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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/18/2011	.	
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The Committee on Budget (Wise) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 445.049, Florida Statutes, is repealed.

Section 2. Section 817.567, Florida Statutes, is repealed.

Section 3. Section 1001.291, Florida Statutes, is repealed.

Section 4. Section 1004.50, Florida Statutes, is repealed.

Section 5. Section 1004.51, Florida Statutes, is repealed.

Section 6. Section 1004.52, Florida Statutes, is repealed.

Section 7. Section 1004.95, Florida Statutes, is repealed.

Section 8. Section 1004.97, Florida Statutes, is repealed.

Section 9. Subsections (11) and (12) of section 1004.04,



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14 Florida Statutes, are repealed.

15       Section 10. Sections 1009.54, 1009.57, 1009.58, and  
16 1009.59, Florida Statutes, are repealed.

17       Section 11. Sections 1012.225 and 1012.2251, Florida  
18 Statutes, are repealed.

19       Section 12. Paragraph (c) of subsection (2) of section  
20 447.403, Florida Statutes, is repealed.

21       Section 13. Paragraph (a) of subsection (20) of section  
22 1002.33, Florida Statutes, is amended to read:

23       1002.33 Charter schools.—

24       (20) SERVICES.—

25       (a)1. A sponsor shall provide certain administrative and  
26 educational services to charter schools. These services shall  
27 include contract management services; full-time equivalent and  
28 data reporting services; exceptional student education  
29 administration services; services related to eligibility and  
30 reporting duties required to ensure that school lunch services  
31 under the federal lunch program, consistent with the needs of  
32 the charter school, are provided by the school district at the  
33 request of the charter school, that any funds due to the charter  
34 school under the federal lunch program be paid to the charter  
35 school as soon as the charter school begins serving food under  
36 the federal lunch program, and that the charter school is paid  
37 at the same time and in the same manner under the federal lunch  
38 program as other public schools serviced by the sponsor or the  
39 school district; test administration services, including payment  
40 of the costs of state-required or district-required student  
41 assessments; processing of teacher certificate data services;  
42 and information services, including equal access to student



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43 information systems that are used by public schools in the  
44 district in which the charter school is located. Student  
45 performance data for each student in a charter school,  
46 including, but not limited to, FCAT scores, standardized test  
47 scores, previous public school student report cards, and student  
48 performance measures, shall be provided by the sponsor to a  
49 charter school in the same manner provided to other public  
50 schools in the district.

51 2. A total administrative fee for the provision of such  
52 services shall be calculated based upon up to 5 percent of the  
53 available funds defined in paragraph (17)(b) for all students.  
54 However, a sponsor may only withhold up to a 5-percent  
55 administrative fee for enrollment for up to and including 250  
56 students. For charter schools with a population of 251 or more  
57 students, the difference between the total administrative fee  
58 calculation and the amount of the administrative fee withheld  
59 may only be used for capital outlay purposes specified in s.  
60 1013.62(2).

61 3. In addition, a sponsor may withhold only up to a 5-  
62 percent administrative fee for enrollment for up to and  
63 including 500 students within a system of charter schools which  
64 meets all of the following:

- 65 a. Includes both conversion charter schools and  
66 nonconversion charter schools;
- 67 b. Has all schools located in the same county;
- 68 c. Has a total enrollment exceeding the total enrollment of  
69 at least one school district in the state;
- 70 d. Has the same governing board; and
- 71 e. Does not contract with a for-profit service provider for



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72 management of school operations.

73 4. The difference between the total administrative fee  
74 calculation and the amount of the administrative fee withheld  
75 pursuant to subparagraph 3. may be used for instructional and  
76 administrative purposes as well as for capital outlay purposes  
77 specified in s. 1013.62(2).

78 5. ~~Each charter school shall receive 100 percent of the~~  
79 ~~funds awarded to that school pursuant to s. 1012.225.~~ Sponsors  
80 shall not charge charter schools any additional fees or  
81 surcharges for administrative and educational services in  
82 addition to the maximum 5-percent administrative fee withheld  
83 pursuant to this paragraph.

