

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0981 School District Virtual Instruction Program Provider Approval.

(1) Purpose. Section 1002.45, Florida Statutes, requires each school district ~~districts~~, beginning with the 2009-2010 school year, to provide eligible students within its boundaries the option to participate in a virtual instruction program. ~~The program must be full time for K-8 students and may be full time or part-time for students in grades 9-12 in Department of Juvenile Justice Education Programs, dropout prevention programs, vocational programs, or career education programs. Each school district's virtual instruction program may be operated by the district or by virtual instruction program contracted providers. The Department of Education will provide school districts annually with a list of providers approved to offer virtual instruction programs under this section of law. Virtual instruction program providers must be approved by the Department of Education.~~

(2) Application Form VSP – 02, for becoming an approved provider for the District Virtual Instruction Program ~~Application~~, 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 with the effective date of this rule. Form VSP-02 will be published electronically at [www.fl DOE.org/Schools/](http://www.fl DOE.org/Schools/) ~~elchoice.org~~ or a A hard copy may be obtained by contacting the Division of Public Schools, Office of the Chancellor Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Room ~~514~~ ~~522~~, Tallahassee, Florida 32399.

(3) Application. ~~For the 2009-10 school year, Form VSP-02~~ The application to become an approved provider will be available on line at [www.fl DOE.org/schools/](http://www.fl DOE.org/schools/) ~~www.floridaschoolchoice.org~~; ~~the application date beginning October 1 of each year for the following school year. The deadline for filing the application is October 31. for providers to shall be published at www.floridaschoolchoice.org and The application shall remain open for thirty (30) calendar days. Each year thereafter, Form VSP-02 will be available online beginning September 1 for providers intending to contract with school districts in the subsequent school year. Applications will be due on or before November 1.~~

(4) The Department of Education will review each application and provide the applicant with a written decision regarding the approval or denial of the application no later than forty-five (45) calendar days after the deadline ~~after November 1~~. Approved providers will be posted to the website [www.fl DOE.org/Schools/](http://www.fl DOE.org/Schools/) ~~www.floridaschoolchoice.org~~, ~~no later than March 1 each year.~~ The approval is valid for the following three school years.

(5) Notice of Denial. If the application is denied, the applicant will receive written notification identifying the specific areas of deficiency. The applicant shall have forty-five (45) calendar days after receipt of the notice of denial to resolve any outstanding issues, and resubmit its ~~their~~ application for reconsideration. The applicant will receive a final notice of approval or denial ~~no later than February 28 of each year~~. If an application is denied a second time, the Department of Education will provide a final written notice to the provider indicating that the application has been administratively closed and that the provider may apply during the next application phase in accordance with subsection (3) of this rule.

(6) Revocation. The Department shall revoke the approval of a provider who fails to comply with all requirements of section 1002.45.

NAME OF PERSON ORIGINATING PROPOSED RULE: ~~Jean Miller, Acting Executive Director, Office of Independent Education and Parental Choice~~ Frances Haithcock, Chancellor, Division of Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith,  
Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August ?, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June26, 2009

## WITHOUT UNDERLINE AND STRIKEOUTS:

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(2) Application Form VSP – 02, for becoming an approved provider for the District 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 with the effective date of this rule. Form VSP-02 will be published electronically at [www.fldoe.org/Schools/](http://www.fldoe.org/Schools/). A hard copy may be obtained by contacting the Division of Public Schools, Office of the Chancellor, Florida Department of Education, 325 West Gaines Street, Room 514, Tallahassee, Florida 32399.

(3) Application. The application to become an approved provider will be available beginning October 1 of each year for the following school year. The deadline for filing the application is October 31.

(4) The Department of Education will review each application and provide the applicant with a written decision regarding the approval or denial of the application no later than forty-five (45) calendar days after the deadline. Approved providers will be posted to the website [www.fldoe.org/Schools/](http://www.fldoe.org/Schools/). The approval is valid for the following three school years.

(5) Notice of Denial. If the application is denied, the applicant will receive written notification identifying the specific areas of deficiency. The applicant shall have forty-five (45) calendar days after receipt of the notice of denial to resolve any outstanding issues, and resubmit its application for reconsideration. The applicant will receive a final notice of approval or denial. If an application is denied a second time, the Department of Education will provide a final written notice to the provider indicating that the application has been administratively closed and that the provider may apply during the next application phase in accordance with subsection (3) of this rule.

(6) Revocation. The Department shall revoke the approval of a provider who fails to comply with all requirements of section 1002.45.

Specific Authority 1002.45(11) FS. Law Implemented 1002.45 FS. History–

NAME OF PERSON ORIGINATING PROPOSED RULE: Frances Haithcock, Chancellor, Division of Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric Smith, Commissioner, Department of Education

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