

# FLORIDA DEPARTMENT OF EDUCATION



## STATE BOARD OF EDUCATION

---

GARY CHARTRAND, *Chair*

JOHN R. PADGET, *Vice Chair*

*Members*

ADA G. ARMAS, M.D.

SALLY BRADSHAW

JOHN A. COLÓN

BARBARA S. FEINGOLD

KATHLEEN SHANAHAN

Dr. Tony Bennett  
Commissioner of Education



## MEMORANDUM

**TO:** School District Superintendents

**FROM:** Pam Stewart

**DATE:** June 27, 2013

**SUBJECT:** Florida Virtual School 2013 Legislation

Florida Virtual School (FLVS) provides online options for students, parents, school districts and schools. Through FLVS, parents and students have expanded access to courses and school districts are able to provide additional course and acceleration opportunities for their students. In addition, the Florida School Code establishes FLVS as an educational choice and acceleration option for parents and students.

Pursuant to Section 1002.37(3)(c), Florida Statutes, school districts may not limit student access to courses offered through the FLVS. Since the Florida Legislature passed legislation in 2013 that impacts the funding school districts and FLVS will receive, it is important that you remember the statutory requirements. The recent legislation does not alter the school choice requirements related to access to FLVS courses. For example districts may not:

- Expressly limit a student from enrolling in FLVS courses at any time, or require students to withdraw or drop FLVS courses;
- Require students to enroll in district courses in the same subjects as FLVS courses (even in the case of graduation requirements in the final year or semester);

PAM STEWART  
CHANCELLOR OF PUBLIC SCHOOLS

- Require public school students to pay for FLVS courses;
- Require students to take FLVS courses in addition to a full-time schedule at the school;
- Restrict students from taking FLVS courses for core subjects (allowing students to take FLVS courses only for electives); or
- Limit the number of FLVS courses in which a student may enroll.

Please note, however, that students enrolled in the district are subject to district policies relating to student progression. While a district may not artificially limit a student's enrollment in FLVS courses if the student would be academically eligible to enroll in the same courses in a brick-and-mortar setting within the district, a district still has authority and responsibility to provide academic guidance to their students. This includes limiting enrollment in courses for which the student is not academically qualified, in the same manner it would limit a student from enrolling in brick-and-mortar courses for which the student was not academically qualified. In addition, if a student has selected a full-time choice option within the school district, such as a magnet program, the school district may condition the student's continued enrollment in that choice option upon maintaining full-time enrollment.

Thank you for your assistance and dedication in providing a variety of education opportunities and options for your students. For further information related to FLVS as a school choice option, please contact Sally Roberts at 850-245-9617, or visit the following website: <http://www.fldoe.org/Schools/virtual-schools/>.

Sincerely,

Pam Stewart

PS/mc