84 Section 14. Subsection (10) of section 1003.52, Florida  
85 Statutes, is amended to read:

86 1003.52 Educational services in Department of Juvenile  
87 Justice programs.—

88 (10) The district school board shall recruit and train  
89 teachers who are interested, qualified, or experienced in  
90 educating students in juvenile justice programs. Students in  
91 juvenile justice programs shall be provided a wide range of  
92 educational programs and opportunities including textbooks,  
93 technology, instructional support, and other resources available  
94 to students in public schools. Teachers assigned to educational  
95 programs in juvenile justice settings in which the district  
96 school board operates the educational program shall be selected  
97 by the district school board in consultation with the director  
98 of the juvenile justice facility. Educational programs in  
99 juvenile justice facilities shall have access to the substitute  
100 teacher pool utilized by the district school board. ~~Full-time~~



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101 ~~teachers working in juvenile justice schools, whether employed~~  
102 ~~by a district school board or a provider, shall be eligible for~~  
103 ~~the critical teacher shortage tuition reimbursement program as~~  
104 ~~defined by s. 1009.58 and other teacher recruitment and~~  
105 ~~retention programs.~~

106 Section 15. Paragraph (a) of subsection (1) of section  
107 1009.40, Florida Statutes, is amended to read:

108 1009.40 General requirements for student eligibility for  
109 state financial aid awards and tuition assistance grants.—

110 (1) (a) The general requirements for eligibility of students  
111 for state financial aid awards and tuition assistance grants  
112 consist of the following:

113 1. Achievement of the academic requirements of and  
114 acceptance at a state university or community college; a nursing  
115 diploma school approved by the Florida Board of Nursing; a  
116 Florida college, university, or community college that ~~which~~ is  
117 accredited by an accrediting agency recognized by the State  
118 Board of Education; any Florida institution the credits of which  
119 are acceptable for transfer to state universities; any career  
120 center; or any private career institution accredited by an  
121 accrediting agency recognized by the State Board of Education.

122 2. Residency in this state for no less than 1 year  
123 preceding the award of aid or a tuition assistance grant for a  
124 program established pursuant to s. 1009.50, s. 1009.505, s.  
125 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.54~~, s. 1009.56, ~~s.~~  
126 ~~1009.57~~, s. 1009.60, s. 1009.62, s. 1009.68, s. 1009.72, s.  
127 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891. Residency in  
128 this state must be for purposes other than to obtain an  
129 education. Resident status for purposes of receiving state



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130 financial aid awards shall be determined in the same manner as  
131 resident status for tuition purposes pursuant to s. 1009.21.

132 3. Submission of certification attesting to the accuracy,  
133 completeness, and correctness of information provided to  
134 demonstrate a student's eligibility to receive state financial  
135 aid awards or tuition assistance grants. Falsification of such  
136 information shall result in the denial of any pending  
137 application and revocation of any award or grant currently held  
138 to the extent that no further payments shall be made.  
139 Additionally, students who knowingly make false statements in  
140 order to receive state financial aid awards or tuition  
141 assistance grants commit a misdemeanor of the second degree  
142 subject to the provisions of s. 837.06 and shall be required to  
143 return all state financial aid awards or tuition assistance  
144 grants wrongfully obtained.

145 Section 16. Paragraph (c) of subsection (2) of section  
146 1009.94, Florida Statutes, is amended to read:

147 1009.94 Student financial assistance database.—

148 (2) For purposes of this section, financial assistance  
149 includes:

150 (c) Any financial assistance provided under s. 1009.50, s.  
151 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, ~~s. 1009.54~~, s.  
152 1009.55, s. 1009.56, ~~s. 1009.57~~, s. 1009.60, s. 1009.62, s.  
153 1009.68, s. 1009.70, s. 1009.701, s. 1009.72, s. 1009.73, s.  
154 1009.74, s. 1009.77, s. 1009.89, or s. 1009.891.

155 Section 17. Paragraph (d) of subsection (7) of section  
156 1011.62, Florida Statutes, is amended to read:

157 1011.62 Funds for operation of schools.—If the annual  
158 allocation from the Florida Education Finance Program to each



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159 district for operation of schools is not determined in the  
160 annual appropriations act or the substantive bill implementing  
161 the annual appropriations act, it shall be determined as  
162 follows:

163 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

164 (d) Each district's allocation of sparsity supplement funds  
165 shall be adjusted in the following manner:

166 1. A maximum discretionary levy per FTE value for each  
167 district shall be calculated by dividing the value of each  
168 district's maximum discretionary levy by its FTE student count.

