



Tom Grady, *Chair*
Ben Gibson, *Vice Chair*
Members
Monesia Brown
Esther Byrd
Grazie Pozo Christie
Ryan Petty
Joe York

MEMORANDUM

TO: School District Superintendents

FROM: Jacob Oliva

DATE: March 18, 2022

SUBJECT: McKay Scholarship Program and Family Empowerment Scholarship for Students with Unique Abilities

Contact Information:

Cathy Russell
850-245-0502
Cathy.Russell@fldoe.org
DPS: 2022-22

House Bill 7045, signed into law in May 2021, expanded eligibility in the Family Empowerment Scholarship Program to include students with disabilities. Effective July 1, 2022, students currently participating in the McKay Scholarship Program will join the Family Empowerment Scholarship Program under the Unique Abilities category (FES-UA). For the 2022-23 school year, students who have been receiving the McKay Scholarship to attend a private school will have the option to transition to FES-UA, without interruption in funding. Current McKay Scholarship students are grandfathered into this new program and will not need to requalify to participate in FES-UA, but they will need to select a Scholarship Funding Organization (SFO) to work with for continued participation.

We have previously provided to your district McKay contacts a template letter (attached) that will be helpful in informing families of their options. Going forward, the Department will no longer provide an avenue for *new* families to apply. They should instead be directed to one of our two state approved SFOs to make an application for the 2022-23 school year. For the 2022-23 school year, those entities are [Step Up for Students](#) and [AAA Scholarship Foundation](#).

Further, those students currently utilizing the McKay Scholarship public school option will be able to continue doing so under the FES-UA public school option, again without interruption. We ask that you continue to work with both your prior McKay and your new FES-UA families in continuing **or** finding the appropriate public school choice options. Similar to McKay, the FES-UA option notification must occur within 10 days of an Individual Educational Plan (IEP) meeting.

Lastly, your districts' Exceptional Student Education offices will have parents seeking to apply to the FES-UA program who do not have an IEP or who seek a reevaluation of an existing IEP in order to receive a matrix of services. As seen in section 1002.394(7)(b), Florida Statutes, school districts are required to notify a parent who has made a request for an IEP that the district must complete the IEP and matrix of services within 30 days after receiving notice of the parent's request. Additionally, the school district shall conduct a meeting to develop an IEP and a matrix of services within 30 days of the parent's request in accordance with State Board of Education rules. In some instances, the district

JACOB OLIVA
SENIOR CHANCELLOR

McKay Scholarship Program and Family Empowerment Scholarship for Students with Unique Abilities

March 18, 2022

Page Two

must accept a diagnosis and consider the service plan of the licensed professional providing the diagnosis when developing the IEP and matrix of services.

For more information about the McKay to FES-UA transition, the Department has two links that may be helpful for both your staff and the families they serve. They can be found at <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/fes/index.shtml> and <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/mckay/>.

As always, we appreciate all you do to support school choice through the state.

JO/lm

cc: School District School Choice Coordinators
School District Exceptional Student Education Directors