



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	
01/10/2024 03:56 PM	.	
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Senator Simon moved the following:

**Senate Amendment (with title amendment)**

Delete lines 1004 - 1087

and insert:

Section 26. Paragraph (a) of subsection (2), paragraphs (a) and (b) of subsection (3), paragraph (c) of subsection (4), paragraphs (a), (b), and (d) of subsection (5), paragraphs (a), (b), and (c) of subsection (6), paragraph (b) of subsection (7), and subsection (9) of section 1008.25, Florida Statutes, are amended, and paragraph (h) is added to subsection (2) of that section, to read:



573724

12           1008.25 Public school student progression; student support;  
13 coordinated screening and progress monitoring; reporting  
14 requirements.—

15           (2) STUDENT PROGRESSION PLAN.—Each district school board  
16 shall establish a comprehensive plan for student progression  
17 which must provide for a student's progression from one grade to  
18 another based on the student's mastery of the standards in s.  
19 1003.41, specifically English Language Arts, mathematics,  
20 science, and social studies standards. The plan must:

21           (a) Include criteria that emphasize student reading  
22 proficiency in kindergarten through grade 3 and provide targeted  
23 instructional support for students with identified deficiencies  
24 in English Language Arts, mathematics, science, and social  
25 studies, including students who have been referred to the  
26 district from the Voluntary Prekindergarten Education Program  
27 consistent with paragraph (5) (b). High schools shall use all  
28 available assessment results, including the results of  
29 statewide, standardized English Language Arts assessments and  
30 end-of-course assessments for Algebra I and Geometry, to advise  
31 students of any identified deficiencies and to provide  
32 appropriate postsecondary preparatory instruction before high  
33 school graduation. The results of evaluations used to monitor a  
34 student's progress in grades K-12 must be provided to the  
35 student's teacher in a timely manner and as otherwise required  
36 by law. Thereafter, evaluation results must be provided to the  
37 student's parent in a timely manner. When available,  
38 instructional personnel must be provided with information on  
39 student achievement of standards and benchmarks in order to  
40 improve instruction.



573724

41           (h) Specify retention requirements for students in  
42 kindergarten through grade 2 based upon each student's  
43 performance in English Language Arts and mathematics. For  
44 students who are retained in kindergarten through grade 2, the  
45 plan must incorporate the parental notification requirements  
46 provided in subsections (5) and (6), include an opportunity for  
47 parental input on the retention decision, and include  
48 information on the importance of students mastering early  
49 literacy and communication skills in order to be reading at or  
50 above grade level by the end of grade 3.

51           (3) ALLOCATION OF RESOURCES.—District school boards shall  
52 allocate remedial and supplemental instruction resources to  
53 students in the following priority:

54           (a) Students in the Voluntary Prekindergarten Education  
55 Program ~~kindergarten~~ through grade 3 who have a substantial  
56 deficiency in reading or the characteristics of dyslexia as  
57 determined in paragraph (5) (a).

58           (b) Students in the Voluntary Prekindergarten Education  
59 Program ~~kindergarten~~ through grade 4 who have a substantial  
60 deficiency in mathematics or the characteristics of dyscalculia  
61 as determined in paragraph (6) (a).

62           (4) ASSESSMENT AND SUPPORT.—

63           (c) A student who has a substantial reading deficiency as  
64 determined in paragraph (5) (a) or a substantial mathematics  
65 deficiency as determined in paragraph (6) (a) must be covered by  
66 a federally required student plan, such as an individual  
67 education plan or an individualized progress monitoring plan, or  
68 both, as necessary. The individualized progress monitoring plan  
69 must be developed within 30 days after the results of the



573724

70 coordinated screening and progress monitoring system become  
71 available. The plan must ~~shall include~~, at a minimum, include:

72 1. The student's specific, identified reading or  
73 mathematics skill deficiency.

74 2. Goals and benchmarks for student growth in reading or  
75 mathematics.

76 3. A description of the specific measures that will be used  
77 to evaluate and monitor the student's reading or mathematics  
78 progress.

79 4. For a substantial reading deficiency, the specific  
80 evidence-based literacy instruction grounded in the science of  
81 reading which the student will receive.

82 5. Strategies, resources, and materials that will be  
83 provided to the student's parent to support the student to make  
84 reading or mathematics progress.

85 6. Any additional services the student's teacher deems  
86 available and appropriate to accelerate the student's reading or  
87 mathematics skill development.

