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1 A bill to be entitled  
2 An act relating to digital learning; amending s. 1002.33,  
3 F.S.; authorizing a charter school to employ instructional  
4 methods for blended learning courses consisting of both  
5 traditional classroom and online instructional techniques;  
6 providing requirements for faculty, students, funding, and  
7 accountability; amending s. 1002.45, F.S.; requiring  
8 school districts to provide all public school students the  
9 opportunity to participate in virtual instruction  
10 programs; requiring school districts to provide full-time  
11 and part-time virtual instruction program options;  
12 providing additional provider qualifications relating to  
13 curriculum, student performance accountability, and  
14 disclosure; requiring an evaluation method for part-time  
15 programs; amending s. 1003.428, F.S.; requiring at least  
16 one course required for high school graduation to be  
17 completed through online learning beginning with students  
18 entering grade 9 in the 2013-2014 school year; amending s.  
19 1008.22, F.S.; requiring all statewide end-of-course  
20 assessments to be administrated online by the 2014-2015  
21 school year; amending s. 1011.61, F.S.; conforming  
22 provisions to changes made by the act; amending s.  
23 1012.57, F.S.; authorizing school districts to issue  
24 adjunct teaching certificates to individuals to provide  
25 online instruction; revising requirements for adjunct  
26 teaching certificateholders; providing for annual  
27 contracts; requiring the Department of Education to submit  
28 a report to the Governor and the Legislature relating to

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29 | school district offering of, and student access to,  
 30 | digital learning; providing an effective date.

31 |

32 | Be It Enacted by the Legislature of the State of Florida:

33 |

34 | Section 1. Paragraph (a) of subsection (7) of section  
 35 | 1002.33, Florida Statutes, is amended to read:

36 | 1002.33 Charter schools.—

37 | (7) CHARTER.—The major issues involving the operation of a  
 38 | charter school shall be considered in advance and written into  
 39 | the charter. The charter shall be signed by the governing board  
 40 | ~~body~~ of the charter school and the sponsor, following a public  
 41 | hearing to ensure community input.

42 | (a) The charter shall address and criteria for approval of  
 43 | the charter shall be based on:

44 | 1. The school's mission, the students to be served, and  
 45 | the ages and grades to be included.

46 | 2.a. The focus of the curriculum, the instructional  
 47 | methods to be used, any distinctive instructional techniques to  
 48 | be employed, and identification and acquisition of appropriate  
 49 | technologies needed to improve educational and administrative  
 50 | performance which include a means for promoting safe, ethical,  
 51 | and appropriate uses of technology which comply with legal and  
 52 | professional standards. Instructional methods for blended  
 53 | learning courses consisting of both traditional classroom and  
 54 | online instructional techniques may be employed. Faculty  
 55 | authorized to provide online instruction for blended learning  
 56 | courses must be part-time or full-time employees of the charter

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57 school or contracted providers of the instructional service and  
58 must hold current state or school district adjunct certification  
59 to teach in the subject area of the blended learning course. A  
60 blended learning faculty member may provide online instruction  
61 from a location that is remote from the physical location of the  
62 charter school. However, students in a blended learning course  
63 must be full-time students of the charter school and receive the  
64 online instruction from the physical location of the charter  
65 school. For funding and performance accountability purposes, a  
66 blended learning course is considered the same as a traditional  
67 classroom course.

68 b. The methods for ensuring ~~charter shall ensure~~ that  
69 reading is a primary focus of the curriculum and that resources  
70 are provided to identify and provide specialized instruction for  
71 students who are reading below grade level. The curriculum and  
72 instructional strategies for reading must be consistent with the  
73 Sunshine State Standards and grounded in scientifically based  
74 reading research.

75 3. The current incoming baseline standard of student  
76 academic achievement, the outcomes to be achieved, and the  
77 method of measurement that will be used. The criteria listed in  
78 this subparagraph shall include a detailed description of:

79 a. How the baseline student academic achievement levels  
80 and prior rates of academic progress will be established.

81 b. How these baseline rates will be compared to rates of  
82 academic progress achieved by these same students while  
83 attending the charter school.

84 c. To the extent possible, how these rates of progress

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85 will be evaluated and compared with rates of progress of other  
86 closely comparable student populations.

87

88 The district school board is required to provide academic  
89 student performance data to charter schools for each of their  
90 students coming from the district school system, as well as  
91 rates of academic progress of comparable student populations in  
92 the district school system.

