

1 A bill to be entitled
 2 An act relating to the K-8 Virtual School Program;
 3 amending s. 1002.415, F.S.; providing a mission for the K-
 4 8 Virtual School Program; revising eligibility
 5 requirements for school participation and student
 6 enrollment; providing for enrollment in a K-8 virtual
 7 school of eligible students who submit timely applications
 8 unless the number of applications exceeds the capacity of
 9 a program; removing provisions relating to pilot K-8
 10 virtual schools; revising funding for the K-8 Virtual
 11 School Program to include a definition of "full-time
 12 equivalent student"; providing reporting requirements;
 13 establishing the district cost differential; providing for
 14 funding from the General Appropriations Act and
 15 authorizing schools to receive other funds; prohibiting a
 16 school from increasing enrollment until it achieves a
 17 specified performance grade category; providing an
 18 effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

21
 22 Section 1. Section 1002.415, Florida Statutes, is amended
 23 to read:

24 1002.415 K-8 Virtual School Program.--

25 (1) PROGRAM; MISSION.--

26 (a) Subject to annual legislative appropriation, a
 27 kindergarten through grade 8 virtual school program is
 28 established within the Department of Education for the purpose
 29 of making academic instruction available to full-time students

30 | in kindergarten through grade 8 using on-line and distance
 31 | learning technology. The department shall use an application
 32 | process to select schools to deliver program instruction.

33 | (b) The mission of the K-8 Virtual School Program is to
 34 | provide students with technology-based educational opportunities
 35 | to gain the knowledge and skills necessary to succeed. The
 36 | school shall serve any student in the state who meets the
 37 | profile for success in this educational delivery context and
 38 | shall give priority to:

39 | 1. Students who need access to K-8 courses in order to
 40 | meet their educational needs and goals in a home environment.

41 | 2. Students seeking accelerated access to move at their
 42 | own pace in their educational progress.

43 | (2)-(1) SCHOOL ELIGIBILITY.--

44 | (a) To be eligible to participate in the K-8 Virtual
 45 | School Program a school must:

46 | 1. Be nonsectarian in its programs, admission policies,
 47 | employment practices, and operations;

48 | 2. Comply with the antidiscrimination provisions of s.
 49 | 1000.05;

50 | 3. Participate in the state's school accountability system
 51 | created in s. 1008.31;

52 | 4. Locate its administrative office in this state and
 53 | require its administrative and instructional staff members to be
 54 | state residents; and

55 | 5. Require no tuition or student registration fee.

56 | (b) Schools applying to participate in the K-8 Virtual
 57 | School Program shall ~~may be for-profit or~~ nonprofit entities.

58 | (3)-(2) APPLICATION.--

59 (a) The Department of Education shall provide an
60 application form to be completed by each school seeking to
61 participate in the K-8 Virtual School Program. Initial
62 application forms must be made available in sufficient time to
63 enable schools to apply and be approved to participate in the K-
64 8 Virtual School Program by the beginning of the 2007-2008
65 school year. In addition to information that may be required by
66 the department, applicants must provide verification that:

67 1. The applicant meets the eligibility criteria required
68 by this section;

69 2. All members of the school's instructional staff are
70 certified professional educators under the provisions of chapter
71 1012; and

72 3. All school employees have undergone background
73 screening as required by s. 1012.32.

74 (b) In addition to a completed application form, each
75 applicant must provide the department with:

76 1. A detailed plan describing how the school curriculum
77 and course content will conform to the Sunshine State Standards;
78 and

79 2. An annual financial plan for each year of operation of
80 the school for a minimum of 3 years. The plan must contain
81 anticipated fund balances based on revenue projections, a
82 spending plan based on projected revenues and expenses, and a
83 description of controls that will safeguard finances and
84 projected enrollment trends.

85 (c) The department must approve or deny a school's
86 participation in the K-8 Virtual School Program within 90 days
87 after receipt of an application.

88 ~~(4)(3)~~ PARTICIPATING SCHOOLS.--

89 (a) A school approved by the department to participate in
 90 the K-8 Virtual School Program shall receive an initial 3-year
 91 contract with the department to provide program services,
 92 subject to annual department review and legislative
 93 appropriation. Contract renewals may be for up to 5 years upon
 94 agreement of both parties, contingent upon annual funding in the
 95 General Appropriations Act.

96 (b) A school approved to participate in the program is
 97 deemed to be an independent virtual school providing, on behalf
 98 of the state, a program of instruction that is full time, of 180
 99 days' duration, and an on-line program of instruction to
 100 students in kindergarten through grade 8.

101 (c) A school approved to participate in the program must
 102 provide each student enrolled in the virtual school with:

- 103 1. All necessary instructional materials;
- 104 2. All equipment, including, but not limited to, a
 105 computer, computer monitor, and printer for each household that
 106 has a student enrolled in the virtual school; and
- 107 3. Access to or reimbursement for all Internet services
 108 necessary for on-line delivery of instruction for each household
 109 that has a student enrolled in the virtual school.

110 (d) Except as provided in paragraph (7) (b), a K-8 virtual
 111 school shall enroll an eligible student who meets the profile
 112 for success in this educational delivery context and who submits
 113 a timely application, prioritized in accordance with paragraph
 114 (1) (b), unless the number of such applications exceeds the
 115 capacity of a program. In such case, students who have submitted
 116 such applications shall have an equal chance of being admitted

117 through a random selection process.