88 (5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

89 (a) Any student in a Voluntary Prekindergarten Education  
90 Program provided by a public school ~~kindergarten~~ through grade 3  
91 who exhibits a substantial deficiency in reading or the  
92 characteristics of dyslexia based upon screening, diagnostic,  
93 progress monitoring, or assessment data; statewide assessments;  
94 or teacher observations must be provided intensive, explicit,  
95 systematic, and multisensory reading interventions immediately  
96 following the identification of the reading deficiency or the  
97 characteristics of dyslexia to address his or her specific  
98 deficiency or dyslexia. For the purposes of this subsection, a



573724

99 Voluntary Prekindergarten Education Program student is deemed to  
100 exhibit a substantial deficiency in early literacy skills based  
101 upon the results of the midyear or final administration of the  
102 coordinated screening and progress monitoring under subsection  
103 (9).

104 1. The department shall provide a list of state examined  
105 and approved comprehensive reading and intervention programs.  
106 The intervention programs shall be provided in addition to the  
107 comprehensive core reading instruction that is provided to all  
108 students in the general education classroom. Dyslexia-specific  
109 interventions, as defined by rule of the State Board of  
110 Education, shall be provided to students who have the  
111 characteristics of dyslexia. The reading intervention programs  
112 must do all of the following:

113 a. Provide explicit, direct instruction that is systematic,  
114 sequential, and cumulative in language development, phonological  
115 awareness, phonics, fluency, vocabulary, and comprehension, as  
116 applicable.

117 b. Provide daily targeted small group reading interventions  
118 based on student need in phonological awareness, phonics,  
119 including decoding and encoding, sight words, vocabulary, or  
120 comprehension.

121 c. Be implemented during regular school hours.

122 2. A school may not wait for a student to receive a failing  
123 grade at the end of a grading period or wait until a plan under  
124 paragraph (4)(b) is developed to identify the student as having  
125 a substantial reading deficiency and initiate intensive reading  
126 interventions. In addition, a school may not wait until an  
127 evaluation conducted pursuant to s. 1003.57 is completed to



573724

128 provide appropriate, evidence-based interventions for a student  
129 whose parent submits documentation from a professional licensed  
130 under chapter 490 which demonstrates that the student has been  
131 diagnosed with dyslexia. Such interventions must be initiated  
132 upon receipt of the documentation and based on the student's  
133 specific areas of difficulty as identified by the licensed  
134 professional.

135 3. A student's reading proficiency must be monitored and  
136 the intensive interventions must continue until the student  
137 demonstrates grade level proficiency in a manner determined by  
138 the district, which may include achieving a Level 3 on the  
139 statewide, standardized English Language Arts assessment. The  
140 State Board of Education shall identify by rule guidelines for  
141 determining whether a student in a Voluntary Prekindergarten  
142 Education Program provided by a public school ~~kindergarten~~  
143 through grade 3 has a substantial deficiency in reading.

144 (b) A Voluntary Prekindergarten Education Program student  
145 who exhibits a substantial deficiency in early literacy skills  
146 based upon the results of the administration of the mid-year or  
147 final coordinated screening and progress monitoring under  
148 subsection (9) shall be referred to the local school district  
149 and may be eligible to receive instruction in early literacy  
150 skills before participating in kindergarten. A student with an  
151 individual education plan who has been retained pursuant to  
152 paragraph (2)(g) and has demonstrated a substantial deficiency  
153 in early literacy skills must receive instruction in early  
154 literacy skills.

155 (d) The parent of any student who exhibits a substantial  
156 deficiency in reading, as described in paragraph (a), must be



573724

157 notified in writing, in a timely manner, of the following:

158       1. That his or her child has been identified as having a  
159 substantial deficiency in reading, including a description and  
160 explanation, in terms understandable to the parent, of the exact  
161 nature of the student's difficulty in learning and lack of  
162 achievement in reading.

163       2. A description of the current services that are provided  
164 to the child.

165       3. A description of the proposed intensive interventions  
166 and supports that will be provided to the child that are  
167 designed to remediate the identified area of reading deficiency.

168       4. The student progression requirements under paragraph  
169 (2) (h) and that if the child's reading deficiency is not  
170 remediated by the end of grade 3, the child must be retained  
171 unless he or she is exempt from mandatory retention for good  
172 cause.

173       5. Strategies, including multisensory strategies and  
174 programming, through a read-at-home plan the parent can use in  
175 helping his or her child succeed in reading. The read-at-home  
176 plan must provide access to the resources identified in  
177 paragraph (f).

178       6. That the statewide, standardized English Language Arts  
179 assessment is not the sole determiner of promotion and that  
180 additional evaluations, portfolio reviews, and assessments are  
181 available to the child to assist parents and the school district  
182 in knowing when a child is reading at or above grade level and  
183 ready for grade promotion.

