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

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

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

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

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

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

And the title is amended as follows:

Delete line 21

and insert:

against an educational institution; authorizing a parent or guardian to request that his or her K-5 student be retained in a grade level for academic reasons for a specified school year; requiring that such a request be submitted in a specified manner; requiring school principals to consider such requests if they are timely received; authorizing school principals to consider requests that are not timely received; requiring a school principal who considers a request for retention to inform the student’s teachers of the request and collaboratively discuss with the parent or guardian any basis for agreement or disagreement with the request; requiring such discussion to disclose that retention may impact the student’s eligibility to participate in high school interscholastic or intrascholastic sports; authorizing
the principal, teachers, and parent or guardian to collaborate to develop a customized 1-year education plan for the student in lieu of retaining the student; requiring a parent’s or guardian’s decision regarding retention to control; requiring a parent or guardian to sign a form provided by the principal indicating the parent or guardian’s decision and acknowledging the academic and athletic ramifications of their decision; requiring such form to be retained in the student’s record; requiring the individual education plan (IEP) team for a retained student to review and revise the student’s IEP, as appropriate; requiring school districts to report certain data to the department by a specified date; providing an