93 4. The methods used to identify the educational strengths  
94 and needs of students and how well educational goals and  
95 performance standards are met by students attending the charter  
96 school. The methods shall provide a means for the charter school  
97 to ensure accountability to its constituents by analyzing  
98 student performance data and by evaluating the effectiveness and  
99 efficiency of its major educational programs. Students in  
100 charter schools shall, at a minimum, participate in the  
101 statewide assessment program created under s. 1008.22.

102 5. In secondary charter schools, a method for determining  
103 that a student has satisfied the requirements for graduation in  
104 s. 1003.43.

105 6. A method for resolving conflicts between the governing  
106 board ~~body~~ of the charter school and the sponsor.

107 7. The admissions procedures and dismissal procedures,  
108 including the school's code of student conduct.

109 8. The ways by which the school will achieve a  
110 racial/ethnic balance reflective of the community it serves or  
111 within the racial/ethnic range of other public schools in the  
112 same school district.

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113           9. The financial and administrative management of the  
114 school, including a reasonable demonstration of the professional  
115 experience or competence of those individuals or organizations  
116 applying to operate the charter school or those hired or  
117 retained to perform such professional services and the  
118 description of clearly delineated responsibilities and the  
119 policies and practices needed to effectively manage the charter  
120 school. A description of internal audit procedures and  
121 establishment of controls to ensure that financial resources are  
122 properly managed must be included. Both public sector and  
123 private sector professional experience shall be equally valid in  
124 such a consideration.

125           10. The asset and liability projections required in the  
126 application which are incorporated into the charter and shall be  
127 compared with information provided in the annual report of the  
128 charter school.

129           11. A description of procedures that identify various  
130 risks and provide for a comprehensive approach to reduce the  
131 impact of losses; plans to ensure the safety and security of  
132 students and staff; plans to identify, minimize, and protect  
133 others from violent or disruptive student behavior; and the  
134 manner in which the school will be insured, including whether or  
135 not the school will be required to have liability insurance,  
136 and, if so, the terms and conditions thereof and the amounts of  
137 coverage.

138           12. The term of the charter which shall provide for  
139 cancellation of the charter if insufficient progress has been  
140 made in attaining the student achievement objectives of the

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141 charter and if it is not likely that such objectives can be  
142 achieved before expiration of the charter. The initial term of a  
143 charter shall be for 4 or 5 years. In order to facilitate access  
144 to long-term financial resources for charter school  
145 construction, charter schools that are operated by a  
146 municipality or other public entity as provided by law are  
147 eligible for up to a 15-year charter, subject to approval by the  
148 district school board. A charter lab school is eligible for a  
149 charter for a term of up to 15 years. In addition, to facilitate  
150 access to long-term financial resources for charter school  
151 construction, charter schools that are operated by a private,  
152 not-for-profit, s. 501(c)(3) status corporation are eligible for  
153 up to a 15-year charter, subject to approval by the district  
154 school board. Such long-term charters remain subject to annual  
155 review and may be terminated during the term of the charter, but  
156 only according to the provisions set forth in subsection (8).

157 13. The facilities to be used and their location.

158 14. The qualifications to be required of the teachers and  
159 the potential strategies used to recruit, hire, train, and  
160 retain qualified staff to achieve best value.

161 15. The governance structure of the school, including the  
162 status of the charter school as a public or private employer as  
163 required in paragraph (12)(i).

164 16. A timetable for implementing the charter which  
165 addresses the implementation of each element thereof and the  
166 date by which the charter shall be awarded in order to meet this  
167 timetable.

168 17. In the case of an existing public school that is being

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169 converted to charter status, alternative arrangements for  
 170 current students who choose not to attend the charter school and  
 171 for current teachers who choose not to teach in the charter  
 172 school after conversion in accordance with the existing  
 173 collective bargaining agreement or district school board rule in  
 174 the absence of a collective bargaining agreement. However,  
 175 alternative arrangements shall not be required for current  
 176 teachers who choose not to teach in a charter lab school, except  
 177 as authorized by the employment policies of the state university  
 178 which grants the charter to the lab school.

179 18. Full disclosure of the identity of all relatives  
 180 employed by the charter school who are related to the charter  
 181 school owner, president, chairperson of the governing board of  
 182 directors, superintendent, governing board member, principal,  
 183 assistant principal, or any other person employed by the charter  
 184 school who has equivalent decisionmaking authority. For the  
 185 purpose of this subparagraph, the term "relative" means father,  
 186 mother, son, daughter, brother, sister, uncle, aunt, first  
 187 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
 188 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,  
 189 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
 190 stepsister, half brother, or half sister.

