

By Senator Montford

6-00757-12

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1                                   A bill to be entitled  
2       An act relating to school choice programs; creating s.  
3       1008.226, F.S.; providing legislative findings and  
4       intent; providing for a student to enter a public  
5       school at any time following participation in a school  
6       choice program; specifying the programs that  
7       constitute school choice programs; requiring that the  
8       student take a nationally norm-referenced assessment  
9       test for diagnostic purposes and for purposes of  
10      placing the student in the appropriate classes or  
11      grade; requiring that each school district administer  
12      the assessment and report the results of the  
13      assessment to the student's parent and the applicable  
14      school choice program or school; requiring that the  
15      Department of Education select the assessment and pay  
16      for it if requested by a school district; requiring  
17      that the department submit an annual report to the  
18      Governor and Legislature by a specified date;  
19      providing requirements for the report; requiring that  
20      the department publish the annual report on its  
21      Internet website; requiring that the State Board of  
22      Education adopt rules; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

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26       Section 1. Section 1008.226, Florida Statutes, is created  
27 to read:

28       1008.226 Student placement following participation in  
29 school choice programs.-

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30       (1) The Legislature finds that information regarding the  
31 performance of students may be used to assist parents in making  
32 informed choices and to improve the quality of school choice  
33 programs for parents and students. The Legislature intends for  
34 school choice programs to be held accountable to taxpayers  
35 through the provision of information to students, parents, other  
36 school choice programs, and the public regarding the performance  
37 of students who participate in school choice programs.

38       (2) (a) A student may enroll in a public school at any time  
39 following participation in a school choice program listed in  
40 paragraph (b). After the student enrolls in the public school,  
41 he or she shall take a nationally norm-referenced assessment  
42 test, selected by the Department of Education, for diagnostic  
43 purposes and for purposes of placing the student in the  
44 appropriate classes or grade.

45       (b) School choice programs include, but are not limited to:

46       1. The John M. McKay Scholarships for Students with  
47 Disabilities Program established in s. 1002.39.

48       2. The Florida Tax Credit Scholarship Program established  
49 in s. 1002.395.

50       3. Home education programs established in s. 1002.41.

51       4. Private tutoring programs established in s. 1002.43.

52       (3) Each school district shall administer the nationally  
53 norm-referenced assessment for the purposes provided in  
54 paragraph (2) (a), and shall report the results of the assessment  
55 to the student's parent or guardian and to the applicable school  
56 choice program or school.

57       (4) The Department of Education shall select the nationally  
58 norm-referenced assessment and shall pay for the assessment if

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59 requested by a school district.

60 (5) By July 1, 2013, and each year thereafter, the  
61 Department of Education shall submit an annual report to the  
62 Governor, the President of the Senate, and the Speaker of the  
63 House of Representatives which contains the results of the  
64 assessment of students who enroll in public school following  
65 participation in one or more of the school choice programs  
66 listed in subparagraphs (2) (b)1. and 2. The report must  
67 summarize the learning gains and educational attainment of those  
68 students and, to the extent possible, quantify the learning  
69 gains and educational attainment of those students as compared  
70 to public school students in similar classes and grades. The  
71 annual report may not disaggregate data by disclosing the  
72 academic level of individual students. The reporting of student  
73 data pursuant to this subsection shall be consistent with the  
74 Family Educational Rights and Privacy Act, 20 U.S.C. s. 1232g,  
75 and is for the sole purpose of creating the annual report. The  
76 department shall publish the annual report on its Internet  
77 website.

78 (6) The State Board of Education shall adopt rules pursuant  
79 to ss. 120.536(1) and 120.54 to administer this section.

80 Section 2. This act shall take effect July 1, 2012.