

# FLORIDA DEPARTMENT OF EDUCATION



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## MEMORANDUM

**TO:** Select Public School District Superintendents

**FROM:** Mike Kooi, Executive Director  
**Office of Independent Education and Parental Choice**

**DATE:** July 12, 2012

**SUBJECT:** Opportunity Scholarship Program – Parental Notifications

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During the 2012 legislative session, the Florida legislature passed and Governor Scott signed House Bill 7127, an act relating to school improvement and accountability. Within that bill, the definition of school eligibility as related to the Opportunity Scholarship Program (OSP) was amended to include those schools earning a grade of “F” or three consecutive “Ds” as based on the statewide assessments conducted pursuant to s. 1008.22, F.S. Current statute requires districts to offer the parents of affected students the option to enroll their student(s) in a higher performing public school (receiving a performance grade of “C” or better) in their district **with** transportation or in any other district in the state **without** transportation.

Pursuant to the release of the 2011-12 school grades, the Department of Education has determined that one or more public schools in your school district have been designated as having received a performance grade category “F” or three consecutive “Ds”. The list of affected elementary and middle schools is attached.

The eligible OSP **high schools** will follow in late Fall 2012, when those grades are released. The Department will again notify each affected district at which time a transfer offer must be extended to affected **high school** students and made applicable for the 2013-14 school year.

The OSP statute and corresponding Rule 6A-6.0950, F.A.C. requires the school district to timely notify parents of their Opportunity Scholarship options as soon as the eligibility designation is made.

July 12, 2012

Page 2

As provided by statute as well as the new rule referenced herein, parents of students assigned to a school on the attached list for the 2012-13 school year or in attendance during the previous school year (by way of assignment) at a school on the attached list must be notified of the options within **15 days** of notification by the Department of Education. (Example: An eighth grade student attended an OSP eligible middle school by way of assignment during the 2011-12 school year. Regardless of the student's assigned high school or high school grade, this student should be offered the opportunity to transfer under OSP.)

Specifically, your school district must provide the parents of students who attended the schools in the attached list in 2011-2012 or who are assigned to attend such schools in 2012-2013, the option to enroll their children in a higher performing public school in your district (with transportation) or in any other district in the state (without transportation). However, your school district is not required to notify parents of students who attend the OSP eligible school through a public school choice option, such as a magnet or career academy program as those students have not been "assigned" to that school.

We have attached a sample parent notification letter that may be used as a template. The notifications should be made no later than July 30, 2012. Each affected school district will be required to complete a *Notification Verification Form* after the notifications have been sent and parents have been given an opportunity to respond; therefore, **it is important to document and monitor the total number of transfer requests and placements**. Additionally, the newly adopted rule states that failure of the district to meet the deadline requirements in 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.

In order to ensure compliance with this requirement, please submit the completed *Notification Verification Form* no later than August 13, 2012 to Rachel Somers or Vicki Maldonado in the Office of Independent Education and Parental Choice. They may be reached via e-mail or by phone at [rachel.somers@fldoe.org](mailto:rachel.somers@fldoe.org), (850) 245-0866, or [vicki.maldonado@fldoe.org](mailto:vicki.maldonado@fldoe.org), (850) 245-0761.

Thank you for assisting us with the important task of communicating to parents about the educational options for Florida's students.

cc: Pam Stewart  
Charlie Hood  
Mark Eggers

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Attachments