

1 A bill to be entitled
2 An act relating to the Florida Virtual School;
3 amending s. 1002.37, F.S.; revising the mission of the
4 Florida Virtual School; revising the students the
5 school may serve; removing requirements for the school
6 to give priority to certain students; authorizing the
7 school's president and chief executive officer to
8 request a meeting of the board of trustees;
9 authorizing the school to use additional funding
10 sources for its education delivery system; authorizing
11 the use of certain funds to support the school's
12 mission; revising the duties and authority of the
13 school's board of trustees; removing the authority of
14 the school's board of trustees to adopt rules and
15 procedures; authorizing the school to accrue
16 supplemental revenue from direct-support
17 organizations; requiring the school's president and
18 chief executive officer or his or her authorized
19 designee to review and approve certain expenditures;
20 removing provisions relating to the school's executive
21 director; providing that certain provisions apply to
22 all administrative personnel, rather than to academic
23 administrative personnel; defining the terms
24 "administrative personnel" and "instructional
25 personnel"; providing that certain employees are

26 considered state employees for specified purposes;
27 authorizing the school to enter into contracts and
28 franchise agreements with other educational
29 institutions and governmental agencies; revising
30 specified reporting requirements; requiring certain
31 international assessments be available to Florida
32 Virtual School students; requiring school districts to
33 provide Florida Virtual School students with access to
34 test administrators; providing an effective date.

35
36 Be It Enacted by the Legislature of the State of Florida:

37
38 **Section 1. Subsections (1), (2), (4), (7), (9), and (10)**
39 **of section 1002.37, Florida Statutes, are amended to read:**

40 1002.37 The Florida Virtual School.—

41 (1)(a) The Florida Virtual School is established for the
42 development and delivery of online and distance learning
43 education. The Commissioner of Education shall monitor the
44 school's performance and report its performance to the State
45 Board of Education and the Legislature.

46 (b) The mission of the Florida Virtual School is to
47 provide students with technology-based educational opportunities
48 to gain the knowledge and skills necessary to succeed. The
49 school shall serve all students ~~any student in the state~~ who
50 meet ~~meets~~ the profile for success in this educational delivery

51 context_ and shall give priority to:

52 1. ~~Students who need expanded access to courses in order~~
53 ~~to meet their educational goals, such as home education students~~
54 ~~and students in inner-city and rural high schools who do not~~
55 ~~have access to higher-level courses.~~

56 2. ~~Students seeking accelerated access in order to obtain~~
57 ~~a high school diploma at least one semester early.~~

58 3. ~~Students who are children of an active duty member of~~
59 ~~the United States Armed Forces who is not stationed in this~~
60 ~~state whose home of record or state of legal residence is~~
61 ~~Florida.~~

62 (c) To ensure parents and students are informed of the
63 opportunities offered by the Florida Virtual School, the
64 commissioner shall provide the board of trustees of the Florida
65 Virtual School access to the records of public school students
66 in a format prescribed by the board of trustees.

67
68 The board of trustees of the Florida Virtual School shall
69 identify appropriate performance measures and standards based on
70 student achievement that reflect the school's statutory mission
71 and priorities, and shall implement an accountability system for
72 the school that includes assessment of its effectiveness and
73 efficiency in providing quality services that encourage high
74 student achievement, seamless articulation, and maximum access.

75 (2) The Florida Virtual School shall be governed by a

76 board of trustees comprised of seven members appointed by the
77 Governor to 4-year staggered terms. The board of trustees shall
78 be a public agency entitled to sovereign immunity pursuant to s.
79 768.28, and board members shall be public officers who shall
80 bear fiduciary responsibility for the Florida Virtual School.
81 The board of trustees shall have the following powers and
82 duties:

83 (a)1. The board of trustees shall meet at least 4 times
84 each year, upon the call of the board chair, ~~or~~ at the request
85 of a majority of the board membership, or at the request of the
86 Florida Virtual School president and chief executive officer.

87 2. The fiscal year for the Florida Virtual School shall be
88 the state fiscal year as provided in s. 216.011(1)(q).

89 (b) The board of trustees shall be responsible for the
90 Florida Virtual School's development of a state-of-the-art
91 technology-based education delivery system that is cost-
92 effective, educationally sound, marketable, and capable of
93 sustaining a self-sufficient delivery system through the Florida
94 Education Finance Program and other supplemental funding
95 sources.

