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1 A bill to be entitled

2 An act relating to the John M. McKay Scholarships for
3 Students with Disabilities Program; amending s. 1002.39,
4 F.S.; authorizing John M. McKay Scholarships for students
5 to attend home education programs and alternative schools;
6 revising student eligibility requirements for scholarships
7 and eligibility requirements for school or program
8 participants; providing that scholarship program
9 requirements, authority, and funding apply to home
10 education program and alternative school participants in
11 the program; authorizing a John M. McKay Scholarship to
12 fund a home-based early intervention program for a child
13 with an Autism Spectrum Disorder; providing program
14 requirements; specifying uses for scholarship funds;
15 authorizing a John M. McKay Scholarship to fund certain
16 community-based services for a public school student with
17 an Autism Spectrum Disorder; providing an exemption from
18 an attendance requirement; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Section 1002.39, Florida Statutes, is amended
23 to read:

24 1002.39 The John M. McKay Scholarships for Students with
25 Disabilities Program.--There is established a program that is
26 separate and distinct from the Opportunity Scholarship Program
27 and is named the John M. McKay Scholarships for Students with
28 Disabilities Program.

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29 (1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH
30 DISABILITIES PROGRAM.--The John M. McKay Scholarships for
31 Students with Disabilities Program is established to provide the
32 option to attend a public school other than the one to which
33 assigned, or to provide a scholarship to a private school, home
34 education program, or alternative school of choice, for students
35 with disabilities for whom an individual education plan has been
36 written in accordance with rules of the State Board of
37 Education. Students with disabilities include K-12 students who
38 are documented as having a mental handicap, including trainable,
39 profound, or educable; a speech or language impairment; a
40 hearing impairment, including deafness; a visual impairment,
41 including blindness; a dual sensory impairment; a physical
42 impairment; a serious emotional disturbance, including an
43 emotional handicap; a specific learning disability, including,
44 but not limited to, dyslexia, dyscalculia, or developmental
45 aphasia; a traumatic brain injury; or autism.

46 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.--The parent of
47 any a public school student with a diagnosed disability ~~who is~~
48 ~~dissatisfied with the student's progress~~ may request and receive
49 from the state a John M. McKay Scholarship. ~~for the child to~~
50 ~~enroll in and attend a private school in accordance with this~~
51 ~~section if:~~

52 ~~(a) The student has spent the prior school year in~~
53 ~~attendance at a Florida public school or the Florida School for~~
54 ~~the Deaf and the Blind. Prior school year in attendance means~~
55 ~~that the student was:~~

56 ~~1. Enrolled and reported by a school district for funding~~
 57 ~~during the preceding October and February Florida Education~~
 58 ~~Finance Program surveys in kindergarten through grade 12, which~~
 59 ~~shall include time spent in a Department of Juvenile Justice~~
 60 ~~commitment program if funded under the Florida Education Finance~~
 61 ~~Program;~~

62 ~~2. Enrolled and reported by the Florida School for the~~
 63 ~~Deaf and the Blind during the preceding October and February~~
 64 ~~student membership surveys in kindergarten through grade 12; or~~

65 ~~3. Enrolled and reported by a school district for funding~~
 66 ~~during the preceding October and February Florida Education~~
 67 ~~Finance Program surveys, was at least 4 years old when so~~
 68 ~~enrolled and reported, and was eligible for services under s.~~
 69 ~~1003.21(1)(c).~~

70
 71 ~~However, a dependent child of a member of the United States~~
 72 ~~Armed Forces who transfers to a school in this state from out of~~
 73 ~~state or from a foreign country pursuant to a parent's permanent~~
 74 ~~change of station orders is exempt from this paragraph but must~~
 75 ~~meet all other eligibility requirements to participate in the~~
 76 ~~program.~~

77 ~~(b)~~ The parent must have ~~has~~ obtained acceptance for
 78 admission of the student to a private school or program that is
 79 eligible ~~for the program~~ under subsection (8) and must have ~~has~~
 80 requested from the department a scholarship at least 60 days
 81 prior to the date of the first scholarship payment. The request
 82 must be through a communication directly to the department in a
 83 manner that creates a written or electronic record of the

84 request and the date of receipt of the request. The Department
 85 of Education must notify the district of the parent's intent
 86 upon receipt of the parent's request.

