



327290

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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04/23/2021 02:01 PM

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Senator Berman moved the following:

Senate Amendment (with title amendment)

Between lines 169 and 170

insert:

Section 3. 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



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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



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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 line 21

53 and insert:

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



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