

**6A-6.0981 Provider Approval and Renewal for Virtual Instruction Program.**

(1) No change.

(2)(a) Application Form. Form VSP-02, Virtual Instruction Program Application for Provider Approval (<https://www.flrules.org/Gateway/reference.asp?No=Ref-13503>), for becoming an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for approved status from the State Board ~~Department~~ of Education. Form VSP-02 is hereby incorporated by reference and made a part of this rule to become effective September 2022 ~~2021~~.

(b) Application Form. Form VSP-02R, Virtual Instruction Program Application for Provider Renewal (<http://www.flrules.org/Gateway/reference.asp?No=Ref-13504>), for renewing an approved provider for the Virtual Instruction Program, will be used for those virtual education providers applying for renewal status from the State Board ~~Department~~ of Education. Form VSP-02R is hereby incorporated by reference and made a part of this rule to become effective September 2022 ~~2021~~. Copies of forms VSP-02 and VSP-02R may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

(3) Applications. The applications to become an approved provider or for renewal will be available at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources> beginning September 1 of each year for the following school year and must be accessed and submitted electronically. The deadline for filing the application is September 30.

(a) Pursuant to Section 1002.45(2)(a)5., F.S., the applicant must possess prior successful experience offering online courses to elementary, middle and high school students as demonstrated by quantified student learning gains in each subject area and grade level provided for consideration as an instruction program option.

1. Initial Approval. For applicants seeking initial approval, prior successful experience shall be demonstrated as follows: Learning gains shall show the degree of student learning growth occurring from one school year to the next as required by state board rule for purpose of calculating school grades, in accordance with Section 1008.34, F.S. The State Board ~~Department~~ of Education shall conditionally approve a provider who is otherwise qualified but without sufficient prior, successful experience offering online courses, to offer courses measured by statewide assessments under Section 1008.22, F.S., with a learning gains component, end-of-course assessments, or Advanced Placement (AP) examinations. Conditional approval shall be valid for two (2) ~~one (1)~~ school years only and, based

on the provider's subsequent experience in offering the courses under this paragraph, the State Board of Education Department shall determine whether to grant final approval to offer a virtual instruction program under the criteria for successful experience as outlined in this paragraph. Beginning July 1, 2023, conditional approval shall be valid for one (1) school year.

2. Renewal. Renewal applicants with a school grade in the most recent grades release by the Department of Education meet the prior successful experience criteria unless they are disqualified pursuant to Section 1002.45(7)(8), F.S. Pursuant to Section 1002.45(7)(8), F. S., a provider who was disqualified under this section shall be ineligible for approval for one (1) year. Thereafter, the provider must submit an application for initial approval. Renewal applicants without a school grade must meet the criteria for prior successful experience required for initial approval.

(b) In accordance with Section 1002.45(2)(a)6., F.S., the applicant must be accredited by at least one of the following K-12 regional accrediting agencies, their successors or assigns: Cognia (~~Advance ED~~), Middle States Association of Colleges and Schools Commission on Elementary School and Secondary Schools, New England Association of Schools and Colleges, Northwest Accreditation Commission, or Western Association of Schools and Colleges.

(c) Pursuant to Section 1002.45(2)(a)7., F.S., the curriculum plan must include evidence:

1. through 3. No change.

File names for course alignment documents must include the Florida course codes and titles specified in Florida's most current Course Code Directory incorporated in Rule 6A-1.09441, F.A.C. ~~Rule 6A-1.09441~~

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07480>) and Rule 6A-1.09412, F.A.C.

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-07481>) are hereby incorporated by reference and made a part of this rule. Copies may be obtained by contacting the Office of Independent Education and Parental Choice, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399.

4. No change.

(d) No change.

(4) No change.

(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 thirty (30) 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 State Board 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) Financial Statement. The applicant shall use the Virtual Instruction Financial Statement (Form VSP-FS) as the basis for the required monthly financial statement that must be provided to the contracting school district, pursuant to Section 1002.45(4)(g), F.S. Form VSP-FS is hereby incorporated by reference (DOS link), effective September 2022, and may be obtained electronically on the Department's website at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/>, or from the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(7) Annual Audit. The applicant shall submit the annual audit report and a written statement from the applicant in response to any deficiencies identified within the report to the State Board of Education and the Auditor General no later than nine (9) months after the end of the preceding fiscal year. Submit annual audit and written statement to the Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

(8)(6) Revocation. The State Board of Education Department shall revoke the approval of a provider who fails to comply with all the requirements of Section 1002.45, F.S.

*Rulemaking Authority 1001.02(1), (2)(n), 1002.45(10)(11) FS. Law Implemented 1002.45 FS. History—New 11-26-08, Amended 10-21-09, 3-20-11, 12-20-11, 1-23-13, 1-1-14, 7-28-15, 10-30-16, 8-21-18, 9-21-21,*