87 (3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.--A student is
 88 not eligible for a John M. McKay Scholarship while he or she is:

89 (a) Enrolled in a school operating for the purpose of
 90 providing educational services to youth in Department of
 91 Juvenile Justice commitment programs;

92 (b) Receiving a corporate income tax credit scholarship
 93 under s. 220.187;

94 (c) Receiving an educational scholarship pursuant to this
 95 chapter;

96 ~~(d) Participating in a home education program as defined
 97 in s. 1002.01(1);~~

98 (d)(e) Participating in a private tutoring program
 99 pursuant to s. 1002.43;

100 (e)(f) Participating in a virtual school, correspondence
 101 school, or distance learning program that receives state funding
 102 pursuant to the student's participation unless the participation
 103 is limited to no more than two courses per school year;

104 (f)(g) Enrolled in the Florida School for the Deaf and the
 105 Blind; or

106 (g)(h) Not having regular and direct contact with his or
 107 her ~~private~~ school teachers ~~at the school's physical location.~~

108 (4) TERM OF JOHN M. MCKAY SCHOLARSHIP.--

109 (a) For purposes of continuity of educational choice, a
 110 John M. McKay Scholarship shall remain in force until the

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111 student returns to a public school, graduates from high school,
 112 or reaches the age of 22, whichever occurs first.

113 (b) Upon reasonable notice to the department and the
 114 school district, the student's parent may remove the student
 115 from the private school, home education program, or alternative
 116 school and place the student in a public school in accordance
 117 with this section.

118 (c) Upon reasonable notice to the department, the
 119 student's parent may move the student from one participating
 120 private school, home education program, or alternative school to
 121 another participating ~~private~~ school or program.

122 (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.--

123 (a)1. By April 1 of each year and within 10 days after an
 124 individual education plan meeting, a school district shall
 125 notify the parent of the student of all options available
 126 pursuant to this section, inform the parent of the availability
 127 of the department's telephone hotline and Internet website for
 128 additional information on John M. McKay Scholarships, and offer
 129 that student's parent an opportunity to enroll the student in
 130 another public school within the district.

131 2. The parent is not required to accept the offer of
 132 enrolling in another public school in lieu of requesting a John
 133 M. McKay Scholarship to a private school, home education
 134 program, or alternative school. However, if the parent chooses
 135 the public school option, the student may continue attending a
 136 public school chosen by the parent until the student graduates
 137 from high school.

138 3. If the parent chooses a public school consistent with
139 the district school board's choice plan under s. 1002.31, the
140 school district shall provide transportation to the public
141 school selected by the parent. The parent is responsible to
142 provide transportation to a public school chosen that is not
143 consistent with the district school board's choice plan under s.
144 1002.31.

145 (b)1. For a student with disabilities who does not have a
146 matrix of services under s. 1011.62(1)(e), the school district
147 must complete a matrix that assigns the student to one of the
148 levels of service as they existed prior to the 2000-2001 school
149 year.

150 2.a. Within 10 school days after it receives notification
151 of a parent's request for a John M. McKay Scholarship, a school
152 district must notify the student's parent if the matrix of
153 services has not been completed and inform the parent that the
154 district is required to complete the matrix within 30 days after
155 receiving notice of the parent's request for a John M. McKay
156 Scholarship. This notice should include the required completion
157 date for the matrix.

158 b. The school district must complete the matrix of
159 services for any student who is participating in the John M.
160 McKay Scholarships for Students with Disabilities Program and
161 must notify the department of the student's matrix level within
162 30 days after receiving notification of a request to participate
163 in the scholarship program. The school district must provide the
164 student's parent with the student's matrix level within 10
165 school days after its completion.

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166 c. The department shall notify the private school, home
167 education program, or alternative school of the amount of the
168 scholarship within 10 days after receiving the school district's
169 notification of the student's matrix level.

170 d. A school district may change a matrix of services only
171 if the change is to correct a technical, typographical, or
172 calculation error.

173 (c) A school district shall provide notification to
174 parents of the availability of a reevaluation at least every 3
175 years of each student who receives a John M. McKay Scholarship.

176 (d) If the parent chooses the private school, home
177 education program, or alternative school option and the student
178 is accepted by the ~~private~~ school or program pending the
179 availability of a space for the student, the parent of the
180 student must notify the department 60 days prior to the first
181 scholarship payment and before entering the ~~private~~ school or
182 program in order to be eligible for the scholarship when a space
183 becomes available for the student in the ~~private~~ school or
184 program.

185 (e) The parent of a student may choose, as an alternative,
186 to enroll the student in and transport the student to a public
187 school in an adjacent school district which has available space
188 and has a program with the services agreed to in the student's
189 individual education plan already in place, and that school
190 district shall accept the student and report the student for
191 purposes of the district's funding pursuant to the Florida
192 Education Finance Program.

