

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Kiar offered the following:

2  
3 **Substitute Amendment for Amendment (444605) (with title**  
4 **amendment)**

5 Remove everything after the enacting clause and insert:  
6 Section 1. Paragraph (c) of subsection (3) of section  
7 1003.03, Florida Statutes, is amended to read:

8 1003.03 Maximum class size.--

9 (3) IMPLEMENTATION OPTIONS.--District school boards must  
10 consider, but are not limited to, implementing the following  
11 items in order to meet the constitutional class size maximums  
12 described in subsection (1) and the two-student-per-year  
13 reduction required in subsection (2):

14 (c)1. Repeal district school board policies that require  
15 students to have more than 24 credits to graduate from high  
16 school.

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17           2. Adopt policies to allow students to graduate from high  
18 school as soon as they pass the end-of-course assessments, ~~grade~~  
19 ~~10 FCAT~~ and complete the courses, which are required for high  
20 school graduation.

21           Section 2. Subsections (1) and (2), paragraph (b) of  
22 subsection (4), and subsections (5) through (11) of section  
23 1003.428, Florida Statutes, are amended to read:

24           1003.428 General requirements for high school graduation;  
25 revised.--

26           (1) Except as otherwise authorized pursuant to s.  
27 1003.429, beginning with students entering their first year of  
28 high school in the 2007-2008 school year, graduation requires  
29 the successful completion of a minimum of 24 credits, an  
30 International Baccalaureate curriculum, or an Advanced  
31 International Certificate of Education curriculum. Students must  
32 be advised of the Advanced Placement, International  
33 Baccalaureate, Advanced International Certificate of Education,  
34 and dual enrollment courses available, as well as the  
35 availability of course offerings through the Florida Virtual  
36 School. Students must also be advised of eligibility  
37 requirements for state scholarship programs and postsecondary  
38 admissions.

39           (2) The 24 credits may be earned through applied,  
40 integrated, and combined courses approved by the Department of  
41 Education and shall be distributed as follows:

42           (a) Sixteen core curriculum credits:

43           1. Four credits in English, with major concentration in  
44 composition, reading for information, and literature.

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45           2. Four credits in mathematics, one of which must be  
46 Algebra I, a series of courses equivalent to Algebra I, or a  
47 higher-level mathematics course. Beginning with students  
48 entering grade 9 in the 2010-2011 school year, one of the four  
49 credits must be Algebra I or a series of courses equivalent to  
50 Algebra I as approved by the State Board of Education, and one  
51 credit must be geometry or a series of courses equivalent to  
52 geometry as approved by the State Board of Education. Beginning  
53 with students entering grade 9 in the 2012-2013 school year, one  
54 of the four credits must be Algebra I or a series of courses  
55 equivalent to Algebra I as approved by the State Board of  
56 Education, one credit must be geometry or a series of courses  
57 equivalent to geometry as approved by the State Board of  
58 Education, and one credit must be Algebra II or a series of  
59 courses equivalent to Algebra II as approved by the State Board  
60 of Education. School districts are encouraged to set specific  
61 goals to increase enrollments in, and successful completion of,  
62 geometry and Algebra II.

63           3. Three credits in science, two of which must have a  
64 laboratory component. Beginning with students entering grade 9  
65 in the 2010-2011 school year, one of the three credits must be  
66 Biology I or a series of courses equivalent to Biology I as  
67 approved by the State Board of Education, one credit must be a  
68 physical science or a series of courses equivalent to a physical  
69 science as approved by the State Board of Education, and one  
70 credit must be a higher-level science course. At least two of  
71 the science courses must have a laboratory component.  
72 Agriscience Foundations I, the core course in secondary

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73 Agriscience and Natural Resources programs, may count as the  
74 third required science credit. Beginning with students entering  
75 grade 9 in the 2012-2013 school year, one of the three credits  
76 must be Biology I or a series of courses equivalent to Biology I  
77 as approved by the State Board of Education, one credit must be  
78 chemistry or a series of courses equivalent to chemistry as  
79 approved by the State Board of Education, and one credit must be  
80 a higher-level science course. At least two of the science  
81 courses must have a laboratory component. Agriscience  
82 Foundations I, the core course in secondary Agriscience and  
83 Natural Resources programs, may count as the third required  
84 science credit.