96 (c) The board of trustees shall aggressively seek avenues
97 to generate revenue to support its future endeavors, and shall
98 enter into agreements with distance learning providers. The
99 board of trustees may acquire, enjoy, use, and dispose of
100 patents, copyrights, and trademarks and any licenses and other

101 rights or interests thereunder or therein. Ownership of all such
102 patents, copyrights, trademarks, licenses, and rights or
103 interests thereunder or therein shall vest in the state, with
104 the board of trustees having full right of use and full right to
105 retain the revenues derived therefrom. Any funds realized from
106 patents, copyrights, trademarks, or licenses shall be considered
107 internal funds ~~as provided in s. 1011.07~~. Such funds shall be
108 used to support the school's mission and its marketing, ~~and~~
109 research, and development activities in order to improve
110 courseware and services to its students.

111 (d) The board of trustees shall be responsible for the
112 administration and control of all local school funds derived
113 from all activities or sources and shall prescribe the
114 principles and policies ~~procedures~~ to be followed in
115 administering these funds.

116 (e) The Florida Virtual School may accrue supplemental
117 revenue from direct-support organizations and supplemental
118 support organizations, which include, but are not limited to,
119 alumni associations, foundations, parent-teacher associations,
120 and booster associations. The governing body of each direct-
121 support organization and supplemental support organization shall
122 recommend the expenditure of moneys collected by the
123 organization for the benefit of the school. Such expenditures
124 shall be contingent upon the review and approval of the Florida
125 Virtual School president and chief executive officer or an

126 authorized designee director. ~~The executive director may~~
127 ~~override any proposed expenditure of the organization that would~~
128 ~~violate Florida law or breach sound educational management.~~

129 (f) In accordance with law and rules of the State Board of
130 Education, the board of trustees shall administer and maintain
131 personnel programs for all employees of the board of trustees
132 and the Florida Virtual School. The board of trustees may adopt
133 ~~rules, policies, and procedures~~ related to the appointment,
134 employment, and removal of personnel.

135 1. The board of trustees shall determine the compensation,
136 including salaries and fringe benefits, and other conditions of
137 employment for such personnel.

138 2. The board of trustees may establish and maintain a
139 personnel loan or exchange program by which persons employed by
140 the board of trustees for the Florida Virtual School as ~~academic~~
141 administrative and instructional staff may be loaned to, or
142 exchanged with persons employed in like capacities by, public
143 agencies either within or without this state, or by private
144 industry. With respect to public agency employees, the program
145 authorized by this subparagraph shall be consistent with the
146 requirements of part II of chapter 112. The salary and benefits
147 of board of trustees personnel participating in the loan or
148 exchange program shall be continued during the period of time
149 they participate in a loan or exchange program, and such
150 personnel shall be deemed to have no break in creditable or

151 continuous service or employment during such time. The salary
152 and benefits of persons participating in the personnel loan or
153 exchange program who are employed by public agencies or private
154 industry shall be paid by the originating employers of those
155 participants, and such personnel shall be deemed to have no
156 break in creditable or continuous service or employment during
157 such time.

158 3. The employment of all Florida Virtual School ~~academic~~
159 administrative personnel as defined in s. 1012.01(3) and
160 instructional personnel as defined in s. 1012.01(2) ~~shall be~~
161 ~~subject to rejection for cause by the board of trustees, and~~
162 shall be subject to policies of the board of trustees relative
163 to certification, tenure, leaves of absence, sabbaticals,
164 remuneration, and such other conditions of employment as the
165 board of trustees deems necessary and proper, not inconsistent
166 with law.

167 4. Each person employed by the board of trustees in an
168 ~~academic~~ administrative or instructional capacity with the
169 Florida Virtual School shall be entitled to a contract as
170 provided by policies ~~rules~~ of the board of trustees.

171 5. All employees except temporary, seasonal, and student
172 employees shall ~~may~~ be state employees for the purpose of being
173 eligible to participate in the Florida Retirement System and
174 receive benefits. The classification and pay plan, including
175 terminal leave and other benefits, and any amendments thereto,

176 shall be subject to review and approval by the Department of
177 Management Services and the Executive Office of the Governor
178 before ~~prior to~~ adoption.

179 ~~(g) The board of trustees shall establish priorities for~~
180 ~~admission of students in accordance with paragraph (1)(b).~~

181 (g)(h) The board of trustees shall establish and
182 distribute to all school districts and high schools in the state
183 procedures for enrollment of students in courses offered by the
184 Florida Virtual School.

185 (h)(i) The board of trustees shall establish criteria
186 defining the elements of an approved franchise. The board of
187 trustees may enter into contracts and franchise agreements with
188 Florida district school boards and other educational
189 institutions and governmental agencies and may establish the
190 terms and conditions governing such contracts and agreements.