169 2. A state average discretionary levy value per FTE shall  
170 be calculated by dividing the total maximum discretionary levy  
171 value for all districts by the state total FTE student count.

172 3. A total potential funds per FTE for each district shall  
173 be calculated by dividing the total potential funds, not  
174 including Florida School Recognition Program funds, ~~Merit Award~~  
175 ~~Program funds~~, and the minimum guarantee funds, for each  
176 district by its FTE student count.

177 4. A state average total potential funds per FTE shall be  
178 calculated by dividing the total potential funds, not including  
179 Florida School Recognition Program funds, ~~Merit Award Program~~  
180 ~~funds~~, and the minimum guarantee funds, for all districts by the  
181 state total FTE student count.

182 5. For districts that have a levy value per FTE as  
183 calculated in subparagraph 1. higher than the state average  
184 calculated in subparagraph 2., a sparsity wealth adjustment  
185 shall be calculated as the product of the difference between the  
186 state average levy value per FTE calculated in subparagraph 2.  
187 and the district's levy value per FTE calculated in subparagraph



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188 1. and the district's FTE student count and -1. However, no  
189 district shall have a sparsity wealth adjustment that, when  
190 applied to the total potential funds calculated in subparagraph  
191 3., would cause the district's total potential funds per FTE to  
192 be less than the state average calculated in subparagraph 4.

193 6. Each district's sparsity supplement allocation shall be  
194 calculated by adding the amount calculated as specified in  
195 paragraphs (a) and (b) and the wealth adjustment amount  
196 calculated in this paragraph.

197 Section 18. Section 1012.07, Florida Statutes, is amended  
198 to read:

199 1012.07 Identification of critical teacher shortage areas.—

200 ~~(1) As used in ss. 1009.57, 1009.58, and 1009.59,~~ The term  
201 "critical teacher shortage area" applies to mathematics,  
202 science, career education, and high priority location areas. The  
203 State Board of Education may identify career education programs  
204 having critical teacher shortages. The State Board of Education  
205 shall adopt rules pursuant to ss. 120.536(1) and 120.54  
206 necessary to annually identify other critical teacher shortage  
207 areas and high priority location areas. The state board shall  
208 also consider teacher characteristics such as ethnic background,  
209 race, and sex in determining critical teacher shortage areas.  
210 School grade levels may also be designated critical teacher  
211 shortage areas. Individual district school boards may identify  
212 other critical teacher shortage areas. Such shortages must be  
213 certified to and approved by the State Board of Education. High  
214 priority location areas shall be in high-density, low-economic  
215 urban schools and low-density, low-economic rural schools and  
216 shall include schools that ~~which~~ meet criteria that ~~which~~





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217 include, but are not limited to, the percentage of free lunches,  
218 the percentage of students under Chapter I of the Education  
219 Consolidation and Improvement Act of 1981, and the faculty  
220 attrition rate.

221 ~~(2) This section shall be implemented only to the extent as~~  
222 ~~specifically funded and authorized by law.~~

223 Section 19. Effective July 1, 2011, paragraphs (a), (b),  
224 and (c) of subsection (3) of section 1012.33, Florida Statutes,  
225 are repealed.

226 Section 20. Paragraph (c) of subsection (3) of section  
227 1008.22, Florida Statutes, is amended to read:

228 1008.22 Student assessment program for public schools.—

229 (3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall  
230 design and implement a statewide program of educational  
231 assessment that provides information for the improvement of the  
232 operation and management of the public schools, including  
233 schools operating for the purpose of providing educational  
234 services to youth in Department of Juvenile Justice programs.  
235 The commissioner may enter into contracts for the continued  
236 administration of the assessment, testing, and evaluation  
237 programs authorized and funded by the Legislature. Contracts may  
238 be initiated in 1 fiscal year and continue into the next and may  
239 be paid from the appropriations of either or both fiscal years.  
240 The commissioner is authorized to negotiate for the sale or  
241 lease of tests, scoring protocols, test scoring services, and  
242 related materials developed pursuant to law. Pursuant to the  
243 statewide assessment program, the commissioner shall:

244 (c) Develop and implement a student achievement testing  
245 program as follows:



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246           1. The Florida Comprehensive Assessment Test (FCAT)  
247 measures a student's content knowledge and skills in reading,  
248 writing, science, and mathematics. The content knowledge and  
249 skills assessed by the FCAT must be aligned to the core  
250 curricular content established in the Next Generation Sunshine  
251 State Standards. Other content areas may be included as directed  
252 by the commissioner. Comprehensive assessments of reading and  
253 mathematics shall be administered annually in grades 3 through  
254 10 except, beginning with the 2010-2011 school year, the  
255 administration of grade 9 FCAT Mathematics shall be  
256 discontinued, and beginning with the 2011-2012 school year, the  
257 administration of grade 10 FCAT Mathematics shall be  
258 discontinued, except as required for students who have not  
259 attained minimum performance expectations for graduation as  
260 provided in paragraph (9)(c). FCAT Writing and FCAT Science  
261 shall be administered at least once at the elementary, middle,  
262 and high school levels except, beginning with the 2011-2012  
263 school year, the administration of FCAT Science at the high  
264 school level shall be discontinued.

265           2.a. End-of-course assessments for a subject shall be  
266 administered in addition to the comprehensive assessments  
267 required under subparagraph 1. End-of-course assessments must be  
268 rigorous, statewide, standardized, and developed or approved by  
269 the department. The content knowledge and skills assessed by  
270 end-of-course assessments must be aligned to the core curricular  
271 content established in the Next Generation Sunshine State  
272 Standards.

273           (I) Statewide, standardized end-of-course assessments in  
274 mathematics shall be administered according to this sub-sub-



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275 subparagraph. Beginning with the 2010-2011 school year, all  
276 students enrolled in Algebra I or an equivalent course must take  
277 the Algebra I end-of-course assessment. ~~Students who earned high~~  
278 ~~school credit in Algebra I while in grades 6 through 8 during~~  
279 ~~the 2007-2008 through 2009-2010 school years and who have not~~  
280 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~  
281 ~~course assessment during the 2010-2011 school year.~~ For students  
282 entering grade 9 during the 2010-2011 school year and who are  
283 enrolled in Algebra I or an equivalent, each student's  
284 performance on the end-of-course assessment in Algebra I shall  
285 constitute 30 percent of the student's final course grade.  
286 Beginning with students entering grade 9 in the 2011-2012 school  
287 year, a student who is enrolled in Algebra I or an equivalent  
288 must earn a passing score on the end-of-course assessment in  
289 Algebra I or attain an equivalent score as described in  
290 subsection (11) in order to earn course credit. Beginning with  
291 the 2011-2012 school year, all students enrolled in geometry or  
292 an equivalent course must take the geometry end-of-course  
293 assessment. For students entering grade 9 during the 2011-2012  
294 school year, each student's performance on the end-of-course  
295 assessment in geometry shall constitute 30 percent of the  
296 student's final course grade. Beginning with students entering  
297 grade 9 during the 2012-2013 school year, a student must earn a  
298 passing score on the end-of-course assessment in geometry or  
299 attain an equivalent score as described in subsection (11) in  
300 order to earn course credit.

301 (II) Statewide, standardized end-of-course assessments in  
302 science shall be administered according to this sub-sub-  
303 subparagraph. Beginning with the 2011-2012 school year, all



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304 students enrolled in Biology I or an equivalent course must take  
305 the Biology I end-of-course assessment. For the 2011-2012 school  
306 year, each student's performance on the end-of-course assessment  
307 in Biology I shall constitute 30 percent of the student's final  
308 course grade. Beginning with students entering grade 9 during  
309 the 2012-2013 school year, a student must earn a passing score  
310 on the end-of-course assessment in Biology I in order to earn  
311 course credit.

312 b. During the 2012-2013 school year, an end-of-course  
313 assessment in civics education shall be administered as a field  
314 test at the middle school level. During the 2013-2014 school  
315 year, each student's performance on the statewide, standardized  
316 end-of-course assessment in civics education shall constitute 30  
317 percent of the student's final course grade. Beginning with the  
318 2014-2015 school year, a student must earn a passing score on  
319 the end-of-course assessment in civics education in order to  
320 pass the course and receive course credit.

