

STATE BOARD OF EDUCATION

Consent Item

July 18, 2018

SUBJECT: Amendment to Rule 6A-6.0981, Provider Approval and Renewal for Virtual Instruction Program

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1002.45(11), Florida Statutes

EXECUTIVE SUMMARY

Section 1002.45, Florida Statutes, sets forth the requirements to be designated as an approved virtual instruction program provider. The department is responsible for accepting and reviewing applications. This rule outlines the process by which organizations become approved virtual instruction program providers. The purpose of this rulemaking is to update the Virtual Instruction Program Application for Provider Approval (VSP-02), and Virtual Instruction Program Application for Provider Renewal (VSP-02R) for clarity and efficiency, including:

- Deleting redundant questions
- Rephrasing questions for clarity

Supporting Documentation Included: Proposed Rule 6A-6.0981, F.A.C. Form VSP-02, Virtual Instruction Program Application for Provider Approval; and Form VSP-02R, Virtual Instruction Program Application for Provider Renewal (under separate cover)

Facilitator/Presenter: Adam Miller, Executive Director, Office of Independent Education and Parental Choice

6A-6.0981 Provider Approval and Renewal for Virtual Instruction Program.

(1) Purpose. Section 1002.45, F.S., requires each school district to provide ~~eligible students within its boundaries~~ the option to participate in a virtual instruction program. The Department of Education will provide school districts and virtual charter schools annually with a list of providers approved to offer full and part-time virtual instruction programs under this section of law.

(2)(a) Application Form. Form VSP-02, Virtual Instruction Program Application for Provider Approval (<https://www.flrules.org/Gateway/reference.asp?No=Ref-07474>), for becoming an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for approved status from the Department of Education. Form VSP-02 is hereby incorporated by reference and made a part of this rule to become effective ~~August 2018~~ October 2016.

(b) Application Form. Form VSP-02R, Virtual Instruction Program Application for Provider Renewal (<http://www.flrules.org/Gateway/reference.asp?No=Ref-07472>), for renewing an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for renewal status from the Department of Education. Form VSP-02R is hereby incorporated by reference and made a part of this rule to become effective ~~August 2018~~ October 2016. Copies of forms VSP-02 and VSP-02R may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) Applications. The applications to become an approved provider or for renewal will be available at <http://www.fldoe.org/schools/school-choice/virtual-edu/approved-provider-resources/program-providers.stml> beginning September 1 of each year for the following school year and must be accessed and submitted electronically. The deadline for filing the application is September 30.

(a) No change.

1. Initial Approval. For applicants seeking initial approval, prior successful experience shall be demonstrated as follows: Learning gains shall show the degree of student learning growth occurring from one school year to the next as required by state board rule for purpose of calculating school grades, in accordance with Section 1008.34, F.S. ~~be sufficient if they demonstrate a level of gains comparable to the level of gains that would be anticipated in a Florida public school earning a school grade of "C" or better, in accordance with Section 1008.34, F.S., or demonstrate that the applicant will likely meet the learning gains component necessary to maintain a school grade of "C" or better~~

~~pursuant to Section 1002.45(8), F.S.~~ Upon an applicant's request the Department of Education shall conditionally approve a provider who is otherwise qualified but without sufficient prior, successful experience offering online courses, to offer courses measured by statewide assessments under Section 1008.22, F.S., with a learning gains component, end-of-course assessments, or Advanced Placement (AP) examinations. Conditional approval shall be valid for one (1) school year only and, based on the provider's subsequent experience in offering the courses under this paragraph, the Department shall determine whether to grant final approval to offer a virtual instruction program under the criteria for successful experience as outlined in this paragraph.

2. No change.

(b) In accordance with Section 1002.45(2)(a)6., F.S., the applicant must be accredited by at least one of the following K-12 regional accrediting agencies, their successors or assigns: AdvancED, Middle States Association of Colleges and Schools Commission on Elementary Schools and ~~Commission on~~ Secondary Schools, New England Association of Schools and Colleges, Northwest Accreditation Commission, or Western Association of Schools and Colleges.

(c) Pursuant to Section 1002.45(2)(a)7., F.S., ~~the applicant must ensure instructional and curricular quality through a detailed curriculum and student performance accountability plan that addresses every subject and grade level it intends to provide.~~ The curriculum plan must include evidence:

1. through 3. No change.

(d) The applicant will disclose on a prominent place on its website the disclosure information required under Section 1002.45(2)(a)8., F.S. Average student-teacher ratios are to be calculated ~~for full-time and part-time teachers and~~ for core and elective courses for the following grade-level bands: grades K-3, grades 4-8, and grades 9-12. The total number of students assigned to full-time teachers must be provided. Student completion rate calculations are to include all students who are enrolled for more than fourteen (14) calendar days. Student performance accountability outcomes are to include student assessment results for all students and by the following subgroups: major racial and ethnic groups, economically disadvantaged students, students with disabilities and students with limited English proficiency. "Major racial and ethnic groups" shall include those groups reported for accountability purposes under the Every Student Succeeds Act (ESSA) ~~Elementary and Secondary Education Act (ESEA)~~ in any state or, if no such prior reporting is available, shall include, at a minimum: American Indian, Asian, Black/African American, Hispanic, and White.

(4) through (6) No change.

Rulemaking Authority 1001.02(1), (2)(n), 1002.45(11) FS. Law Implemented 1002.45 FS. History—New 11-26-08, Amended 10-21-09, 3-20-11, 12-20-11, 1-23-13, 1-1-14, 7-28-15, 10-30-16.