191 ~~The board of trustees shall establish the performance and~~
192 ~~accountability measures and report the performance of each~~
193 ~~school district franchise to the Commissioner of Education.~~

194 (i)(j) The board of trustees shall submit to the State
195 Board of Education both forecasted and actual enrollments and
196 credit completions for the Florida Virtual School, according to
197 procedures established by the State Board of Education. At a
198 minimum, such procedures must include the number of public,
199 private, and home education students served by program and by
200 county of residence.

201 (j)~~(k)~~ The board of trustees shall provide for the content
202 and custody of student and employee personnel records. Student
203 records shall be subject to ~~the provisions of~~ s. 1002.22.

204 Employee records shall be subject to ~~the provisions of~~ s.
205 1012.31.

206 (k)~~(l)~~ The financial records and accounts of the Florida
207 Virtual School shall be maintained under the direction of the
208 board of trustees and under rules adopted by the State Board of
209 Education for the uniform system of financial records and
210 accounts for the schools of the state.

211
212 The Governor shall designate the initial chair of the board of
213 trustees to serve a term of 4 years. Members of the board of
214 trustees shall serve without compensation, but may be reimbursed
215 for per diem and travel expenses pursuant to s. 112.061. The
216 board of trustees shall be a body corporate with all the powers
217 of a body corporate and such authority as is needed for the
218 proper operation and improvement of the Florida Virtual School.
219 The board of trustees is specifically authorized to adopt ~~rules,~~
220 ~~policies, and procedures,~~ consistent with law and rules of the
221 State Board of Education related to governance, personnel,
222 budget and finance, administration, programs, curriculum and
223 instruction, travel and purchasing, technology, students,
224 contracts and grants, and property as necessary for optimal,
225 efficient operation of the Florida Virtual School. Tangible

personal property owned by the board of trustees shall be subject to ~~the provisions of~~ chapter 273.

(4) School districts operating a virtual school that is an approved franchise of the Florida Virtual School may count full-time equivalent students, as provided in paragraph (3)(a), if such school has been certified as an approved franchise by the Commissioner of Education based on criteria established by the board of trustees pursuant to paragraph (2)(h) ~~(2)(i)~~.

(7) The board of trustees shall annually submit to the Governor, the Legislature, the Commissioner of Education, and the State Board of Education the audit report prepared pursuant to subsection (6) and a complete and detailed report setting forth:

~~(a) the operations and accomplishments of the Florida Virtual School within the state and those occurring outside the state as Florida Virtual School Global.~~

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

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

~~(d) Recommendations regarding the unit cost of providing~~

251 ~~services to students through the Florida Virtual School and~~
252 ~~Florida Virtual School Global. In order to most effectively~~
253 ~~develop public policy regarding any future funding of the~~
254 ~~Florida Virtual School, it is imperative that the cost of the~~
255 ~~program is accurately identified. The identified cost of the~~
256 ~~program must be based on reliable data.~~

257 ~~(c) Recommendations regarding an accountability mechanism~~
258 ~~to assess the effectiveness of the services provided by the~~
259 ~~Florida Virtual School and Florida Virtual School Global.~~

260 (9)(a) The Florida Virtual School may provide full-time
261 and part-time instruction for students in kindergarten through
262 grade 12.

263 (b) For students receiving part-time or full-time
264 instruction in kindergarten through grade 12 ~~5 and students~~
265 ~~receiving full-time instruction in kindergarten through grade 12~~
266 from the Florida Virtual School, the full-time equivalent
267 student enrollment calculated under this subsection is subject
268 to the requirements in s. 1011.61(4).

269 (10)(a) Public school students receiving full-time
270 instruction in kindergarten through grade 12 by the Florida
271 Virtual School must take all statewide assessments required
272 pursuant to s. 1008.22 and participate in the coordinated
273 screening and progress monitoring system under s. 1008.25(9).

274 (b) Public school students receiving part-time instruction
275 by the Florida Virtual School in courses requiring statewide

276 end-of-course assessments must take all statewide end-of-course
277 assessments required pursuant to s. 1008.22.

278 (c) Industry certification examinations, national
279 assessments, ~~and~~ statewide assessments, and international
280 assessments offered by the school district shall be available to
281 all Florida Virtual School students.

282 (d) Unless an alternative testing site is mutually agreed
283 to by the Florida Virtual School and the school district or as
284 contracted under s. 1008.24, all industry certification
285 examinations, national assessments, progress monitoring under s.
286 1008.25(9), ~~and~~ statewide assessments, and international
287 assessments must be taken at the school to which the student
288 would be assigned according to district school board attendance
289 areas. A school district must provide the student with access to
290 the school's testing facilities, a test administrator, and the
291 date and time of the administration of progress monitoring and
292 each examination or assessment.

293 **Section 2.** This act shall take effect July 1, 2025.