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LEGISLATIVE ACTION

Senate

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House

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



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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



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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.

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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



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.