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LEGISLATIVE ACTION

Senate

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House

Floor: 3/AD/2R

04/03/2014 05:37 PM

Senator Stargel moved the following:

Senate Amendment (with title amendment)

Delete lines 832 - 859

and insert:

Section 9. Present subsections (9) and (10) of section 1008.22, Florida Statutes, are renumbered as subsections (10) and (11), respectively, and a new subsection (9) is added to that section, to read:

1008.22 Student assessment program for public schools.—

(9) CHILD WITH MEDICAL COMPLEXITY.—In addition to the exemption option provided for under s. 1008.212, effective July



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12 1, 2014, a child with a medical complexity may be exempt from
13 participating in statewide, standardized assessments, including
14 the Florida Alternate Assessment (FAA), pursuant to the
15 provisions of this subsection.

16 (a) *Definition of child with medical complexity.* A child
17 with a medical complexity means a child who, based upon medical
18 documentation from a physician licensed under chapter 458, is
19 medically fragile and needs intensive care due to a condition
20 such as congenital or acquired multisystem disease; has a severe
21 neurological or cognitive disorder with marked functional
22 impairment; or is technology dependent for activities of daily
23 living; and lacks the capacity to take or perform on an
24 assessment.

25 (b) *Exemption options.* If the parent consents in writing,
26 and the IEP team determines that the child should not be
27 assessed based upon medical documentation that the child meets
28 the definition of a child with medical complexity, then the
29 parent may choose one of the following three assessment
30 exemption options.

31 1. One-year exemption approved by the district school
32 superintendent. If the superintendent is provided written
33 documentation of parental consent and appropriate medical
34 documentation to support the IEP team's determination that the
35 child is a child with medical complexity, then the
36 superintendent may approve a one-year exemption from all
37 statewide, standardized assessments, including the FAA. The
38 superintendent shall report annually to the district school
39 board and the Commissioner of Education the number of students
40 who are identified as a child with medical complexity who are



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41 not participating in the assessment program.

42 2. One- to three-year exemption approved by the
43 Commissioner of Education. If the commissioner is provided
44 written documentation of parental consent; district school
45 superintendent approval; the IEP team's determination that the
46 child is a child with medical complexity based upon appropriate
47 medical documentation; and all medical documentation, then the
48 commissioner may exempt the child from all statewide,
49 standardized assessments, including the FAA, for up to three
50 years. The State Board of Education shall adopt rules to
51 administer this subparagraph which must expedite the process by
52 which exemptions are reviewed and approved and which demonstrate
53 the utmost compassion and consideration for meeting the parent's
54 and child's needs.

55 3. Permanent exemption approved by the Commissioner of
56 Education. If the commissioner is provided written documentation
57 of parental consent; district school superintendent approval of
58 a permanent exemption; the IEP team's determination that the
59 child is a child with medical complexity based upon appropriate
60 medical documentation and that a permanent exemption is
61 appropriate; and all medical documentation, then the
62 commissioner may approve a permanent exemption from all
63 statewide, standardized assessments, including the FAA. The
64 State Board of Education shall adopt rules to administer this
65 subparagraph which must expedite the process by which exemptions
66 are reviewed and approved and which demonstrate the utmost
67 compassion and consideration for meeting the parent's and
68 child's needs.

69 (c) Reporting requirements. The Commissioner of Education



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70 shall annually report to the Legislature data, by district,
71 related to the implementation of this subsection at the same
72 time as results are reported regarding student performance on
73 statewide, standardized assessments.

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

76 And the title is amended as follows:

77 Delete lines 25 - 31

78 and insert:

79 correcting cross-references; amending s. 1008.22,
80 F.S.; providing that a child with a medical complexity
81 may be exempt from participating in statewide,
82 standardized assessments under specified
83 circumstances; defining the term "child with a medical
84 complexity"; authorizing a parent to choose assessment
85 exemption options; specifying the assessment exemption
86 options; requiring the Commissioner of Education to
87 report to the Legislature regarding the implementation
88 of the exemption; providing an