flvs.net/about-us>, (last visited March 21, 2025).

<sup>2</sup> Section [1002.37\(1\)\(a\), F.S.](#)

<sup>3</sup> Section [1002.37\(1\)\(b\), F.S.](#)

<sup>4</sup> Section [1002.37\(1\)\(c\), F.S.](#)

<sup>5</sup> Florida Department of Education, *Know Your Schools Portal – Population and Enrollment, Overview*, <https://edudata.fldoe.org/ReportCards/Schools.html?school=0000&district=71>, (last visited March 21, 2025).

<sup>6</sup> Section [1002.37\(2\)\(i\), F.S.](#)

<sup>7</sup> Section [1002.37\(2\)\(a\), F.S.](#)

<sup>8</sup> Section [1002.37\(2\)\(b\), F.S.](#)

<sup>9</sup> Section [1002.37\(2\)\(c\), F.S.](#) See [s. 1011.07, F.S.](#), District School boards are responsible for the administration and control of all local school funds derived by any public school from all activities or sources and establish the principles and procedures to be followed in administering these funds consistent with regulations adopted by the State Board of Education.

<sup>10</sup> Section [1002.37\(2\)\(b\), F.S.](#)

<sup>11</sup> Section [1002.37\(2\)\(f\), F.S.](#)

<sup>12</sup> Section [1002.37\(2\)\(f\)3., F.S.](#)

benefits, and any amendments thereto, are subject to review and approval by the Department of Management Services and the Executive Office of the Governor prior to adoption.<sup>13</sup>

The FLVS board shall establish criteria defining the elements of an approved franchise. The board may enter into franchise agreements with Florida district school boards and may establish the terms and conditions governing such agreements. The board establishes the performance and accountability measures and reports the performance of each school district franchise to the Commissioner.

### **Florida Virtual School Required Annual Report**

The board is required to annually submit to the Governor, the Legislature, the Commissioner and the State Board of Education the results from their financial audit and the following:<sup>14</sup>

- The operations and accomplishments of the FLVS within the state and those occurring outside the state as FLVS Global.
- The marketing and operational plan for the FLVS and FLVS Global, including recommendations regarding methods for improving the delivery of education through the Internet and other distance learning technology.
- The assets and liabilities of the FLVS and FLVS Global at the end of the fiscal year.
- Recommendations regarding the unit cost of providing services to students through the FLVS and FLVS Global.
- Recommendations regarding an accountability mechanism to assess the effectiveness of the services provided by the FLVS and FLVS Global.

### **Assessment Requirement for Florida Virtual School Students**

Public school students receiving full-time instruction in kindergarten through grade 12 by the FLVS must take all required statewide assessments and participate in the coordinated screening and progress monitoring system.<sup>15</sup> Additionally, industry certification examinations, national assessments, and statewide assessments offered by the school district are required to be made available to all FLVS students.<sup>16</sup> If the FLVS and a school district have not agreed upon an alternative testing site, the FLVS student must take the assessments at the school to which the student would be assigned according to district school board attendance areas. A school district is required to provide the student with access to the school's testing facilities and the date and time of the administration of progress monitoring and each examination or assessment.<sup>17</sup>

### **RECENT LEGISLATION:**

<b>YEAR</b>	<b>BILL #</b>	<b>HOUSE SPONSOR(S)</b>	<b>SENATE SPONSOR</b>	<b>OTHER INFORMATION</b>
2023	<a href="#">HB 5101</a>	Tomkow	Broxson	Became law on July 1, 2023.
2021	<a href="#">HB 5101</a>	Fine	Stargel	Became law on July 1, 2021.

<sup>13</sup> Section [1002.37\(2\)\(f\)5., F.S.](#)

<sup>14</sup> Section [1002.37\(7\), F.S.](#)

<sup>15</sup> Section [1002.37\(10\)\(a\), F.S.](#)

<sup>16</sup> Section [1002.37\(10\)\(b\), F.S.](#)

<sup>17</sup> Section [1002.37\(10\)\(d\), F.S.](#)

## BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Education Administration Subcommittee</a>	17 Y, 0 N, As CS	3/27/2025	Sleap	Wolff
THE CHANGES ADOPTED BY THE COMMITTEE: <ul style="list-style-type: none"> <li>• Restored current law by removing inclusion of the Safe Schools Allocation in the calculation of funds for the FLVS.</li> </ul>				
<a href="#">PreK-12 Budget Subcommittee</a>				
<a href="#">Education &amp; Employment Committee</a>				

.....  
**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
 .....