

Bill No. HB 7145, 1st Eng.

Barcode 903264

CHAMBER ACTION

Senate

House

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Senator Gaetz moved the following **amendment to amendment**  
(971380):

**Senate Amendment (with title amendment)**

On page 29, line 11, through  
page 44, line 22, delete those lines

and insert:

(1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH  
DISABILITIES PROGRAM.--The John M. McKay Scholarships for  
Students with Disabilities Program is established to provide  
the option to attend a public school other than the one to  
which assigned, or to provide a scholarship to a private  
school of choice, for students with disabilities for whom an  
individual education plan has been written in accordance with  
rules of the State Board of Education. Students with  
disabilities include K-12 students who are documented as  
having a mental handicap, including trainable, profound, or  
educable; a speech or language impairment; a hearing  
impairment, including deafness; a visual impairment, including  
blindness; a dual sensory impairment; a physical impairment; a

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1 serious emotional disturbance, including an emotional  
2 handicap; a specific learning disability, including, but not  
3 limited to, dyslexia, dyscalculia, or developmental aphasia; a  
4 traumatic brain injury; or autism.

5 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.--The parent  
6 of a public school student with a disability who is  
7 dissatisfied with the student's progress may request and  
8 receive from the state a John M. McKay Scholarship for the  
9 child to enroll in and attend a private school in accordance  
10 with this section if:

11 (a) The student has spent the prior school year in  
12 attendance at a Florida public school or the Florida School  
13 for the Deaf and the Blind. Prior school year in attendance  
14 means that the student was:

15 1. Enrolled and reported by a school district for  
16 funding during the preceding October and February Florida  
17 Education Finance Program surveys in kindergarten through  
18 grade 12, which shall include time spent in a Department of  
19 Juvenile Justice commitment program if funded under the  
20 Florida Education Finance Program;

21 2. Enrolled and reported by the Florida School for the  
22 Deaf and the Blind during the preceding October and February  
23 student membership surveys in kindergarten through grade 12;  
24 or

25 3. Enrolled and reported by a school district for  
26 funding during the preceding October and February Florida  
27 Education Finance Program surveys, was at least 4 years old  
28 when so enrolled and reported, and was eligible for services  
29 under s. 1003.21(1)(e).

30  
31 However, a dependent child of a member of the United States

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1 Armed Forces who transfers to a school in this state from out  
 2 of state or from a foreign country pursuant to a parent's  
 3 permanent change of station orders is exempt from this  
 4 paragraph but must meet all other eligibility requirements to  
 5 participate in the program.

6 (b) The parent has obtained acceptance for admission  
 7 of the student to a private school that is eligible for the  
 8 program under subsection (8) and has requested from the  
 9 department a scholarship at least 60 days prior to the date of  
 10 the first scholarship payment. The request must be through a  
 11 communication directly to the department in a manner that  
 12 creates a written or electronic record of the request and the  
 13 date of receipt of the request. The Department of Education  
 14 must notify the district of the parent's intent upon receipt  
 15 of the parent's request.

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

19 (a) Enrolled in a school operating for the purpose of  
 20 providing educational services to youth in Department of  
 21 Juvenile Justice commitment programs;

22 (b) Receiving a corporate income tax credit  
 23 scholarship under s. 220.187;

24 (c) Receiving an educational scholarship pursuant to  
 25 this chapter;

26 (d) Participating in a home education program as  
 27 defined in s. 1002.01(1);

28 (e) Participating in a private tutoring program  
 29 pursuant to s. 1002.43;

30 (f) Participating in a virtual school, correspondence  
 31 school, or distance learning program that receives state

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1 funding pursuant to the student's participation unless the  
2 participation is limited to no more than two courses per  
3 school year;

4 (g) Enrolled in the Florida School for the Deaf and  
5 the Blind; or

6 (h) Not having regular and direct contact with his or  
7 her private school teachers at the school's physical location  
8 unless the following criteria are met:

9 1. The student's primary care physician, a medical  
10 doctor treating the student's disability, or a clinical  
11 psychologist treating the student's disability provides a  
12 notarized, sworn statement to the department certifying that  
13 the student's welfare or the welfare of other students in the  
14 classroom will be jeopardized if the student is required to  
15 regularly attend class at the school's physical location.

