

HOW TO START A PRIVATE SCHOOL

 *in Florida*





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INTRODUCTION

Florida’s educational pluralism allows for private school founders to create unique schools that can serve the various educational needs of students. This guide covers the requirements a founder needs to follow to establish a private school in Florida and how to become a scholarship approved private school in Florida.

This guide is provided for general informational purposes only and does not, and is not intended to, constitute legal advice. Readers of this guide should contact their attorney with respect to any questions contained herein.



Before students can start attending a founder's school, the founder must first meet a number of requirements set by state law.

PRIVATE SCHOOL REQUIREMENTS CHECKLIST

State officials require prospective private school founders to take two formal steps to begin the process of opening a private school:

1. Register with the Florida Division of Corporations as either a [for-profit](#) or [nonprofit](#).
2. Register the school with the Department of Education (DOE).
 - a. You will need to [request a school code](#) and password to register as a private school.

Keep track of your login information as you will need to complete multiple tasks related to your application using your password and school code.

Founders must then:

1. File a [complete set of fingerprints](#) with the [Department of Law Enforcement](#) for a criminal background check within 5 days of establishing a private school. This must be done through the Volunteer and Employee Criminal History System (VECHS) ([1002.42 \(2\)\(c\) F.S.](#)) Find out how to complete a set of fingerprints [here](#).
2. Complete the [annual private school survey](#) to provide DOE with information like the name of the school, student enrollment by grade, school address, school phone number and other information. DOE must be notified of any future changes to this information! ([1002.42\(2\)\(a\) F.S.](#))
3. Keep and prepare law required attendance records. ([1002.42\(4\)](#) and [1003.23\(2\), F.S.](#)) *Note: Schools that become defunct are required to transfer all permanent information included in student records to the public school district. [1002.42\(3\), F.S.](#)*
4. Maintain certain student health examination documentation. Each student is required to submit a [Student Health Entry Form](#) before they are allowed to attend school. ([1002.42\(5\)](#) and [1003.22\(1\) and \(2\), F.S.](#)) It's important that these documents are well maintained and organized on site where administrative staff can readily and easily access. Find out more [here](#).
5. Maintain a Florida Certification of Immunization for each child and collect an annual immunization report for Kindergarten and 7th grade students. Find out more [here](#).
6. Mail a signed and notarized copy of the annual private school survey to the DOE. Find out more [here](#). *Note: This survey must be completed and sent to DOE annually and is required of all private schools whether private, scholarship approved, or virtual.*
7. Comply with local [building zoning](#), public safety, and inspection regulations. Contact your local [Department of Health](#) to find out more about specific codes and [water](#), [food](#), [radon](#), and [fire](#) inspection regulations! *Note: Some districts are exempt from radon testing. Find out if schools in your district require radon testing [here](#).*

OFFICE OF INDEPENDENT EDUCATION AND PARENTAL CHOICE (IEPC)



The Office of Independent Education and Parental Choice (IEPC) is housed under the [Office of K-12 School Choice](#). Both offices support private schools and school choice programs by providing information and assistance to families and schools. Founders should [contact](#) the office regarding State School Choice Programs. The IEPC leadership team includes the Director of Operations & Scholarship Programs Director and the Virtual & Home Education Director.

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WILL YOUR SCHOOL ACCEPT STATE SCHOLARSHIPS?



The cost of private education can prevent families from sending their child to the school that best serves their child’s needs. Thankfully, in Florida there are scholarship programs that families can use to pay for tuition and other educational expenses at private schools. These private schools must meet several additional requirements to become an approved school and receive scholarship students at their schools. A private school should consider which scholarships they want to accept.

Program	Eligible Students	Average scholarship amount (2021-2022)
Family Empowerment Scholarship-Unique Abilities	Students with disabilities (autism, down syndrome, spina bifida, etc.)	\$10,267
Family Empowerment Scholarship-Educational Options	All students	between \$6,900 and \$7,500
Florida Tax-Credit Scholarship	All students	\$7,714
Hope Scholarship	Students who are victims of bullying or violence in school	\$7,408

Learn more about the state scholarship programs [here](#).

SCHOLARSHIP APPROVED REQUIREMENT CHECKLIST



There are 10 additional requirements for private schools that are scholarship approved. These schools must:

1. Maintain a physical location in the state of Florida where students attend classes full time onsite. [\(1002.421\(1\)\(i\), F.S.\)](#) *Note: This disqualifies virtual private schools from participating in the program.*
2. Notify DOE of their intent to participate in one of or all of the scholarship programs through the Department Florida School Choice [website](#).
3. Demonstrate fiscal soundness by: Being in operation for at least 3 school years or obtaining a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter. [\(1002.421\(1\)\(f\), F.S.\)](#) A surety bond is way of ensuring that a business completes the work it was hired to do. If it doesn't, the bond's guarantor (school founder) is financially liable to the customer.
4. Comply with the anti-discrimination provisions of [42 U.S.C. s. 2000d](#).
5. Employ or contract only with teachers who:
 - a. hold a bachelor's degree or higher
 - b. have at least three years of teaching experience in public or private schools, or
 - c. have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught.
6. Make sure all owners, operators, chief administrative officers, school employees and contracted personnel with direct student contact undergo and pass the required [Level 2](#) (state and national) background screening. Find out more [here](#). [Process and Forms](#)
 - a. Fingerprints can be taken by an authorized law enforcement officer or a trained school employee.
7. Satisfy the DOE site inspection. You will need to [contact](#) the Independent Education and Parental Choice (IPEC) to schedule an inspection.
8. Meet state and local health, safety, and welfare laws, codes, and rules.
9. Request and submit a signed and notarized Scholarship Compliance Form by October 1 [to the Office of Independent Education and Parental Choice \(IPEC\)](#)
 - a. So that families can receive the first quarter of award funds, your school should be approved no later than August 1. Founders begin the scholarship approval process anywhere from two years to nine months prior to this date!
 - b. Once approved, this form must be resubmitted annually by March 1.
10. Annually administer an [approved](#) norm-referenced test or the statewide assessment.



