

By Senator Evers

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1 A bill to be entitled
2 An act relating to religion in schools; amending s.
3 1002.20, F.S.; providing that public school students
4 have certain rights regarding the expression of
5 religious beliefs; specifying such rights; amending s.
6 1008.25, F.S.; conforming a cross-reference; making
7 grammatical changes; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Present subsections (13) through (24) of section
12 1002.20, Florida Statutes, are renumbered as subsections (14)
13 through (25), respectively, and a new subsection (13) is added
14 to that section, to read:

15 1002.20 K-12 student and parent rights.—Parents of public
16 school students must receive accurate and timely information
17 regarding their child's academic progress and must be informed
18 of ways they can help their child to succeed in school. K-12
19 students and their parents are afforded numerous statutory
20 rights including, but not limited to, the following:

21 (13) RELIGION.—

22 (a) Right to pray.—Students have the right to pray
23 individually.

24 (b) Right to express.—Students may express religious
25 beliefs in the form of reports, homework, or artwork. Such
26 expressions are constitutionally protected. Teachers may not
27 reject or correct such submissions simply because they include a
28 religious symbol or address religious themes.

29 (c) Right to distribute.—Students have the right to

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30 distribute religious literature to their peers, subject to
 31 reasonable time, place, manner, or other constitutionally
 32 acceptable restrictions imposed on the distribution of other
 33 nonschool literature.

34 (d) Right to participate.—Student participation in before-
 35 school or after-school events, such as "See You at the Pole," is
 36 permissible.

37 (e) Right to free speech.—Students have the same right to
 38 speak to their peers about religious topics as they do with
 39 regard to political topics. Students may meet in a group to
 40 discuss religious views with their peers so long as they are not
 41 disruptive.

42 (f) Right to assemble.—Student religious clubs in a
 43 secondary school must be permitted to assemble and to have equal
 44 access to campus media to announce their meetings if the school:

45 1. Receives federal funding, and;

46 2. Permits an extracurricular student club to meet outside
 47 of school hours.

48 Section 2. Paragraph (b) of subsection (7) of section
 49 1008.25, Florida Statutes, is amended to read:

50 1008.25 Public school student progression; remedial
 51 instruction; reporting requirements.—

52 (7) SUCCESSFUL PROGRESSION FOR RETAINED READERS.—

53 (b) Beginning with the 2004-2005 school year, each school
 54 district shall:

55 1. Conduct a review of student progress monitoring plans
 56 for all students who did not score above Level 1 on the reading
 57 portion of the FCAT and did not meet the criteria for one of the
 58 good cause exemptions in paragraph (6) (b). The review must ~~shall~~

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59 address additional supports and services, as described in this
60 subsection, needed to remediate the identified areas of reading
61 deficiency. The school district shall require a student
62 portfolio to be completed for each such student.

63 2. Provide students who are retained under the provisions
64 of paragraph (5)(b) with intensive instructional services and
65 supports to remediate the identified areas of reading
66 deficiency, including a minimum of 90 minutes of daily,
67 uninterrupted, scientifically research-based reading instruction
68 and other strategies prescribed by the school district, which
69 may include, but are not limited to:

- 70 a. Small group instruction.
- 71 b. Reduced teacher-student ratios.
- 72 c. More frequent progress monitoring.
- 73 d. Tutoring or mentoring.
- 74 e. Transition classes containing 3rd and 4th grade
75 students.
- 76 f. Extended school day, week, or year.
- 77 g. Summer reading camps.

78 3. Provide written notification to the parent of any
79 student who is retained under the provisions of paragraph (5)(b)
80 that his or her child has not met the proficiency level required
81 for promotion and the reasons the child is not eligible for a
82 good cause exemption as provided in paragraph (6)(b). The
83 notification must comply with the provisions of s. 1002.20(16)
84 ~~1002.20(15)~~ and must include a description of proposed
85 interventions and supports that will be provided to the child to
86 remediate the identified areas of reading deficiency.

87 4. Implement a policy for the midyear promotion of any

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88 student retained under the provisions of paragraph (5)(b) who
89 can demonstrate that he or she is a successful and independent
90 reader, reading at or above grade level, and ready to be
91 promoted to grade 4. Tools that school districts may use in
92 reevaluating any student retained may include subsequent
93 assessments, alternative assessments, and portfolio reviews, in
94 accordance with rules of the State Board of Education. Students
95 promoted during the school year after November 1 must
96 demonstrate proficiency above that required to score at Level 2
97 on the grade 3 FCAT, as determined by the State Board of
98 Education. The State Board of Education shall adopt standards
99 that provide a reasonable expectation that the student's
100 progress is sufficient to master appropriate 4th grade level
101 reading skills.