16 2. The student's primary care physician, a medical  
17 doctor treating the student's disability, or a clinical  
18 psychologist treating the student's disability annually  
19 reviews the student's case and recertifies to the department  
20 by May 1 that the student's welfare or the welfare of the  
21 other students in the classroom will be jeopardized if the  
22 student is required to regularly attend class at the school's  
23 physical location.

24  
25 A student who received a scholarship in the 2005-2006 or  
26 2006-2007 school year and who demonstrates that he or she met  
27 the criteria of subparagraph 1. shall be eligible to receive a  
28 scholarship beginning in the 2007-2008 school year.

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

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

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

3 (b) Upon reasonable notice to the department and the  
4 school district, the student's parent may remove the student  
5 from the private school and place the student in a public  
6 school in accordance with this section.

7 (c) Upon reasonable notice to the department, the  
8 student's parent may move the student from one participating  
9 private school to another participating private school.

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

11 (a)1. By April 1 of each year and within 10 days after  
12 an individual education plan meeting, a school district shall  
13 notify the parent of the student of all options available  
14 pursuant to this section, inform the parent of the  
15 availability of the department's telephone hotline and  
16 Internet website for additional information on John M. McKay  
17 Scholarships, and offer that student's parent an opportunity  
18 to enroll the student in another public school within the  
19 district.

20 2. The parent is not required to accept the offer of  
21 enrolling in another public school in lieu of requesting a  
22 John M. McKay Scholarship to a private school. However, if the  
23 parent chooses the public school option, the student may  
24 continue attending a public school chosen by the parent until  
25 the student graduates from high school.

26 3. If the parent chooses a public school consistent  
27 with the district school board's choice plan under s. 1002.31,  
28 the school district shall provide transportation to the public  
29 school selected by the parent. The parent is responsible to  
30 provide transportation to a public school chosen that is not  
31 consistent with the district school board's choice plan under

1 s. 1002.31.

2 (b)1. For a student with disabilities who does not  
3 have a matrix of services under s. 1011.62(1)(e), the school  
4 district must complete a matrix that assigns the student to  
5 one of the levels of service as they existed prior to the  
6 2000-2001 school year.

7 2.a. Within 10 school days after it receives  
8 notification of a parent's request for a John M. McKay  
9 Scholarship, a school district must notify the student's  
10 parent if the matrix of services has not been completed and  
11 inform the parent that the district is required to complete  
12 the matrix within 30 days after receiving notice of the  
13 parent's request for a John M. McKay Scholarship. This notice  
14 should include the required completion date for the matrix.

15 b. The school district must complete the matrix of  
16 services for any student who is participating in the John M.  
17 McKay Scholarships for Students with Disabilities Program and  
18 must notify the department of the student's matrix level  
19 within 30 days after receiving notification of a request to  
20 participate in the scholarship program. The school district  
21 must provide the student's parent with the student's matrix  
22 level within 10 school days after its completion.

23 c. The department shall notify the private school of  
24 the amount of the scholarship within 10 days after receiving  
25 the school district's notification of the student's matrix  
26 level.

27 d. A school district may change a matrix of services  
28 only if the change is to correct a technical, typographical,  
29 or calculation error.

30 (c) A school district shall provide notification to  
31 parents of the availability of a reevaluation at least every 3

1 years of each student who receives a John M. McKay  
2 Scholarship.

3 (d) If the parent chooses the private school option  
4 and the student is accepted by the private school pending the  
5 availability of a space for the student, the parent of the  
6 student must notify the department 60 days prior to the first  
7 scholarship payment and before entering the private school in  
8 order to be eligible for the scholarship when a space becomes  
9 available for the student in the private school.

10 (e) The parent of a student may choose, as an  
11 alternative, to enroll the student in and transport the  
12 student to a public school in an adjacent school district  
13 which has available space and has a program with the services  
14 agreed to in the student's individual education plan already  
15 in place, and that school district shall accept the student  
16 and report the student for purposes of the district's funding  
17 pursuant to the Florida Education Finance Program.

