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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/21/2021	.	
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The Committee on Rules (Thurston) recommended the following:

1           **Senate Amendment to Amendment (502390) (with title**  
2 **amendment)**

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4           Between lines 142 and 143  
5 insert:

6           Section 3. In recognition of the public health emergency  
7 caused by the COVID-19 pandemic, and notwithstanding any other  
8 provision in law:

9           (1) School grades calculated for the 2020-2021 school year  
10 may be used for eligibility for the Florida School Recognition  
11 Program established under s. 1008.36, Florida Statutes, as



12 provided in the General Appropriations Act.

13 (2) A school currently in turnaround status pursuant to s.  
14 1008.33, Florida Statutes, may exit turnaround status if the  
15 school receives a grade of "C" or better.

16 (3) A school or approved provider under s. 1002.45, Florida  
17 Statutes, which receives the same or a lower school grade or  
18 school improvement rating for the 2020-2021 school year compared  
19 to the 2018-2019 school year is not subject to sanctions or  
20 penalties that would otherwise occur as a result of the 2020-  
21 2021 school grade or school improvement rating. A charter school  
22 system or a school district designated as high-performing may  
23 not lose the designation based on the 2020-2021 school grade of  
24 any of the schools within the charter school system or school  
25 district, as applicable.

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

32 (a) 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 (b)1. A principal who considers a retention request  
40 submitted pursuant to this subsection shall inform the student's



41 teachers of the retention request and collaboratively discuss  
42 with the parent or guardian any basis for agreement or  
43 disagreement with the request. As part of the discussion with  
44 the parent or guardian, the principal shall disclose that  
45 retention may impact the student's eligibility to participate in  
46 high school interscholastic or intrascholastic sports due to the  
47 student's age.

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

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

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

63 (d) 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 (5) A student who meets all of the requirements for  
67 graduation at the end of the 2020-2021 school year except for  
68 passing either or both statewide, standardized assessments  
69 required pursuant to s. 1003.4282(3)(a) and (b), Florida



70 Statutes, will be deemed to have met all of the requirements for  
71 graduation.

72 (6) Student performance results from the 2020-2021  
73 statewide, standardized assessments may not be used for  
74 calculating student performance measurement and evaluating  
75 personnel pursuant to s. 1012.34, Florida Statutes.

76 (7) The provision in s. 1002.61(2)(a), Florida Statutes,  
77 that requires a summer prekindergarten program delivered by a  
78 public school or private prekindergarten provider to consist of  
79 at least 300 hours is waived. The 2021 summer prekindergarten  
80 program must consist of at least 200 hours. The full-time  
81 equivalent calculation for a student in a summer 2021  
82 prekindergarten program delivered by a public school or private  
83 prekindergarten provider under s. 1002.71(2)(b), Florida  
84 Statutes, shall be prorated for the number of instructional  
85 hours reported.

86 (8) The requirement in s. 1002.89(6), Florida Statutes,  
87 that no more than 22 percent of the state, federal, and local  
88 matching funds provided to an early learning coalition to  
89 implement its approved school readiness program plan be used for  
90 any combination of administrative costs, quality activities, and  
91 nondirect services is waived for the 2020-2021 and 2021-2022  
92 school years, provided that the funds are used for purposes of  
93 emergency recovery and direct support to providers.

94  
95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete line 168

98 and insert:



99 educational institution; authorizing school grades  
100 calculated during a certain school year to be used for  
101 eligibility for the Florida School Recognition  
102 Program; authorizing a school in turnaround status to  
103 exit turnaround status if the school receives a grade  
104 of "C" or better; exempting certain schools or  
105 approved providers from being subject to sanctions or  
106 penalties as a result of school grade or school  
107 improvement ratings earned during a certain school  
108 year; prohibiting a high-performing charter school  
109 system or school district from losing such designation  
110 based on school grades earned during a certain school  
111 year; authorizing a parent or guardian to request that  
112 his or her K-5 student be retained in a grade level  
113 for academic reasons for a specified school year;  
114 requiring that such a request be submitted in a  
115 specified manner; requiring school principals to  
116 consider such requests if they are timely received;  
117 authorizing school principals to consider requests  
118 that are not timely received; requiring a school  
119 principal who considers a request for retention to  
120 inform the student's teachers of the request and  
121 collaboratively discuss with the parent or guardian  
122 any basis for agreement or disagreement with the  
123 request; requiring such discussion to disclose that  
124 retention may impact the student's eligibility to  
125 participate in high school interscholastic or  
126 intrascholastic sports; authorizing the principal,  
127 teachers, and parent or guardian to collaborate to



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128       develop a customized 1-year education plan for the  
129       student in lieu of retaining the student; requiring a  
130       parent's or guardian's decision regarding retention to  
131       control; requiring the individual education plan (IEP)  
132       team for a retained student to review and revise the  
133       student's IEP, as appropriate; requiring school  
134       districts to report certain data to the department by  
135       a specified date; authorizing certain students to  
136       graduate; prohibiting certain performance results from  
137       being used for calculating student performance  
138       measurement and for evaluating personnel; waiving a  
139       provision requiring summer prekindergarten programs to  
140       consist of at least 300 hours; waiving a requirement  
141       that no more than 22 percent of certain funds provided  
142       to an early learning coalition be used for certain  
143       purposes; providing an effective date.