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193 (f) For a student who participates in the John M. McKay
194 Scholarships for Students with Disabilities Program whose parent
195 requests that the student take the statewide assessments under
196 s. 1008.22, the district in which the student attends a private
197 school, a home education program, or an alternative school shall
198 provide locations and times to take all statewide assessments.

199 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.--The department
200 shall:

201 (a) Establish a toll-free hotline that provides parents
202 and private schools, home education programs, and alternative
203 schools with information on participation in the John M. McKay
204 Scholarships for Students with Disabilities Program.

205 (b) Annually verify the eligibility of ~~private~~ schools or
206 programs that meet the requirements of subsection (8).

207 (c) Establish a process by which individuals may notify
208 the department of any violation by a parent, private school,
209 home education program, alternative school, or school district
210 of state laws relating to program participation. The department
211 shall conduct an inquiry of any written complaint of a violation
212 of this section, or make a referral to the appropriate agency
213 for an investigation, if the complaint is signed by the
214 complainant and is legally sufficient. A complaint is legally
215 sufficient if it contains ultimate facts that show that a
216 violation of this section or any rule adopted by the State Board
217 of Education has occurred. In order to determine legal
218 sufficiency, the department may require supporting information
219 or documentation from the complainant. A department inquiry is
220 not subject to the requirements of chapter 120.

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221 (d) Require an annual, notarized, sworn compliance
222 statement by participating private schools, home education
223 programs, and alternative schools certifying compliance with
224 state laws and shall retain such records.

225 (e) Cross-check the list of participating scholarship
226 students with the public school enrollment lists prior to each
227 scholarship payment to avoid duplication.

228 (f)1. Conduct random site visits to private schools, home
229 education programs with 7 days' scheduled notice, and
230 alternative schools participating in the John M. McKay
231 Scholarships for Students with Disabilities Program. The purpose
232 of the site visits is solely to verify the information reported
233 by the schools or programs concerning the enrollment and
234 attendance of students, the credentials of teachers, background
235 screening of teachers, and teachers' fingerprinting results,
236 which information is required by rules of the State Board of
237 Education, subsection (8), and s. 1002.421. The Department of
238 Education may not make more than three random site visits each
239 year and may not make more than one random site visit each year
240 to the same ~~private~~ school or program.

241 2. Annually, by December 15, report to the Governor, the
242 President of the Senate, and the Speaker of the House of
243 Representatives the Department of Education's actions with
244 respect to implementing accountability in the scholarship
245 program under this section and s. 1002.421, any substantiated
246 allegations or violations of law or rule by an eligible private
247 school, home education program, or alternative school under this
248 program concerning the enrollment and attendance of students,

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249 the credentials of teachers, background screening of teachers,
250 and teachers' fingerprinting results and the corrective action
251 taken by the Department of Education.

252 (7) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.--

253 (a) The Commissioner of Education shall deny, suspend, or
254 revoke the a private school's participation of a private school,
255 home education program, or alternative school in the scholarship
256 program if it is determined that the ~~private school~~ or program
257 has failed to comply with the provisions of this section.

258 However, in instances in which the noncompliance is correctable
259 within a reasonable amount of time and in which the health,
260 safety, or welfare of the students is not threatened, the
261 commissioner may issue a notice of noncompliance which shall
262 provide the private school, home education program, or
263 alternative school with a timeframe within which to provide
264 evidence of compliance prior to taking action to suspend or
265 revoke its ~~the private school's~~ participation in the scholarship
266 program.

267 (b) The commissioner's determination is subject to the
268 following:

269 1. If the commissioner intends to deny, suspend, or revoke
270 ~~a private school's~~ participation in the scholarship program, the
271 department shall notify the private school, home education
272 program, or alternative school of such proposed action in
273 writing by certified mail and regular mail to the ~~private~~
274 ~~school's~~ address of record with the department. The notification
275 shall include the reasons for the proposed action and notice of
276 the timelines and procedures set forth in this paragraph.

277 2. The private school, home education program, or
 278 alternative school that is adversely affected by the proposed
 279 action shall have 15 days from receipt of the notice of proposed
 280 action to file with the department's agency clerk a request for
 281 a proceeding pursuant to ss. 120.569 and 120.57. If the private
 282 school, home education program, or alternative school is
 283 entitled to a hearing under s. 120.57(1), the department shall
 284 forward the request to the Division of Administrative Hearings.

