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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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02/23/2012 04:29 PM

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Senator Gardiner moved the following:

**Senate Amendment (with title amendment)**

Between lines 513 and 514

insert:

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

1004.935 Adults with Disabilities Workforce Education Pilot  
Program.—

(1) The Adults with Disabilities Workforce Education Pilot  
Program is established for 2 years in Charlotte County, DeSoto  
County, Manatee County, and Sarasota County to provide the  
option of receiving a scholarship for instruction at private  
schools for up to 30 students who:



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14 (a) Have a disability;

15 (b) Are 22 years of age;

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

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

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

25  
26 As used in this subsection, the term "student with a disability"  
27 includes a student who is documented as having an intellectual  
28 disability; a speech impairment; a language impairment; a  
29 hearing impairment, including deafness; a visual impairment,  
30 including blindness; a dual sensory impairment; an orthopedic  
31 impairment; another health impairment; an emotional or  
32 behavioral disability; a specific learning disability,  
33 including, but not limited to, dyslexia, dyscalculia, or  
34 developmental aphasia; a traumatic brain injury; a developmental  
35 delay; or autism spectrum disorder.

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

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

42 (4) The provider of supported employment services must be a



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

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

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

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

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

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

64  
65 The inability of a private school to meet the requirements of  
66 this subsection constitutes a basis for the ineligibility of the  
67 private school to participate in the scholarship program.

68 (6) (a) If the student chooses to participate in the program  
69 and is accepted by the provider of supported employment  
70 services, the student must notify the Department of Education of  
71 his or her acceptance into the program 60 days before the first



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72 scholarship payment and before participating in the program in  
73 order to be eligible for the scholarship.

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

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

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



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

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

114  
115 ===== T I T L E A M E N D M E N T =====

116 And the title is amended as follows:

117 Delete line 85

118 and insert:

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

120 establishing the Adults with Disabilities Workforce

121 Education Pilot Program for a specified period in

122 certain counties; providing a purpose; providing

123 eligibility requirements for participation in the

124 program; providing a definition for the term "student

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

126 providing requirements for providers of supported

127 employment services and private schools to participate

128 in the pilot program; providing notice requirements

129 for students who are accepted into the pilot program;



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