

Bill No. SB 1592

Amendment No. ____ Barcode 511802

CHAMBER ACTION

Senate

House

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Senators Siplin, Constantine, Wilson, and Villalobos moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 31, through
page 2, line 20, delete those lines

and insert: Education. However, a student's parent, accompanied by the student, may review, at the student's school at which the student was enrolled when the student was administered the Florida Comprehensive Assessment Test, the questions on each section of the Florida Comprehensive Assessment Test as well as the student's answers to those questions, under the following conditions:

(1) The student must have failed to earn a passing score on the grade 10 Florida Comprehensive Assessment Test or failed to score at Level 2 or higher on the Florida Comprehensive Assessment Test in reading for grade 3.

(2) No recording or copying of the assessment may be made.

(3) A school administrator, as defined in s.

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1 1012.01(3)(c), or a representative of the Department of
2 Education must be present at all times when the assessment is
3 reviewed.

4 (4) The student or student's parent may not review the
5 assessment more than one time.

6 (5) No other individual is authorized to attend the
7 review.

8 (6) The assessment was not administered to the student
9 more than 2 years before the review.

10 (7) The student or student's parent may not remove the
11 assessment from the reviewing location.

12 (8) The student, the student's parent, or the school
13 administrator may not take any notes during the review.

14 (9) The parent requests the review subsequent to the
15 determination of the student's score and within 14 days
16 following the determination of the student's score.

17
18 The Department of Education shall ensure that the assessment
19 questions and the student's answers are provided for the
20 requested review within 30 days following the complete scoring
21 of the assessment upon proper request by the parent. The
22 district school boards shall notify eligible parents of the
23 review option and the procedures for the review. The State
24 Board of Education shall adopt rules pursuant to ss.
25 120.536(1) and 120.54 to administer this section. If the
26 review request is not met in accordance with this section, the
27 parent is entitled to reasonable attorney's fees and costs
28 incurred by the parent in obtaining compliance with this
29 section.

30 Section 2. Subsection (9) of section 1008.22, Florida
31 Statutes, is amended to read:

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1 1008.22 Student assessment program for public
2 schools.--

3 (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--

4 (a) The Commissioner of Education shall ~~determine the~~
5 ~~comparable validity of other available standardized tests,~~
6 ~~including the SAT, ACT, College Placement Test, PSAT, PLAN,~~
7 ~~and tests used for entry into the military. If such tests are~~
8 ~~deemed to be valid and reliable measures, the commissioner~~
9 ~~shall approve the use of the SAT and ACT such tests as~~
10 alternative alternate assessments to the grade 10 FCAT for the
11 2003-2004 ~~2002-2003~~ school year. Students who attain scores on
12 the SAT or ACT which ~~that~~ equate to the passing scores on the
13 grade 10 FCAT for purposes of high school graduation ~~on any of~~
14 ~~the approved alternative assessments~~ shall satisfy the
15 assessment requirement for a standard high school diploma as
16 provided in s. 1003.43(5)(a) for the 2003-2004 ~~2002-2003~~
17 school year graduating class if the students meet the
18 requirement in paragraph (b). ~~Prior to the application of~~
19 ~~these alternative assessments in subsequent school years, the~~
20 ~~Legislature shall review the continued use of these~~
21 ~~alternative tests.~~

22 (b) A student must take the grade 10 FCAT for a total
23 of three times without earning a passing score in order to use
24 the scores on the alternative assessments in paragraph (a).

25 Section 3. Subsection (1) of section 1003.433, Florida
26 Statutes, is amended to read:

27 1003.433 Learning opportunities for out-of-state and
28 out-of-country transfer students and students needing
29 additional instruction to meet high school graduation
30 requirements.--

31 (1) Students who enter a Florida public school at the

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1 | eleventh or twelfth grade from out of state or from a foreign
 2 | country shall not be required to spend additional time in a
 3 | Florida public school in order to meet the high school course
 4 | requirements if the student has met all requirements of the
 5 | school district, state, or country from which he or she is
 6 | transferring. Such students who are not proficient in English
 7 | should receive immediate and intensive instruction in English
 8 | language acquisition. However, to receive a standard high
 9 | school diploma, a transfer student must:

10 | (a) Earn a 2.0 grade point average; and

11 | (b) Pass the grade 10 FCAT required in s. 1008.22(3),
 12 | if the student is an eleventh grade student; or

13 | (c) Beginning in the 2004-2005 school year, attain
 14 | scores on the SAT or ACT which equate to the passing scores on
 15 | the grade 10 FCAT, if the student is a twelfth grade student
 16 | an alternate assessment as described in s. 1008.22(9).

17 | Section 4. Section 1008.301, Florida Statutes, as
 18 | created by section 2 of chapter 2003-80, Laws of Florida, is
 19 | repealed.

20 | Section 5. This act shall take effect upon becoming a
 21 | law, except that section 1 of this act shall take effect July
 22 | 1, 2004, and shall apply to each Florida Comprehensive
 23 | Assessment Test administered after July 1, 2004.

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 25 |

26 | ===== T I T L E A M E N D M E N T =====

27 | And the title is amended as follows:

28 | On page 1, lines 4-15, delete those lines

29 |

30 | and insert:

31 | authorizing a student's parent and the

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1 accompanying student to review the questions
2 and the student's answers to those questions on
3 the Florida Comprehensive Assessment Test;
4 providing restrictions on the review; requiring
5 the Department of Education to honor the
6 requests within a certain time period;
7 requiring that district school boards notify
8 eligible parents; requiring the State Board of
9 Education to adopt rules; authorizing
10 reasonable attorney's fees and costs under
11 certain circumstances; amending s. 1008.22,
12 F.S.; delaying the date by which the
13 Commissioner of Education must approve the use
14 of specified standardized tests as an
15 alternative to the grade 10 Florida
16 Comprehensive Assessment Test (FCAT); allowing
17 passage of the alternative tests to satisfy the
18 assessment requirement for students graduating
19 from high school in the 2003-2004 school year,
20 subject to certain conditions; amending s.
21 1003.433, F.S.; allowing passage of alternate
22 assessments in lieu of the grade 10 FCAT for
23 certain transfer students subject to certain
24 conditions beginning in the 2004-2005 school
25 year; repealing s. 1008.301, F.S., relating to
26 concordance studies by the State Board of
27 Education; providing for

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