

Office of Independent Education and Parental Choice

Prior School Year in Attendance

Special points of interest:

- The public school district must offer the parent of a McKay Student a reevaluation at least once every three years.
- The deadline for a parent to file intent to participate and receive a third quarter scholarship payment is December 3, 2008.

The recent completion of the October 2008 FTE survey has raised several questions related to the prior year in attendance requirement for the McKay Scholarship Program.

To clarify, Florida law requires a student to have spent the **prior school year** in attendance at a Florida public school in order to be eligible for a McKay Scholarship. Prior school year in attendance is defined by section 1002.39(2)(a)1., Florida Statutes, as being reported for funding in the preceding October and February Florida Education Finance Program surveys.

Therefore, any intent filed during the 2008-09 school year will be verified by the Department against the **October 2007 and February 2008** FTE survey data.

A student **does not** have to be reported for funding in the October

2008 funding survey to be eligible for the current school year.

There may be instances when a student returns to public school after the October survey count;

however, the student's eligibility is determined based on the prior school year's FTE surveys and the student's present status as a public school student with an IEP.

It is the school district's responsibility to ensure the student has an IEP and to enter the appropriate matrix number within 30 days. If you have any questions, please contact your Regional Manager (contact information is printed on the back of the newsletter).



Inside this issue:

McKay Eligibility for DJJ Students	2
Reevaluation Requirements	2
Contact Information	3
Regional Manager Map	3

District FTE File

The McKay Scholarship District FTE File will be available **November 20, 2008**. This file provides each district with a list of students participating in the McKay Scholarship Program that received a payment. These students must be reported as McKay students (3518) to generate the necessary funding **unless** the student is physically in attendance at a public school. In this case, the student must be reported as a public school student.

McKay Student Eligibility—DJJ

When determining eligibility for a McKay Scholarship student, please note that a student is not eligible while he or she is enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice (DJJ) commitment programs; however, time spent in a DJJ commitment program counts towards a student's prior year in attendance if the program is funded under the Florida Education Finance Program.

It is also important to note that a McKay Scholarship student who is enrolled in a DJJ commitment program for **15 or more** calendar days is no longer

eligible for the McKay Scholarship. This is considered a "Return to Public School" and should be indicated as such in the Eligibility Change section of the student's General Information page (accessed by logging on to the School Choice Web site). If the student spends less than 15 days in the DJJ commitment program, the student remains eligible for the program.

If you have any questions about this or other eligibility requirements, please contact your Regional Manager.

McKay Reevaluation Requirements

Section 1002.39(5)(c), Florida Statutes, requires a school district to provide notification to the parent of each McKay scholarship student of the availability of a reevaluation at least every three years. The three-year reevaluation requirement applies to all eligible parentally placed private school students as part of the school district's Child Find responsibilities in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004). The school district where the private school is located is responsible for ensuring that the three-year reevaluation is conducted and for obtaining the consent of the parent prior to conducting any testing.

If the parent does not provide consent for reevaluation, or fails to respond to a request to provide consent, the school district is not required to consider the child as eligible for services as a parentally placed private school student with a disability. However, the school district must document its attempts to obtain the consent by including detailed records of telephone calls made or attempted, the results of calls, or copies of correspondence sent to parents

and any responses received.

If it is determined through the reevaluation process that the student meets the district's dismissal criteria from the ESE programs then the student would no longer be eligible for consideration for services as a parentally placed student with a disability under the IDEA. This determination, however, does not prevent a student who is receiving a McKay scholarship from continuing to receive the scholarship until the student returns to a public school or graduates from high school.

Additional information about this topic can be found in a technical assistance paper entitled [Students with Disabilities Enrolled by Their Parents in Private Schools](#), issued by the Division of K-12 Public Schools, Bureau of Exceptional Education and Student Services.

If you have any additional questions related to reevaluation, please contact the Bureau of Exceptional Education and Student Services at (850) 245-0476.

