



Council for Lifelong Learning

McKay Scholarships for Students with Disabilities Program

Fact Sheet

September 2001

<p>1. What is the McKay Scholarships for Students with Disabilities Program?</p>	<p>The McKay Scholarships for Students with Disabilities Program expands the school choice program created by the 1999 Legislature as a pilot program for Sarasota County. This school choice option is part of the A+ Education Plan (Ch. 99-398, L.O.F.). The scholarships are available for eligible students with disabilities to attend an eligible public or private school of their choice. Students with disabilities include K-12 students who are mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospitalized or homebound, or autistic.</p>
<p>2. What options are available to a student with disabilities under the McKay Scholarship Program?</p>	<p>An eligible student with disabilities has several options available, including:</p> <ul style="list-style-type: none">• attendance at another public school within the district;• attendance at an eligible public school in an adjacent district that has space and provides the services identified in the student's individual education plan; or• attendance at an eligible private, sectarian or nonsectarian, school. <p>Students at a public school may also choose to remain at that school.</p>
<p>3. Who is eligible for a McKay Scholarship?</p>	<p>Any parent of a public school student with a disability who is dissatisfied with the student's progress may receive a McKay Scholarship if:</p> <ul style="list-style-type: none">• by assigned school attendance area or by special assignment, the student has spent the prior school year in attendance at a Florida public school. Prior school year means that the student was enrolled and reported by a school district for funding during the preceding October and February Florida Education Finance Program (FEFP) surveys in kindergarten through grade 12; <i>and</i>• the parent has obtained acceptance for admission of the student to a private school that is eligible for the program and has notified the school district, in writing, of the request for a scholarship at least 60 days prior to the date of the first scholarship payment.

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	<p>Students enrolled in Department of Juvenile Justice commitment programs are <u>not</u> eligible for scholarships under this program.</p>
<p>4. How long does a McKay Scholarship last?</p>	<p>There is no statutory limit on the term of a McKay Scholarship. A student can use the scholarship through high school graduation.</p>
<p>5. What are the obligations for participants in the McKay Scholarship Program?</p>	<p>The student's parent and the student must comply with the following criteria to obtain and retain a McKay Scholarship:</p> <ul style="list-style-type: none"> • the parent must select a private school and apply for admission; • the parent must request the scholarship at least 60 days prior to the date of the first scholarship payment; • the student must remain in attendance throughout the school year, unless excused by the school for illness or other good cause; • the student must comply with the school's code of conduct; • the parent of each student participating in the program must comply fully with the private school's parental involvement requirements, unless excused by the school for illness or other good cause; • if the parent requests that the student take all statewide assessments, the parent is responsible for transporting the student to the assessment site designated by the school district; and • upon receipt of a scholarship warrant, the parent to whom the warrant is made must restrictively endorse the warrant to the private school for deposit into the account of the private school. <p>A participant who fails to comply with the above criteria forfeits the scholarship.</p>
<p>6. What are the school district's obligations under the McKay Scholarship Program?</p>	<p>The school district must timely notify the parent of a student with disabilities of all options available under this program, including the following:</p> <ul style="list-style-type: none"> • offer the student's parent the option to enroll the student in another public school; and • offer the student's parent the option to enroll the student in an eligible private school if the parent does not choose the public school option. <p>The school district is also required to:</p> <ul style="list-style-type: none"> • notify the Department of Education (DOE) within 10 days after the district receives notice of the parent's intent to

