

By the Committee on Education; and Senator Wise

304-2211-02

1 A bill to be entitled
2 An act relating to students having a
3 disability; creating s. 232.2464, F.S.;
4 providing a definition; providing eligibility
5 for accommodations in taking the Florida
6 Comprehensive Assessment Test or the High
7 School Competency Test required for high school
8 graduation; providing requirements for
9 eligibility for a standard high school diploma;
10 providing for adoption of rules; providing for
11 funding for accommodations; providing an
12 effective date.

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14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Section 232.2464, Florida Statutes, is
17 created to read:

18 232.2464 Students having a disability; graduation
19 requirements.--

20 (1) For purposes of this section, "student having a
21 disability" means any student who is mentally retarded or who
22 has a hearing impairment, including deafness; speech or
23 language impairment; visual impairment, including blindness;
24 serious emotional disturbance; orthopedic impairment; autism;
25 traumatic brain injury; other health impairments; or a
26 specific learning disability, including, but not limited to,
27 dyslexia, dyscalculia, or aphasia, or any student who is
28 hospitalized or homebound.

29 (2) A student having a disability shall be eligible
30 for accommodations in taking the Florida Comprehensive
31 Assessment Test (FCAT) or the High School Competency Test

1 (HSCT) if such accommodations are allowed in the classrooms or
2 for testing. Accommodations shall be considered allowable,
3 valid, and scoreable if they are used during classroom
4 instruction or assessment and are identified in the student's
5 Individual Education Plan or 504 Plan. However, a student
6 having a disability must demonstrate, with use of the
7 accommodations, mastery of Sunshine State Standards with
8 scores equal to those required of standard-diploma students. A
9 student who receives accommodations pursuant to this
10 subsection is eligible for a standard high school diploma upon
11 successful completion of coursework required for graduation.

12 (3) The Individual Education Plan team or 504 Plan
13 team and the parents of a student shall be responsible for
14 identifying the accommodations for a student having a
15 disability for coursework and assessment, including statewide
16 assessment, based on compliance standards of the Americans
17 with Disabilities Act and the Individuals with Disabilities
18 Education Act and s. 228.041(18).

19 (4) The Florida Board of Education shall adopt rules
20 necessary to administer this section.

21 (5) The Department of Education shall provide
22 sufficient funding to enable each school district to provide
23 appropriate accommodations for statewide assessment for all
24 students having a disability.

25 Section 2. This act shall take effect January 1, 2003.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1156

The committee substitute does not require modifications in coursework required for a student who has a disability to earn a standard high school diploma.

It keeps the requirement that school districts must provide the same testing accommodations as are allowed for classroom instruction, but it also requires the student with accommodations to pass the test.