

By Senator Fasano

11-1014-03

1 A bill to be entitled
2 An act relating to the John M. McKay
3 Scholarships for Students with Disabilities
4 Program; amending s. 1002.39, F.S.; amending
5 eligibility standards; amending provisions
6 relating to the level of funding for a
7 scholarship recipient; providing an effective
8 date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Subsection (2) and paragraph (a) of
13 subsection (6) of section 1002.39, Florida Statutes, are
14 amended to read:

15 1002.39 The John M. McKay Scholarships for Students
16 with Disabilities Program.--There is established a program
17 that is separate and distinct from the Opportunity Scholarship
18 Program and is named the John M. McKay Scholarships for
19 Students with Disabilities Program, pursuant to this section.

20 (2) SCHOLARSHIP ELIGIBILITY.--The parent of a public
21 school student with a disability who is dissatisfied with the
22 student's progress may request and receive from the state a
23 John M. McKay Scholarship for the child to enroll in and
24 attend a private school in accordance with this section if:

25 (a) By assigned school attendance area or by special
26 assignment, the student has spent the prior school year in
27 attendance at a Florida public school. Prior school year in
28 attendance means that the student was enrolled and reported by
29 a school district for funding during the preceding October and
30 February Florida Education Finance Program surveys in
31 kindergarten through grade 12.

1 (b) The parent has obtained acceptance for admission
2 of the student to a private school that is eligible for the
3 program under subsection (4) and has notified the school
4 district of the request for a scholarship at least 60 days
5 prior to the date of the first scholarship payment. The
6 parental notification must be through a communication directly
7 to the district or through the Department of Education to the
8 district in a manner that creates a written or electronic
9 record of the notification and the date of receipt of the
10 notification.

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12 This section does not apply to a student who is enrolled in a
13 school operating for the purpose of providing educational
14 services to youth in Department of Juvenile Justice commitment
15 programs. For purposes of continuity of educational choice,
16 the scholarship shall remain in force until the student
17 returns to a public school or graduates from high school.
18 However, at any time, the student's parent may remove the
19 student from the private school and place the student in
20 another private school that is eligible for the program under
21 subsection (4) or in a public school as provided in subsection
22 (3). If a student has left a private school that he or she was
23 attending while receiving a McKay Scholarship and has entered
24 a public school, that student is ineligible to transfer to a
25 private school and receive a McKay Scholarship for the
26 remainder of the school year.

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(6) SCHOLARSHIP FUNDING AND PAYMENT.--

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(a)1. The maximum scholarship granted for an eligible
29 student with disabilities shall be a calculated amount
30 equivalent to the base student allocation in the Florida
31 Education Finance Program multiplied by the appropriate cost

1 factor for the educational program that would have been
2 provided for the student in the district school to which he or
3 she was assigned, multiplied by the district cost
4 differential. The level of funding for a student who is
5 receiving a McKay Scholarship may not increase without the
6 agreement of the school district from which funding is being
7 deducted; moreover, the level of funding for such a student
8 may not exceed the revenue that would be received by the
9 school district for a student who is eligible for, but is not
10 receiving, a McKay Scholarship.

11 2. In addition, a share of the guaranteed allocation
12 for exceptional students shall be determined and added to the
13 calculated amount. The calculation shall be based on the
14 methodology and the data used to calculate the guaranteed
15 allocation for exceptional students for each district in
16 chapter 2000-166, Laws of Florida. Except as provided in
17 subparagraph 3., the calculation shall be based on the
18 student's grade, matrix level of services, and the difference
19 between the 2000-2001 basic program and the appropriate level
20 of services cost factor, multiplied by the 2000-2001 base
21 student allocation and the 2000-2001 district cost
22 differential for the sending district. Also, the calculated
23 amount shall include the per-student share of supplemental
24 academic instruction funds, instructional materials funds,
25 technology funds, and other categorical funds as provided for
26 such purposes in the General Appropriations Act.

27 3. Until the school district completes the matrix
28 required by paragraph (3)(b), the calculation shall be based
29 on the matrix that assigns the student to support level I of
30 service as it existed prior to the 2000-2001 school year.

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1 When the school district completes the matrix, the amount of
2 the payment shall be adjusted as needed.

3 Section 2. This act shall take effect July 1, 2003.

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SENATE SUMMARY

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Amends guidelines relating to John M. McKay Scholarships
for Students with Disabilities.

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