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LEGISLATIVE ACTION

Senate

House

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Floor: 9/AD/2R

05/02/2011 04:39 PM

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Senator Flores moved the following:

**Senate Amendment (with directory and title amendments)**

Delete lines 1534 - 1541

and insert:

(5) RESPONSIBILITIES OF THE DEPARTMENT OF EDUCATION.—

(f) ~~By September 1, 2009,~~ The department shall approve and  
a district may select acceptable premethods and postmethods for  
measuring student learning gains, including standardized  
assessments, diagnostic assessments, criterion-referenced and  
skills-based assessments, or other applicable methods  
appropriate for each grade level, for use by supplemental  
educational services providers and local school districts in  
determining student learning gains. Each method must be able to



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14 measure student progress toward mastering the benchmarks or  
15 access points set forth in the Sunshine State Standards and the  
16 student's supplemental educational services plan. The use of a  
17 diagnostic and assessment instrument, which is aligned to a  
18 provider's curriculum, is an acceptable premethod and postmethod  
19 if the provider can demonstrate that the assessment meets the  
20 requirements in this paragraph and is not deemed unreliable or  
21 invalid by the department.

22 1. A district may include in its district contract with a  
23 provider a requirement to use a single uniform assessment, if  
24 the department is notified of such intent before the district  
25 school start date, and the assessment is not deemed invalid or  
26 unreliable by the department as a means to measure student  
27 progress toward mastering the benchmarks or access points set  
28 forth in the state standards and the student's supplemental  
29 educational services plan, and to evaluate the effectiveness of  
30 the provider.

31 2. If a district requires a provider to use a third party  
32 entity to determine student academic deficiencies or learning  
33 gains; to administer, supervise, or score the uniform district  
34 assessment; or to develop student profiles, providers may not be  
35 charged more than 3 percent of the maximum per-child expenditure  
36 for supplemental educational services or \$50 per student,  
37 whichever is greater, including the actual assessment tool if  
38 administered by the third party entity.

39  
40 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

41 And the directory clause is amended as follows:

42 Delete lines 1529 - 1530



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43 and insert:

44 Section 25. Paragraph (f) of subsection (5) of section  
45 1008.331, Florida Statutes, is amended to read:

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47 ===== T I T L E A M E N D M E N T =====

48 And the title is amended as follows:

49 Delete lines 110 - 116

50 and insert:

51 1008.331, F.S.; revising the responsibilities of the  
52 Department of Education; authorizing school districts  
53 to select acceptable premethods and postmethods for  
54 measuring student learning gains; authorizing a school  
55 district to include in its contract with a provider a  
56 requirement to use a single uniform assessment;  
57 providing that providers may not be charged more than  
58 a certain amount for the maximum per child for  
59 supplemental educational services; amending s.  
60 1008.34, F.S.; revising the basis