191 Section 2. Paragraphs (b) and (c) of subsection (1),  
 192 subsection (2), paragraph (a) of subsection (4), paragraphs (a)  
 193 and (d) of subsection (8), and subsection (11) of section  
 194 1002.45, Florida Statutes, are amended to read:

195 1002.45 School district virtual instruction programs.—  
 196 (1) PROGRAM.—

197 (b) Beginning with the 2011-2012 ~~2009-2010~~ school year,  
 198 each school district shall provide all enrolled public school  
 199 ~~eligible~~ students within its boundaries opportunities for  
 200 participation the option of participating in part-time and full-  
 201 time a virtual instruction program options, with timely written  
 202 notice provided directly to all parents of an open enrollment  
 203 period for full-time students of at least 90 days that ends no  
 204 later than 30 days prior to the first day of the school year.

205 The purpose of the program is to make quality virtual  
 206 instruction available to students using online and distance  
 207 learning technology in the nontraditional classroom. The program  
 208 shall provide the following ~~be~~:

209 1. Three options for full-time virtual instruction for  
 210 students enrolled in kindergarten through grade 12.

211 2. Three options for ~~Full-time or~~ part-time virtual  
 212 instruction for students enrolled in grades 9 through 12 for  
 213 courses that are measured pursuant to sub-subparagraph (8)(a)2.

214 3. At least two full-time virtual instruction options and  
 215 one part-time virtual instruction option for students ~~who are~~  
 216 enrolled in dropout prevention and academic intervention  
 217 programs under s. 1003.53, Department of Juvenile Justice  
 218 education programs under s. 1003.52, core-curricula courses to  
 219 meet class size requirements under s. 1003.03, or community  
 220 colleges under this section.

221 (c) To provide students with the option of participating  
 222 in virtual instruction programs as required by paragraph (b), a  
 223 school district may apply one or all of the following  
 224 mechanisms:



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225 1. Contract with the Florida Virtual School or establish a  
 226 franchise of the Florida Virtual School for the provision of a  
 227 program under paragraph (b). Using this option is subject to the  
 228 requirements of this section and s. 1011.61(1)(c)1.b.(III) and  
 229 (IV).

230 2. Contract with an approved provider under subsection (2)  
 231 for the provision of a full-time program under subparagraph  
 232 (b)1. or subparagraph (b)3. or a ~~full-time or~~ part-time program  
 233 under subparagraph (b)2. or subparagraph (b)3.

234 3. Enter into an agreement with other ~~another~~ school  
 235 districts ~~district~~ to allow the participation of its students in  
 236 an approved virtual instruction program provided by the other  
 237 school district. The agreement must indicate a process for the  
 238 transfer of funds required by paragraph (7)(b).

239  
 240 Contracts under subparagraph 1. or subparagraph 2. may include  
 241 multidistrict contractual arrangements that may be executed by a  
 242 regional consortium for its member districts. A multidistrict  
 243 contractual arrangement or an agreement under subparagraph 3. is  
 244 not subject to s. 1001.42(4)(d) and does not require the  
 245 participating school districts to be contiguous. These  
 246 arrangements may be used to fulfill the requirements of  
 247 paragraph (b).

248 (2) PROVIDER QUALIFICATIONS.—

249 (a) The department shall annually provide school districts  
 250 with a list of providers approved to offer virtual instruction  
 251 programs. To be approved by the department, a provider must  
 252 document that it:

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- 253 1. Is nonsectarian in its programs, admission policies,  
 254 employment practices, and operations;
- 255 2. Complies with the antidiscrimination provisions of s.  
 256 1000.05;
- 257 3. Locates an administrative office or offices in this  
 258 state, requires its administrative staff to be state residents,  
 259 requires all instructional staff to be Florida-certified  
 260 teachers under chapter 1012, and conducts background screenings  
 261 for all employees or contracted personnel, as required by s.  
 262 1012.32, using state and national criminal history records;
- 263 4. Possesses prior, successful experience offering online  
 264 courses to elementary, middle, or high school students as  
 265 demonstrated by quantified student performance improvement in  
 266 each subject area and grade level provided for consideration as  
 267 an instructional program option;
- 268 5. Is accredited by the Southern Association of Colleges  
 269 and Schools Council on Accreditation and School Improvement, the  
 270 North Central Association Commission on Accreditation and School  
 271 Improvement, the Middle States Association of Colleges and  
 272 Schools Commission on Elementary Schools and Commission on  
 273 Secondary Schools, the New England Association of Schools and  
 274 Colleges, the Northwest Association of Accredited Schools, the  
 275 Western Association of Schools and Colleges, or the Commission  
 276 on International and Trans-Regional Accreditation; ~~and~~
- 277 6. Ensures instructional and curricular quality through a  
 278 detailed curriculum and student performance accountability plan  
 279 that addresses every subject and grade level it intends to  
 280 provide through contract with the school district, including:

