

By Senator Jones

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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; requiring such  
8       students to receive intensive reading interventions;  
9       revising the requirements for certain students with  
10      disabilities to receive a good cause exemption from  
11      mandatory retention in grade 3; providing an effective  
12      date.

13  
14 Be It Enacted by the Legislature of the State of Florida:

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

20       1008.25 Public school student progression; student support;  
21      coordinated screening and progress monitoring; reporting  
22      requirements.—

23       (2) STUDENT PROGRESSION PLAN.—Each district school board  
24      shall establish a comprehensive plan for student progression  
25      which must provide for a student's progression from one grade to  
26      another based on the student's mastery of the standards in s.  
27      1003.41, specifically English Language Arts, mathematics,  
28      science, and social studies standards. The plan must:

29       (g) Allow the parent of a student with disabilities who is

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30 enrolled in prekindergarten at the age of 4 and is fully funded  
31 through the Florida Education Finance Program to retain his or  
32 her child in consultation with the individual education plan  
33 team.

34 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

35 (b) A Voluntary Prekindergarten Education Program student  
36 who exhibits a substantial deficiency in early literacy skills  
37 in accordance with the standards under s. 1002.67(1)(a) and  
38 based upon the results of the administration of the final  
39 coordinated screening and progress monitoring under subsection  
40 (8) shall be referred to the local school district and may be  
41 eligible to receive intensive reading interventions before  
42 participating in kindergarten. A student with an individual  
43 education plan who has been retained pursuant to paragraph  
44 (2)(g) shall receive intensive reading interventions. Such  
45 intensive reading interventions shall be paid for using funds  
46 from the district's evidence-based reading instruction  
47 allocation in accordance with s. 1011.62(8).

48 (6) ELIMINATION OF SOCIAL PROMOTION.—

49 (b) The district school board may only exempt students from  
50 mandatory retention, as provided in paragraph (5)(c), for good  
51 cause. A student who is promoted to grade 4 with a good cause  
52 exemption shall be provided intensive reading instruction and  
53 intervention that include specialized diagnostic information and  
54 specific reading strategies to meet the needs of each student so  
55 promoted. The school district shall assist schools and teachers  
56 with the implementation of explicit, systematic, and  
57 multisensory reading instruction and intervention strategies for  
58 students promoted with a good cause exemption which research has

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59 shown to be successful in improving reading among students who  
60 have reading difficulties. Good cause exemptions are limited to  
61 the following:

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

66 2. Students with disabilities whose individual education  
67 plan indicates that participation in the statewide assessment  
68 program is not appropriate, consistent with the requirements of  
69 s. 1008.212.

70 3. Students who demonstrate an acceptable level of  
71 performance on an alternative standardized reading or English  
72 Language Arts assessment approved by the State Board of  
73 Education.

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

77 5. Students with disabilities who take the statewide,  
78 standardized English Language Arts assessment and who have an  
79 individual education plan or a Section 504 plan that reflects  
80 that the student has received intensive instruction in reading  
81 or English Language Arts for more than 2 years but still  
82 demonstrates a deficiency and was previously retained in  
83 prekindergarten pursuant to paragraph (2)(g), kindergarten,  
84 grade 1, grade 2, or grade 3.

85 6. Students who have received intensive reading  
86 intervention for 2 or more years but still demonstrate a  
87 deficiency in reading and who were previously retained in

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88 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
89 years. A student may not be retained more than once in grade 3.

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