

By the Committee on Education Innovation and
Representatives Ausley and Littlefield

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

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

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18 Section 1. Section 232.2464, Florida Statutes, is
19 created to read:

20 232.2464 Students with disabilities; graduation
21 requirements.--

22 (1) For purposes of this section, "student with
23 disabilities" means any student with mental retardation,
24 hearing impairments including deafness, speech or language
25 impairments, visual impairments including blindness, serious
26 emotional disturbance, orthopedic impairments, autism,
27 traumatic brain injury, other health impairments, or specific
28 learning disabilities including, but not limited to, dyslexia,
29 dyscalculia, and aphasia, or any student who is hospitalized
30 or homebound.

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1 (2) A student with disabilities shall be eligible for
2 accommodations in taking the Florida Comprehensive Assessment
3 Test (FCAT) or the High School Competency Test (HSCT) if such
4 accommodations are allowed in the classrooms or for testing.
5 Accommodations shall be considered allowable, valid, and
6 scoreable if they are used during classroom instruction or
7 assessment and are identified in the student's Individual
8 Education Plan or 504 Plan. A student who receives
9 accommodations pursuant to this subsection is eligible for a
10 standard high school diploma upon successful completion of
11 coursework required for graduation.

12 (3) A student with disabilities whose disability is so
13 severe that it would be a major barrier to earning passing
14 scores on the FCAT or the HSCT shall be exempt from taking the
15 FCAT or the HSCT if such exemption is identified in the
16 student's Individual Education Plan or 504 Plan. A student who
17 receives an exemption pursuant to this subsection is eligible
18 for a standard high school diploma upon successful completion
19 of coursework required for graduation and demonstration of
20 competency through alternative assessment based on the
21 standards used for the FCAT or the HSCT.

22 (4) A student with disabilities shall be eligible for
23 reasonable substitution of coursework for any requirement for
24 high school graduation and shall be eligible for a standard
25 high school diploma if:

26 (a) Documentation is provided that the student's
27 inability to meet the graduation requirement is related to the
28 student's disability.

29 (b) Failure to meet the graduation requirement does
30 not constitute a fundamental alteration in the nature of the
31 student's high school program of study.

1 (5) The Individual Education Plan team or 504 Plan
2 team and the parents of a student shall be responsible for
3 identifying the accommodations or exemption for a student with
4 disabilities for coursework and assessment, including
5 statewide assessment, based on compliance standards of the
6 Americans with Disabilities Act and the Individuals with
7 Disabilities Education Act and s. 228.041(18).

8 (6) The Florida Board of Education shall adopt rules
9 to implement the provisions of this section and shall develop
10 substitute requirements for high school graduation where
11 appropriate.

12 (7) The Department of Education shall provide
13 sufficient funding to enable each school district to provide
14 appropriate accommodations for statewide assessment for all
15 students with disabilities.

16 Section 2. This act shall take effect July 1, 2002.

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