321 c. The commissioner may select one or more nationally  
322 developed comprehensive examinations, which may include, but  
323 need not be limited to, examinations for a College Board  
324 Advanced Placement course, International Baccalaureate course,  
325 or Advanced International Certificate of Education course, or  
326 industry-approved examinations to earn national industry  
327 certifications identified in the Industry Certification Funding  
328 List, pursuant to rules adopted by the State Board of Education,  
329 for use as end-of-course assessments under this paragraph, if  
330 the commissioner determines that the content knowledge and  
331 skills assessed by the examinations meet or exceed the grade  
332 level expectations for the core curricular content established



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333 for the course in the Next Generation Sunshine State Standards.  
334 The commissioner may collaborate with the American Diploma  
335 Project in the adoption or development of rigorous end-of-course  
336 assessments that are aligned to the Next Generation Sunshine  
337 State Standards.

338 d. Contingent upon funding provided in the General  
339 Appropriations Act, including the appropriation of funds  
340 received through federal grants, the Commissioner of Education  
341 shall establish an implementation schedule for the development  
342 and administration of additional statewide, standardized end-of-  
343 course assessments in English/Language Arts II, Algebra II,  
344 chemistry, physics, earth/space science, United States history,  
345 and world history. Priority shall be given to the development of  
346 end-of-course assessments in English/Language Arts II. The  
347 Commissioner of Education shall evaluate the feasibility and  
348 effect of transitioning from the grade 9 and grade 10 FCAT  
349 Reading and high school level FCAT Writing to an end-of-course  
350 assessment in English/Language Arts II. The commissioner shall  
351 report the results of the evaluation to the President of the  
352 Senate and the Speaker of the House of Representatives no later  
353 than July 1, 2011.

354 3. The testing program shall measure student content  
355 knowledge and skills adopted by the State Board of Education as  
356 specified in paragraph (a) and measure and report student  
357 performance levels of all students assessed in reading, writing,  
358 mathematics, and science. The commissioner shall provide for the  
359 tests to be developed or obtained, as appropriate, through  
360 contracts and project agreements with private vendors, public  
361 vendors, public agencies, postsecondary educational



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362 institutions, or school districts. The commissioner shall obtain  
363 input with respect to the design and implementation of the  
364 testing program from state educators, assistive technology  
365 experts, and the public.

366 4. The testing program shall be composed of criterion-  
367 referenced tests that shall, to the extent determined by the  
368 commissioner, include test items that require the student to  
369 produce information or perform tasks in such a way that the core  
370 content knowledge and skills he or she uses can be measured.

371 5. FCAT Reading, Mathematics, and Science and all  
372 statewide, standardized end-of-course assessments shall measure  
373 the content knowledge and skills a student has attained on the  
374 assessment by the use of scaled scores and achievement levels.  
375 Achievement levels shall range from 1 through 5, with level 1  
376 being the lowest achievement level, level 5 being the highest  
377 achievement level, and level 3 indicating satisfactory  
378 performance on an assessment. For purposes of FCAT Writing,  
379 student achievement shall be scored using a scale of 1 through 6  
380 and the score earned shall be used in calculating school grades.  
381 A score shall be designated for each subject area tested, below  
382 which score a student's performance is deemed inadequate. The  
383 school districts shall provide appropriate remedial instruction  
384 to students who score below these levels.

385 6. The State Board of Education shall, by rule, designate a  
386 passing score for each part of the grade 10 assessment test and  
387 end-of-course assessments. Any rule that has the effect of  
388 raising the required passing scores may apply only to students  
389 taking the assessment for the first time after the rule is  
390 adopted by the State Board of Education. Except as otherwise



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391 provided in this subparagraph and as provided in s.  
392 1003.428(8) (b) or s. 1003.43(11) (b), students must earn a  
393 passing score on grade 10 FCAT Reading and grade 10 FCAT  
394 Mathematics or attain concordant scores as described in  
395 subsection (10) in order to qualify for a standard high school  
396 diploma.

397 7. In addition to designating a passing score under  
398 subparagraph 6., the State Board of Education shall also  
399 designate, by rule, a score for each statewide, standardized  
400 end-of-course assessment which indicates that a student is high  
401 achieving and has the potential to meet college-readiness  
402 standards by the time the student graduates from high school.