285 3. Upon receipt of a request referred pursuant to this
 286 paragraph, the director of the Division of Administrative
 287 Hearings shall expedite the hearing and assign an administrative
 288 law judge who shall commence a hearing within 30 days after the
 289 receipt of the formal written request by the division and enter
 290 a recommended order within 30 days after the hearing or within
 291 30 days after receipt of the hearing transcript, whichever is
 292 later. Each party shall be allowed 10 days in which to submit
 293 written exceptions to the recommended order. A final order shall
 294 be entered by the agency within 30 days after the entry of a
 295 recommended order. The provisions of this subparagraph may be
 296 waived upon stipulation by all parties.

297 (c) The commissioner may immediately suspend payment of
 298 scholarship funds if it is determined that there is probable
 299 cause to believe that there is:

300 1. An imminent threat to the health, safety, or welfare of
 301 the students; or

302 2. Fraudulent activity on the part of the private school,
 303 home education program, or alternative school. Notwithstanding
 304 s. 1002.22(3), in incidents of alleged fraudulent activity

305 pursuant to this section, the Department of Education's Office
 306 of Inspector General is authorized to release personally
 307 identifiable records or reports of students to the following
 308 persons or organizations:

309 a. A court of competent jurisdiction in compliance with an
 310 order of that court or the attorney of record in accordance with
 311 a lawfully issued subpoena, consistent with the Family
 312 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

313 b. A person or entity authorized by a court of competent
 314 jurisdiction in compliance with an order of that court or the
 315 attorney of record pursuant to a lawfully issued subpoena,
 316 consistent with the Family Educational Rights and Privacy Act,
 317 20 U.S.C. s. 1232g.

318 c. Any person, entity, or authority issuing a subpoena for
 319 law enforcement purposes when the court or other issuing agency
 320 has ordered that the existence or the contents of the subpoena
 321 or the information furnished in response to the subpoena not be
 322 disclosed, consistent with the Family Educational Rights and
 323 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

324
 325 The commissioner's order suspending payment pursuant to this
 326 paragraph may be appealed pursuant to the same procedures and
 327 timelines as the notice of proposed action set forth in
 328 paragraph (b).

329 (8) PRIVATE SCHOOL, HOME EDUCATION PROGRAM, AND
 330 ALTERNATIVE SCHOOL ELIGIBILITY AND OBLIGATIONS.--To be eligible
 331 to participate in the John M. McKay Scholarships for Students
 332 with Disabilities Program, a private school, home education

333 program, or alternative school may be sectarian or nonsectarian
 334 and must:

335 (a) Comply with all requirements for private schools
 336 participating in state school choice scholarship programs
 337 pursuant to s. 1002.421.

338 (b) Provide to the department all documentation required
 339 for a student's participation, including the ~~private school's~~
 340 ~~and student's~~ fee schedules of the school or program and the
 341 student, at least 30 days before the first quarterly scholarship
 342 payment is made for the student.

343 (c) Be academically accountable to the parent for meeting
 344 the educational needs of the student by:

345 1. At a minimum, annually providing to the parent a
 346 written explanation of the student's progress.

347 2. Cooperating with the scholarship student whose parent
 348 chooses to participate in the statewide assessments pursuant to
 349 s. 1008.22.

350 ~~(d) Maintain in this state a physical location where a~~
 351 ~~scholarship student regularly attends classes.~~

352
 353 The inability of a private school, home education program, or
 354 alternative school to meet the requirements of this subsection
 355 shall constitute a basis for the ineligibility of the private
 356 school, home education program, or alternative school to
 357 participate in the scholarship program as determined by the
 358 department.

359 (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 360 PARTICIPATION.--A parent who applies for a John M. McKay

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361 Scholarship is exercising his or her parental option to place
362 his or her child in a private school, a home education program,
363 or an alternative school.

364 (a) The parent must select the private school, home
365 education program, or alternative school and apply for the
366 admission of his or her child.

367 (b) The parent must have requested the scholarship at
368 least 60 days prior to the date of the first scholarship
369 payment.

370 (c) Any student participating in the John M. McKay
371 Scholarships for Students with Disabilities Program must remain
372 in attendance throughout the school year unless excused by the
373 school or program for illness or other good cause.

374 (d) Each parent and each student has an obligation to the
375 private school, home education program, or alternative school to
376 comply with its ~~the private school's~~ published policies.

