



735782

LEGISLATIVE ACTION

Senate

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House

Senator Bullard moved the following:

Senate Amendment (with title amendment)

Between lines 1265 and 1266

insert:

Section 8. Paragraph (h) of subsection (3) of section 1008.22, Florida Statutes, as amended by chapter 2015-6, Laws of Florida, is amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The Commissioner of Education shall design and implement a statewide, standardized assessment program aligned to the core



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12 curricular content established in the Next Generation Sunshine
13 State Standards. The commissioner also must develop or select
14 and implement a common battery of assessment tools that will be
15 used in all juvenile justice education programs in the state.
16 These tools must accurately measure the core curricular content
17 established in the Next Generation Sunshine State Standards.
18 Participation in the assessment program is mandatory for all
19 school districts and all students attending public schools,
20 including adult students seeking a standard high school diploma
21 under s. 1003.4282 and students in Department of Juvenile
22 Justice education programs, except as otherwise provided by law.
23 If a student does not participate in the assessment program, the
24 school district must notify the student's parent and provide the
25 parent with information regarding the implications of such
26 nonparticipation. The statewide, standardized assessment program
27 shall be designed and implemented as follows:

28 (g) *Contracts for assessments.*—

29 1. The commissioner shall provide for the assessments to be
30 developed or obtained, as appropriate, through contracts and
31 project agreements with private vendors, public vendors, public
32 agencies, postsecondary educational institutions, or school
33 districts. The commissioner may enter into contracts for the
34 continued administration of the assessments authorized and
35 funded by the Legislature. Contracts may be initiated in 1
36 fiscal year and continue into the next fiscal year and may be
37 paid from the appropriations of either or both fiscal years. The
38 commissioner may negotiate for the sale or lease of tests,
39 scoring protocols, test scoring services, and related materials
40 developed pursuant to law. The contract of any vendor whose



41 product has severe problems is void after three failed attempts
42 to correct the problems, and the vendor must repay any money
43 that was received as part of the contract.

44 2. A student's performance results on statewide,
45 standardized assessments, EOC assessments, and Florida
46 Alternative Assessments administered pursuant to this subsection
47 must be provided to the student's teachers and parents by the
48 end of the school year, unless the commissioner determines that
49 extenuating circumstances exist and reports the extenuating
50 circumstances to the State Board of Education. This subparagraph
51 does not apply to existing contracts for such assessments, but
52 shall apply to new contracts and any renewal of existing
53 contracts for such assessments.

54 3. If liquidated damages are applicable, the department
55 shall collect liquidated damages that are due in response to the
56 administration of the spring 2015 computer-based assessments of
57 the department's Florida Standards Assessment contract with
58 American Institutes for Research, and expend the funds to
59 reimburse parties that incurred damages.

60
61 ===== T I T L E A M E N D M E N T =====

62 And the title is amended as follows:

63 Delete line 97

64 and insert:

65 Education; amending s. 1008.22, F.S.; voiding the
66 contract of certain vendors; requiring such vendors to
67 repay certain moneys; creating s. 1011.6202, F.S.;

68 creating the