184       7. The district's specific criteria and policies for a  
185 portfolio as provided in subparagraph (7) (b)4. and the evidence



186 required for a student to demonstrate mastery of Florida's  
187 academic standards for English Language Arts. A school must  
188 immediately begin collecting evidence for a portfolio when a  
189 student in grade 3 is identified as being at risk of retention  
190 or upon the request of the parent, whichever occurs first.

191 8. The district's specific criteria and policies for  
192 midyear promotion. Midyear promotion means promotion of a  
193 retained student at any time during the year of retention once  
194 the student has demonstrated ability to read at grade level.

195 9. Information about the student's eligibility for the New  
196 Worlds Reading Initiative under s. 1003.485 and the New Worlds  
197 Scholarship Accounts under s. 1002.411 and information on parent  
198 training modules and other reading engagement resources  
199 available through the initiative.

200  
201 After initial notification, the school shall apprise the parent  
202 at least monthly of the student's progress in response to the  
203 intensive interventions and supports. Such communications must  
204 be in writing and must explain any additional interventions or  
205 supports that will be implemented to accelerate the student's  
206 progress if the interventions and supports already being  
207 implemented have not resulted in improvement. After receiving  
208 the initial notification, a parent may request additional  
209 meetings with the teacher or the school's reading coach to  
210 discuss the student's progress and may request additional  
211 services currently provided by the school district. The  
212 additional services must include, but are not limited to, the  
213 interventions in paragraph (8) (a).

214 (6) MATHEMATICS DEFICIENCY AND PARENTAL NOTIFICATION.—





573724

215 (a) Any student in a Voluntary Prekindergarten Education  
216 Program provided by a public school ~~kindergarten~~ through grade 4  
217 who exhibits a substantial deficiency in mathematics or the  
218 characteristics of dyscalculia based upon screening, diagnostic,  
219 progress monitoring, or assessment data; statewide assessments;  
220 or teacher observations must:

221 1. Immediately following the identification of the  
222 mathematics deficiency, be provided systematic and explicit  
223 mathematics instruction to address his or her specific  
224 deficiencies through either:

225 a. Daily targeted small group mathematics intervention  
226 based on student need; or

227 b. Supplemental, evidence-based mathematics interventions  
228 before or after school, or both, delivered by a highly qualified  
229 teacher of mathematics or a trained tutor.

230 2. The performance of a student receiving mathematics  
231 instruction under subparagraph 1. must be monitored, and  
232 instruction must be adjusted based on the student's need.

233 3. The department shall provide a list of state examined  
234 and approved mathematics intervention programs, curricula, and  
235 high-quality supplemental materials that may be used to improve  
236 a student's mathematics deficiencies. In addition, the  
237 department shall work, at a minimum, with the Florida Center for  
238 Mathematics and Science Education Research established in s.  
239 1004.86 to disseminate information to school districts and  
240 teachers on effective evidence-based explicit mathematics  
241 instructional practices, strategies, and interventions.

242 4. A school may not wait for a student to receive a failing  
243 grade at the end of a grading period or wait until a plan under



573724

244 paragraph (4) (b) is developed to identify the student as having  
245 a substantial mathematics deficiency and initiate intensive  
246 mathematics interventions. In addition, a school may not wait  
247 until an evaluation conducted pursuant to s. 1003.57 is  
248 completed to provide appropriate, evidence-based interventions  
249 for a student whose parent submits documentation from a  
250 professional licensed under chapter 490 which demonstrates that  
251 the student has been diagnosed with dyscalculia. Such  
252 interventions must be initiated upon receipt of the  
253 documentation and based on the student's specific areas of  
254 difficulty as identified by the licensed professional.

255 5. The mathematics proficiency of a student receiving  
256 additional mathematics supports must be monitored and the  
257 intensive interventions must continue until the student  
258 demonstrates grade level proficiency in a manner determined by  
259 the district, which may include achieving a Level 3 on the  
260 statewide, standardized Mathematics assessment. The State Board  
261 of Education shall identify by rule guidelines for determining  
262 whether a student in a Voluntary Prekindergarten Education  
263 Program provided by a public school ~~kindergarten~~ through grade 4  
264 has a substantial deficiency in mathematics.

265  
266 For the purposes of this paragraph, a Voluntary Prekindergarten  
267 Education Program student is deemed to exhibit a substantial  
268 deficiency in mathematics skills based upon the results of the  
269 mid-year or final administration of the coordinated screening  
270 and progress monitoring under subsection (9).

271 (b) A Voluntary Prekindergarten Education Program student  
272 who exhibits a substantial deficiency in early math skills based



573724

273 upon the results of the administration of the mid-year or final  
274 coordinated screening and progress monitoring under subsection  
275 (8) shall be referred to the local school district and may be  
276 eligible to receive intensive mathematics interventions before  
277 participating in kindergarten.