Connecting with a founder of a private school already scholarship approved in your district is a great way to gain firsthand advice on the approval process.



POST APPROVAL

Once approved, private schools will need to do the following:

1. Comply with the requirements of individual scholarship programs and be aware of all program deadlines.
Note: Requirements are subject to change based on legislation or year date changes.
2. Timely respond to requests for information from the DOE.
3. Notify the DOE of a change in the school's name, director, mailing address, or physical location within 15 days after the change.
4. Timely submit any updates to the required documents which may have been affected by the change in director or change in location.
5. Maintain up to date contact information on the DOEs website, including e-mail addresses.
6. Return any funds received for services that were not provided.
7. Accurately report student withdrawal dates.
8. Annually complete and submit the signed and notarized Scholarship Compliance Form to Office of Independent Education and Parental Choice by March 1 of each school year.
9. Annually meet scholarship compliance requirements and keep evidence and documentation demonstrating your school's compliance.



It is recommended to keep a binder of all important scholarship information.

SCHOLARSHIP GRANTING ORGANIZATIONS (SGOS)



Scholarship Granting Organizations, sometimes called Scholarship Funding Organizations are non-profits that receive contributions, donations, or funds from businesses, corporations, individuals, or funds from the Department of Education that are then used to award eligible students scholarships for educational needs like private school tuition. There are currently two SGOs that families can apply to receive a scholarship: [Step Up for Students](#) and [AAA Scholarship Foundation](#). Private school founders will need to contact these organizations to get into the SGO's system so that families can select their school as a provider.



HELPFUL LINKS AND WEBSITES

STATE DEPARTMENTS & WEBPAGES

[Detailed Requirements for Private Schools](#)

[Requirements for Participating in the State Scholarship Programs](#)

[Checklist for Private Schools PDF](#)

[Office of Independent Education & Parental Choice \(IEPC\)](#)

[Office of K-12 School Choice](#)

[IEPC Information Hotline: 1-800-447-1636](#)

[Scholarship Program District Contacts](#)

[Step Up for Students Service Center Phone: 1-877-735-7837](#)

[AAA Scholarship Phone: \(888\) 707-2465](#)

[Step Up for Students Private School page](#)

[AAA Scholarship webpage](#)

[FL DOE Administrator Information Page](#)

[Florida Department of Law Enforcement](#)

[Department Of Health Public, Charter, And Private School Environmental Health Webpage](#)

[Mandatory Radon Testing Florida Department Of Health Webpage](#)

[County Health Department Location Finder](#)

[Information on Food Inspections](#)

FORMS

[Application for Department of Health Food Certificate](#)

[Sanitation Certificate Application Form](#)

[Nonresidential Radon Measurement Report Form](#)

STATUTES & CODES

[Section 1002.20 K-12 Student And Parent Rights](#)

[Section 1002.01 Private School Definition](#)

[Section 1002.42 Private Schools](#)

[Section 1002.421 State School Choice Scholarship Program Accountability And Oversight](#)

[1003.22 School-entry health examinations; immunization against communicable diseases; exemptions; duties of Department of Health](#)



[Section 1003.23 Attendance Records And Reports](#)

[Section 404.056 Environmental radiation standards and projects](#)

[Section 381.006 Environmental health](#)

[Chapter 6A-2.0040, Of The Florida Administrative Code \(Florida Building Code\)](#)

[Section 381.0072 Food service protection](#)

[Florida Building Code For Schools, Colleges, And Universities](#)

[Chapter 69A-60 The Florida Fire Prevention Code](#)

[State Financial Services Rule 69A-60, F.A.C.](#)



Summarized below is the Florida Department of Education’s private school checklist.

PRIVATE SCHOOL CHECKLIST

- Submit Annual Private School Survey to Department of Education
- File complete set of fingerprints with Department of Law Enforcement
- School is maintaining student records containing permanent information.
- School is maintaining a register of student enrollment and attendance that is open for inspection by a designated school representative, the district school superintendent where the private school is located.
- The students are attending your school maintain regular attendance for a minimum of 170 actual school days with the required instructional hours (differs by grade level)
- Require students to present certification of school entry health examination.
- Require students to present a certification of immunization.
- Possess a current semi-annual Public/Private School Inspection Report.
- Possess an acceptable limited use Public Private Drinking Water System Sanitation Survey & Inspection Report (if the facility’s well serves 1 to 25 people).
- Meet Department of Environmental Protection compliance regulations and receive a Public Water System (if well serves more than 25 people).
- Possess a current and acceptable Mandatory Measurements Nonresidential Radon Measurement Report.
- Possess a current, violation free or satisfactory Fire Code Inspection and Compliance Report.