18 (f) For a student who participates in the John M.  
19 McKay Scholarships for Students with Disabilities Program  
20 whose parent requests that the student take the statewide  
21 assessments under s. 1008.22, the district in which the  
22 student attends private school shall provide locations and  
23 times to take all statewide assessments.

24 (6) DEPARTMENT OF EDUCATION OBLIGATIONS.--The  
25 department shall:

26 (a) Establish a toll-free hotline that provides  
27 parents and private schools with information on participation  
28 in the John M. McKay Scholarships for Students with  
29 Disabilities Program.

30 (b) Annually verify the eligibility of private schools  
31 that meet the requirements of subsection (8).

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1           (c) Establish a process by which individuals may  
2 notify the department of any violation by a parent, private  
3 school, or school district of state laws relating to program  
4 participation. The department shall conduct an inquiry of any  
5 written complaint of a violation of this section, or make a  
6 referral to the appropriate agency for an investigation, if  
7 the complaint is signed by the complainant and is legally  
8 sufficient. A complaint is legally sufficient if it contains  
9 ultimate facts that show that a violation of this section or  
10 any rule adopted by the State Board of Education has occurred.  
11 In order to determine legal sufficiency, the department may  
12 require supporting information or documentation from the  
13 complainant. A department inquiry is not subject to the  
14 requirements of chapter 120.

15           (d) Require an annual, notarized, sworn compliance  
16 statement by participating private schools certifying  
17 compliance with state laws and shall retain such records.

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

21           (f)1. Conduct random site visits to private schools  
22 participating in the John M. McKay Scholarships for Students  
23 with Disabilities Program. The purpose of the site visits is  
24 solely to verify the information reported by the schools  
25 concerning the enrollment and attendance of students, the  
26 credentials of teachers, background screening of teachers, and  
27 teachers' fingerprinting results, which information is  
28 required by rules of the State Board of Education, subsection  
29 (8), and s. 1002.421. The Department of Education may not make  
30 more than three random site visits each year and may not make  
31 more than one random site visit each year to the same private



1 school.

2           2. Annually, by December 15, report to the Governor,  
3 the President of the Senate, and the Speaker of the House of  
4 Representatives the Department of Education's actions with  
5 respect to implementing accountability in the scholarship  
6 program under this section and s. 1002.421, any substantiated  
7 allegations or violations of law or rule by an eligible  
8 private school under this program concerning the enrollment  
9 and attendance of students, the credentials of teachers,  
10 background screening of teachers, and teachers' fingerprinting  
11 results and the corrective action taken by the Department of  
12 Education.

13           (7) COMMISSIONER OF EDUCATION AUTHORITY AND  
14 OBLIGATIONS.--

15           (a) The Commissioner of Education shall deny, suspend,  
16 or revoke a private school's participation in the scholarship  
17 program if it is determined that the private school has failed  
18 to comply with the provisions of this section. However, in  
19 instances in which the noncompliance is correctable within a  
20 reasonable amount of time and in which the health, safety, or  
21 welfare of the students is not threatened, the commissioner  
22 may issue a notice of noncompliance which shall provide the  
23 private school with a timeframe within which to provide  
24 evidence of compliance prior to taking action to suspend or  
25 revoke the private school's participation in the scholarship  
26 program.

27           (b) The commissioner's determination is subject to the  
28 following:

29           1. If the commissioner intends to deny, suspend, or  
30 revoke a private school's participation in the scholarship  
31 program, the department shall notify the private school of

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1 such proposed action in writing by certified mail and regular  
 2 mail to the private school's address of record with the  
 3 department. The notification shall include the reasons for the  
 4 proposed action and notice of the timelines and procedures set  
 5 forth in this paragraph.

6           2. The private school that is adversely affected by  
 7 the proposed action shall have 15 days from receipt of the  
 8 notice of proposed action to file with the department's agency  
 9 clerk a request for a proceeding pursuant to ss. 120.569 and  
 10 120.57. If the private school is entitled to a hearing under  
 11 s. 120.57(1), the department shall forward the request to the  
 12 Division of Administrative Hearings.

