

HB 7037 — Vocational Rehabilitation Program and Other Statutory Revisions

by the Education Policy Council, Representative Coley, and others (CS/SB 1806 by Education Pre-K – 12 Committee and Senator Detert)

The bill is a revision of a variety of education-related topics to reflect changes in federal law, to remove obsolete programs and provisions, and to provide consistent terminology.

Vocational Rehabilitation

The bill revises current law on vocational rehabilitation to remove inconsistencies with federal law governing vocational rehabilitation services.

Trial Work Experiences

The bill conforms to federal law by requiring the Division of Vocational Rehabilitation (Division) to use trial work experiences before denying eligibility for vocational rehabilitation services. The bill also authorizes the Division to conduct an extended evaluation, under the following limited circumstances, before denying eligibility for vocational rehabilitation services: (1) The individual cannot take advantage of trial work experiences, or (2) Options for trial work experiences have been exhausted.

Required Referrals

The bill conforms to federal law by requiring the Division to refer individuals who have been determined ineligible for vocational rehabilitation services to services that are part of the one-stop delivery system under s. 445.009, F.S., or local extended employment providers.

Client Records

The bill conforms to federal law by authorizing the disclosure of records that contain personally identifying information for the purposes of audits, program evaluations, and research. Entities or individuals receiving the records must maintain the confidential and exempt status of the records.

Independent Living Program

The bill repeals provisions authorizing the Division to directly provide specified services and facilities for independent living, as the Division is not a direct provider. Instead, the Division contracts with the independent living centers to provide services and facilities to individuals in an independent living program.

Florida Rehabilitation Council

The bill amends revises the membership of the Florida Rehabilitation Council to conform to federal law. Specifically, the bill requires that: (a) at least one member must be the director of the client assistance program; (b) one or more members must be representatives of individuals with disabilities who have difficulty representing themselves due to their disabilities; and (c) at least one member must be the director of a Vocational Rehabilitation Services Project for American Indians with Disabilities, if the state participates in such projects. The bill also specifies, in conformity with federal law, that: (a) Department of Education employees may only serve as nonvoting members; (b) only the representatives of the client assistance program and Vocational Rehabilitation Services Project for American Indians with Disabilities may serve more than two full terms; and (c) an additional duty of the council is to review and analyze consumer satisfaction with employment outcomes of individuals receiving vocational rehabilitation services.

Other Vocational Rehabilitation Provisions

The bill repeals the obsolete state vocational rehabilitation plan; repeals the Limiting Disabilities Program, as the program was never implemented; and conforms state vocational rehabilitation terminology to federal law.

Florida College System

The bill directs the Division of Statutory Revision to prepare a reviser's bill to replace the terms, "community college", "junior college", and "Florida College", with the term "Florida College System institution" in the Florida K-20 Education Code to provide consistency in terminology as a result of recent legislation affecting the community college system.

Repeal of Obsolete Provisions

The bill makes technical corrections throughout the Florida K-20 Education Code and repeals the following:

- SMART Schools Clearinghouse, as its duties have been assumed by the Office of Education Facilities;
- Florida Schools for Excellence Commission, as the commission has been held unconstitutional;
- Secondary School Improvement Award, as the award program was never implemented;
- Academic Performance-Based Charter Districts, as the authorizing law expires on July 1, 2010;
- Deregulated Public Schools Pilot Program, as the authorizing law expired upon the conclusion of the 2003-2004 school year;
- State-required campus crime reporting requirements, as the requirements are duplicative of campus crime reporting provisions in federal law; and
- Financial assistance programs that have not been funded for several years, including programs relating to prior shortages in occupational therapy and physical therapy. Current law requires the repeal of financial aid programs that have not been funded for three consecutive years.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 38-0; House 115-0