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281 a. Courses and programs that meet the standards of the  
282 International Association for K-12 Online Learning and the  
283 Southern Regional Education Board.

284 b. Instructional content and services that align with, and  
285 measure student attainment of, student proficiency in the Next  
286 Generation Sunshine State Standards.

287 c. Mechanisms that determine and ensure that a student has  
288 satisfied requirements for grade level promotion and high school  
289 graduation with a standard diploma, as appropriate;

290 7. Publishes for the general public, in accordance with  
291 disclosure requirements adopted in rule by the State Board of  
292 Education, as part of its application as a provider and in all  
293 contracts negotiated pursuant to this section:

294 a. Information and data about the curriculum of each full-  
295 time and part-time program.

296 b. School policies and procedures.

297 c. Certification status and physical location of all  
298 administrative and instructional personnel.

299 d. Student-teacher ratios.

300 e. Student completion and promotion rates.

301 f. Student, educator, and school performance  
302 accountability outcomes; and

303 ~~8.6.~~ If the provider is a community college, employs  
304 instructors who meet the certification requirements for  
305 instructional staff under chapter 1012.

306 (b) An approved provider shall retain its approved status  
307 for a period of 3 years after the date of the department's  
308 approval under paragraph (a) as long as the provider continues

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309 | to comply with all requirements of this section. However, each  
 310 | provider approved by the department for the 2011-2012 school  
 311 | year must reapply for approval to provide a part-time program  
 312 | for students in grades 9 through 12.

313 | (4) CONTRACT REQUIREMENTS.—Each contract with an approved  
 314 | provider must at minimum:

315 | (a) Set forth a detailed curriculum plan that illustrates  
 316 | how students will be provided services and be measured for  
 317 | attainment of ~~to attain~~ proficiency in the Sunshine State  
 318 | Standards for each grade level and subject.

319 | (8) ASSESSMENT AND ACCOUNTABILITY.—

320 | (a) Each approved provider contracted under this section  
 321 | must:

322 | 1. Participate in the statewide assessment program under  
 323 | s. 1008.22 and in the state's education performance  
 324 | accountability system under s. 1008.31.

325 | 2. Receive a school grade under s. 1008.34 or a school  
 326 | improvement rating under s. 1008.341, as applicable. The school  
 327 | grade or school improvement rating received by each approved  
 328 | provider shall be based upon the aggregated assessment scores of  
 329 | all students served by the provider statewide. The department  
 330 | shall publish the school grade or school improvement rating  
 331 | received by each approved provider on its Internet website. The  
 332 | department shall develop an evaluation method for providers of  
 333 | part-time programs which includes the percentage of students  
 334 | making learning gains, the percentage of students successfully  
 335 | passing any required end-of-course assessment, the percentage of  
 336 | students taking Advanced Placement examinations, and the

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337 percentage of students scoring 3 or higher on an Advanced  
338 Placement examination.

339 (d) An approved provider's contract must be terminated if  
340 the provider receives a school grade of "D" or "F" under s.  
341 1008.34 or a school improvement rating of "Declining" under s.  
342 1008.341 for 2 years during any consecutive 4-year period or has  
343 violated any qualification requirement pursuant to subsection  
344 (2). A provider that has a contract terminated under this  
345 paragraph may not be an approved provider for a period of at  
346 least 1 year after the date upon which the contract was  
347 terminated and until the department determines that the provider  
348 is in compliance with subsection (2) and has corrected each  
349 cause of the provider's low performance.

350 (11) RULES.—The State Board of Education shall adopt rules  
351 necessary to administer this section, including rules that  
352 prescribe disclosure requirements under subsection (2) and  
353 school district reporting requirements under subsection (7).