13           3. Upon receipt of a request referred pursuant to this  
 14 paragraph, the director of the Division of Administrative  
 15 Hearings shall expedite the hearing and assign an  
 16 administrative law judge who shall commence a hearing within  
 17 30 days after the receipt of the formal written request by the  
 18 division and enter a recommended order within 30 days after  
 19 the hearing or within 30 days after receipt of the hearing  
 20 transcript, whichever is later. Each party shall be allowed 10  
 21 days in which to submit written exceptions to the recommended  
 22 order. A final order shall be entered by the agency within 30  
 23 days after the entry of a recommended order. The provisions of  
 24 this subparagraph may be waived upon stipulation by all  
 25 parties.

26           (c) The commissioner may immediately suspend payment  
 27 of scholarship funds if it is determined that there is  
 28 probable cause to believe that there is:

29           1. An imminent threat to the health, safety, or  
 30 welfare of the students; or

31           2. Fraudulent activity on the part of the private

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1 school. Notwithstanding s. 1002.22(3), in incidents of alleged  
2 fraudulent activity pursuant to this section, the Department  
3 of Education's Office of Inspector General is authorized to  
4 release personally identifiable records or reports of students  
5 to the following persons or organizations:

6 a. A court of competent jurisdiction in compliance  
7 with an order of that court or the attorney of record in  
8 accordance with a lawfully issued subpoena, consistent with  
9 the Family Educational Rights and Privacy Act, 20 U.S.C. s.  
10 1232g.

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

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

23  
24 The commissioner's order suspending payment pursuant to this  
25 paragraph may be appealed pursuant to the same procedures and  
26 timelines as the notice of proposed action set forth in  
27 paragraph (b).

28 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.--To be  
29 eligible to participate in the John M. McKay Scholarships for  
30 Students with Disabilities Program:7

31 (a) A private school may be sectarian or nonsectarian

1 and must:

2 1.(a) Comply with all requirements for private schools  
3 participating in state school choice scholarship programs  
4 pursuant to s. 1002.421.

5 2.(b) Provide to the department all documentation  
6 required for a student's participation, including the private  
7 school's and student's fee schedules, at least 30 days before  
8 the first quarterly scholarship payment is made for the  
9 student.

10 3.(c) Be academically accountable to the parent for  
11 meeting the educational needs of the student by:

12 a.1. Providing to the parent, at a minimum, an annual  
13 ~~annually providing to the parent a written report explanation~~  
14 of the student's progress.

15 b.2. Cooperating with the scholarship student whose  
16 parent chooses to participate in the statewide assessments  
17 pursuant to s. 1008.22.

18 4.(d) Maintain in this state a physical location where  
19 a scholarship student:

20 a. Regularly attends classes; or

21 b. Receives case management services if the student is  
22 enrolled in the program under subparagraph (3)(h)1. or  
23 subparagraph (3)(h)2.

24 (b) A private school that enrolls students under  
25 subparagraph (3)(h)1. or subparagraph (3)(h)2. must:

26 1. Employ or contract with a case manager who has  
27 special skills, knowledge, or expertise that qualifies him or  
28 her to provide assistance to the student with disabilities and  
29 the student's parent.

30 2. Require each employee or contractor who provides  
31 regular and direct instruction or services to a student at a

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1 site other than the private school's physical location to  
2 submit to the case manager documentation of the instruction,  
3 services, and progress of the student.

4       3. Ensure that the case manager is responsible for  
5 coordinating instruction and services, monitoring service  
6 delivery, and reviewing and maintaining the documentation  
7 provided by persons employed or under contract to provide  
8 services to a student at a site other than the eligible  
9 private school's physical location and for providing to the  
10 parent and the school a quarterly report on the student's  
11 progress.

12       4. Notify the department of the students who are  
13 enrolled pursuant to subparagraph (3)(h)1. or subparagraph  
14 (3)(h)2.

15  
16 The inability of a private school to meet the requirements of  
17 this subsection shall constitute a basis for the ineligibility  
18 of the private school to participate in the scholarship  
19 program as determined by the department.

20       (9) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM  
21 PARTICIPATION.--A parent who applies for a John M. McKay  
22 Scholarship is exercising his or her parental option to place  
23 his or her child in a private school.

