

1 A bill to be entitled
 2 An act relating to public school student progression
 3 for students with disabilities; amending s. 1008.25,
 4 F.S.; requiring comprehensive plans for student
 5 progression to provide for specified students with
 6 disabilities to be retained in prekindergarten at the
 7 discretion of a student's parent; authorizing certain
 8 prekindergarten students to receive instruction in
 9 early literacy skills, rather than intensive reading
 10 interventions; requiring certain prekindergarten
 11 students to receive such instruction; revising the
 12 requirements for certain students with disabilities to
 13 receive a good cause exemption from mandatory
 14 retention in grade 3; providing an effective date.

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

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 18 Section 1. Paragraph (b) of subsection (5) and paragraph
 19 (b) of subsection (6) of section 1008.25, Florida Statutes, are
 20 amended, and paragraph (g) is added to subsection (2) of that
 21 section, to read:

22 1008.25 Public school student progression; student
 23 support; coordinated screening and progress monitoring;
 24 reporting requirements.—

25 (2) STUDENT PROGRESSION PLAN.—Each district school board

26 | shall establish a comprehensive plan for student progression
 27 | which must provide for a student's progression from one grade to
 28 | another based on the student's mastery of the standards in s.
 29 | 1003.41, specifically English Language Arts, mathematics,
 30 | science, and social studies standards. The plan must:

31 | (g) Allow the parent of a student with disabilities who is
 32 | enrolled in prekindergarten at the age of 4 and fully funded
 33 | through the Florida Education Finance Program to be retained by
 34 | the parent in consultation with the individual education plan
 35 | team.

36 | (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

37 | (b) A Voluntary Prekindergarten Education Program student
 38 | who exhibits a substantial deficiency in early literacy skills
 39 | in accordance with the standards under s. 1002.67(1)(a) and
 40 | based upon the results of the administration of the final
 41 | coordinated screening and progress monitoring under subsection
 42 | (8) shall be referred to the local school district and may be
 43 | eligible to receive instruction in early literacy skills
 44 | ~~intensive reading interventions~~ before participating in
 45 | kindergarten. A student with an individual education plan who
 46 | has been retained pursuant to paragraph (2)(g) and has
 47 | demonstrated a substantial deficiency in early literacy skills
 48 | shall receive instruction in early literacy skills. Such
 49 | instruction in early literacy skills ~~intensive reading~~
 50 | ~~interventions~~ shall be paid for using funds from the district's

51 evidence-based reading instruction allocation in accordance with
52 s. 1011.62(8).

53 (6) ELIMINATION OF SOCIAL PROMOTION.—

54 (b) The district school board may only exempt students
55 from mandatory retention, as provided in paragraph (5)(c), for
56 good cause. A student who is promoted to grade 4 with a good
57 cause exemption shall be provided intensive reading instruction
58 and intervention that include specialized diagnostic information
59 and specific reading strategies to meet the needs of each
60 student so promoted. The school district shall assist schools
61 and teachers with the implementation of explicit, systematic,
62 and multisensory reading instruction and intervention strategies
63 for students promoted with a good cause exemption which research
64 has shown to be successful in improving reading among students
65 who have reading difficulties. Good cause exemptions are limited
66 to the following:

67 1. Limited English proficient students who have had less
68 than 2 years of instruction in an English for Speakers of Other
69 Languages program based on the initial date of entry into a
70 school in the United States.

71 2. Students with disabilities whose individual education
72 plan indicates that participation in the statewide assessment
73 program is not appropriate, consistent with the requirements of
74 s. 1008.212.

75 3. Students who demonstrate an acceptable level of

76 performance on an alternative standardized reading or English
77 Language Arts assessment approved by the State Board of
78 Education.

79 4. A student who demonstrates through a student portfolio
80 that he or she is performing at least at Level 2 on the
81 statewide, standardized English Language Arts assessment.

82 5. Students with disabilities who take the statewide,
83 standardized English Language Arts assessment and who have an
84 individual education plan or a Section 504 plan that reflects
85 that the student has received intensive instruction in reading
86 or English Language Arts for more than 2 years but still
87 demonstrates a deficiency and was previously retained in
88 prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

89 6. Students who have received intensive reading
90 intervention for 2 or more years but still demonstrate a
91 deficiency in reading and who were previously retained in
92 kindergarten, grade 1, grade 2, or grade 3 for a total of 2
93 years. A student may not be retained more than once in grade 3.

94 Section 2. This act shall take effect July 1, 2023.