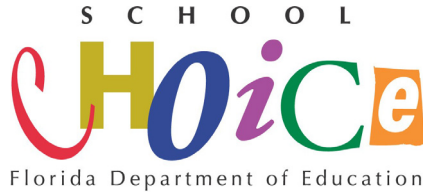


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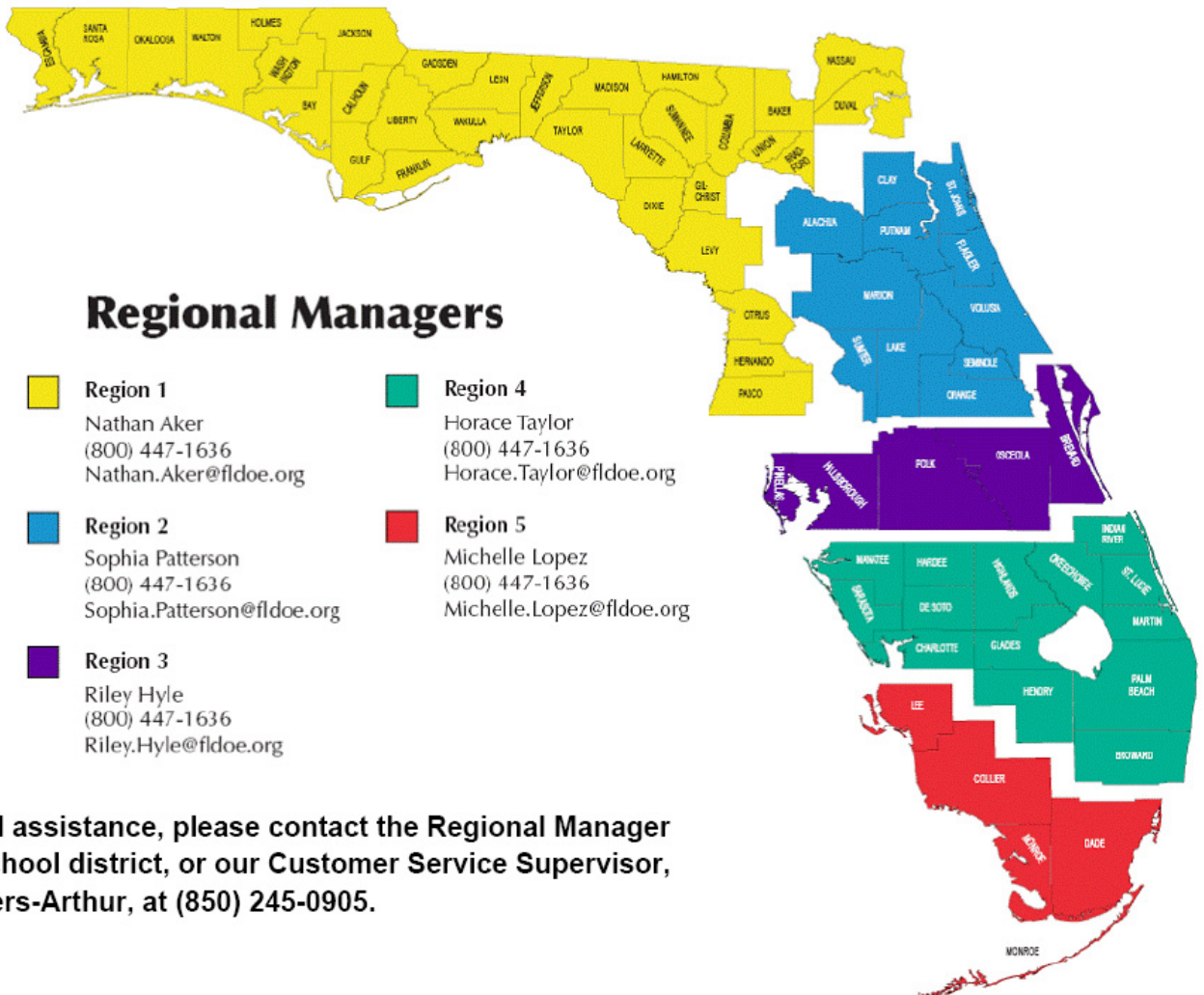


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Current and previous newsletters are available in PDF format on the School Choice website when logged in as a district administrator. Click on the "Newsletters" link in the General Information section of the screen.



If you need assistance, please contact the Regional Manager for your school district, or our Customer Service Supervisor, Julia Somers-Arthur, at (850) 245-0905.