

1 A bill to be entitled

2 An act relating to student retention; authorizing a  
3 parent or guardian to request that his or her K-5  
4 student be retained in a grade level for academic  
5 reasons for a specified school year; requiring that  
6 such a request be submitted in a specified manner;  
7 requiring school principals to consider such requests  
8 if they are timely received; authorizing school  
9 principals to consider requests that are not timely  
10 received; requiring a school principal to have certain  
11 discussions with specified parties; requiring that the  
12 principal disclose certain impacts of student  
13 retention with the student's parent or guardian;  
14 requiring such discussions be documented; authorizing  
15 alternatives to a student's retention; specifying that  
16 the parent's or guardian's decision regarding  
17 retention controls; requiring that the individual  
18 education plan (IEP) team for a retained student  
19 review and revise the student's IEP, as appropriate;  
20 requiring school districts to report certain data to  
21 the Department of Education by a specified date;  
22 providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:  
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26           Section 1. (1) Notwithstanding s. 1008.25, Florida  
27 Statutes, a parent or guardian may request that his or her K-5  
28 public school student be retained for the 2021-2022 school year  
29 in the grade level to which the student was assigned at the  
30 beginning of the 2020-2021 school year, provided that such  
31 request is made for academic reasons.

32           (2) A parent or guardian who wishes for his or her student  
33 to be retained as provided by this act must submit, in writing,  
34 to the school principal a retention request that specifies the  
35 academic reasons for the retention. Only requests received by  
36 the principal on or before June 30, 2021, must be considered. A  
37 principal may consider a request received after that date at his  
38 or her discretion.

39           (3) (a) A principal who considers a retention request  
40 submitted pursuant to subsection (2) shall inform the student's  
41 teachers of the retention request, collaboratively discuss with  
42 the parent or guardian any basis for agreement or disagreement  
43 with the request, and maintain documentation of such  
44 discussions. As part of the discussion with the parent or  
45 guardian, the principal shall disclose that retention may impact  
46 the student's eligibility to participate in high school  
47 interscholastic or intrascholastic sports due to the student's  
48 age.

49           (b) In lieu of retention, the principal, teachers, and  
50 parent or guardian may collaborate to develop a customized 1-

51 year education plan for the student with the intent of helping  
52 the student return to grade level readiness by the end of the  
53 next academic year. Such plan may include, but need not be  
54 limited to, supplemental educational support, services, and  
55 interventions; summer education; promotion in some, but not all,  
56 courses; and midyear promotion.

57 (c) The parent's or guardian's decision to promote or  
58 retain his or her student after discussing the retention request  
59 with the principal shall control.

60 (4) If a student retained has an individual education plan  
61 (IEP) in effect, the student's IEP team shall convene to review  
62 and revise the student's IEP, as appropriate.

63 (5) By June 30, 2022, school districts shall report to the  
64 Department of Education the number of students retained pursuant  
65 to this act for all or part of the 2021-2022 school year.

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