

FLORIDA



ACCREDITATION, LICENSING & APPROVAL

Applies to all private schools

- Private schools may be organized as either for-profit or non-profit entities. Applications to establish such an organization for the purpose of creating a private school are processed by the Office of the Secretary of State, Division of Corporations.
- Private schools are not licensed, approved, accredited or regulated by the Florida Department of Education, and Florida has no provision for state recognition of the various agencies that accredit private schools.

TRANSPARENCY & REPORTING

Applies to all private schools

- A private school must annually file a database survey form, including the name, address and telephone number of the institution; the type of institution; the names of administrative officers; enrollment by grade or special group (e.g., career education and exceptional child education); the number of graduates; the number of instructional and administrative personnel; the number of days the school is in session; and any other data required by the state.
- All officials, teachers and other employees in private schools must keep and prepare records in accordance with state law.
- A private school must notify the state Department of Education of any change in the name of the institution, the address or the chief administrative officer.
- A person who becomes an owner of a private school must, within five days of assuming ownership of the school, file with the state Department of Law Enforcement a complete set of fingerprints for state processing and checking for criminal background. A person who has been convicted of a crime involving moral turpitude may not own or operate a private school.
- A private school that closes must transfer all permanent student records to the superintendent of the local public school district or, if the school is a member of a private school system or association, it may transfer the records to the principal office of the system or association. In the event that the private school system or association becomes defunct, it must transfer all student records to the superintendent of the school district in which the private school was located. A private school that becomes defunct must notify the state Department of Education of the date of transfer of student records, the location of storage, the custodian of the records and the number of records to be stored. The department maintains a registry of transfers of student records.

CURRICULUM & ACADEMICS

Applies to all private schools

- State law declares that neither the state nor any school district is authorized to oversee or exercise control over the curricula or academic programs of private schools or home education programs.

HEALTH & SAFETY

Applies to all private schools

- Private schools must require students to present a certification of a school-entry health examination in accordance with state law.
- Prior to admittance to a private school, each child must present or have on file with the school a certification of immunization for the prevention of communicable diseases for which immunization is required by the state Department of Health. Private schools must provide for appropriate screening of students for scoliosis at the proper age. Such certification becomes a part of each student's permanent record, to be transferred when the student transfers, is promoted or changes schools. A student may be exempted from this requirement for medical or religious reasons.
- A private school must provide to the county health department director or administrator annual reports of compliance with health provisions. Reports must be completed for each grade and must include the status of students who were admitted at the beginning of the school year.
- The county health department director or administrator or the state health officer may declare a communicable disease emergency if any communicable disease for which immunization is required by the state Department of Health is present in a private school. The declaration must mandate that all students who are not in compliance with immunization provisions be identified by the private school, and the school health and immunization records of these students must be made available to the county health department director or administrator. Students identified as not being immunized against the disease for which the emergency has been declared must be temporarily excluded from school until such time as is specified by the county health department director or administrator. Private schools must refuse admittance to any child otherwise entitled to admittance who is not in compliance with immunization provisions.
- All private school buildings or school sites housing students that are located in counties designated within the state Department of Community Affairs' Florida Radon Protection Map Categories as "Intermediate" or "Elevated Radon Potential" must be measured to determine the level of indoor radon, using measurement procedures established by the department. Initial measurements must be conducted in 20 percent of the habitable first-floor spaces in any of the regulated buildings and must be completed and reported to the department within a year after the building is opened for occupancy or within a year after license approval for the entity residing in the existing building. Follow-up testing must be completed in 5 percent of the habitable first-floor spaces in any of the regulated buildings after the building has been occupied for five years, and results must be reported to the department by the first day of the sixth year of occupancy. After radon measurements have been made twice, regulated buildings need not undergo further testing unless significant structural changes occur.
- A private school principal or a designee must notify the appropriate law enforcement agency to prohibit any person from loitering in the school safety zone (500 feet around the school) if the person does not have legitimate business in the school safety zone, does not have other authorization or license to enter or remain in the school safety zone or has not been invited into the designated safety zone.
- State law prohibits the construction of an educational facility at either end of a runway within an area that extends five miles in a direct line along the centerline of the runway and that has a width measuring half the length of the runway.
- The owner of a private school may require employees to file a complete set of fingerprints with the state Department of Law Enforcement for processing and criminal records checking. Findings from such processing and checking are reported to the owner for use in employment decisions. People holding a valid Florida teaching certificate may not be required to provide fingerprints.

MISCELLANEOUS

- Private schools may participate in athletic competitions with public high schools.
- The state Department of Education may disseminate educational materials and sell copies for educational use to private schools.
- District school boards may dispose of instructional materials when they become unserviceable or surplus or are no longer on state contract by giving them to a private school.
- Diagnostic and resource centers may provide testing and evaluation services to private school students.
- An organization of private schools that has at least 10 member schools may develop a professional development system.
- Private school bus drivers may participate in a district school board's bus driver-training program, if the board makes the program available.
- Florida private schools that demonstrate a racially nondiscriminatory student admission policy may purchase school buses from the state pool purchase program.
- Private school students may be transported on public school buses and public school students may be transported on private school buses when there is mutual agreement between the local school board and the applicable private school.
- The property of any private school corporation is exempt from taxation.



This list was compiled by the Friedman Foundation for Educational Choice based on publicly available laws and regulations. In each state we sought the assistance of the state's Department of Education in ensuring the accuracy of our information. However, given the enormous volume of relevant laws and regulations, some errors or omissions may still occur. The Friedman Foundation welcomes suggestions for corrections or additions to this list. For more information on the regulation of private schools, see "Fifty Educational Markets: State Laws and Regulations Governing Private Schools" by Friedman Foundation Senior Fellow Chris Hammons.