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LEGISLATIVE ACTION

Senate

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House

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Floor: 1b/RE/2R

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02/23/2012 06:23 PM

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Senator Gardiner moved the following:

1           **Senate Amendment to Amendment (965714) (with title**  
2 **amendment)**

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4           Between lines 342 and 343  
5 insert:

6           Section 15. Section 1004.935, Florida Statutes, is created  
7 to read:

8           1004.935 Adults with Disabilities Workforce Education Pilot  
9 Program.—

10           (1) The Adults with Disabilities Workforce Education Pilot  
11 Program is established for 2 years in Charlotte County, DeSoto  
12 County, Manatee County, and Sarasota County to provide the  
13 option of receiving a scholarship for instruction at private



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14 schools for up to 30 students who:

15 (a) Have a disability;

16 (b) Are 22 years of age;

17 (c) Are receiving instruction from an instructor in a  
18 private school to meet the high school graduation requirements  
19 in s. 1003.428;

20 (d) Do not have a standard high school diploma or a special  
21 high school diploma; and

22 (e) Receive supported employment services, which is  
23 employment that is located or provided in an integrated work  
24 setting, with earnings paid on a commensurate wage basis, and  
25 for which continued support is needed for job maintenance.

26  
27 As used in this subsection, the term "student with a disability"  
28 includes a student who is documented as having an intellectual  
29 disability; a speech impairment; a language impairment; a  
30 hearing impairment, including deafness; a visual impairment,  
31 including blindness; a dual sensory impairment; an orthopedic  
32 impairment; another health impairment; an emotional or  
33 behavioral disability; a specific learning disability,  
34 including, but not limited to, dyslexia, dyscalculia, or  
35 developmental aphasia; a traumatic brain injury; a developmental  
36 delay; or autism spectrum disorder.

37 (2) A student participating in the pilot program may  
38 continue to participate in the program until the student  
39 graduates from high school, or reaches the age of 30 years,  
40 whichever occurs first.

41 (3) The supported employment services may be provided at  
42 more than one site.



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43           (4) The provider of supported employment services must be a  
44 nonprofit corporation under s. 501(c)(3) of the Internal Revenue  
45 Code which serves Charlotte County, DeSoto County, Manatee  
46 County, or Sarasota County and must contract with a private  
47 school in this state which meets the requirements in subsection  
48 (5).

49           (5) A private school that participates in the program may  
50 be sectarian or nonsectarian and must:

51           (a) Be academically accountable for meeting the educational  
52 needs of the student by annually providing to the provider of  
53 supported employment services a written explanation of the  
54 student's progress.

55           (b) Comply with the antidiscrimination provisions of 42  
56 U.S.C. s. 2000d.

57           (c) Meet state and local health and safety laws and codes.

58           (d) Provide to the provider of supported employment  
59 services all documentation required for a student's  
60 participation, including the private school's and student's fee  
61 schedules, at least 30 days before any quarterly scholarship  
62 payment is made for the student. A student is not eligible to  
63 receive a quarterly scholarship payment if the private school  
64 fails to meet this deadline.

65  
66 The inability of a private school to meet the requirements of  
67 this subsection constitutes a basis for the ineligibility of the  
68 private school to participate in the scholarship program.

69           (6) (a) If the student chooses to participate in the program  
70 and is accepted by the provider of supported employment  
71 services, the student must notify the Department of Education of



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72 his or her acceptance into the program 60 days before the first  
73 scholarship payment and before participating in the program in  
74 order to be eligible for the scholarship.

75 (b) Upon receipt of a scholarship warrant, the student or  
76 parent to whom the warrant is made must restrictively endorse  
77 the warrant to the provider of supported employment services for  
78 deposit into the account of the provider. The student or parent  
79 may not designate any entity or individual associated with the  
80 participating provider of supported employment services as the  
81 student's or parent's attorney in fact to endorse a scholarship  
82 warrant. A participant who fails to comply with this paragraph  
83 forfeits the scholarship.

84 (7) Funds for the scholarship shall be provided from the  
85 appropriation from the school district's Workforce Development  
86 Fund in the General Appropriations Act for students who reside  
87 in the Charlotte County School District, the DeSoto County  
88 School District, the Manatee County School District, or the  
89 Sarasota County School District. During the 2-year pilot  
90 program, the scholarship amount granted for an eligible student  
91 with a disability shall be equal to the cost per unit of a full-  
92 time equivalent adult general education student, multiplied by  
93 the adult general education funding factor, and multiplied by  
94 the district cost differential pursuant to the formula required  
95 by s. 1011.80(6)(a) for the district in which the student  
96 resides.

97 (8) Upon notification by the Department of Education that  
98 it has received the required documentation, the Chief Financial  
99 Officer shall make scholarship payments in four equal amounts no  
100 later than September 1, November 1, February 1, and April 1 of



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101 each academic year in which the scholarship is in force. The  
102 initial payment shall be made after the Department of Education  
103 verifies that the student was accepted into the program, and  
104 subsequent payments shall be made upon verification of continued  
105 participation in the program. Payment must be by individual  
106 warrant made payable to the student or parent and mailed by the  
107 Department of Education to the provider of supported employment  
108 services, and the student or parent shall restrictively endorse  
109 the warrant to the provider of supported employment services for  
110 deposit into the account of that provider.

111 (9) Subsequent to each scholarship payment, the Department  
112 of Education shall request from the Department of Financial  
113 Services a sample of endorsed warrants to review and confirm  
114 compliance with endorsement requirements.

115  
116 ===== T I T L E A M E N D M E N T =====

117 And the title is amended as follows:

118 Delete line 949

119 and insert:

120 specified date; creating s. 1004.935, F.S.;

121 establishing the Adults with Disabilities Workforce

122 Education Pilot Program for a specified period in

123 certain counties; providing a purpose; providing

124 eligibility requirements for participation in the

125 program; providing a definition for the term "student

126 with a disability" for purposes of the pilot program;

127 providing requirements for providers of supported

128 employment services and private schools to participate

129 in the pilot program; providing notice requirements



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130 for students who are accepted into the pilot program;  
131 providing funding; requiring that the Chief Financial  
132 Officer make scholarship payments; requiring that the  
133 Department of Education request from the Department of  
134 Financial Services a sample of endorsed warrants after  
135 each scholarship payment; creating s. 1006.73, F.S.;