102 5. Provide students who are retained under the provisions
103 of paragraph (5)(b) with a high-performing teacher as determined
104 by student performance data and above-satisfactory performance
105 appraisals.

106 6. In addition to required reading enhancement and
107 acceleration strategies, provide parents of students to be
108 retained with at least one of the following instructional
109 options:

110 a. Supplemental tutoring in scientifically research-based
111 reading services in addition to the regular reading block,
112 including tutoring before and/or after school.

113 b. A "Read at Home" plan outlined in a parental contract,
114 including participation in "Families Building Better Readers
115 Workshops" and regular parent-guided home reading.

116 c. A mentor or tutor with specialized reading training.

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117 7. Establish a Reading Enhancement and Acceleration
118 Development (READ) Initiative. The focus of the READ Initiative
119 must shall be on preventing to prevent the retention of grade 3
120 students and offering to offer intensive accelerated reading
121 instruction to grade 3 students who failed to meet standards for
122 promotion to grade 4 and to each K-3 student who is assessed as
123 exhibiting a reading deficiency. The READ Initiative must shall:

124 a. Be provided to all K-3 students at risk of retention as
125 identified by the statewide assessment system used in Reading
126 First schools. The assessment must measure phonemic awareness,
127 phonics, fluency, vocabulary, and comprehension.

128 b. Be provided during regular school hours in addition to
129 the regular reading instruction.

130 c. Provide a state-identified reading curriculum that has
131 been reviewed by the Florida Center for Reading Research at
132 Florida State University and meets, at a minimum, the following
133 specifications:

134 (I) Assists students assessed as exhibiting a reading
135 deficiency in developing the ability to read at grade level.

136 (II) Provides skill development in phonemic awareness,
137 phonics, fluency, vocabulary, and comprehension.

138 (III) Provides scientifically based and reliable
139 assessment.

140 (IV) Provides initial and ongoing analysis of each
141 student's reading progress.

142 (V) Is implemented during regular school hours.

143 (VI) Provides a curriculum in core academic subjects to
144 assist the student in maintaining or meeting proficiency levels
145 for the appropriate grade in all academic subjects.

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146 8. Establish at each school, where applicable, an Intensive
147 Acceleration Class for retained grade 3 students who
148 subsequently score at Level 1 on the reading portion of the
149 FCAT. The focus of the Intensive Acceleration Class must ~~shall~~
150 be on increasing ~~to increase~~ a child's reading level at least
151 two grade levels in 1 school year. The Intensive Acceleration
152 Class must ~~shall~~:

153 a. Be provided to any student in grade 3 who scores at
154 Level 1 on the reading portion of the FCAT and who was retained
155 in grade 3 the prior year because of scoring at Level 1 on the
156 reading portion of the FCAT.

157 b. Have a reduced teacher-student ratio.

158 c. Provide uninterrupted reading instruction for the
159 majority of student contact time each day and incorporate
160 opportunities to master the grade 4 Sunshine State Standards in
161 other core subject areas.

162 d. Use a reading program that is scientifically research-
163 based and has proven results in accelerating student reading
164 achievement within the same school year.

165 e. Provide intensive language and vocabulary instruction
166 using a scientifically research-based program, including use of
167 a speech-language therapist.

168 f. Include weekly progress monitoring measures to ensure
169 progress is being made.

170 g. Report to the Department of Education, in the manner
171 described by the department, the progress of students in the
172 class at the end of the first semester.

173 9. Report to the State Board of Education, as requested, on
174 the specific intensive reading interventions and supports

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175 implemented at the school district level. The Commissioner of
176 Education shall annually prescribe the required components of
177 requested reports.

178 10. Provide a student who has been retained in grade 3 and
179 has received intensive instructional services but is still not
180 ready for grade promotion, as determined by the school district,
181 the option of being placed in a transitional instructional
182 setting. Such setting must be ~~shall~~ specifically ~~be~~ designed to
183 produce learning gains sufficient to meet grade 4 performance
184 standards while continuing to remediate the areas of reading
185 deficiency.

186 Section 3. This act shall take effect July 1, 2013.