

By the Committee on Education

304-415-99

1 A bill to be entitled
 2 An act relating to education; amending s.
 3 232.245, F.S.; deleting specified remedial
 4 activities for elementary students; requiring
 5 retention at grade 4 rather than at grades 2
 6 and 3; deleting a requirement that certain
 7 students be given immediate intensive reading
 8 instruction; providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 232.245, Florida Statutes, is
13 amended to read:

14 232.245 Pupil progression; remedial instruction;
15 reporting requirements.--

16 (1) It is the intent of the Legislature that each
17 student's progression from one grade to another be determined,
18 in part, upon proficiency in reading, writing, and
19 mathematics; that school district policies facilitate such
20 proficiency; and that each student and his or her parent or
21 legal guardian be informed of that student's academic
22 progress.

23 (2) Each district school board shall establish a
24 comprehensive program for pupil progression which must
25 include:

26 (a) Standards for evaluating each pupil's performance,
27 including how well he or she masters the performance standards
28 approved by the state board according to s. 229.565; and

29 (b) Specific levels of performance in reading,
30 writing, and mathematics for each grade level, including the
31 levels of performance on statewide assessments at selected

1 grade levels in elementary school, middle school, and high
2 school as defined by the Commissioner of Education, below
3 which a student must receive remediation and may be retained.

4 (3) Each student must participate in the statewide
5 assessment tests required by s. 229.57. Each student who does
6 not meet specific levels of performance as determined by the
7 district school board in reading, writing, and mathematics for
8 each grade level, or who does not meet specific levels of
9 performance, determined by the Commissioner of Education, on
10 statewide assessments at selected grade levels, must be
11 provided with additional diagnostic assessments to determine
12 the nature of the student's difficulty and areas of academic
13 need. The school in which the student is enrolled must
14 develop, in consultation with the student's parent or legal
15 guardian, and implement an academic improvement plan designed
16 to assist the student in meeting state and district
17 expectations for proficiency. Each plan must include the
18 provision of intensive remedial instruction in the areas of
19 ~~weakness through one or more of the following activities, as~~
20 ~~considered appropriate by the school administration:~~

21 ~~(a) Summer school coursework;~~

22 ~~(b) Extended day services;~~

23 ~~(c) Parent tutorial programs;~~

24 ~~(d) Contracted academic services;~~

25 ~~(e) Exceptional education services; or~~

26 ~~(f) Suspension of curriculum other than reading,~~
27 ~~writing, and mathematics.~~ Remedial instruction provided during
28 high school may not be in lieu of English and mathematics
29 credits required for graduation.

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1 ~~Upon subsequent evaluation, if the documented deficiency has~~
2 ~~not been corrected in accordance with the academic improvement~~
3 ~~plan, the student may be retained.~~ Each student who does not
4 meet the minimum performance expectations defined by the
5 Commissioner of Education for the statewide assessment tests
6 in reading, writing, and mathematics must retake the state
7 assessment test in the subject area of deficiency and must
8 continue remedial instruction until the expectations are met
9 or the student graduates from high school or is not subject to
10 compulsory school attendance.

11 (4) Any student who exhibits substantial deficiency in
12 reading skills, based on locally determined assessments
13 conducted before the end of grade 1, grade 2, and grade 3, or
14 based on teacher recommendation, must be given intensive
15 reading instruction immediately following the identification
16 of the reading deficiency. The student's reading proficiency
17 must be reassessed by locally determined assessment or based
18 on teacher recommendation at the beginning of the grade
19 following the intensive reading instruction, and the student
20 must continue to be given intensive reading instruction until
21 the reading deficiency is remedied. If the student's reading
22 deficiency, as determined by the locally determined
23 assessment, is not remedied by the end of grade 4 and 2 or
24 ~~grade 3, or~~ if the student scores below the specific level of
25 performance, determined by the local school board, on the
26 statewide assessment test in reading ~~and writing~~ given in
27 elementary school, the student must be retained. The local
28 school board may exempt a student from mandatory retention for
29 good cause.

30 ~~(5) Beginning with the 1997-1998 school year, any~~
31 ~~student who exhibits substantial deficiency in reading skills,~~

1 ~~based on locally determined assessments conducted at the~~
2 ~~beginning of grade 2, grade 3, and grade 4, or based on~~
3 ~~teacher recommendation, must be given intensive reading~~
4 ~~instruction immediately following the identification of the~~
5 ~~reading deficiency. The student's reading proficiency must be~~
6 ~~reassessed by locally determined assessment or based on~~
7 ~~teacher recommendation at the beginning of the grade following~~
8 ~~the intensive reading instruction, and the student must~~
9 ~~continue to be given intensive reading instruction until the~~
10 ~~reading deficiency is remedied. If the student's reading~~
11 ~~deficiency is not remedied by the end of grade 5, the student~~
12 ~~may be retained.~~

13 (6) Each district must annually report to the parent
14 or legal guardian of each student the progress of the student
15 towards achieving state and district expectations for
16 proficiency in reading, writing, and mathematics. The district
17 must report to the parent or legal guardian the student's
18 results on each statewide assessment test. The evaluation of
19 each student's progress must be based upon the student's
20 classroom work, observations, tests, district and state
21 assessments, and other relevant information. Progress
22 reporting must be provided to the parent or legal guardian in
23 writing in a format adopted by the district school board.

24 (7) The Commissioner of Education shall adopt rules
25 necessary for the administration of this section.

26 (8) The Department of Education shall provide
27 technical assistance as needed to aid school districts in
28 administering this section.

29 Section 2. This act shall take effect upon becoming a
30 law.

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SENATE SUMMARY

Deletes the list of specified remedial measures required to be included in academic improvement plans to assist students in meeting state and school district expectations for proficiency. Requires retention in grade 4 for students whose reading deficiency has not been remedied rather than in grade 2 or grade 3. Deletes a requirement that certain students be given immediate intensive reading instruction.