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Commissioner of Education

January 19, 2018

VIA CERTIFIED AND REGULAR MAIL

Arlington Country Day School (1438)
Attn: Deborah Condit
5725 Fort Caroline Rd
Jacksonville, FL 32277


Re: Administrative Complaint - Suspension of Scholarship Program Eligibility and Payments

Dear Private School Administrator:

As explained in the attached Administrative Complaint, Arlington Country Day School's eligibility to participate in the Gardiner Scholarship Program, the Florida Tax Credit Scholarship Program, and the John M. McKay Scholarships for Students with Disabilities Program has been suspended. The process for challenging such action is identified therein.

If you have any questions related to scholarship program requirements, please contact the School Choice information hotline at 800-447-1636, or visit our website at www.floridaschoolchoice.org.

Sincerely,


Pam Stewart

Enclosure

cc: Step Up For Students
A.A.A. Scholarship Foundation



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2018 JAN 19 PM 1:05
DEPT OF EDUCATION
TALLAHASSEE FLA

TO: Deborah Condit
Private School Administrator

FROM: Pam Stewart

SUBJECT: Administrative Complaint,
Stewart v. Arlington Country Day School (1438)
Agency Case Number: **DOE-2018-3602**

Arlington Country Day School (1438) (ACDS) is a private school participating in the John M. McKay Scholarships for Students with Disabilities Scholarship Program, the Florida Tax Credit Scholarship Program, and the Gardiner Scholarship Program, providing services to eligible students pursuant to sections 1002.39, 1002.395, 1002.385 and 1002.421, Florida Statutes. For the following reasons, the Florida Department of Education (Department) is suspending School's McKay, FTC, and Gardiner scholarship participation and payments.

On October 12, 2017, the Department conducted a statutorily mandated site visit of School. Upon review of compliance documentation, the Department determined that ACDS was not in compliance with private school site visit requirements, pursuant to sections 1002.39, 1002.395 and 1002.42, Florida Statutes. Therefore, on October 17, 2017, the Department issued ACDS a site visit report, requesting that ACDS submit the pending documentation within 20 days of receipt. ACDS's response did not include all pending documentation. The Department then issued a Notice of Noncompliance on November 15, 2017, requesting that ACDS submit the missing site visit documentation within 30 days. To date, ACDS has not provided the Department with the following requested documents:

SCHOOL ADMINISTRATION	
Name:	Item(s) needed:
Jacobs, Margaret Elaine	You've indicated to the Department that this individual is a new hire. Please submit her Level II Screening Results, as her Educator's Certificate has expired.
STUDENT HEALTH, SAFETY AND WELFARE	
Student Name:	Item(s) needed:
[REDACTED]	Birth Certificate or Social Security Card, DH 680, DH 3040, Attendance

	DH 3040, Scoliosis Screening
	DH 3040, Scoliosis Screening
	DH 3040, Scoliosis Screening
	DH 3040, Scoliosis Screening
	DH 3040, Scoliosis Screening
	DH 3040
	Attendance
	DH 680
	Birth Certificate or Social Security Card, DH 680, DH 3040, Scoliosis Screening
	Report of Progress, DH 3040
	Report of Progress, DH 680
	DH 680, DH 3040, Scoliosis Screening
	DH 680, DH 3040, Scoliosis Screening
	Birth Certificate or Social Security Card, DH 680
	Birth Certificate or Social Security Card
	Birth Certificate or Social Security Card, Attendance
	Birth Certificate or Social Security Card, DH 680, DH 3040, Scoliosis Screening
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040, Attendance
	Birth Certificate or Social Security Card, DH 680, DH 3040, Scoliosis Screening
	DH 680
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040, Scoliosis Screening
	Parent Contact info, DH 680, DH 3040, Scoliosis, Attendance
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040, Attendance
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040
	DH 680, DH 3040
	Birth Certificate or Social Security Card
	Birth Certificate or Social Security Card
	Birth Certificate or Social Security Card, Parent Contact info, Report of Progress, DH 680, DH 3040, Scoliosis Screening
	Birth Certificate or Social Security Card, DH 680, DH 3040
	DH 680

Pursuant to section 1002.421(2)(i), Florida Statutes, private schools must have a file for valid Florida Teaching Certificates or Level 2 clearances for all employees/contracted personnel. ACDS has failed to provide a Level 2 screening for one employee.

Pursuant to section 1003.22, Florida Statutes, private schools are required to complete and maintain Student Health Examination documentation (DH3040) for students upon admittance into school, and scoliosis screenings for students in sixth grade or higher. ACDS has failed to provide a DH3040 for twenty-two students, and failed to provide scoliosis screenings for twelve students.

Pursuant to section 1003.22(4), Florida Statutes, a school must maintain a Florida Certification of Immunizations (DH680) or valid Exemption for Immunization documentation for each child. ACDS has failed to provide this documentation for eighteen students.

Pursuant to section 1003.23(2), Florida Statutes, private schools must maintain an enrollment register which shows the absence or attendance of each student enrolled for each day of the year. ACDS has failed to provide this documentation for six students.

Pursuant to section 1002.42(3)(a)2, Florida Statutes, a school must maintain student records containing permanent information and temporary information, including a birth certificate or a social security card. ACDS has failed to provide evidence of a birth certificate or social security card on file for sixteen students. Additionally, ACDS has failed to provide evidence of parent contact information on file for six students.

Sections 1002.39(8), 1002.395(8), and 1002.421(5), Florida Statutes, establish that the inability of a private school to meet the requirements of these sections shall constitute a basis for the ineligibility of the private school to participate in the state funded scholarship programs. Therefore, scholarship payments to ACDS and its eligibility to participate have been suspended pending the submission of the aforementioned compliance documents.

NOTICE OF RIGHT TO APPEAL

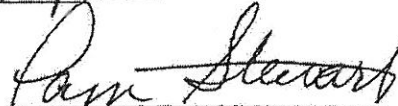
Pursuant to sections 120.569, 120.57, 1002.39(7) and 1002.395(11), Florida Statutes, you are entitled to dispute this decision through legal administrative procedures and to be represented by counsel or other qualified representatives. If you wish to do so, you must make a written request for an administrative hearing in accordance with the provisions of Chapter 28-106, Florida Administrative Code. The written request must be received by the Department's agency clerk within 15 calendar days of the date you receive this letter.

The written request must be submitted to:

Chris Emerson, Agency Clerk
Florida Department of Education
325 West Gaines Street, Room 1520
Tallahassee, Florida 32399-0400

If the written request is not received by the Department within 15 days of receipt of this letter, you will waive the opportunity to contest the decision through administrative proceedings and the Commissioner of Education's decision will be final, subject only to judicial review pursuant to section 120.68, Florida Statutes. Pursuant to section 120.573, Florida Statutes, respondent is advised that mediation is not available.

Executed on this 19th day of January, 2018.



Pam Stewart

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing was furnished by certified and regular U.S. Mail to:

Arlington Country Day School (1438)
Attn: Deborah Condit
5725 Fort Caroline Rd
Jacksonville, FL 32277

this 19th day of January, 2018.



Agency Clerk