403 8. Participation in the testing program is mandatory for  
404 all students attending public school, including students served  
405 in Department of Juvenile Justice programs, except as otherwise  
406 prescribed by the commissioner. A student who has not earned  
407 passing scores on the grade 10 FCAT as provided in subparagraph  
408 6. must participate in each retake of the assessment until the  
409 student earns passing scores or achieves scores on a  
410 standardized assessment which are concordant with passing scores  
411 pursuant to subsection (10). If a student does not participate  
412 in the statewide assessment, the district must notify the  
413 student's parent and provide the parent with information  
414 regarding the implications of such nonparticipation. A parent  
415 must provide signed consent for a student to receive classroom  
416 instructional accommodations that would not be available or  
417 permitted on the statewide assessments and must acknowledge in  
418 writing that he or she understands the implications of such  
419 instructional accommodations. The State Board of Education shall



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420 adopt rules, based upon recommendations of the commissioner, for  
421 the provision of test accommodations for students in exceptional  
422 education programs and for students who have limited English  
423 proficiency. Accommodations that negate the validity of a  
424 statewide assessment are not allowable in the administration of  
425 the FCAT or an end-of-course assessment. However, instructional  
426 accommodations are allowable in the classroom if included in a  
427 student's individual education plan. Students using  
428 instructional accommodations in the classroom that are not  
429 allowable as accommodations on the FCAT or an end-of-course  
430 assessment may have the FCAT or an end-of-course assessment  
431 requirement waived pursuant to the requirements of s.  
432 1003.428(8)(b) or s. 1003.43(11)(b).

433 9. A student seeking an adult high school diploma must meet  
434 the same testing requirements that a regular high school student  
435 must meet.

436 10. District school boards must provide instruction to  
437 prepare students in the core curricular content established in  
438 the Next Generation Sunshine State Standards adopted under s.  
439 1003.41, including the core content knowledge and skills  
440 necessary for successful grade-to-grade progression and high  
441 school graduation. If a student is provided with instructional  
442 accommodations in the classroom that are not allowable as  
443 accommodations in the statewide assessment program, as described  
444 in the test manuals, the district must inform the parent in  
445 writing and must provide the parent with information regarding  
446 the impact on the student's ability to meet expected performance  
447 levels in reading, writing, mathematics, and science. The  
448 commissioner shall conduct studies as necessary to verify that





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449 the required core curricular content is part of the district  
450 instructional programs.

451 11. District school boards must provide opportunities for  
452 students to demonstrate an acceptable performance level on an  
453 alternative standardized assessment approved by the State Board  
454 of Education following enrollment in summer academies.

455 12. The Department of Education must develop, or select,  
456 and implement a common battery of assessment tools that will be  
457 used in all juvenile justice programs in the state. These tools  
458 must accurately measure the core curricular content established  
459 in the Next Generation Sunshine State Standards.

460 13. For students seeking a special diploma pursuant to s.  
461 1003.438, the Department of Education must develop or select and  
462 implement an alternate assessment tool that accurately measures  
463 the core curricular content established in the Next Generation  
464 Sunshine State Standards for students with disabilities under s.  
465 1003.438.

466 14. The Commissioner of Education shall establish schedules  
467 for the administration of statewide assessments and the  
468 reporting of student test results. When establishing the  
469 schedules for the administration of statewide assessments, the  
470 commissioner shall consider the observance of religious and  
471 school holidays. The commissioner shall, by August 1 of each  
472 year, notify each school district in writing and publish on the  
473 department's Internet website the testing and reporting  
474 schedules for, at a minimum, the school year following the  
475 upcoming school year. The testing and reporting schedules shall  
476 require that:

477 a. There is the latest possible administration of statewide



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478 assessments and the earliest possible reporting to the school  
479 districts of student test results which is feasible within  
480 available technology and specific appropriations; however, test  
481 results for the FCAT must be made available no later than the  
482 week of June 8. Student results for end-of-course assessments  
483 must be provided no later than 1 week after the school district  
484 completes testing for each course.

485       b. Beginning with the 2010-2011 school year, FCAT Writing  
486 is not administered earlier than the week of March 1 and a  
487 comprehensive statewide assessment of any other subject is not  
488 administered earlier than the week of April 15.