85 4. Three credits in social studies as follows: one credit  
86 in American history; one credit in world history; one-half  
87 credit in economics; and one-half credit in American government.

88 5. One credit in fine or performing arts, speech and  
89 debate, or a practical arts course that incorporates artistic  
90 content and techniques of creativity, interpretation, and  
91 imagination. Eligible practical arts courses shall be identified  
92 through the Course Code Directory.

93 6. One credit in physical education to include integration  
94 of health. Participation in an interscholastic sport at the  
95 junior varsity or varsity level for two full seasons shall  
96 satisfy the one-credit requirement in physical education if the  
97 student passes a competency test on personal fitness with a  
98 score of "C" or better. The competency test on personal fitness  
99 must be developed by the Department of Education. A district  
100 school board may not require that the one credit in physical

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101 education be taken during the 9th grade year. Completion of one  
102 semester with a grade of "C" or better in a marching band class,  
103 in a physical activity class that requires participation in  
104 marching band activities as an extracurricular activity, or in a  
105 dance class shall satisfy one-half credit in physical education  
106 or one-half credit in performing arts. This credit may not be  
107 used to satisfy the personal fitness requirement or the  
108 requirement for adaptive physical education under an individual  
109 education plan (IEP) or 504 plan. Completion of 2 years in a  
110 Reserve Officer Training Corps (R.O.T.C.) class, a significant  
111 component of which is drills, shall satisfy the one-credit  
112 requirement in physical education and the one-credit requirement  
113 in performing arts. This credit may not be used to satisfy the  
114 personal fitness requirement or the requirement for adaptive  
115 physical education under an individual education plan (IEP) or  
116 504 plan.

117 (b) Eight credits in majors, minors, or electives:

118 1. Four credits in a major area of interest, such as  
119 sequential courses in a career and technical program, fine and  
120 performing arts, or academic content area, selected by the  
121 student as part of the education plan required by s. 1003.4156.  
122 Students may revise major areas of interest each year as part of  
123 annual course registration processes and should update their  
124 education plan to reflect such revisions. Annually by October 1,  
125 the district school board shall approve major areas of interest  
126 and submit the list of majors to the Commissioner of Education  
127 for approval. Each major area of interest shall be deemed  
128 approved unless specifically rejected by the commissioner within  
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129 60 days. Upon approval, each district's major areas of interest  
130 shall be available for use by all school districts and shall be  
131 posted on the department's website.

132 2. Four credits in elective courses selected by the  
133 student as part of the education plan required by s. 1003.4156.  
134 These credits may be combined to allow for a second major area  
135 of interest pursuant to subparagraph 1., a minor area of  
136 interest, elective courses, or intensive reading or mathematics  
137 intervention courses as described in this subparagraph.

138 a. Minor areas of interest are composed of three credits  
139 selected by the student as part of the education plan required  
140 by s. 1003.4156 and approved by the district school board.

141 b. Elective courses are selected by the student in order  
142 to pursue a complete education program as described in s.  
143 1001.41(3) and to meet eligibility requirements for  
144 scholarships.

145 c. For each year in which a student scores below the  
146 passing score on the reading portion of a language arts end-of-  
147 course assessment required for high school graduation at Level 1  
148 on FCAT Reading, the student must be enrolled in and complete an  
149 intensive reading course the following year. Placement of such  
150 students ~~Level 2 readers~~ in either an intensive reading course  
151 or a content area course in which reading strategies are  
152 delivered shall be determined by diagnosis of reading needs. The  
153 department shall provide guidance on appropriate strategies for  
154 diagnosing and meeting the varying instructional needs of  
155 students reading below grade level. Reading courses shall be

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156 designed and offered pursuant to the comprehensive reading plan  
157 required by s. 1011.62(9).

