

Rule 6A-6.03315 is amended to read:

6A-6.03315 Private School Scholarship Compliance ~~Form~~. Compliance reporting requirements for the participation of a Florida private school registered with the Department of Education to be determined eligible to participate in one or more state scholarship program(s) are specified in Form IEPC SCF-1, Scholarship Compliance Form for Private School Participants in State Scholarship Programs, hereinafter Scholarship Compliance Form, which is hereby incorporated by reference to become a part of this rule effective upon the effective date of this rule ~~September 2005~~.

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

(a) Renewing school – Schools that had scholarship students during the current or previous school year.

(b) New school – Schools that did not have scholarship students during the current or previous school year. A school removed from the program pursuant to a Notice of Proposed Action from the Commissioner may not reapply during the same school year it was removed from the program. In addition, a school that had scholarship students during the current or previous school year but is opening an additional location may apply as a new school for that location only.

(c) 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, FAC.) under the direct instruction of the private school teacher at the school's physical location with occasional off-site activities under the supervision of the private school teacher.

(d) School's physical location – The location where regular and direct contact with the private school teacher occurs and must meet applicable state and local health, safety, and welfare laws, codes, and rules.

(2) Renewing schools. The signed, notarized Scholarship Compliance Form must be postmarked ~~received~~ by March ~~the Office of Independent Education and Parental Choice~~ no later than 5:00 p.m. on May 1 of each year for participation in the subsequent school year. Following the timely submission of the Scholarship Compliance Form, any outstanding compliance issues, including submission of the annual survey required by Section 1002.42, Florida Statutes, must be resolved by the private school prior to May ~~July~~ 1 of each year or within forty-five (45) days of receipt of notification from the Department of any noncompliance issue, whichever is later, for the school to remain eligible to participate in the scholarship programs. Renewing schools as a part of the renewal process are required to have a review of compliance documentation every third year. The Department shall

mail notice to renewing schools subject to the compliance documentation review by December 1 of each year. This does not limit the Department's ability to request compliance related documentation at other times.

(3) New schools. When the signed, notarized Scholarship Compliance Form is submitted by a new school, the school shall have sixty (60) days to resolve any outstanding compliance issues, including submission of the annual survey required by Section 1002.42, Florida Statutes, to become eligible to participate in the scholarship programs. If the outstanding issues have not been resolved after sixty (60) days, the application shall be administratively closed. The application can be reopened, at any time during the same school year, by request of the private school. At no time can a new private school that has not met and adequately demonstrated compliance with all requirements, register or enroll scholarship students.

(4) The Scholarship Compliance Form ~~This form~~ delineates private school reporting requirements specified pursuant to Section 1002.42, Florida Statutes, and statutory and regulatory requirements related to the areas of school location and contact information; school ownership; affiliation; financial solvency; school administration; school staffing; school program; student health, safety, and welfare; student records; school facility; and submission of the scholarship compliance form.

_____ (5) Copies of the Scholarship Compliance Form ~~this form~~ may be obtained from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

Specific Authority: ~~1002.38~~, 1002.39, 1002.42, 1002.421 FS. Law Implemented: 220.187, 316.615, 381.006, 381.0072, 404.056, 440.02, 443.1216, 607.0128, 617.0128, 623.03, ~~1002.38~~, 1002.39, 1003.22, 1003.23, ~~and~~ 1002.42, 1002.421, FS. History - New 10-13-2004, Amended 9-20-2005,