

Bill No. HCB 6007, 2nd Eng.

Barcode 941060

CHAMBER ACTION

Senate

House

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Senator Siplin moved the following **amendment to amendment**
(074810):

Senate Amendment (with title amendment)

On page 44, between lines 18 and 19,

insert:

Section 20. Section 1008.23, Florida Statutes, is
amended to read:

1008.23 Confidentiality of assessment instruments.--

(1) All examination and assessment instruments,
including developmental materials and workpapers directly
related thereto, which are prepared, prescribed, or
administered pursuant to ss. 1003.43, 1008.22, and 1008.25
shall be confidential and exempt from the provisions of s.
119.07(1) and from s. 1001.52. Provisions governing access,
maintenance, and destruction of such instruments and related
materials shall be prescribed by rules of the State Board of
Education.

(2) Notwithstanding subsection (1), a student's
parent, accompanied by the student, may review, at the school

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1 at which the student was enrolled when the student was
2 administered the Florida Comprehensive Assessment Test, the
3 questions on each section of the criterion-referenced portion
4 of the Florida Comprehensive Assessment Test, as well as the
5 student's answers to those questions, under the following
6 conditions:

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

11 (b) No recording or copying of the assessment may be
12 made.

13 (c) A school administrator, as defined in s.
14 1012.01(3)(c), or a representative of the Department of
15 Education must be present at all times when the assessment is
16 reviewed.

17 (d) The student or student's parent may not review the
18 assessment more than one time.

19 (e) No other individual is authorized to attend the
20 review.

21 (f) The assessment was not administered to the student
22 more than 2 years before the review.

23 (g) The student or student's parent may not remove the
24 assessment from the reviewing location.

25 (h) The student, the student's parent, the school
26 administrator, or the department representative may not take
27 any notes during the review.

28 (i) The parent must request the review within 14 days
29 after receipt of the student's score.

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31 The Department of Education shall provide for review of the

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1 assessment questions and the student's answers to the
2 questions within 30 days after receiving the request for
3 review. Each district school board shall notify eligible
4 parents of the review option and the procedures for the
5 review. The State Board of Education shall adopt rules
6 pursuant to ss. 120.536(1) and 120.54 to administer this
7 subsection. If the review request is not met in accordance
8 with this subsection, the parent is entitled to reasonable
9 attorney's fees and costs incurred by the parent in obtaining
10 compliance with this subsection.

11 Section 21. Subsection (1) of section 1003.433,
12 Florida Statutes, is amended to read:

13 1003.433 Learning opportunities for out-of-state and
14 out-of-country transfer students and students needing
15 additional instruction to meet high school graduation
16 requirements.--

17 (1) Students who enter a Florida public school at the
18 eleventh or twelfth grade from out of state or from a foreign
19 country shall not be required to spend additional time in a
20 Florida public school in order to meet the high school course
21 requirements if the student has met all requirements of the
22 school district, state, or country from which he or she is
23 transferring. Such students who are not proficient in English
24 should receive immediate and intensive instruction in English
25 language acquisition. However, to receive a standard high
26 school diploma, a transfer student must earn a 2.0 grade point
27 average and pass the grade 10 FCAT required in s. 1008.22(3)
28 or an alternate assessment as described in s. 1008.22(9).

29 Beginning with the 2005-2006 school year, to receive a
30 standard high school diploma, a transfer student who is in the
31 eleventh grade at the time of the transfer must earn a 2.0

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1 grade point average and must pass the grade 10 FCAT required
 2 in s. 1008.22(3), and a transfer student who is in the twelfth
 3 grade at the time of the transfer must earn a 2.0 grade point
 4 average and must earn scores on the SAT or the ACT that equate
 5 to the passing scores on the grade 10 FCAT.

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 7 (Redesignate subsequent sections.)
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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 82, line 1, after the second semicolon,

13
 14 insert:

15 amending s. 1008.23, F.S.; authorizing a
 16 student's parent and the student to review the
 17 questions and the student's answers to
 18 questions on the criterion-referenced portion
 19 of the Florida Comprehensive Assessment Test;
 20 providing restrictions on the review; requiring
 21 the Department of Education to honor requests
 22 within a certain time period; requiring that
 23 district school boards notify eligible parents;
 24 requiring the State Board of Education to adopt
 25 rules; authorizing reasonable attorney's fees
 26 and costs under certain circumstances; amending
 27 s. 1003.433, F.S.; revising requirements for
 28 receipt of a standard high school diploma for
 29 certain transfer students;

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