

By Senator Wasserman Schultz

34-1027A-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.; requiring  
5           private schools that desire eligibility to  
6           participate in the John M. McKay Scholarship  
7           for Students with Disabilities Program to  
8           demonstrate previous experience in providing  
9           educational services to students with  
10          disabilities; to provide the legal business  
11          name for each business involved in the private  
12          school; to provide certain information about  
13          the private school, its directors, officers,  
14          owners, and general partners; and to employ or  
15          contract with teachers who are certified in  
16          certain areas; providing an effective date.

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

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20           Section 1. Paragraphs (a) and (f) of subsection (4) of  
21 section 1002.39, Florida Statutes, are amended to read:22           1002.39 The John M. McKay Scholarships for Students  
23 with Disabilities Program.--There is established a program  
24 that is separate and distinct from the Opportunity Scholarship  
25 Program and is named the John M. McKay Scholarships for  
26 Students with Disabilities Program, pursuant to this section.27           (4) PRIVATE SCHOOL ELIGIBILITY.--To be eligible to  
28 participate in the John M. McKay Scholarships for Students  
29 with Disabilities Program, a private school must be a Florida  
30 private school, may be sectarian or nonsectarian, and must:

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1           (a)1. Demonstrate fiscal soundness by being in  
2 operation for 1 school year or provide the Department of  
3 Education with a statement by a certified public accountant  
4 confirming that the private school desiring to participate is  
5 insured and the owner or owners have sufficient capital or  
6 credit to operate the school for the upcoming year serving the  
7 number of students anticipated with expected revenues from  
8 tuition and other sources that may be reasonably expected. In  
9 lieu of such a statement, a surety bond or letter of credit  
10 for the amount equal to the scholarship funds for any quarter  
11 may be filed with the department.

12           2.a. Demonstrate, based on an affidavit verified by an  
13 attorney, previous experience for a period of not less than 1  
14 year as a private school engaged in providing education and  
15 services to students with disabilities as defined in  
16 subsection (1) by each grade level; and

17           b. Provide the legal business name for each business  
18 engaged in by the private school during the previous 2 years,  
19 the mailing address, and business locations, and the full  
20 names, addresses, and telephone numbers of its owners or  
21 corporate officers and directors and the Florida agent of the  
22 corporation; and

23           c. Provide information as to whether the private  
24 school, or any of its directors, officers, owners, or general  
25 partners:

26           (I) Has been convicted of a crime involving fraud or  
27 dishonest dealing; or

28           (II) Has not satisfied any fine or penalty arising out  
29 of any administrative or civil enforcement action brought by  
30 any governmental agency or private person based upon conduct  
31 involving fraud or dishonest dealing.

1 (f) Beginning in the 2003-2004 school year, employ or  
2 contract with teachers who are certified for the grade level,  
3 each subject area, the exceptional student education program,  
4 and each exceptionality in which the teachers provide  
5 instruction to a recipient of a John M. McKay Scholarship for  
6 Students with Disabilities.~~hold baccalaureate or higher~~  
7 ~~degrees, or have at least 3 years of teaching experience in~~  
8 ~~public or private schools, or have special skills, knowledge,~~  
9 ~~or expertise that qualifies them to provide instruction in~~  
10 ~~subjects taught.~~

11 Section 2. This act shall take effect upon becoming a  
12 law.

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15 SENATE SUMMARY

16 Beginning in the 2003-2004 school year requires private  
17 schools seeking eligibility to participate in the John M.  
18 McKay Scholarship for Students with Disabilities Program  
19 to demonstrate previous experience in providing  
20 educational services to students with disabilities; to  
21 provide the legal business name for each business  
22 involved in the private school; to provide certain  
23 information about the private school, its directors,  
24 officers, owners, and general partners; and to employ or  
25 contract with teachers who are certified in the  
26 particular grade level, each subject area, the  
27 exceptional student education program, and each  
28 exceptionality in which the teachers provide instruction  
29 to a scholarship recipient.  
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