354 Section 3. Paragraph (c) is added to subsection (2) of  
355 section 1003.428, Florida Statutes, to read:

356 1003.428 General requirements for high school graduation;  
357 revised.—

358 (2) The 24 credits may be earned through applied,  
359 integrated, and combined courses approved by the Department of  
360 Education. The 24 credits shall be distributed as follows:

361 (c) Beginning with students entering grade 9 in the 2013-  
362 2014 school year, at least one of the courses required in this  
363 subsection must be completed through online learning. This  
364 requirement shall be met through an online course offered by the

365 Florida Virtual School, an online course offered by the high  
 366 school, or an online dual enrollment course offered pursuant to  
 367 a district interinstitutional articulation agreement pursuant to  
 368 s. 1007.235. A student who is enrolled in a full-time or part-  
 369 time virtual instruction program under s. 1002.45 meets this  
 370 requirement.

371 Section 4. Paragraph (g) of subsection (3) of section  
 372 1008.22, Florida Statutes, is amended to read:

373 1008.22 Student assessment program for public schools.—

374 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
 375 design and implement a statewide program of educational  
 376 assessment that provides information for the improvement of the  
 377 operation and management of the public schools, including  
 378 schools operating for the purpose of providing educational  
 379 services to youth in Department of Juvenile Justice programs.  
 380 The commissioner may enter into contracts for the continued  
 381 administration of the assessment, testing, and evaluation  
 382 programs authorized and funded by the Legislature. Contracts may  
 383 be initiated in 1 fiscal year and continue into the next and may  
 384 be paid from the appropriations of either or both fiscal years.  
 385 The commissioner is authorized to negotiate for the sale or  
 386 lease of tests, scoring protocols, test scoring services, and  
 387 related materials developed pursuant to law. Pursuant to the  
 388 statewide assessment program, the commissioner shall:

389 (g) By the 2014-2015 school year, require all statewide  
 390 end-of-course assessments to be administered online. ~~Study the~~  
 391 ~~cost and student achievement impact of secondary end-of-course~~  
 392 ~~assessments, including web-based and performance formats, and~~

393 ~~report to the Legislature prior to implementation.~~

394 Section 5. Paragraph (c) of subsection (1) of section  
395 1011.61, Florida Statutes, is amended to read:

396 1011.61 Definitions.—Notwithstanding the provisions of s.  
397 1000.21, the following terms are defined as follows for the  
398 purposes of the Florida Education Finance Program:

399 (1) A "full-time equivalent student" in each program of  
400 the district is defined in terms of full-time students and part-  
401 time students as follows:

402 (c)1. A "full-time equivalent student" is:

403 a. A full-time student in any one of the programs listed  
404 in s. 1011.62(1)(c); or

405 b. A combination of full-time or part-time students in any  
406 one of the programs listed in s. 1011.62(1)(c) which is the  
407 equivalent of one full-time student based on the following  
408 calculations:

409 (I) A full-time student, except a postsecondary or adult  
410 student or a senior high school student enrolled in adult  
411 education when such courses are required for high school  
412 graduation, in a combination of programs listed in s.  
413 1011.62(1)(c) shall be a fraction of a full-time equivalent  
414 membership in each special program equal to the number of net  
415 hours per school year for which he or she is a member, divided  
416 by the appropriate number of hours set forth in subparagraph  
417 (a)1. or subparagraph (a)2. The difference between that fraction  
418 or sum of fractions and the maximum value as set forth in  
419 subsection (4) for each full-time student is presumed to be the  
420 balance of the student's time not spent in such special

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421 education programs and shall be recorded as time in the  
422 appropriate basic program.

423 (II) A prekindergarten handicapped student shall meet the  
424 requirements specified for kindergarten students.

425 (III) A full-time equivalent student for students in  
426 kindergarten through grade 5 in a school district virtual  
427 instruction program under s. 1002.45 shall consist of a student  
428 who has successfully completed a basic program listed in s.  
429 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade  
430 level.

431 (IV) A full-time equivalent student for students in grades  
432 6 through 12 in a school district virtual instruction program  
433 under s. 1002.45(1)(b)1., ~~and 2.,~~ and 3. shall consist of six  
434 full credit completions in programs listed in s.  
435 1011.62(1)(c)1.b. or c. and 3. Credit completions can be a  
436 combination of either full credits or half credits.

437 (V) A Florida Virtual School full-time equivalent student  
438 shall consist of six full credit completions in the programs  
439 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the  
440 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12.  
441 Credit completions can be a combination of either full credits  
442 or half credits.