158 d. For each year in which a student scores below the  
159 passing score at Level 1 or Level 2 on a FCAT mathematics end-  
160 of-course assessment required for high school graduation, the  
161 student must receive remediation the following year. These  
162 courses may be taught through applied, integrated, or combined  
163 courses and are subject to approval by the department for  
164 inclusion in the Course Code Directory.

165 (4) Each district school board shall establish standards  
166 for graduation from its schools, which must include:

167 (a) Successful completion of the academic credit or  
168 curriculum requirements of subsections (1) and (2).

169 (b) Earning passing scores on the end-of-course  
170 assessments required for high school graduation FCAT, ~~as defined~~  
171 ~~in accordance with s. 1008.22(3)(c), or scores on a standardized~~  
172 ~~test that are concordant with passing scores on the FCAT as~~  
173 ~~defined in s. 1008.22(10).~~

174  
175 Each district school board shall adopt policies designed to  
176 assist students in meeting the requirements of this subsection.  
177 These policies may include, but are not limited to: forgiveness  
178 policies, summer school or before or after school attendance,  
179 special counseling, volunteers or peer tutors, school-sponsored  
180 help sessions, homework hotlines, and study skills classes.  
181 Forgiveness policies for required courses shall be limited to  
182 replacing a grade of "D" or "F," or the equivalent of a grade of  
183 "D" or "F," with a grade of "C" or higher, or the equivalent of  
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184 a grade of "C" or higher, earned subsequently in the same or  
185 comparable course. Forgiveness policies for elective courses  
186 shall be limited to replacing a grade of "D" or "F," or the  
187 equivalent of a grade of "D" or "F," with a grade of "C" or  
188 higher, or the equivalent of a grade of "C" or higher, earned  
189 subsequently in another course. The only exception to these  
190 forgiveness policies shall be made for a student in the middle  
191 grades who takes any high school course for high school credit  
192 and earns a grade of "C," "D," or "F" or the equivalent of a  
193 grade of "C," "D," or "F." In such case, the district  
194 forgiveness policy must allow the replacement of the grade with  
195 a grade of "C" or higher, or the equivalent of a grade of "C" or  
196 higher, earned subsequently in the same or comparable course. In  
197 all cases of grade forgiveness, only the new grade shall be used  
198 in the calculation of the student's grade point average. Any  
199 course grade not replaced according to a district school board  
200 forgiveness policy shall be included in the calculation of the  
201 cumulative grade point average required for graduation.

202 ~~(5) The State Board of Education, after a public hearing~~  
203 ~~and consideration, shall adopt rules based upon the~~  
204 ~~recommendations of the commissioner for the provision of test~~  
205 ~~accommodations and modifications of procedures as necessary for~~  
206 ~~students with disabilities which will demonstrate the student's~~  
207 ~~abilities rather than reflect the student's impaired sensory,~~  
208 ~~manual, speaking, or psychological process skills.~~

209 ~~(6) The public hearing and consideration required in~~  
210 ~~subsection (5) shall not be construed to amend or nullify the~~  
211 ~~requirements of security relating to the contents of~~

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212 ~~examinations or assessment instruments and related materials or~~  
213 ~~data as prescribed in s. 1008.23.~~

214 ~~(5)-(7)~~(a) A student who meets all requirements prescribed  
215 in subsections (1), (2), (3), and (4) shall be awarded a  
216 standard diploma in a form prescribed by the State Board of  
217 Education.

218 (b) A student who completes the minimum number of credits  
219 and other requirements prescribed by subsections (1), (2), and  
220 (3), but who is unable to meet the standards of paragraph  
221 (4) (b), paragraph (4) (c), or paragraph (4) (d), shall be awarded  
222 a certificate of completion in a form prescribed by the State  
223 Board of Education. However, any student who is otherwise  
224 entitled to a certificate of completion may elect to remain in  
225 the secondary school either as a full-time student or a part-  
226 time student for up to 1 additional year and receive special  
227 instruction designed to remedy his or her identified  
228 deficiencies.

