

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Ausley offered the following:

Amendment

On page 366, between lines 15 and 16,

and insert:

Section 1. Section 1003.439, Florida Statutes, is created to read:

1003.439 Students having a disability; graduation requirements.--

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

(2) A student having a disability shall be eligible for accommodations in taking the Florida Comprehensive

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

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

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

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

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