



978380

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/18/2013	.	
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The Committee on Appropriations (Gardiner) recommended the following:

Senate Amendment (with title amendment)

Between lines 465 and 466
insert:

Section 10. Section 1008.212, Florida Statutes, is created
to read:

1008.212 Students with severe cognitive disabilities;
Florida Alternate Assessment.-

(1) Each district school board shall provide instruction to
prepare students with disabilities in the core content knowledge
and skills necessary for successful grade-to-grade progression
and high school graduation.



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13 (2) A student with a significant cognitive disability for
14 whom the individual education plan (IEP) team determines that
15 the Florida Alternate Assessment and any other statewide
16 standardized alternate assessment cannot accurately measure the
17 student's abilities, taking into consideration all allowable
18 accommodations, shall have the administration of the assessment
19 waived if the following criteria are met:

20 (a) The IEP team, upon written parental consent, provides
21 to the district school superintendent a written request for the
22 student to be exempt from the administration of the statewide
23 alternate standardized assessment. The request must include
24 documentation of the student's prior performance on statewide,
25 standardized assessments and a copy of the student's current
26 individual education plan;

27 (b) The parent shall provide to the IEP team, as a part of
28 the request, documentation provided by a physician licensed
29 under chapter 458 or chapter 459 which identifies the student's
30 disability and whether or not the student is capable of taking
31 the assessment; and

32 (c) The IEP team submits to the district school
33 superintendent the request and the parent's documentation before
34 the administration of the statewide standardized alternate
35 assessment.

36 (3) Upon receipt of the written request and documentation,
37 the district school superintendent shall:

38 (a) Verify the documentation contained in the request; and

39 (b) Notify the parent and the IEP team in writing within 15
40 days after the receipt of the request whether or not the request
41 is granted or denied.



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42 (4) If the district school superintendent grants the
43 waiver, the student's progress must be assessed in accordance
44 with the goals established in the student's individual education
45 plan.

46 (5) If the district school superintendent denies the
47 waiver, the student's IEP team may provide to the district
48 school board a written notice of appeal within 15 days after
49 receipt of the denial. Within 15 days after receiving the notice
50 of appeal, the district school board shall hear the IEP team
51 present a full statement to the district school board which sets
52 forth the facts that warrant the waiver. The district school
53 board shall notify the IEP team and the student's parent of the
54 board's decision in writing within 15 days after the IEP team's
55 presentation. If the district school board affirms the
56 superintendent's denial, the school board shall specify in
57 writing to the IEP team and the student's parent the reasons,
58 based upon good cause, which support the school board's
59 affirmation of the district school superintendent's denial of
60 the waiver.

61 Section 11. If any provision of this act or its application
62 to any person or circumstance is held invalid, the invalidity
63 does not affect other provisions or applications of the act
64 which can be given effect without the invalid provision or
65 application, and to this end the provisions of this act are
66 severable.

67
68 ===== T I T L E A M E N D M E N T =====

69 And the title is amended as follows:

70 Delete line 48



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71 and insert:

72 to adopt rules; creating s. 1008.212, F.S.; requiring
73 a student with a significant cognitive disability to
74 be exempted from participating in the administration
75 of the Florida Alternate Assessment; providing
76 criteria for the exemption; providing an appeals
77 process; providing for severability; providing an
78 effective date.