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	<p>apply for a McKay Scholarship;</p> <ul style="list-style-type: none"> • complete a matrix that assigns the student to one of the levels of service that existed prior to the 2000-2001 school year, if the student with disabilities does not have a matrix of services; • notify the DOE of the student's matrix level within 30 days after receiving notification by the student's parent of intent to participate in the program; • report all students who are attending a private school under this program (students participating in this program must be reported separately from other students reported for purposes of the FEFP); and • provide locations and times for all state assessments to parents who request that the student take statewide assessments.
<p>7. Are all private schools required to participate in the McKay Scholarship Program?</p>	<p>No. Private schools are not required to participate in the program. However, participation is open to all private schools that wish to take part in the program, as long as the schools meet the eligibility criteria set forth by law.</p>
<p>8. What criteria must a private school meet in order to become eligible to participate in the McKay Scholarship Program?</p>	<p>The private school must be located in Florida, may be sectarian or nonsectarian, and must meet the following criteria:</p> <ul style="list-style-type: none"> • demonstrate fiscal soundness by being in operation for 1 school year or provide the DOE with a statement by a certified public accountant confirming that the school is insured and has sufficient capital or credit to operate for the upcoming year. (In lieu of such a statement, the school may secure a surety bond or letter of credit equal to the scholarship funds for any quarter to be filed with the DOE) • notify the DOE and the school district by May 1 of the preceding school year of its intent to participate in the program (the notice must specify the grade levels and services that the private school has available for students with disabilities) • meet state and local health and safety laws and codes • comply with antidiscrimination provisions of 42 U.S.C. s. 2000d, which prohibits discrimination based on race, color, or national origin • be academically accountable to the parent for meeting the educational needs of the student • employ or contract with teachers that meet any one of the following criteria: 1) hold a baccalaureate or higher degree, 2) have at least 3 years of teaching experience in public or private schools, or 3) have special skills,

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	<p>knowledge, or expertise in subjects taught</p> <ul style="list-style-type: none"> • comply with all state statutes relating to private schools • adhere to the tenets of its published disciplinary procedures prior to the expulsion of any McKay Scholarship student
<p>9. Who provides transportation for McKay Scholarship students?</p>	<p>If the parents choose a public school option:</p> <p>Responsibility for transportation varies depending upon the public school option chosen by the parents of the eligible student. Listed below are the following options and transportation requirements:</p> <ul style="list-style-type: none"> • <i>attendance at a public school within the school district that is consistent with the school board's choice plan.</i> If this option is chosen, the school district is responsible for providing transportation to the public school selected by the parent. • <i>attendance at a public school within the school district that is not consistent with the school board's choice plan.</i> If this option is chosen, the parents are responsible for providing transportation. • <i>attendance at a public school in an adjacent district that has space available and a program with services agreed to in the student's individual educational plan (IEP).</i> If this option is chosen, the parents are responsible for providing transportation to the school in the adjacent district. <p>If the parents choose the private school option, the parents are responsible for the student's transportation.</p>
<p>10. What is the award amount for a McKay Scholarship?</p>	<p>The amount of the scholarship is equal to the amount the student would have received under the Florida Education Finance Program (FEFP) in the public school to which the student is assigned or the amount of the private school's tuition and fees, <i>whichever is less.</i></p>
<p>11. What options are available to parents when a private school requires a partial payment in order to reserve space for a student admitted to the school?</p>	<p>The DOE, prior to the first quarterly payment of the year in which the McKay Scholarship is awarded, may pay a partial payment to the private school. The maximum partial payment is \$1,000 and must be deducted from subsequent scholarship payments. The partial payment option is limited to one partial payment per student per year.</p> <p>If a student decides not to attend the participating private school, the partial reservation payment must be returned to the DOE by the participating private school.</p>

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<p>12. How is a McKay Scholarship payment made?</p>	<p>Upon proper documentation by DOE, the Comptroller must make the scholarship payments in four equal installments (September 1, November 1, February 1, and April 15). The payment must be made by individual warrant payable to the student's parent and mailed by DOE to the chosen private school. The parent must restrictively endorse the warrant to the private school.</p> <p>The DOE is responsible for verifying the student's initial admission acceptance and continued enrollment and attendance at the private school.</p>
<p>13. Is the state beginning to regulate the private schools?</p>	<p>No. The inclusion of eligible private schools within the options available to public school students with disabilities does not expand the regulatory authority of the state, its officers, or any school district to impose any additional regulation of private schools beyond those necessary to enforce requirements <i>expressly</i> set forth in the law.</p>
<p>14. What are the applicable statutes and rules?</p>	<p>Section 229.05371, F.S. -- The John M. McKay Scholarship for Students with Disabilities Program</p>
<p>15. Where can I get additional information?</p>	<p>Florida Department of Education Office of Public School Choice (850) 488-5011 or DOE Hotline 1-800-447-1636 www.floridaschoolchoice.org</p> <p>The Florida House of Representatives Council for Lifelong Learning (850) 414-6694</p> <p>The Florida House of Representatives Committee on Education Innovation (850) 488-7451</p>