

By the Committees on Appropriations; and Education; and Senators Berman, Stewart, Book, and Cruz

576-04412-21

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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 who considers a
11 request for retention to inform the student's teachers
12 of the request and collaboratively discuss with the
13 parent or guardian any basis for agreement or
14 disagreement with the request; requiring such
15 discussion to disclose that retention may impact the
16 student's eligibility to participate in high school
17 interscholastic or intrascholastic sports; authorizing
18 the principal, teachers, and parent or guardian to
19 collaborate to develop a customized 1-year education
20 plan for the student in lieu of retaining the student;
21 requiring a parent's or guardian's decision regarding
22 retention to control; requiring a parent or guardian
23 to sign a form provided by the principal indicating
24 the parent or guardian's decision and acknowledging
25 the academic and athletic ramifications of their
26 decision; requiring such form to be retained in the
27 student's record; requiring the individual education
28 plan (IEP) team for a retained student to review and
29 revise the student's IEP, as appropriate; requiring

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30 school districts to report certain data to the
31 Department of Education by a specified date; providing
32 an effective date.

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

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36 Section 1. Notwithstanding s. 1008.25, Florida Statutes, a
37 parent or guardian may request that his or her K-5 public school
38 student be retained for the 2021-2022 school year in the grade
39 level to which the student was assigned at the beginning of the
40 2020-2021 school year, provided that such request is made for
41 academic reasons.

42 (1) A parent or guardian who wishes for his or her student
43 to be retained as provided by this act must submit, in writing,
44 to the school principal a retention request that specifies the
45 academic reasons for the retention. Only requests received by
46 the principal on or before June 30, 2021, must be considered. A
47 principal may consider a request received after that date at his
48 or her discretion.

49 (2) (a) A principal who considers a retention request
50 submitted pursuant to this act shall inform the student's
51 teachers of the retention request and collaboratively discuss
52 with the parent or guardian any basis for agreement or
53 disagreement with the request. As part of the discussion with
54 the parent or guardian, the principal shall disclose that
55 retention may impact the student's eligibility to participate in
56 high school interscholastic or intrascholastic sports due to the
57 student's age.

58 (b) In lieu of retention, the principal, teachers, and

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59 parent or guardian may collaborate to develop a customized 1-
60 year education plan for the student with the intent of helping
61 the student return to grade level readiness by the end of the
62 next academic year. Such plan may include, but need not be
63 limited to, supplemental educational support, services, and
64 interventions; summer education; promotion in some, but not all,
65 courses; and midyear promotion.

66 (c) The parent's or guardian's decision to promote or
67 retain his or her student after discussing the retention request
68 with the principal shall control. The parent or guardian must
69 sign a form provided by the principal indicating the parent or
70 guardian's decision and acknowledging the academic and athletic
71 ramifications of his or her decision. This form must be retained
72 in the student's record.

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

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

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