

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ___ (Y/N)
ADOPTED AS AMENDED ___ (Y/N)
ADOPTED W/O OBJECTION ___ (Y/N)
FAILED TO ADOPT ___ (Y/N)
WITHDRAWN ___ (Y/N)
OTHER _____

1 Committee/Subcommittee hearing bill: Education Committee
2 Representative Bullard offered the following:

3
4 **Amendment (with title amendment)**

5 Remove lines 92-248 and insert:

6 (7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM
7 PARTICIPATION.—

8 (e) The parent shall ensure that the student participating
9 in the scholarship program takes the norm-referenced assessment
10 offered by the private school. The parent may also choose to
11 have the student participate in the statewide assessments
12 pursuant to s. 1008.22. If the parent requests that the student
13 participating in the scholarship program take statewide
14 assessments pursuant to s. 1008.22, the private school shall
15 administer the statewide assessments to that student ~~the parent~~
16 ~~is responsible for transporting the student to the assessment~~
17 ~~site designated by the school district.~~

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18 (8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An
19 eligible private school may be sectarian or nonsectarian and
20 must:

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

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

25 2. Annually administering or making provision for students
26 participating in the scholarship program in grades 3 through 10
27 to take one of the nationally norm-referenced tests identified
28 by the Department of Education or the statewide assessments
29 pursuant to s. 1008.22. Students with disabilities for whom
30 standardized testing is not appropriate are exempt from this
31 requirement. A participating private school must report a
32 student's scores to the parent. A participating private school
33 must annually report by August 15 the scores of all
34 participating students ~~and to the independent research~~
35 ~~organization selected by the Department of Education as~~
36 described in paragraph (9) (j).

37 3. Cooperating with the scholarship student whose parent
38 chooses to have the student participate in the statewide
39 assessments pursuant to s. 1008.22 by administering the
40 statewide assessments at the school.

41
42 The inability of a private school to meet the requirements of
43 this subsection shall constitute a basis for the ineligibility
44 of the private school to participate in the scholarship program
45 as determined by the Department of Education.

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46 (9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of
47 Education shall:

48 (j) Select an independent research organization, which may
49 be a public or private entity or university, to which
50 participating private schools must report the scores of
51 participating students on the nationally norm-referenced tests
52 or the statewide assessments administered by the private school
53 in grades 3 through 10.

54 1. The independent research organization must annually
55 report to the Department of Education on the year-to-year
56 learning gains of participating students:

57 a. On a statewide basis. The report shall also include, to
58 the extent possible, a comparison of these learning gains to the
59 statewide learning gains of public school students with
60 socioeconomic backgrounds similar to those of students
61 participating in the scholarship program. To minimize costs and
62 reduce time required for the independent research organization's
63 analysis and evaluation, the Department of Education shall
64 conduct analyses of matched students from public school
65 assessment data and calculate control group learning gains using
66 an agreed-upon methodology outlined in the contract with the
67 independent research organization; and

68 b. According to each participating private school in which
69 there are at least 30 participating students who have scores for
70 tests administered during or after the 2009-2010 school year for
71 2 consecutive years at that private school.

72 2. The sharing and reporting of student learning gain data
73 under this paragraph must be in accordance with requirements of

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74 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy
75 Act, and shall be for the sole purpose of creating the annual
76 report required by subparagraph 1. All parties must preserve the
77 confidentiality of such information as required by law. The
78 annual report must not disaggregate data to a level that will
79 identify individual participating schools, except as required
80 under sub-subparagraph 1.b., or disclose the academic level of
81 individual students.

82 3. The annual report required by subparagraph 1. shall be
83 published by the Department of Education on its website.

84 (n)1. Conduct ~~random~~ site visits to private schools
85 participating in the Florida Tax Credit Scholarship Program. The
86 purpose of the site visits is solely to verify the information
87 reported by the schools concerning the enrollment and attendance
88 of students, the credentials of teachers, background screening
89 of teachers, and teachers' fingerprinting results. The
90 Department of Education may not make more than seven ~~random~~ site
91 visits each year; however, the department may make additional
92 site visits at any time to any school that has received a notice
93 of noncompliance or a notice of proposed action within the
94 previous 2 years ~~and may not make more than one random site~~
95 ~~visit each year to the same private school.~~

96 2. Annually, by December 15, report to the Governor, the
97 President of the Senate, and the Speaker of the House of
98 Representatives the Department of Education's actions with
99 respect to implementing accountability in the scholarship
100 program under this section and s. 1002.421, any substantiated
101 allegations or violations of law or rule by an eligible private

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102 school under this program concerning the enrollment and
103 attendance of students, the credentials of teachers, background
104 screening of teachers, and teachers' fingerprinting results and
105 the corrective action taken by the Department of Education.

106 (p) Upon the request of a participating private school,
107 provide the same materials and support to a private school that
108 it provides to a public school in administering the statewide
109 assessments under s. 1008.22. A private school shall follow the
110 requirements set forth in ss. 1008.22 and 1008.24, rules adopted
111 by the State Board of Education to implement those sections, and
112 district-level testing policies established by the district
113 school board. The department shall publish an accountability
114 report that presents the results of the student assessments at
115 private schools.

116 (10) SCHOOL DISTRICT OBLIGATIONS; PARENTAL OPTIONS.-

117 (a) Upon the request of any eligible nonprofit
118 scholarship-funding organization, a school district shall inform
119 all households within the district receiving free or reduced-
120 priced meals under the National School Lunch Act of their
121 eligibility to apply for a tax credit scholarship. The form of
122 such notice shall be provided by the eligible nonprofit
123 scholarship-funding organization, and the district shall include
124 the provided form, if requested by the organization, in any
125 normal correspondence with eligible households. If an eligible
126 nonprofit scholarship-funding organization requests a special
127 communication to be issued to households within the district
128 receiving free or reduced-price meals under the National School

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129 Lunch Act, the organization shall reimburse the district for the
130 cost of postage. Such notice is limited to once a year.

131 (b) Upon the request of the Department of Education, a
132 school district shall coordinate with the department to provide
133 to a participating private school the statewide assessments
134 administered under s. 1008.22 and any related materials for
135 administering the assessments. A school district is responsible
136 for the:

137 1. Provision of training for private school staff on test
138 security and assessment administration procedures;

139 2. Provision of the required format for a private school
140 to submit information to the district for test administration
141 and enrollment purposes; and

142 3. Provision of any required assistance, monitoring, or
143 investigation at a private school.

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146 -----

147 **T I T L E A M E N D M E N T**

148 Remove lines 8-24 and insert:

149 schools participating in the program; providing that a private
150 school shall administer statewide assessments at the school;
151 revising Department of Education duties relating to site visits;
152 requiring the department to provide statewide assessments and
153 related materials to a school that makes such a request;
154 requiring a private school to follow statutory requirements,
155 State Board of Education rules, and district testing policies;
156 requiring the department to publish an accountability report;

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Published On: 2/27/2012 9:53:28 AM

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Bill No. CS/CS/HB 859 (2012)

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157 requiring a school district to coordinate with the department to
158 provide statewide assessments and related materials to a private
159 school upon the department's request; providing school district
160 responsibilities; revising the conditions upon which