

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-15452>), hereinafter Scholarship Compliance Form, is hereby incorporated by reference to become a part of this rule effective August 2023 ~~June 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 ~~McKay~~ Scholarship Program transition-to-work plan under the supervision of the private school teacher.

(e) No change.

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

(a) No change.

(b) Annually complete and submit a signed and notarized Scholarship Compliance Form. The signed, notarized Scholarship Compliance Form must be postmarked by February ~~March~~ 1 of each year for participation in the subsequent school year. Following the timely submission of the Scholarship Compliance Form, any outstanding compliance issues must be resolved by the private school on or before April ~~May~~ 1 of each year or within forty-five (45) days of initial notification from the Department of any noncompliance issue, whichever is later, for the school to remain eligible to participate in the scholarship programs. This does not limit the Department’s ability to request compliance related documentation at other times.

(c) through (d) No change.

(3) through (6) No change.

(7) Inquiry process.

(a) No change.

(b) Failure to respond to a letter of inquiry in a timely manner may result in the Department initiating any of the actions as authorized by Sections 1002.421(3), or 1002.394(8) ~~1002.385(10)~~, F.S, as applicable.

(c) Upon review of the documentation requested pursuant to paragraph (7)(a) of this rule, the Department may take one of the following actions:

1. through 2. No change.

3. If the Department establishes that a violation of laws or rules related to scholarship program participation has occurred, the Department may initiate any of the actions permitted by Sections 1002.421(3), or 1002.394(8) ~~1002.385(10)~~, F.S., as applicable.

(d) No change.

(e) Notwithstanding any other provision of this rule, the Commissioner may at any point before or during the inquiry process exercise the authority given under Sections 1002.421(3), 1002.394(8) ~~1002.385(10)~~, F.S., and this rule.

(8) No change.

Rulemaking Authority 1001.02, 1002.394, 1002.395, 1002.40, 1002.411, 1002.42, 1002.421 FS. Law Implemented, 1002.395, 1002.40, 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.