489       c. A statewide, standardized end-of-course assessment is  
490 administered during a 3-week period at the end of the course.  
491 The commissioner shall select a 3-week administration period for  
492 assessments that meets the intent of end-of-course assessments  
493 and provides student results prior to the end of the course.  
494 School districts shall select 1 testing week within the 3-week  
495 administration period for each end-of-course assessment. For an  
496 end-of-course assessment administered at the end of the first  
497 semester, the commissioner shall determine the most appropriate  
498 testing dates based on a school district's academic calendar.

499  
500 The commissioner may, based on collaboration and input from  
501 school districts, design and implement student testing programs,  
502 for any grade level and subject area, necessary to effectively  
503 monitor educational achievement in the state, including the  
504 measurement of educational achievement of the Next Generation  
505 Sunshine State Standards for students with disabilities.  
506 Development and refinement of assessments shall include



507 universal design principles and accessibility standards that  
508 will prevent any unintended obstacles for students with  
509 disabilities while ensuring the validity and reliability of the  
510 test. These principles should be applicable to all technology  
511 platforms and assistive devices available for the assessments.  
512 The field testing process and psychometric analyses for the  
513 statewide assessment program must include an appropriate  
514 percentage of students with disabilities and an evaluation or  
515 determination of the effect of test items on such students.

516 Section 21. Except as otherwise expressly provided in this  
517 act, this act shall take effect upon becoming a law.

518  
519 ===== T I T L E A M E N D M E N T =====

520 And the title is amended as follows:

521 Delete everything before the enacting clause  
522 and insert:

523 A bill to be entitled  
524 An act relating to education law repeals; repealing s.  
525 445.049, F.S., relating to the creation of the Digital  
526 Divide Council in the Department of Education;  
527 repealing s. 817.567, F.S., relating to making false  
528 claims of academic degree or title; repealing s.  
529 1001.291, F.S., which provides for implementation of a  
530 pilot project relating to discounted computers and  
531 Internet access for low-income students; repealing s.  
532 1004.50, F.S., relating to the Institute on Urban  
533 Policy and Commerce; repealing s. 1004.51, F.S.,  
534 relating to the Community and Faith-based  
535 Organizations Initiative and the Library Technology



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536 Access Partnership; repealing s. 1004.52, F.S.,  
537 relating to the community computer access grant  
538 program; repealing s. 1004.95, F.S., relating to adult  
539 literacy centers; repealing s. 1004.97, F.S., relating  
540 to the Florida Literacy Corps; repealing s.  
541 1004.04(11) and (12), F.S., relating to the Preteacher  
542 and Teacher Education Pilot Programs and the Teacher  
543 Education Pilot Programs for High-Achieving Students;  
544 repealing s. 1009.54, F.S., relating to the Critical  
545 Teacher Shortage Program; repealing s. 1009.57, F.S.,  
546 relating to the Florida Teacher Scholarship and  
547 Forgivable Loan Program; repealing s. 1009.58, F.S.,  
548 relating to the critical teacher shortage tuition  
549 reimbursement program; repealing s. 1009.59, F.S.,  
550 relating to the Critical Teacher Shortage Student Loan  
551 Forgiveness Program; repealing s. 1012.225, F.S.,  
552 relating to the Merit Award Program for Instructional  
553 Personnel and School-Based Administrators; repealing  
554 s. 1012.2251, F.S., relating to the administration of  
555 end-of-course examinations for the Merit Award  
556 Program; repealing s. 447.403(2)(c), F.S., relating to  
557 the resolution of an impasse involving a dispute of a  
558 Merit Award Program plan, to conform; amending ss.  
559 1002.33, 1003.52, 1009.40, 1009.94, 1011.62, and  
560 1012.07, F.S.; conforming provisions to changes made  
561 by the act; repealing s. 1012.33(3)(a), (b), and (c),  
562 F.S., relating to professional service contracts for  
563 instructional staff; amending s. 1008.22, F.S.;  
564 deleting a provision requiring that certain middle



565 school students who earned high school credit in  
566 Algebra I take the Algebra I end-of-course assessment  
567 during the 2010-2011 school year; providing effective  
568 dates.