377 (e) If the parent requests that the student participating
378 in the John M. McKay Scholarships for Students with Disabilities
379 Program take all statewide assessments required pursuant to s.
380 1008.22, the parent is responsible for transporting the student
381 to the assessment site ~~designated by the school district.~~

382 (f) Upon receipt of a scholarship warrant, the parent to
383 whom the warrant is made must restrictively endorse the warrant
384 to the private school, home education program, or alternative
385 school for deposit into the account of the private school, home
386 education program, or alternative school. The parent may not
387 designate any entity or individual associated with the
388 participating ~~private~~ school, home education program, or

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389 alternative school as the parent's attorney in fact to endorse a
390 scholarship warrant. A participant who fails to comply with this
391 paragraph forfeits the scholarship.

392 (10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.--

393 (a)1. The maximum scholarship granted for an eligible
394 student with disabilities shall be a calculated amount
395 equivalent to the base student allocation in the Florida
396 Education Finance Program multiplied by the appropriate cost
397 factor for the educational program that would have been provided
398 for the student in the district school to which he or she was
399 assigned, multiplied by the district cost differential.

400 2. In addition, a share of the guaranteed allocation for
401 exceptional students shall be determined and added to the
402 calculated amount. The calculation shall be based on the
403 methodology and the data used to calculate the guaranteed
404 allocation for exceptional students for each district in chapter
405 2000-166, Laws of Florida. Except as provided in subparagraphs
406 3. and 4., the calculation shall be based on the student's
407 grade, matrix level of services, and the difference between the
408 2000-2001 basic program and the appropriate level of services
409 cost factor, multiplied by the 2000-2001 base student allocation
410 and the 2000-2001 district cost differential for the sending
411 district. Also, the calculated amount shall include the per-
412 student share of supplemental academic instruction funds,
413 instructional materials funds, technology funds, and other
414 categorical funds as provided for such purposes in the General
415 Appropriations Act.

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416 3. The calculated scholarship amount for a student who was
417 enrolled in the Florida School for the Deaf and the Blind the
418 prior school year ~~is eligible under subparagraph (2)(a)2.~~ shall
419 be calculated as provided in subparagraphs 1. and 2. However,
420 the calculation shall be based on the school district in which
421 the parent resides at the time of the scholarship request.

422 4. Until the school district completes the matrix required
423 by paragraph (5)(b), the calculation shall be based on the
424 matrix that assigns the student to support level I of service as
425 it existed prior to the 2000-2001 school year. When the school
426 district completes the matrix, the amount of the payment shall
427 be adjusted as needed.

428 (b) The amount of the John M. McKay Scholarship shall be
429 the calculated amount or the amount of ~~the private school's~~
430 tuition and fees of the school or program, whichever is less.
431 The amount of any assessment fee required by the participating
432 private school, home education program, or alternative school
433 may be paid from the total amount of the scholarship.

434 (c)1. The school district shall report all students who
435 are attending a private school, home education program, or
436 alternative school under this program. The students with
437 disabilities attending private schools, home education programs,
438 or alternative schools on John M. McKay Scholarships shall be
439 reported separately from other students reported for purposes of
440 the Florida Education Finance Program.

441 2. For program participants who were enrolled in the
442 Florida School for the Deaf and the Blind the prior school year
443 ~~are eligible under subparagraph (2)(a)2.~~, the school district

444 that is used as the basis for the calculation of the scholarship
 445 amount as provided in subparagraph (a)3. shall:

446 a. Report to the department all such students who are
 447 attending a private school, home education program, or
 448 alternative school under this program.

449 b. Be held harmless for such students from the weighted
 450 enrollment ceiling for group 2 programs in s. 1011.62(1)(d)3.a.
 451 during the first school year in which the students are reported.

452 (d) Following notification on July 1, September 1,
 453 December 1, or February 1 of the number of program participants,
 454 the department shall transfer, from General Revenue funds only,
 455 the amount calculated under paragraph (b) from the school
 456 district's total funding entitlement under the Florida Education
 457 Finance Program and from authorized categorical accounts to a
 458 separate account for the scholarship program for quarterly
 459 disbursement to the parents of participating students. Funds may
 460 not be transferred from any funding provided to the Florida
 461 School for the Deaf and the Blind for program participants ~~who~~
 462 ~~are eligible under subparagraph (2)(a)2.~~ For a student exiting a
 463 Department of Juvenile Justice commitment program who chooses to
 464 participate in the scholarship program, the amount of the John
 465 M. McKay Scholarship calculated pursuant to paragraph (b) shall
 466 be transferred from the school district in which the student
 467 last attended a public school prior to commitment to the
 468 Department of Juvenile Justice. When a student enters the
 469 scholarship program, the department must receive all
 470 documentation required for the student's participation,
 471 including the ~~private school's and student's~~ fee schedules of

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472 the school or program and the student, at least 30 days before
473 the first quarterly scholarship payment is made for the student.

