



925196

LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/26/2021 01:29 PM	.	04/29/2021 05:18 PM
	.	

Senator Berman moved the following:

Senate Amendment (with title amendment)

Before line 43
insert:

Section 1. Notwithstanding s. 1008.25, Florida Statutes, a parent or guardian may request that his or her K-5 public school student be retained for the 2021-2022 school year in the grade level to which the student was assigned at the beginning of the 2020-2021 school year, provided that such request is made for academic reasons.

(1) A parent or guardian who wishes for his or her student



12 to be retained as provided by this act must submit, in writing,
13 to the school principal a retention request that specifies the
14 academic reasons for the retention. Only requests received by
15 the principal on or before June 30, 2021, must be considered. A
16 principal may consider a request received after that date at his
17 or her discretion.

18 (2) (a) A principal who considers a retention request
19 submitted pursuant to this subsection shall inform the student's
20 teachers of the retention request and collaboratively discuss
21 with the parent or guardian any basis for agreement or
22 disagreement with the request. As part of the discussion with
23 the parent or guardian, the principal shall disclose that
24 retention may impact the student's eligibility to participate in
25 high school interscholastic or intrascholastic sports due to the
26 student's age.

27 (b) In lieu of retention, the principal, teachers, and
28 parent or guardian may collaborate to develop a customized 1-
29 year education plan for the student with the intent of helping
30 the student return to grade level readiness by the end of the
31 next academic year. Such plan may include, but need not be
32 limited to, supplemental educational support, services, and
33 interventions; summer education; promotion in some, but not all,
34 courses; and midyear promotion.

35 (c) The parent's or guardian's decision to promote or
36 retain his or her student after discussing the retention request
37 with the principal shall control. The parent or guardian must
38 sign a form provided by the principal indicating the parent or
39 guardian's decision and acknowledging the academic and athletic
40 ramifications of his or her decision. This form must be retained



41 in the student's record.

42 (3) If a student retained under this subsection has an
43 individual education plan (IEP) in effect, the student's IEP
44 team must convene to review and revise the student's IEP, as
45 appropriate.

46 (4) By June 30, 2022, school districts shall report to the
47 Department of Education the number of students retained pursuant
48 to this act for all or part of the 2021-2022 school year.

49
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete lines 2 - 3

53 and insert:

54 An act relating to education; authorizing a parent or
55 guardian to request that his or her K-5 student be
56 retained in a grade level for academic reasons for a
57 specified school year; requiring that such a request
58 be submitted in a specified manner; requiring school
59 principals to consider such requests if they are
60 timely received; authorizing school principals to
61 consider requests that are not timely received;
62 requiring a school principal who considers a request
63 for retention to inform the student's teachers of the
64 request and collaboratively discuss with the parent or
65 guardian any basis for agreement or disagreement with
66 the request; requiring such discussion to disclose
67 that retention may impact the student's eligibility to
68 participate in high school interscholastic or
69 intrascholastic sports; authorizing the principal,



925196

70 teachers, and parent or guardian to collaborate to
71 develop a customized 1-year education plan for the
72 student in lieu of retaining the student; requiring a
73 parent's or guardian's decision regarding retention to
74 control; requiring a parent or guardian to sign a form
75 provided by the principal indicating the parent or
76 guardian's decision and acknowledging the academic and
77 athletic ramifications of their decision; requiring
78 such form to be retained in the student's record;
79 requiring the individual education plan (IEP) team for
80 a retained student to review and revise the student's
81 IEP, as appropriate; requiring school districts to
82 report certain data to the department by a specified
83 date; amending s. 1004.04, F.S.; requiring