118 ~~(4) PILOT SCHOOLS.--~~

119 ~~(a) The two pilot K-8 virtual schools provided for in the~~
 120 ~~2005 General Appropriations Act may continue operation for the~~
 121 ~~entire 2006-2007 school year.~~

122 ~~(b) With the exception of the application and contracting~~
 123 ~~requirements, the pilot schools are subject to the provisions of~~
 124 ~~this section for the 2006-2007 school year.~~

125 ~~(c) Each pilot school must complete the application~~
 126 ~~requirements of this section and be approved by the department~~
 127 ~~in order to participate in the K-8 Virtual School Program beyond~~
 128 ~~the 2006-2007 school year.~~

129 (5) STUDENT ELIGIBILITY.--

130 (a) Enrollment in a each participating K-8 virtual school
 131 is open to any K-8 student in this state who meets the profile
 132 for success in this educational delivery context in accordance
 133 with paragraph (1)(b) if the student meets at least one of the
 134 following conditions:

135 1. Spent the prior school year in attendance at a public
 136 school in this state and was enrolled and reported by a public
 137 school district for funding during the preceding October and
 138 February for purposes of the Florida Education Finance Program
 139 surveys;

140 2. Was enrolled during the prior school year in a K-8
 141 virtual school funded pursuant to this section ~~or from funds~~
 142 ~~provided in the 2005 General Appropriations Act;~~

143 3. Is eligible to enroll in kindergarten or the first
 144 grade; or

145 4. Has a sibling who is currently enrolled in a

146 participating K-8 virtual school and was enrolled at the end of
147 the prior school year.

148 (b) Students enrolled in a K-8 virtual school are subject
149 to the compulsory attendance requirements of s. 1003.21. Student
150 attendance must be verified according to procedures of the
151 Department of Education.

152 (c) Each student enrolled in a K-8 virtual school must
153 take state assessment tests within the student's school district
154 of residence, which must provide that student with access to the
155 district's testing facilities.

156 (6) FUNDING.--

157 (a) A "full-time equivalent student" for the K-8 Virtual
158 School Program shall be as defined in s. 1011.61(1)(c) and
159 reported under s. 1011.62(1)(c)1.a. and b. ~~State funding for~~
160 ~~each school participating in the K-8 Virtual School Program~~
161 ~~shall be based on a total program enrollment and amount per~~
162 ~~full time equivalent student established annually in the General~~
163 ~~Appropriations Act.~~

164 (b) Full-time equivalent students for the K-8 Virtual
165 School Program shall be reported only by the K-8 virtual school
166 to the Department of Education in the manner prescribed by the
167 department and shall be funded through the Florida Education
168 Finance Program. School districts shall report full-time
169 equivalent student membership only for courses for which the
170 district provides the instruction. ~~Upon proper documentation of~~
171 ~~student enrollment, which must be reviewed and approved by the~~
172 ~~department, payments shall be made to participating schools in~~
173 ~~four equal payments no later than September 1, November 1,~~
174 ~~February 1, and April 15 of each academic year. The initial~~

175 ~~payment shall be made after the department verifies each~~
 176 ~~student's admission to the school, and subsequent payments shall~~
 177 ~~be made upon verification of the continued enrollment and~~
 178 ~~attendance of the student.~~

179 (c) The district cost differential as provided in s.
 180 1011.62(2) shall be established as 1.000.

181 (d) A K-8 virtual school that participates in the K-8
 182 Virtual School Program shall receive state funds as may be
 183 provided in the General Appropriations Act.

184 (e) In addition to the funds provided in the General
 185 Appropriations Act, a K-8 virtual school may receive other funds
 186 from grants and donations.

187 (7) ASSESSMENT AND ACCOUNTABILITY.--

188 (a) Each K-8 virtual school must participate in the
 189 statewide assessment program created under s. 1008.22 and shall
 190 be subject to the school grading system created by s. 1008.34.

191 (b) A K-8 virtual school that has a performance grade
 192 category of "D" or "F" must file a school improvement plan with
 193 the department for consultation to determine the causes for low
 194 performance and to develop a plan for correction and
 195 improvement. Such a school may not increase its enrollment until
 196 it achieves a performance grade category of "C" or better.

197 (c) The department shall terminate the contract of any K-8
 198 virtual school that receives a performance grade category of "D"
 199 or "F" for 2 years during any consecutive 4-year period.

200 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF A CONTRACT.--

201 (a) At the end of a contract with a K-8 virtual school,
 202 the department may choose not to renew the contract for any of
 203 the following grounds:

204 1. Failure to participate in the state's education
 205 accountability system created in s. 1008.31, as required in this
 206 section;

207 2. Failure to receive a school performance grade of "C" or
 208 better under the school grading system created by s. 1008.34 for
 209 any 2 years in a consecutive 4-year period;

210 3. Failure to meet generally accepted standards of fiscal
 211 management;

212 4. Violation of law;

213 5. Failure of the Legislature to fund the program; or

214 6. Other good cause shown.

215 (b) During the term of the contract, the department may
 216 terminate the contract for any of the grounds listed in
 217 paragraph (a).

218 (c) If a contract is not renewed or is terminated, the K-8
 219 virtual school is responsible for all debts of the school.

220 (d) If a contract is not renewed or is terminated, a
 221 student who attended the school must be allowed to be enrolled
 222 in a public school in the county in which the student is a
 223 resident.

224 (9) RULES.--The State Board of Education shall adopt rules
 225 under ss. 120.536(1) and 120.54 to administer this section.

226 Section 2. This act shall take effect July 1, 2007.