278 (c) The parent of a student who exhibits a substantial  
279 deficiency in mathematics, as described in paragraph (a), must  
280 be notified in writing of the following:

281 1. That his or her child has been identified as having a  
282 substantial deficiency in mathematics, including a description  
283 and explanation, in terms understandable to the parent, of the  
284 exact nature of the student's difficulty in learning and lack of  
285 achievement in mathematics.

286 2. A description of the current services that are provided  
287 to the child.

288 3. A description of the proposed intensive interventions  
289 and supports that will be provided to the child that are  
290 designed to remediate the identified area of mathematics  
291 deficiency.

292 4. Strategies, including multisensory strategies and  
293 programming, through a home-based plan the parent can use in  
294 helping his or her child succeed in mathematics. The home-based  
295 plan must provide access to the resources identified in  
296 paragraph (e).

297  
298 After the initial notification, the school shall apprise the  
299 parent at least monthly of the student's progress in response to  
300 the intensive interventions and supports. Such communications  
301 must be in writing and must explain any additional interventions



302 or supports that will be implemented to accelerate the student's  
303 progress if the interventions and supports already being  
304 implemented have not resulted in improvement. After receiving  
305 the initial notification, a parent may request additional  
306 meetings with the teacher or school's math coach to discuss the  
307 student's progress and may request additional services that are  
308 currently provided by the school district.

309 (7) ELIMINATION OF SOCIAL PROMOTION.—

310 (b) The district school board may only exempt students from  
311 mandatory retention, as provided in paragraph (5)(c), for good  
312 cause. A student ~~who is~~ promoted to grade 4 with a good cause  
313 exemption shall be provided intensive reading instruction and  
314 intervention that include specialized diagnostic information and  
315 specific reading strategies to meet the needs of each student so  
316 promoted. The school district shall assist schools and teachers  
317 with the implementation of explicit, systematic, and  
318 multisensory reading instruction and intervention strategies for  
319 students promoted with a good cause exemption which research has  
320 shown to be successful in improving reading among students who  
321 have reading difficulties. A parent may request additional  
322 interventions that are currently provided by the school district  
323 and can include, but are not limited, to the interventions  
324 identified in paragraph (8)(a). Good cause exemptions are  
325 limited to the following:

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

330 2. Students with disabilities whose individual education



331 plan indicates that participation in the statewide assessment  
332 program is not appropriate, consistent with the requirements of  
333 s. 1008.212.

334 3. Students who demonstrate an acceptable level of  
335 performance on the beginning or mid-year administration of the  
336 English Language Arts coordinated screening and progress  
337 monitoring system under subsection (9), or an alternative  
338 standardized reading or English Language Arts assessment,  
339 approved by the State Board of Education.

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

343 5. Students with disabilities who take the statewide,  
344 standardized English Language Arts assessment and who have an  
345 individual education plan or a Section 504 plan that reflects  
346 that the student has received intensive instruction in reading  
347 or English Language Arts for more than 2 years but still  
348 demonstrates a deficiency and was previously retained in  
349 prekindergarten, kindergarten, grade 1, grade 2, or grade 3.

350 6. Students who have received intensive reading  
351 intervention for 2 or more years but still demonstrate a  
352 deficiency in reading and who were previously retained in  
353 kindergarten, grade 1, grade 2, or grade 3 for a total of 2  
354 years. A student may not be retained more than once in grade 3.

355  
356 ===== T I T L E A M E N D M E N T =====

357 And the title is amended as follows:

358 Delete lines 117 - 122

359 and insert:



573724

360 course assessment; amending s. 1008.25, F.S.; revising  
361 the criteria for the student progression plan to  
362 include instructional support for students referred  
363 from a specified program; requiring school districts  
364 to specify retention requirements for students in  
365 kindergarten through grade 2; requiring that the plan  
366 incorporate specified parental notification  
367 requirements, include an opportunity for parental  
368 input on the retention decision, and include certain  
369 information; requiring district school boards to  
370 include the Voluntary Prekindergarten Education  
371 Program in a certain allocation of resources;  
372 requiring that the individualized progress monitoring  
373 plan for specified students be developed within a  
374 specified timeframe; providing conditions for parents  
375 to request supports for students identified as having  
376 a substantial deficiency in reading or mathematics;  
377 requiring the department to adopt additional  
378 alternative assessments for good cause promotion;  
379 requiring two administrations of the coordinated  
380 screening and progress monitoring system for students  
381 in a summer prekindergarten program; conforming cross-  
382 references; amending s.