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

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

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

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

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

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

(b) Notify the parent and the IEP team in writing within 15 days after the receipt of the request whether or not the request is granted or denied.
(4) If the district school superintendent grants the waiver, the student’s progress must be assessed in accordance with the goals established in the student’s individual education plan.

(5) If the district school superintendent denies the waiver, the student’s IEP team may provide to the district school board a written notice of appeal within 15 days after receipt of the denial. Within 15 days after receiving the notice of appeal, the district school board shall hear the IEP team present a full statement to the district school board which sets forth the facts that warrant the waiver. The district school board shall notify the IEP team and the student’s parent of the board’s decision in writing within 15 days after the IEP team’s presentation. If the district school board affirms the superintendent’s denial, the school board shall specify in writing to the IEP team and the student’s parent the reasons, based upon good cause, which support the school board’s affirmation of the district school superintendent’s denial of the waiver.

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

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

And the title is amended as follows:

Delete line 48
and insert:

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