

6A-6.03315 Private School Scholarship Compliance.

Form IEPC SCF-1, Scholarship Program Compliance Form for Private School Participants in State Scholarship Programs (<http://www.flrules.org/Gateway/reference.asp?No=Ref-15718>), hereinafter Scholarship Compliance Form, is hereby incorporated by reference to become a part of this rule effective September 2024 ~~August 2023~~.

(1) Definitions related to this rule and the Scholarship Compliance Form:

(a) through (c) No change.

(d) Regular and direct contact – A program of instruction that provides for a minimum of one hundred seventy (170) actual school instruction days with the required instructional hours (determined by grade level per state board Rule 6A-1.09512, F.A.C.) under the direct instruction of the private school teacher at the school’s approved physical location. This may include occasional off-site activities including the Family Empowerment Scholarship Program transition-to-work plan under the supervision of the private school teacher. For students enrolled in a personalized education program, regular and direct contact is satisfied by direct instruction by the private school teacher at least two (2) days a week at the school’s approved physical location. The remaining required instructional hours must be addressed in a student learning plan.

(e) No change.

(2) Renewing schools must comply with the following process to renew eligibility for the upcoming school year.

(a) Complete and submit a signed and notarized annual survey, pursuant to Section 1002.42, F.S., by April ~~May~~ 1.

(b) through (c) No change.

(d) Establish a school calendar outlining a program of instruction which allows students to meet regular and direct contact requirements.

~~(e)(4)~~ Every third consecutive year of participation, a renewing private school must also submit the following:

1. through 2. No change.

3. School policies establishing standards of ethical conduct from instructional personnel, educational support employees, and school administrators.

4. through 5. No change.

(3) New schools.

(a) New schools, as defined in this rule, must submit the following documentation to the Department to establish eligibility for participation in the scholarship programs.

1. through 9. No change.

10. School calendar ~~fee schedule~~, as if applicable.

(b) Upon review and approval of the documentation identified in paragraph (3)(a) of this rule, the Department will schedule and conduct a site visit at the school's physical location. ~~Beginning in the 2019-2020 school year, A~~ a private school is ineligible to receive scholarship payments until a satisfactory site visit has been conducted by the Department.

(c) The following deadlines are established for schools entering a scholarship program ~~in the 2019-2020 school year and each year thereafter~~. To be eligible to participate in a scholarship program a school must submit a signed and notarized Scholarship Compliance Form no later than October 1 and all outstanding compliance issues pertaining to documentation identified in paragraph (3)(a) of this rule, are to be resolved by December 1. A school that fails to meet either of these deadlines may not participate in the scholarship program until the subsequent school year.

(4) through (7) No change.

(8) As used in s. 1002.421(1)(s), F.S., the terms "control" and "own" have the following meaning: For purposes of determining whether to deny, suspend, or revoke a private school's participation in a scholarship program under Section 1002.421(3)(b), F.S., or immediately suspend payment of scholarship funds under Section 1002.421(3)(c), F.S., an owner or operator is operating the school in a manner that creates an imminent threat to the health, safety, and welfare of the school's students or the public if that owner is domiciled in, owned by, or in any way controlled by an entity domiciled in a foreign country of concern as defined in Section 288.860, F.S.

(a) "Control" means having the ability to direct or cause the direction of the management, policies, or practices of a person or entity.

(b) "Own" means the direct or indirect possession of a legally cognizable interest.

Rulemaking Authority 1001.02, 1002.385, 1002.39, 1002.395, 1002.40, 1002.411, 1002.42, 1002.421 FS. Law Implemented 1002.39, 1002.395, 1002.40, 1002.421, 1002.42, 1002.421, 1003.22, 1003.23 FS. History—New 10-13-04, Amended 9-20-05, 1-18-07, 1-5-09, 10-25-10, 2-9-16, 8-21-18, 11-23-21, 6-27-23, 8-22-23.