

By Senator Atwater

25-1649A-04

See HB 1139

1 A bill to be entitled
 2 An act relating to reading deficiencies;
 3 amending s. 1002.20, F.S.; providing certain
 4 rights to parents of students with reading
 5 deficiencies; creating s. 1003.59, F.S.;
 6 requiring a Reading Enhancement and
 7 Acceleration Initiative to be established in
 8 each school district; providing focus of the
 9 initiative to prevent the retention of
 10 third-grade students and to provide accelerated
 11 reading instruction to students who fail to
 12 meet certain standards; specifying student and
 13 parent rights; providing for oversight and
 14 enforcement for noncompliance; providing an
 15 effective date.

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

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 19 Section 1. Subsections (11) through (22) of section
 20 1002.20, Florida Statutes, are renumbered as subsections (12)
 21 through (23), respectively, and a new subsection (11) is added
 22 to that section to read:

23 1002.20 K-12 student and parent rights.--Parents of
 24 public school students must receive accurate and timely
 25 information regarding their child's academic progress and must
 26 be informed of ways they can help their child to succeed in
 27 school. K-12 students and their parents are afforded numerous
 28 statutory rights including, but not limited to, the following:

29 (11) STUDENTS WITH READING DEFICIENCIES.--Each
 30 elementary school shall regularly assess the reading ability
 31 of each K-3 student. The parent of any K-3 student who

1 exhibits a reading deficiency shall be immediately notified of
2 the student's deficiency with a description and explanation in
3 terms understandable to the parent of the exact nature of the
4 student's struggle with reading, shall be consulted in the
5 development of a detailed academic improvement plan, as
6 described in s. 1008.25(4)(b), and shall be informed that the
7 student will be given intensive reading instruction until the
8 deficiency is corrected. This subsection operates in addition
9 to the remediation and notification provisions contained in s.
10 1008.25 and in no way reduces the rights of a parent or the
11 responsibilities of a school district under that section.

12 Section 2. Section 1003.59, Florida Statutes, is
13 created to read:

14 1003.59 Reading Enhancement and Acceleration
15 Initiative.--

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

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

22 (b) Establish a reading acceleration initiative to
23 provide intensive, accelerated reading instruction to
24 third-grade students who fail to meet standards for promotion
25 to the fourth grade.

26 (2) READING ENHANCEMENT INITIATIVE REQUIREMENTS.--The
27 reading enhancement initiative shall:

28 (a) Be provided to all K-3 students at risk of
29 retention as identified by the Dynamic Indicators of Basic
30 Early Literacy Skills (DIBELS), the statewide assessment
31 system used in Florida Reading First schools. DIBELS are five

1 brief measures of the important skills that form the basis for
2 early success in reading.

3 (b) Include daily 30-minute to 45-minute intensive
4 reading instruction delivered by professional and
5 paraprofessional staff trained to provide explicit, systematic
6 instruction in the five essential components of reading as
7 identified by Reading First, which are phonemic awareness,
8 phonics, fluency, vocabulary, and comprehension, and in using
9 assessment to indicate needed instruction.

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

12 (d) Provide a state-identified reading curriculum that
13 includes a method and system for preventing illiteracy that
14 has been reviewed by the Florida Center for Reading Research
15 at Florida State University and meets, at a minimum, the
16 following specifications:

17 1. Assists struggling readers to attain reading at
18 grade level.

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

21 3. Is research based and has a proven method and
22 system for preventing illiteracy.

23 4. Provides scientifically based and reliable
24 assessment.

25 5. Provides correct placement within the reading
26 program.

27 6. Provides initial and ongoing analysis of each
28 student's reading progress.

29 7. Includes a computerized management system for
30 immediate analysis and reporting to school officials and
31 parents.

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

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

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

8 (b) Include daily 60-minute to 90-minute intensive,
9 accelerated reading instruction delivered by high-quality
10 instructional staff who hold certification in elementary
11 education, certification in reading, or an endorsement in
12 reading and who have extensive training in explicit,
13 systematic instruction in the five essential components of
14 reading as identified by Reading First and in using assessment
15 to indicate needed instruction.

16 (c) Be implemented during regular school hours.

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

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

22 (4) STUDENT AND PARENT RIGHTS.--

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

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

30 (c) If a student achieves a score on a test
31 administered pursuant to paragraph (b) that does not result in

1 the student's promotion to the fourth grade, the school, in
2 consultation with the student's parent, shall modify the
3 student's academic improvement plan entered into pursuant to
4 s. 1002.20(11) or s. 1008.25(4)(b) to reflect the student's
5 current level of performance in phonemic awareness, phonics,
6 fluency, vocabulary, and comprehension. During this process,
7 the parent must be informed of all instructional and support
8 services available to improve the student's reading ability.

9 (5) COMPLIANCE.--Any school district that fails to
10 comply with the requirements of this section shall be subject
11 to the oversight and enforcement provisions contained in s.
12 1008.32.

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