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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

05/02/2011 01:58 PM

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 deficiencies or learning gains,
33 administer, supervise, or score the uniform district assessment,
34 or develop student profiles, providers may not be charged more
35 than 3 percent of the maximum per-child expenditure for
36 supplemental educational services or more than \$50 for total
37 services, including the actual assessment tool if administered
38 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:

46

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 not be charged more than 3
58 percent of the maximum per child for supplemental
59 educational services or more than \$50 for total
60 services under certain circumstances; amending s.
61 1008.34, F.S.; revising the basis