

**6A-6.0950 Notice Requirements for Opportunity Scholarship Program.**

The following provisions have been established to administer the requirements of Section 1002.38(3)(a), F.S.

(1) Definitions related to this rule:

(a) School grade: the school grade designated under Section 1008.34, F.S.

(b) Opportunity Scholarship Program eligible school: a public school that meets the criteria in Section 1002.38(2), F.S.

(c) Higher-performing school: a public school that has received a school grade of "C" or higher pursuant to Section 1008.34, F.S.

(2) The Department shall notify the superintendent of the school district of a public school designated as an Opportunity Scholarship Program eligible school in accordance with Section 1002.38, F.S.

(3) The school district shall notify the parent of each student enrolled in or assigned to an Opportunity Scholarship Program eligible school of the opportunity to enroll the student in a higher-performing school in the district and of the opportunity to enroll the student in a higher-performing school that has available space in any other school district in the state.

(a) For Opportunity Scholarship Program eligible schools that receive their school grade at the end of the school year and prior to the start of the following school year, the school district shall notify parents of the opportunity to transfer to a higher performing school no later than fifteen (15) calendar days after the district receives notification by the Department of Opportunity Scholarship Program eligible schools.

(b) For Opportunity Scholarship Program eligible schools that receive their school grade pursuant to Section 1008.34(3)(b)3., F.S., the students assigned to that school are eligible to transfer to a higher performing school for the school year following that in which they receive the school grade. After receiving notification by the Department of the Opportunity Scholarship Program eligible schools under this paragraph, the school district shall notify parents of the opportunity to transfer to a higher performing school no later than (30) calendar days prior to the start of the next school year.

(4) The school district shall report to the Department data related to parental notifications, transfer requests, and student placements as specified in Form IEPC OSP-1, OSP Notification Verification Form, June 2012, no later than thirty (30) days after notification of parents as required under subsection (3) of this rule. Form IEPC OSP-1 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01161>) is hereby incorporated by reference and may be obtained from the Department's website at <http://www.floridaschoolchoice.org>.

(5) Failure by the district to meet the deadline requirements in subsections (3) and (4) of this rule will result in a withholding of FEFP funds as follows:

(a) The Department will withhold FEFP funds based on the total FTE of the eligible school from the next available FEFP distribution to the district.

(b) Subsequent distributions of the FEFP will continue to be withheld, until the district has fulfilled the requirements of subsections (3) and (4) of this rule.

*Rulemaking Authority 1002.38(4) FS. Law Implemented 1002.38 FS. History--New 6-20-12.*