

By Senator Diaz de la Portilla

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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.
 4 1002.39, F.S.; revising the eligibility requirements
 5 for the John M. McKay scholarships for students with
 6 disabilities program; deleting the requirement that a
 7 student must have spent the prior school year in
 8 attendance at a Florida public school; providing an
 9 effective date.

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

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 13 Section 1. Paragraph (a) of subsection (2) of section
 14 1002.39, Florida Statutes, is amended to read:

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

20 (2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a
 21 student with a disability may request and receive from the state
 22 a John M. McKay Scholarship for the child to enroll in and
 23 attend a private school in accordance with this section if:

24 (a) The student has:

25 1. ~~Received specialized instructional services under the~~
 26 ~~Voluntary Prekindergarten Education Program pursuant to s.~~
 27 ~~1002.66 during the previous school year and the student has A~~
 28 current individual educational plan developed by the local
 29 school board in accordance with rules of the State Board of

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30 Education for the John M. McKay Scholarships for Students with
31 Disabilities Program or a 504 accommodation plan has been issued
32 under s. 504 of the Rehabilitation Act of 1973;

33 2. Spent the prior school year in attendance at ~~a Florida~~
34 ~~public school~~ or the Florida School for the Deaf and the Blind.
35 For purposes of this subparagraph, prior school year in
36 attendance means that the student was enrolled and reported by:

37 a. A school district for funding during the preceding
38 October and February Florida Education Finance Program surveys
39 in kindergarten through grade 12, which includes time spent in a
40 Department of Juvenile Justice commitment program if funded
41 under the Florida Education Finance Program;

42 b. The Florida School for the Deaf and the Blind during the
43 preceding October and February student membership surveys in
44 kindergarten through grade 12; or

45 c. A school district for funding during the preceding
46 October and February Florida Education Finance Program surveys,
47 was at least 4 years of age when so enrolled and reported, and
48 was eligible for services under s. 1003.21(1)(e); or

49 3. Been enrolled and reported by a school district for
50 funding, during the October and February Florida Education
51 Finance Program surveys, in any of the 5 years prior to the
52 2010-2011 fiscal year; has a current individualized educational
53 plan developed by the district school board in accordance with
54 rules of the State Board of Education for the John M. McKay
55 Scholarship Program no later than June 30, 2011; and receives a
56 first-time John M. McKay scholarship for the 2011-2012 school
57 year. Upon request of the parent, the local school district
58 shall complete a matrix of services as required in subparagraph

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59 (5) (b) 1. for a student requesting a current individualized
60 educational plan in accordance with the provisions of this
61 subparagraph.

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63 However, a dependent child of a member of the United States
64 Armed Forces who transfers to a school in this state from out of
65 state or from a foreign country due to a parent's permanent
66 change of station orders is exempt from this paragraph but must
67 meet all other eligibility requirements to participate in the
68 program.

69 Section 2. This act shall take effect July 1, 2013.