24       (a) The parent must select the private school and  
25 apply for the admission of his or her child.

26       (b) The parent must have requested the scholarship at  
27 least 60 days prior to the date of the first scholarship  
28 payment.

29       (c) Any student participating in the John M. McKay  
30 Scholarships for Students with Disabilities Program must  
31 remain in attendance throughout the school year unless excused

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1 by the school for illness or other good cause.

2 (d) Each parent and each student has an obligation to  
3 the private school to comply with the private school's  
4 published policies.

5 (e) If the parent requests that the student  
6 participating in the John M. McKay Scholarships for Students  
7 with Disabilities Program take all statewide assessments  
8 required pursuant to s. 1008.22, the parent is responsible for  
9 transporting the student to the assessment site designated by  
10 the school district.

11 (f) Upon receipt of a scholarship warrant, the parent  
12 to whom the warrant is made must restrictively endorse the  
13 warrant to the private school for deposit into the account of  
14 the private school. The parent may not designate any entity or  
15 individual associated with the participating private school as  
16 the parent's attorney in fact to endorse a scholarship  
17 warrant. A participant who fails to comply with this paragraph  
18 forfeits the scholarship.

19 (g) The parent of a student with disabilities who  
20 qualifies to receive case management services under  
21 sub-subparagraph (8)(a)4.b. shall provide the documentation  
22 required under subparagraph (3)(h)1. or subparagraph (3)(h)2.  
23 to the department at least 60 days before the first  
24 scholarship payment.

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

26 (a)1. The maximum scholarship granted for an eligible  
27 student with disabilities shall be a calculated amount  
28 equivalent to the base student allocation in the Florida  
29 Education Finance Program multiplied by the appropriate cost  
30 factor for the educational program that would have been  
31 provided for the student in the district school to which he or

1 she was assigned, multiplied by the district cost  
2 differential.

3           2. In addition, a share of the guaranteed allocation  
4 for exceptional students shall be determined and added to the  
5 calculated amount. The calculation shall be based on the  
6 methodology and the data used to calculate the guaranteed  
7 allocation for exceptional students for each district in  
8 chapter 2000-166, Laws of Florida. Except as provided in  
9 subparagraphs 3. and 4., the calculation shall be based on the  
10 student's grade, matrix level of services, and the difference  
11 between the 2000-2001 basic program and the appropriate level  
12 of services cost factor, multiplied by the 2000-2001 base  
13 student allocation and the 2000-2001 district cost  
14 differential for the sending district. Also, the calculated  
15 amount shall include the per-student share of supplemental  
16 academic instruction funds, instructional materials funds,  
17 technology funds, and other categorical funds as provided for  
18 such purposes in the General Appropriations Act.

19           3. The calculated scholarship amount for a student who  
20 is eligible under subparagraph (2)(a)2. shall be calculated as  
21 provided in subparagraphs 1. and 2. However, the calculation  
22 shall be based on the school district in which the parent  
23 resides at the time of the scholarship request.

24           4. Until the school district completes the matrix  
25 required by paragraph (5)(b), the calculation shall be based  
26 on the matrix that assigns the student to support level I of  
27 service as it existed prior to the 2000-2001 school year. When  
28 the school district completes the matrix, the amount of the  
29 payment shall be adjusted as needed.

30           (b) The amount of the John M. McKay Scholarship shall  
31 be the calculated amount or the amount of the private school's

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1 | tuition and fees, whichever is less. The amount of any  
2 | assessment fee required by the participating private school  
3 | may be paid from the total amount of the scholarship.

4 |       (c)1. The school district shall report all students  
5 | who are attending a private school under this program. The  
6 | students with disabilities attending private schools on John  
7 | M. McKay Scholarships shall be reported separately from other  
8 | students reported for purposes of the Florida Education  
9 | Finance Program.

10 |       2. For program participants who are eligible under  
11 | subparagraph (2)(a)2., the school district that is used as the  
12 | basis for the calculation of the scholarship amount as  
13 | provided in subparagraph (a)3. shall:

14 |       a. Report to the department all such students who are  
15 | attending a private school under this program.

