

6A-6.0952 Family Empowerment Scholarship Program.

The Family Empowerment Scholarship Program will be implemented by the Department in collaboration with eligible nonprofit scholarship-funding organizations as required by section 1002.394, F.S., in an effective and equitable manner that will maintain the integrity of the program.

(1) Scholarship participation.

(a) For initial eligibility in the Family Empowerment Scholarship Program, the parent of a student must request income verification from an eligible nonprofit scholarship-funding organization (SFO) that is approved pursuant to section 1002.395, F.S. The SFO shall verify the household income level of students pursuant to section 1002.394(3), F.S., and identify qualified students.

(b) After completing income verification for the household, the SFO shall notify the Department of the parent's request for a scholarship. In a format to be specified by the Department the SFO must:

1. Confirm that the student has met the income eligibility criteria;

2. Submit information on each student, which must include the following:

a. Student name, date of birth, social security number, gender, race, grade level, and address including county of residence;

b. Date and time the parent submitted a request to the SFO; and

c. Date and time the SFO confirmed eligibility.

(c) Requests for scholarships must be submitted to the Department no later than the due dates set forth in paragraph (3)(c) of this rule.

(d) Parents of scholarship students must annually renew participation in the program by notifying the SFO. The deadline for renewing scholarship participation may be set by the SFO, which shall notify the Department of renewal students by April 1 for the following school year.

(e) After receipt of scholarship requests and related documentation, the Department shall determine student eligibility and establish the student's scholarship priority ranking based on the requirements found in section 1002.394(3), F.S.

(2) Term of Family Empowerment Scholarship. Pursuant to section 1002.394(4)(a), F.S., a Family Empowerment Scholarship remains in effect until one of the following occurs. The student:

(a) Returns to a public school. A return to public school is the enrollment of a Family Empowerment

Scholarship student in a public school or public school program.

1. For purposes of this paragraph, a public school or public school program is one in which students are reported for funding through the Florida Education Finance Program.

2. Notwithstanding subparagraph (2)(a)1., the following situations are not a return to public school:

a. Admission to a residential hospital for medical reasons.

b. Entry into a Department of Juvenile Justice detention center for a period of no more than twenty-one (21) days.

c. Entry into a public school for a period of less than thirty (30) days pursuant to placement by or while in the custody of the Department of Children and Families.

d. Completion of dual enrollment or adult education courses that are not funded through the Florida Education Finance Program.

(b) Graduates from high school. The student may continue in the program until such time as he or she receives a GED, standard diploma, or the private school's equivalent. Certificates of completion or attendance do not constitute graduation from high school for purposes of this paragraph.

(c) Reaches the age of twenty-one (21). The student may complete the school year in which he or she reaches the age of twenty-one (21).

(3) Scholarship payments. The following provisions detail information related to scholarship payments including timeframes, eligibility, private school and Departmental procedures.

(a) Scholarship payments will be made on or before September 1, November 1, February 1, and April 1 of each year. For purposes of statutory deadlines associated with payment dates, the above listed dates shall be considered the official payment dates.

(b) The following payment periods are established for administration of the scholarship payments:

<u>Payment</u>	<u>Payment Period</u>
<u>September 1</u>	<u>July 1 – September 30</u>
<u>November 1</u>	<u>October 1 – December 31</u>
<u>February 1</u>	<u>January 1 – February 28</u>
<u>April 1</u>	<u>March 1 – June 30</u>

(c) The following requirements must be met to qualify for a scholarship payment:

1. The scholarship request, described in subsection (1) of this rule, must be submitted to the Department no later than the due dates provided below. This is a one-time requirement that applies to scholarship students entering the program for the first time, and no payment can be earned until such time as the notice requirement has been met.

<u>Request Due Date</u>	<u>Payment Date</u>	<u>Payment Period</u>
<u>July 3</u>	<u>September 1</u>	<u>July 1 – September 30</u>
<u>September 2</u>	<u>November 1</u>	<u>October 1 – December 31</u>
<u>December 3</u>	<u>February 1</u>	<u>January 1 – February 28</u>
<u>January 5</u>	<u>April 1</u>	<u>March 1 – June 30</u>

2. A student must have an enrollment date thirty (30) days before the first scholarship payment is made. The submission of the school and student fee schedules are required to establish the enrollment date and are completed using the Department’s website. A student that changes private schools after meeting the enrollment date requirement may still qualify for payment for that payment period.

3. A student must not be enrolled in a public school or violate any of the prohibitions found in section 1002.394(5), F.S.

4. In addition to the documentation required under (3)(c)2., of this rule, the private school must verify each student’s continued enrollment and attendance using the Department’s website three (3) times per year before the November, February, and April scholarship payments. Failure to verify a student’s continued enrollment and attendance will result in a delayed payment until the next payment period. To receive payment at that time, the private school must verify student attendance for the delayed payment’s payment period and, if the student is still enrolled in the program, for the current payment period.

(d) Private schools are responsible for the return of all scholarship funds to the Department that were received in error. If the Department identifies scholarship funds that should be returned, it shall send a letter requesting the return of the funds. The letter shall state the reason the funds are being requested, the student or students involved, instructions on returning the funds, and the procedure to be followed if the private school believes that return of the funds is being requested in error or wishes to provide additional information related to the requested funds. The Department’s letter may also require the school to provide an explanation for how the private school claimed funds that were erroneously obtained.

1. Private schools shall respond to such letter within thirty (30) days by either returning the funds or detailing in

writing why its retention of the funds is proper.

2. If the Department receives a letter detailing why the funds were properly retained, it shall determine whether the explanation is sufficient and thereafter alert the private school to any funds still due and a timeframe for the return of those funds. The response shall give the private school or parent at least twenty (20) additional days to repay the funds.

3. Failure to return the funds due back to the Department, or failure to provide a sufficient explanation for how the school claimed funds that were erroneously obtained, within the time period allotted in subparagraphs (4)(d)1. and 2. of this rule, shall result in the initiation of noncompliance procedures pursuant to the Commissioner's authority described in section 1002.394(8), F.S., and this rule. If the Commissioner has suspended a private school's participation in the program pursuant to section 1002.394(8), F.S., in order to ensure that scholarship payments are received on the scheduled payment date, any funds requested by the Department must be received at least twenty (20) days prior to the scheduled quarterly payment date. Otherwise scholarship payments will be delayed until the subsequent scholarship payment date.

(e) Where a scholarship student attends multiple private schools in the same payment period, the right to retain the scholarship payment shall be given to the first private school the student attends for ten (10) or more school days during that payment period. If the student does not attend a private school for at least ten (10) days and attends a public school, then the funding generated, if any, shall be retained by the Department and no scholarship payment shall be generated.

(f) To ensure proper administration of scholarship funds, all claims by private schools for missed scholarship payments must be made by June 1 of the fiscal year in which the scholarship payment was originally due.

(4) Private school participation. To participate in the Family Empowerment Scholarship Program, a school must:

(a) Register its intent to participate in the scholarship program with the Department using the Department's website:

(b) Complete the annual survey of private schools required by section 1002.42(2), F.S., using the Department's website, and submit it to the Department in both an electronic format and by mail. The survey that is mailed to the Department must include a notarized statement verifying that the private school owner has complied with the background check requirements of section 1002.42(2)(c), F.S.

(c) Annually meet all scholarship compliance requirements for private schools pursuant to rule 6A-6.03315,

F.A.C.

(d) Continue to adhere to all statutory and rule requirements after determined eligible to participate in the program, pursuant to rule 6A-6.03315, F.A.C.

Rulemaking Authority 1002.394(14) FS. Law Implemented 1002.394 FS. History–New.