

HB 0677

2004

A bill to be entitled

An act relating to the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.39, F.S.; requiring private schools that desire eligibility to participate in the John M. McKay Scholarships for Students with Disabilities Program to demonstrate previous experience in providing educational services to students with disabilities, to provide the legal business name for each business in which the private school has been involved, to provide certain information about the private school, its directors, officers, owners, and general partners, and to employ or contract with teachers who are certified in certain areas; providing an effective date.

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

Section 1. Paragraphs (a) and (f) of subsection (4) of section 1002.39, Florida Statutes, are amended to read:

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

(4) PRIVATE SCHOOL ELIGIBILITY.--To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school must be a Florida private school, may be sectarian or nonsectarian, and must:

(a)1. Demonstrate fiscal soundness by being in operation for 1 school year or provide the Department of Education with a

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30 statement by a certified public accountant confirming that the  
31 private school desiring to participate is insured and the owner  
32 or owners have sufficient capital or credit to operate the  
33 school for the upcoming year serving the number of students  
34 anticipated with expected revenues from tuition and other  
35 sources that may be reasonably expected. In lieu of such a  
36 statement, a surety bond or letter of credit for the amount  
37 equal to the scholarship funds for any quarter may be filed with  
38 the department.

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

44 b. Provide, for each business engaged in by the private  
45 school during the previous 2 years, the legal business name, the  
46 mailing address, and business locations and provide the full  
47 names, addresses, and telephone numbers of its owners or  
48 corporate officers and directors and the Florida agent of the  
49 corporation; and

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

52 (I) Has been convicted of a crime involving fraud or  
53 dishonest dealing; or

54 (II) Has not satisfied any fine or penalty arising out of  
55 any administrative or civil enforcement action brought by any  
56 governmental agency or private person based upon conduct  
57 involving fraud or dishonest dealing.

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58 (f) Beginning in the 2004-2005 school year, employ or  
59 contract with teachers who are certified for the grade level,  
60 each subject area, the exceptional student education program,  
61 and each exceptionality in which the teachers provide  
62 instruction to a recipient of a John M. McKay Scholarship ~~hold~~  
63 ~~baccalaureate or higher degrees, or have at least 3 years of~~  
64 ~~teaching experience in public or private schools, or have~~  
65 ~~special skills, knowledge, or expertise that qualifies them to~~  
66 ~~provide instruction in subjects taught.~~

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