16 |       b. Be held harmless for such students from the  
17 | weighted enrollment ceiling for group 2 programs in s.  
18 | 1011.62(1)(d)3.a. during the first school year in which the  
19 | students are reported.

20 |       (d) Following notification on July 1, September 1,  
21 | December 1, or February 1 of the number of program  
22 | participants, the department shall transfer, from General  
23 | Revenue funds only, the amount calculated under paragraph (b)  
24 | from the school district's total funding entitlement under the  
25 | Florida Education Finance Program and from authorized  
26 | categorical accounts to a separate account for the scholarship  
27 | program for quarterly disbursement to the parents of  
28 | participating students. Funds may not be transferred from any  
29 | funding provided to the Florida School for the Deaf and the  
30 | Blind for program participants who are eligible under  
31 | subparagraph (2)(a)2. For a student exiting a Department of



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1 Juvenile Justice commitment program who chooses to participate  
 2 in the scholarship program, the amount of the John M. McKay  
 3 Scholarship calculated pursuant to paragraph (b) shall be  
 4 transferred from the school district in which the student last  
 5 attended a public school prior to commitment to the Department  
 6 of Juvenile Justice. When a student enters the scholarship  
 7 program, the department must receive all documentation  
 8 required for the student's participation, including the  
 9 private school's and student's fee schedules, at least 30 days  
 10 before the first quarterly scholarship payment is made for the  
 11 student.

12 (e) Upon notification by the department that it has  
 13 received the documentation required under paragraph (d), the  
 14 Chief Financial Officer shall make scholarship payments in  
 15 four equal amounts no later than September 1, November 1,  
 16 February 1, and April 1 of each academic year in which the  
 17 scholarship is in force. The initial payment shall be made  
 18 after department verification of admission acceptance, and  
 19 subsequent payments shall be made upon verification of  
 20 continued enrollment and attendance at the private school.  
 21 Payment must be by individual warrant made payable to the  
 22 student's parent and mailed by the department to the private  
 23 school of the parent's choice, and the parent shall  
 24 restrictively endorse the warrant to the private school for  
 25 deposit into the account of the private school.

26 (f) Subsequent to each scholarship payment, the  
 27 department shall request from the Department of Financial  
 28 Services a sample of endorsed warrants to review and confirm  
 29 compliance with endorsement requirements.

30 (11) LIABILITY.--No liability shall arise on the part  
 31 of the state based on the award or use of a John M. McKay

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1 Scholarship.

2 (12) SCOPE OF AUTHORITY.--The inclusion of eligible  
3 private schools within options available to Florida public  
4 school students does not expand the regulatory authority of  
5 the state, its officers, or any school district to impose any  
6 additional regulation of private schools beyond those  
7 reasonably necessary to enforce requirements expressly set  
8 forth in this section.

9 (13) RULES.--The State Board of Education shall adopt  
10 rules pursuant to ss. 120.536(1) and 120.54 to administer this  
11 section, including rules that school districts must use to  
12 expedite the development of a matrix of services based on an  
13 active individual education plan from another state or a  
14 foreign country for a transferring student with a disability  
15 who is a dependent child of a member of the United States  
16 Armed Forces. The rules must identify the appropriate school  
17 district personnel who must complete the matrix of services.  
18 For purposes of these rules, a transferring student with a  
19 disability is one who was previously enrolled as a student  
20 with a disability in an out-of-state or an out-of-country  
21 public or private school or agency program and who is  
22 transferring from out of state or from a foreign country  
23 pursuant to a parent's permanent change of station orders.

24  
25

26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 46, line 14, after the semicolon,

29

30 insert:

31 revising scholarship ineligibility and private

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1 school eligibility provisions to exempt certain  
2 students from regular class attendance  
3 requirements under certain circumstances;  
4 requiring a private school to maintain a  
5 physical location in this state where case  
6 management services are provided to students  
7 subject to the regular class attendance  
8 exemption; requiring a private school to employ  
9 a case manager; specifying case manager  
10 qualifications and responsibilities; specifying  
11 the timeframe for parents to provide  
12 documentation for the regular class attendance  
13 exemption;

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