



389624

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
03/31/2021	.	
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The Committee on Education (Berman) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 158 - 179  
and insert:

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

(a) A parent or guardian who wishes for his or her student



12 to be retained as provided by this act must submit, in writing,  
13 to the school principal a retention request that specifies the  
14 academic reasons for the retention. Only requests received by  
15 the principal on or before June 30, 2021, must be considered. A  
16 principal may consider a request received after that date at his  
17 or her discretion.

18 (b)1. A principal who considers a retention request  
19 submitted pursuant to this section shall inform the student's  
20 teachers of the retention request and collaboratively discuss  
21 with the parent or guardian any basis for agreement or  
22 disagreement with the request. As part of the discussion with  
23 the parent or guardian, the principal shall disclose that  
24 retention may impact the student's eligibility to participate in  
25 high school interscholastic or intrascholastic sports due to the  
26 student's age.

27 2. In lieu of retention, the principal, teachers, and  
28 parent or guardian may collaborate to develop a customized 1-  
29 year education plan for the student with the intent of helping  
30 the student return to grade level readiness by the end of the  
31 next academic year. Such plan may include, but need not be  
32 limited to, supplemental educational support, services, and  
33 interventions; summer education; promotion in some, but not all,  
34 courses; and midyear promotion.

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

38 (c) If a student retained under this section has an  
39 individual education plan (IEP) in effect, the student's IEP  
40 team shall convene to review and revise the student's IEP, as



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41 appropriate.

42 (d) By June 30, 2022, school districts shall report to the  
43 Department of Education the number of students retained pursuant  
44 to this act for all or part of the 2021-2022 school year.

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46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete lines 29 - 47

49 and insert:

50 earned during a certain school year; authorizing a  
51 parent or guardian to request that his or her K-5  
52 student be retained in a grade level for academic  
53 reasons for a specified school year; requiring that  
54 such a request be submitted in a specified manner;  
55 requiring school principals to consider such requests  
56 if they are timely received; authorizing school  
57 principals to consider requests that are not timely  
58 received; requiring a school principal who considers a  
59 request for retention to inform the student's teachers  
60 of the request and collaboratively discuss with the  
61 parent or guardian any basis for agreement or  
62 disagreement with the request; requiring such  
63 discussion to disclose that retention may impact the  
64 student's eligibility to participate in high school  
65 interscholastic or intrascholastic sports; authorizing  
66 the principal, teachers, and parent or guardian to  
67 collaborate to develop a customized 1-year education  
68 plan for the student in lieu of retaining the student;  
69 requiring a parent's or guardian's decision regarding



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70 retention to control; requiring the individual  
71 education plan (IEP) team for a retained student to  
72 review and revise the student's IEP, as appropriate;  
73 requiring school districts to report certain data to  
74 the Department of Education by a specified date;