474 (e) Upon notification by the department that it has
475 received the documentation required under paragraph (d), the
476 Chief Financial Officer shall make scholarship payments in four
477 equal amounts no later than September 1, November 1, February 1,
478 and April 1 of each academic year in which the scholarship is in
479 force. The initial payment shall be made after department
480 verification of admission acceptance, and subsequent payments
481 shall be made upon verification of continued enrollment and
482 attendance at the private school, home education program, or
483 alternative school. Payment must be by individual warrant made
484 payable to the student's parent and mailed by the department to
485 the private school, home education program, or alternative
486 school of the parent's choice, and the parent shall
487 restrictively endorse the warrant to the private school, home
488 education program, or alternative school for deposit into its
489 ~~the account of the private school~~.

490 (f) Subsequent to each scholarship payment, the department
491 shall request from the Department of Financial Services a sample
492 of endorsed warrants to review and confirm compliance with
493 endorsement requirements.

494 (11) LIABILITY.--No liability shall arise on the part of
495 the state based on the award or use of a John M. McKay
496 Scholarship.

497 (12) SCOPE OF AUTHORITY.--The inclusion of eligible
498 private schools, home education programs, and alternative
499 schools within options available to Florida public school

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500 students does not expand the regulatory authority of the state,
501 its officers, or any school district to impose any additional
502 regulation of private schools, home education programs, or
503 alternative schools beyond those reasonably necessary to enforce
504 requirements expressly set forth in this section.

505 (13) EARLY INTENSIVE BEHAVIORAL INTERVENTION.--

506 (a) Notwithstanding the provisions of this section, the
507 parent of a child with an Autism Spectrum Disorder may receive a
508 John M. McKay Scholarship to fund a home-based Early Intensive
509 Behavioral Intervention (EIBI) Program for the child.

510 (b) The EIBI Program must be:

511 1. Recommended by a physician or the Early Steps Family
512 Support Team for EIBI as the most effective treatment option for
513 the child.

514 2. Planned and regularly supervised by a person who is, at
515 minimum, a Board Certified Behavior Analyst (BCBA).

516 3. Provided in the family home with a weekly schedule of
517 educational activities.

518 (c) A John M. McKay Scholarship may be used to pay for or
519 reimburse the following:

520 1. Assessment, program planning, staff and parent
521 training, and supervision by the BCBA.

522 2. Direct intervention with the child by the BCBA.

523 3. Services of a person who possesses an associate degree
524 or higher and who has completed 15 hours of training in the EIBI
525 Program.

526 4. Training manuals and books and teaching and learning
527 materials essential for establishing and maintaining the EIBI

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528 Program.

529 (d) A student with an Autism Spectrum Disorder who is at
530 least 14 but not more than 22 years of age and in the public
531 school system is eligible for a John M. McKay Scholarship to pay
532 for services provided by a community-based organization for or
533 related to career or life skills preparation. Such student may
534 not be required to have spent the prior school year in
535 attendance at a Florida public school for receipt of a
536 scholarship.

537 (e) The term "Autism Spectrum Disorder" means one of the
538 five specific diagnoses enumerated in the DSM-IV for Pervasive
539 Developmental Disorders which are: Autistic Disorder; Asperger's
540 Disorder; Pervasive Developmental Disorder Not Otherwise
541 Specified (PDDNOS); Childhood Disintegrative Disorder; and
542 Rett's Disorder.

543 (14) (13) RULES.--The State Board of Education shall adopt
544 rules pursuant to ss. 120.536(1) and 120.54 to administer this
545 section, including rules that school districts must use to
546 expedite the development of a matrix of services based on an
547 active individual education plan from another state or a foreign
548 country for a transferring student with a disability who is a
549 dependent child of a member of the United States Armed Forces.
550 The rules must identify the appropriate school district
551 personnel who must complete the matrix of services. For purposes
552 of these rules, a transferring student with a disability is one
553 who was previously enrolled as a student with a disability in an
554 out-of-state or an out-of-country public or private school or
555 agency program and who is transferring from out of state or from

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556 | a foreign country pursuant to a parent's permanent change of
557 | station orders.

558 | Section 2. This act shall take effect July 1, 2007.