443 (VI) Each successfully completed credit earned under the  
444 alternative high school course credit requirements authorized in  
445 s. 1002.375, which is not reported as a portion of the 900 net  
446 hours of instruction pursuant to subparagraph (1)(a)1., shall be  
447 calculated as 1/6 FTE.

448 2. A student in membership in a program scheduled for more



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449 or less than 180 school days or the equivalent on an hourly  
 450 basis as specified by rules of the State Board of Education is a  
 451 fraction of a full-time equivalent membership equal to the  
 452 number of instructional hours in membership divided by the  
 453 appropriate number of hours set forth in subparagraph (a)1.;  
 454 however, for the purposes of this subparagraph, membership in  
 455 programs scheduled for more than 180 days is limited to students  
 456 enrolled in juvenile justice education programs and the Florida  
 457 Virtual School.

458  
 459 The department shall determine and implement an equitable method  
 460 of equivalent funding for experimental schools and for schools  
 461 operating under emergency conditions, which schools have been  
 462 approved by the department to operate for less than the minimum  
 463 school day.

464 Section 6. Section 1012.57, Florida Statutes, is amended  
 465 to read:

466 1012.57 Certification of adjunct educators.—

467 (1) Notwithstanding the provisions of ss. 1012.32,  
 468 1012.55, and 1012.56, or any other provision of law or rule to  
 469 the contrary, district school boards shall adopt rules to allow  
 470 for the issuance of an adjunct teaching certificate to any  
 471 applicant who fulfills the requirements of s. 1012.56(2)(a)-(f)  
 472 and (10) and who has expertise in the subject area to be taught.  
 473 An applicant shall be considered to have expertise in the  
 474 subject area to be taught if the applicant demonstrates  
 475 sufficient subject area mastery through passage of a subject  
 476 area test. The adjunct teaching certificate shall be used for

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477 part-time teaching positions.

478 (2) The Legislature intends that this section ~~intent of~~  
479 ~~this provision is to~~ allow school districts to tap the wealth of  
480 talent and expertise represented in Florida's citizens who may  
481 wish to teach part-time in a Florida public school by permitting  
482 school districts to issue adjunct certificates to qualified  
483 applicants.

484 (3) Adjunct certificateholders should be used as a  
485 strategy to enhance the diversity of course offerings offered to  
486 all students. School districts may use the expertise of  
487 individuals in the state who wish to provide online instruction  
488 to students by issuing adjunct certificates to qualified  
489 applicants. ~~reduce the teacher shortage; thus, adjunct~~  
490 ~~certificateholders should supplement a school's instructional~~  
491 ~~staff, not supplant it. Each school principal shall assign an~~  
492 ~~experienced peer mentor to assist the adjunct teaching~~  
493 ~~certificateholder during the certificateholder's first year of~~  
494 ~~teaching, and an adjunct certificateholder may participate in a~~  
495 ~~district's new teacher training program. District school boards~~  
496 ~~shall provide the adjunct teaching certificateholder an~~  
497 ~~orientation in classroom management prior to assigning the~~  
498 ~~certificateholder to a school.~~

499 (4) Each adjunct teaching certificate is valid through the  
500 term of the annual contract between the educator and the school  
501 district for 5 school years and is renewable if the applicant is  
502 rated effective or highly effective, pursuant to s. 1012.34, ~~has~~  
503 ~~received satisfactory performance evaluations during each year~~  
504 of teaching under adjunct teaching certification.

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505        ~~(5)-(2)~~ Individuals who are certified and employed under  
506 this section shall have the same rights and protection of laws  
507 as teachers certified under s. 1012.56.

508        Section 7. By December 1, 2011, the Department of  
509 Education shall submit a report to the Governor, the President  
510 of the Senate, and the Speaker of the House of Representatives  
511 which identifies and explains the best methods and strategies by  
512 which the department can assist district school boards in  
513 acquiring digital learning at the most reasonable prices  
514 possible and provides a plan under which district school boards  
515 may voluntarily pool their bids for such purchases. The report  
516 shall identify criteria that will enable district school boards  
517 to differentiate between the level of service and pricing based  
518 upon factors such as the level of student support, the frequency  
519 of teacher-student communications, instructional accountability  
520 standards, and academic integrity. The report shall also include  
521 ways to increase student access to digital learning, including  
522 identification and analysis of the best methods and strategies  
523 for implementing part-time virtual education in kindergarten  
524 through grade 5.

525        Section 8. This act shall take effect July 1, 2011.