

HB 1139

2004

A bill to be entitled

An act relating to reading deficiencies; amending s. 1002.20, F.S.; providing certain rights to parents of students with reading deficiencies; creating s. 1003.59, F.S.; requiring a Reading Enhancement and Acceleration Initiative to be established in each school district; providing focus of the initiative to prevent the retention of third-grade students and to provide accelerated reading instruction to students who fail to meet certain standards; specifying student and parent rights; providing for oversight and enforcement for noncompliance; providing an effective date.

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

Section 1. Subsections (11) through (22) of section 1002.20, Florida Statutes, are renumbered as subsections (12) through (23), respectively, and a new subsection (11) is added to said section to read:

1002.20 K-12 student and parent rights.--Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(11) STUDENTS WITH READING DEFICIENCIES.--Each elementary school shall regularly assess the reading ability of each K-3 student. The parent of any K-3 student who exhibits a reading deficiency shall be immediately notified of the student's

HB 1139

2004

30 deficiency with a description and explanation in terms
31 understandable to the parent of the exact nature of the
32 student's struggle with reading, shall be consulted in the
33 development of a detailed academic improvement plan, as
34 described in s. 1008.25(4)(b), and shall be informed that the
35 student will be given intensive reading instruction until the
36 deficiency is corrected. This subsection operates in addition to
37 the remediation and notification provisions contained in s.
38 1008.25 and in no way reduces the rights of a parent or the
39 responsibilities of a school district under that section.

40 Section 2. Section 1003.59, Florida Statutes, is created
41 to read:

42 1003.59 Reading Enhancement and Acceleration Initiative.--

43 (1) ESTABLISHMENT.--A Reading Enhancement and Acceleration
44 Initiative shall be established in each school district. The
45 focus of the statewide initiative shall be to:

46 (a) Establish a reading enhancement initiative to prevent
47 the retention of third-grade students by implementing a method
48 and system for preventing illiteracy in grades K-3.

49 (b) Establish a reading acceleration initiative to provide
50 intensive, accelerated reading instruction to third-grade
51 students who fail to meet standards for promotion to the fourth
52 grade.

53 (2) READING ENHANCEMENT INITIATIVE REQUIREMENTS.--The
54 reading enhancement initiative shall:

55 (a) Be provided to all K-3 students at risk of retention
56 as identified by the Dynamic Indicators of Basic Early Literacy
57 Skills (DIBELS), the statewide assessment system used in Florida
58 Reading First schools. DIBELS are five brief measures of the

HB 1139

2004

59 important skills that form the basis for early success in
60 reading.

61 (b) Include daily 30-minute to 45-minute intensive reading
62 instruction delivered by professional and paraprofessional staff
63 trained to provide explicit, systematic instruction in the five
64 essential components of reading as identified by Reading First,
65 which are phonemic awareness, phonics, fluency, vocabulary, and
66 comprehension, and in using assessment to indicate needed
67 instruction.

68 (c) Be provided during regular school hours in addition to
69 the regular reading instruction.

70 (d) Provide a state-identified reading curriculum that
71 includes a method and system for preventing illiteracy that has
72 been reviewed by the Florida Center for Reading Research at
73 Florida State University and meets, at a minimum, the following
74 specifications:

75 1. Assists struggling readers to attain reading at grade
76 level.

77 2. Provides skill development in the five essential
78 components of reading as identified by Reading First.

79 3. Is research based and has a proven method and system
80 for preventing illiteracy.

81 4. Provides scientifically based and reliable assessment.

82 5. Provides correct placement within the reading program.

83 6. Provides initial and ongoing analysis of each student's
84 reading progress.

85 7. Includes a computerized management system for immediate
86 analysis and reporting to school officials and parents.

HB 1139

2004

87 8. Includes DIBELS assessment, or a completely equivalent
 88 measure, which is integrated into the curriculum.

89 (3) READING ACCELERATION INITIATIVE REQUIREMENTS.--The
 90 reading acceleration initiative shall:

91 (a) Be provided through reading acceleration centers to
 92 all third-grade students who fail to meet standards for
 93 promotion to the fourth grade.

94 (b) Include daily 60-minute to 90-minute intensive,
 95 accelerated reading instruction delivered by high-quality
 96 instructional staff who hold certification in elementary
 97 education, certification in reading, or an endorsement in
 98 reading and who have extensive training in explicit, systematic
 99 instruction in the five essential components of reading as
 100 identified by Reading First and in using assessment to indicate
 101 needed instruction.

102 (c) Be implemented during regular school hours.

103 (d) Offer core education services to enrolled students to
 104 enable students to stay on grade level in other academic areas.

105 (e) Adopt a reading curriculum that meets all requirements
 106 set forth in paragraph (2)(d).

107 (4) STUDENT AND PARENT RIGHTS.--

108 (a) A student retained pursuant to s. 1008.25 may attend a
 109 reading acceleration center.

110 (b) Each retained student shall be assessed each 9 weeks
 111 and shall be promoted to fourth grade if he or she becomes a
 112 successful and independent reader by achieving a passing score
 113 on a nationally recognized standardized test as determined by
 114 the Department of Education.

HB 1139

2004

115 (c) If a student achieves a score on a test administered
116 pursuant to paragraph (b) that does not result in the student's
117 promotion to the fourth grade, the school, in consultation with
118 the student's parent, shall modify the student's academic
119 improvement plan entered into pursuant to s. 1002.20(11) or s.
120 1008.25(4)(b) to reflect the student's current level of
121 performance in phonemic awareness, phonics, fluency, vocabulary,
122 and comprehension. During this process, the parent must be
123 informed of all instructional and support services available to
124 improve the student's reading ability.

125 (5) COMPLIANCE.--Any school district that fails to comply
126 with the requirements of this section shall be subject to the
127 oversight and enforcement provisions contained in s. 1008.32.

128 Section 3. This act shall take effect July 1, 2004.