

Florida Department of Education

Bill Number: House Bill 7067

Bill Title: Virtual Instruction Programs

Bill Sponsor: Schools and Learning Council: Representative Pickens

Effective Date: July 1, 2008

DOE Contact: Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice, (850) 245-0502

Executive Summary:

The bill amends s. 1000.04, F.S., Components for the delivery of public education within the Florida K-20 education system, to create school district virtual instruction programs, and designate them as K12 public schools of choice.

The bill amends s. 1002.20, F.S., K-12 student and parent rights, to:

- Include school district virtual instructional programs.

The bill amends s. 1002.31, F.S., Public school Parental Choice to:

- Include virtual instructional programs.

The bill creates s. 1002.45, F.S., School district virtual instruction programs, to state:

- School districts are required to offer virtual instruction programs beginning in the 2009-10 and may offer them in 2008-09. The purpose of the program is to make online and distance learning instruction available to full-time virtual students in grades kindergarten through grade 8 (K-8) or to full- or part-time students in grades 9-12.
- Each district's virtual instruction program can be operated by the school district or by contracted providers approved by the Department of Education (DOE). Districts may administer the program individually or through a regional consortium or multi-district contract. A charter school may enter into a joint agreement with the school district for their students to participate in the approved district program.
- On or before March 1, 2009 and annually thereafter, the Department shall provide school districts with a list of providers approved to offer virtual instruction.
- Providers must be approved by the DOE and annually meet the following qualifications:
 - Be nonsectarian in its programs, admissions policies, employment practices and operations
 - Comply with antidiscrimination provisions
 - Locate administrative offices in Florida, require administrators to be Florida residents and teachers to be Florida-certified
 - Have successful experience in offering online programs
 - Use instructional model that relies on certified teachers, not parents, for most of the

- instruction
 - Be regionally accredited
 - Meet all the requirements of this law
- Approved providers are to include Florida Virtual School (FLVS) and providers of the state-level K-8 Virtual School Program.
- School district virtual instructional programs must meet the following requirements:
 - Require all instructional staff to be certified professional educators
 - Conduct background screening of all employees
 - Align virtual course curriculum and course content to the Sunshine State Standards
 - Offer instruction designed for each student to gain proficiency in each course
 - Provide students with all necessary instructional materials
 - Provide, when appropriate, each household having a full-time student enrolled in the program with:
 1. All equipment necessary for participations in the program, including but not limited to, a computer, a computer monitor, a printer; and
 2. Access to reimbursement for all Internet services necessary for online delivery of instruction.
 - Not require tuition or student registration fees
 - Participate in the statewide assessment program, in the state's education performance accountability system, and receive a school grade for programs with full time student, however, the performance of part-time student shall be included in the school grade of the non-virtual school providing the student's primary instruction.
- Beginning with the 2010-2011 school year a school district (except courses offered by the Florida Virtual School) may not increase the enrollment for its full-time virtual instruction program in excess of its prior school year enrollment unless the program for the previous year received a grade of "C", making satisfactory progress, or better under the school grading system.
- To participate in a district's virtual instruction program a student must reside in the district and have attended a Florida public school, a district virtual instruction program, or one of the state-level K-8 virtual schools the prior year. However, a military dependent who recently moved to Florida from another state or country may participate in this program. Each student must comply with compulsory attendance requirements and take state assessment tests.
- School district virtual programs will be funded through the Florida Education Finance Program (FEFP) and districts shall report full-time equivalent (FTE) students in a manner prescribed by the DOE.
- Full-time or part-time virtual instruction program courses for students in grades 9 through 12 are limited to DJJ programs, dropout prevention program and career and vocational programs.
- A school district virtual program that receives a D or an F must file a school improvement plan with the DOE and develop a plan for correction and improvement. The school district must terminate a program that earns a grade of D or F for two of four consecutive years and must contract with a provider selected and approved by the DOE until the school district receives approval from the DOE to operate a new virtual instruction program.
- A provider of digital or online curriculum used to supplement instruction of students not enrolled in this program does not have to meet the requirements of this law.
- School district marketing of this program must include information about opportunities offered by Florida Virtual School and the parent's and student's right to access Florida Virtual School courses.
- The State Board of Education is provided rulemaking authority.

Florida Department of Education

The bill amends s. 1003.01, F.S., Definitions to include:

- The definition of “core courses” in law does not apply to courses offered by Florida Virtual School, the state-level K-8 Virtual School Program, or school district virtual instruction programs.
- A full-time equivalent student for students in grades K-8 in a school district virtual instruction program shall consist of a student who has successfully completed a basic program listed in s. 1011.62 (1) (c) 1.a. or b., and who is promoted to a higher grade level.

The bill amends s. 1011.61, F.S., Definitions to indicate:

- A K-8 FTE student in a district virtual instruction program is one who successfully completed a basic program who is promoted to the next higher grade.
- A full-time equivalent student in grades 9-12 in a school district virtual instruction program shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1 and 4. Credit completions can be a combination of either full credits or half credits.

General Implementation Timeline:

July 1, 2008	The act will become effective.
June – November, 2008	State Board Rulemaking Process
June – September, 2008	DOE to develop FEFP reporting requirements for school districts
June – December, 2008	DOE to develop approval process for potential providers
March 1, 2009	Department shall provide school districts with a list of providers approved to offer virtual instruction; and annually thereafter.
School Year 2008-09	School districts may offer virtual instruction program
School Year 2009-10	School districts are required to offer virtual instruction program
School Year 2010-11 and after	School districts may not increase enrollment for virtual programs making less than a C.