

By the Committee on Appropriations; and Senator Young

576-02216-18

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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.; providing that parents of certain  
5           students who are seeking an individual education plan  
6           reevaluation may request a specified meeting and  
7           evaluation from the school district; requiring the  
8           school district to conduct the meeting and  
9           reevaluation within a specified timeframe; defining  
10          the term "hospitalized or homebound"; specifying that  
11          a school district may change a student's matrix of  
12          services as a result of an individual education plan  
13          reevaluation; providing an effective date.

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

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17           Section 1. Paragraphs (a) and (b) of subsection (5) of  
18           section 1002.39, Florida Statutes, are amended to read:

19           1002.39 The John M. McKay Scholarships for Students with  
20           Disabilities Program.—There is established a program that is  
21           separate and distinct from the Opportunity Scholarship Program  
22           and is named the John M. McKay Scholarships for Students with  
23           Disabilities Program.

24           (5) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.—

25           (a)1. By April 1 of each year and within 10 days after an  
26           individual education plan meeting or a 504 accommodation plan is  
27           issued under s. 504 of the Rehabilitation Act of 1973, a school  
28           district shall notify the parent of the student of all options  
29           available pursuant to this section, inform the parent of the

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30 availability of the department's telephone hotline and ~~Internet~~  
31 website for additional information on John M. McKay  
32 Scholarships, and offer that student's parent an opportunity to  
33 enroll the student in another public school in the district.

34 2. If a student is hospitalized or homebound and his or her  
35 parent seeks a reevaluation of an existing individual education  
36 plan, the parent may request an individual education plan  
37 meeting and evaluation from the school district to obtain or  
38 revise a matrix of services. The school district shall conduct  
39 the meeting and develop an individual education plan and a  
40 revised matrix of services within 30 days after receipt of the  
41 parent's request for a reevaluation, in accordance with State  
42 Board of Education rules. For purposes of this subparagraph, the  
43 term "hospitalized or homebound" has the same meaning as  
44 "hospital or homebound" in s. 1002.385(2) (d).

45 ~~3.2.~~ The parent is not required to accept the offer of  
46 enrolling in another public school in lieu of requesting a John  
47 M. McKay Scholarship to a private school. However, if the parent  
48 chooses the public school option, the student may continue  
49 attending a public school chosen by the parent until the student  
50 graduates from high school.

51 ~~4.3.~~ If the parent chooses a public school consistent with  
52 the district school board's choice plan under s. 1002.31, the  
53 school district shall provide transportation to the public  
54 school selected by the parent. The parent is responsible to  
55 provide transportation to a public school chosen that is not  
56 consistent with the district school board's choice plan under s.  
57 1002.31.

58 (b)1. For a student with disabilities who does not have a

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59 matrix of services under s. 1011.62(1)(e), the school district  
60 must complete a matrix that assigns the student to one of the  
61 levels of service as they existed prior to the 2000-2001 school  
62 year.

63 2.a. Within 10 school days after it receives notification  
64 of a parent's request for a John M. McKay Scholarship, a school  
65 district must notify the student's parent if the matrix of  
66 services has not been completed and inform the parent that the  
67 district is required to complete the matrix within 30 days after  
68 receiving notice of the parent's request for a John M. McKay  
69 Scholarship. This notice should include the required completion  
70 date for the matrix.

71 b. The school district must complete the matrix of services  
72 for any student who is participating in the John M. McKay  
73 Scholarships for Students with Disabilities Program and must  
74 notify the department of the student's matrix level within 30  
75 days after receiving notification of a request to participate in  
76 the scholarship program. The school district must provide the  
77 student's parent with the student's matrix level within 10  
78 school days after its completion.

79 c. The department shall notify the private school of the  
80 amount of the scholarship within 10 days after receiving the  
81 school district's notification of the student's matrix level.

82 d. A school district may change a matrix of services only  
83 if the change is the result of an individual education plan  
84 reevaluation or is necessary to correct a technical,  
85 typographical, or calculation error.

86 Section 2. This act shall take effect July 1, 2018.

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