

1 A bill to be entitled
 2 An act relating to the Corporate Income Tax Credit
 3 Scholarship Program; amending s. 220.187, F.S.; requiring
 4 that students who are participating in the Corporate
 5 Income Tax Credit Scholarship Program take the Florida
 6 Comprehensive Assessment Test under certain conditions;
 7 providing additional requirements for private schools that
 8 are participating in the program; revising the Department
 9 of Education's obligations under the program; amending s.
 10 1002.421, F.S.; providing additional requirements for
 11 teachers employed by or under contract with private
 12 schools that are participating in the program; providing
 13 an effective date.

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

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 17 Section 1. Paragraph (e) of subsection (7), subsection
 18 (8), and paragraph (j) of subsection (9) of section 220.187,
 19 Florida Statutes, are amended to read:

20 220.187 Credits for contributions to nonprofit
 21 scholarship-funding organizations.--

22 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
 23 PARTICIPATION.--

24 (e) The parent shall ensure that the student participating
 25 in the scholarship program takes the assessment as required in
 26 this paragraph.

27 1. A student who is participating in the program must take
 28 the Florida Comprehensive Assessment Test (FCAT) in reading,

29 writing, science, mathematics, and other content areas as
 30 directed by the Commissioner of Education pursuant to s. 1008.22
 31 if:

32 a. There are 20 or fewer students enrolled in the
 33 participating private school during the school year; or

34 b. There are more than 20 students enrolled in the
 35 participating private school during the school year and the
 36 total amount of scholarship funds received by the participating
 37 private school during the school year is \$25,000 or more.

38
 39 The parent is responsible for transporting the student to the
 40 assessment site designated by the school district.

41 2. A student who does not take the FCAT as required in
 42 subparagraph 1. must take the norm-referenced assessment offered
 43 by the private school. The parent may also choose to have the
 44 student participate in the statewide assessments pursuant to s.
 45 1008.22. If the parent requests that the student participating
 46 in the scholarship program take statewide assessments pursuant
 47 to s. 1008.22, the parent is responsible for transporting the
 48 student to the assessment site designated by the school
 49 district.

50 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.--An
 51 eligible private school may be sectarian or nonsectarian and
 52 must:

53 (a) Comply with all requirements for private schools
 54 participating in state school choice scholarship programs
 55 pursuant to s. 1002.421.

56 (b) Provide to the eligible nonprofit scholarship-funding

57 organization, upon request, all documentation required for the
 58 student's participation, including the private school's and
 59 student's fee schedules.

60 (c) Be academically accountable to the parent for meeting
 61 the educational needs of the student by:

62 1. At a minimum, annually providing to the parent a
 63 written explanation of the student's progress.

64 2. Annually administering or making provision for students
 65 participating in the scholarship program to take the FCAT or one
 66 of the nationally norm-referenced tests identified by the
 67 Department of Education. Students having ~~with~~ disabilities for
 68 whom standardized testing is not appropriate are exempt from
 69 this requirement. A participating private school must report a
 70 student's scores to the parent and to the independent research
 71 organization selected by the Department of Education as
 72 described in paragraph (9)(j).

73 3. Cooperating with the scholarship student whose parent
 74 chooses to have the student participate in the statewide
 75 assessments pursuant to s. 1008.22.

76 (d) Employ or contract with teachers who have regular and
 77 direct contact with each student receiving a scholarship under
 78 this section at the school's physical location.

79 (e) Receive a school grade pursuant to s. 1008.34 if the
 80 school has students who are required to take the FCAT under
 81 subparagraph (7)(e)1.

82
 83 The inability of a private school to meet the requirements of
 84 this subsection shall constitute a basis for the ineligibility

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85 of the private school to participate in the scholarship program
86 as determined by the Department of Education.

87 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.--The Department
88 of Education shall:

89 (j) Select an independent research organization, which may
90 be a public or private entity or university, to which
91 participating private schools must report the scores of
92 participating students on the FCAT and the nationally norm-
93 referenced tests administered by the private school. The
94 independent research organization must annually report to the
95 Department of Education on the year-to-year improvements of
96 participating students. The independent research organization
97 must analyze and report student performance data in a manner
98 that protects the rights of students and parents as mandated in
99 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy
100 Act, and may ~~must~~ not disaggregate data to a level that will
101 disclose the academic level of individual students or of
102 individual schools. To the extent possible, the independent
103 research organization must accumulate historical performance
104 data on students from the Department of Education and private
105 schools to describe baseline performance and to conduct
106 longitudinal studies. To minimize costs and reduce time required
107 for third-party analysis and evaluation, the Department of
108 Education shall conduct analyses of matched students from public
109 school assessment data and calculate control group learning
110 gains using an agreed-upon methodology outlined in the contract
111 with the third-party evaluator. The sharing of student data must
112 be in accordance with requirements of 20 U.S.C. s. 1232g, the

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113 Family Educational Rights and Privacy Act, and shall be for the
114 sole purpose of conducting the evaluation. All parties must
115 preserve the confidentiality of such information as required by
116 law.

117 Section 2. Paragraph (h) of subsection (2) of section
118 1002.421, Florida Statutes, is amended to read:

119 1002.421 Accountability of private schools participating
120 in state school choice scholarship programs.--

121 (2) A private school participating in a scholarship
122 program must be a Florida private school as defined in s.
123 1002.01(2), must be registered in accordance with s. 1002.42,
124 and must:

125 (h) Employ or contract with teachers who hold
126 baccalaureate or higher degrees, have at least 3 years of
127 teaching experience in public or private schools, or have
128 special skills, knowledge, or expertise that qualifies them to
129 provide instruction in subjects taught. However, a private
130 school participating in the Corporate Income Tax Credit
131 Scholarship Program pursuant to s. 220.187 must employ or
132 contract with a teacher who holds a baccalaureate or higher
133 degree and has 3 years of teaching experience or a teacher who
134 is certified pursuant to s. 1012.56.

135 Section 3. This act shall take effect July 1, 2009.