229 ~~(8) (a) Each district school board must provide instruction~~  
230 ~~to prepare students with disabilities to demonstrate proficiency~~  
231 ~~in the core content knowledge and skills necessary for~~  
232 ~~successful grade-to-grade progression and high school~~  
233 ~~graduation.~~

234 ~~(b) A student with a disability, as defined in s.~~  
235 ~~1007.02(2), for whom the individual education plan (IEP)~~  
236 ~~committee determines that the FCAT cannot accurately measure the~~  
237 ~~student's abilities taking into consideration all allowable~~  
238 ~~accommodations, shall have the FCAT requirement of paragraph~~

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239 ~~(4) (b) waived for the purpose of receiving a standard high~~  
240 ~~school diploma, if the student:~~

241 ~~1. Completes the minimum number of credits and other~~  
242 ~~requirements prescribed by subsections (1), (2), and (3).~~

243 ~~2. Does not meet the requirements of paragraph (4) (b)~~  
244 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
245 ~~grade.~~

246 ~~(9) The Commissioner of Education may award a standard~~  
247 ~~high school diploma to honorably discharged veterans who started~~  
248 ~~high school between 1937 and 1946 and were scheduled to graduate~~  
249 ~~between 1941 and 1950 but were inducted into the United States~~  
250 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~  
251 ~~prior to completing the necessary high school graduation~~  
252 ~~requirements. Upon the recommendation of the commissioner, the~~  
253 ~~State Board of Education may develop criteria and guidelines for~~  
254 ~~awarding such diplomas.~~

255 ~~(10) The Commissioner of Education may award a standard~~  
256 ~~high school diploma to honorably discharged veterans who started~~  
257 ~~high school between 1946 and 1950 and were scheduled to graduate~~  
258 ~~between 1950 and 1954, but were inducted into the United States~~  
259 ~~Armed Forces between June 27, 1950, and January 31, 1955, and~~  
260 ~~served during the Korean Conflict prior to completing the~~  
261 ~~necessary high school graduation requirements. Upon the~~  
262 ~~recommendation of the commissioner, the State Board of Education~~  
263 ~~may develop criteria and guidelines for awarding such diplomas.~~

264 ~~(6) (11)~~ The State Board of Education may adopt rules  
265 pursuant to ss. 120.536(1) and 120.54 to implement the

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266 provisions of this section and may enforce the provisions of  
267 this section pursuant to s. 1008.32.

268 Section 3. Section 1003.4282, Florida Statutes, is created  
269 to read:

270 1003.4282 Accommodations for students with disabilities;  
271 graduation requirements.--For purposes of high school  
272 graduation:

273 (1) The State Board of Education, after a public hearing  
274 and consideration, shall adopt rules based upon the  
275 recommendations of the Commissioner of Education for the  
276 provision of test accommodations as necessary for students with  
277 disabilities which will demonstrate the student's abilities  
278 rather than reflect the student's impaired sensory, manual,  
279 speaking, or psychological process skills.

280 (2) The public hearing and consideration required in  
281 subsection (1) shall not be construed to amend or nullify the  
282 requirements of security relating to the contents of  
283 examinations or assessment instruments and related materials or  
284 data as prescribed in s. 1008.23.

285 (3) (a) Each district school board must provide instruction  
286 to prepare students with disabilities to demonstrate proficiency  
287 in the core content knowledge and skills necessary for  
288 successful grade-to-grade progression and high school  
289 graduation.

290 (b) A student with a disability, as defined in s.  
291 1007.02(2), for whom the individual education plan committee  
292 determines that an end-of-course assessment cannot accurately  
293 measure the student's abilities taking into consideration all

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294 allowable accommodations, shall have the end-of-course  
295 assessment requirement of s. 1003.428(4)(b) or s. 1003.43(5)(a)  
296 waived for the purpose of receiving a high school diploma, if  
297 the student:

298 1. Completes the minimum number of credits and other  
299 requirements prescribed in s. 1003.428(1)-(3) or s. 1003.43(1)  
300 and (4).

301 2. Does not meet the end-of-course assessment requirements  
302 of s. 1003.428(4)(b) or s. 1003.43(5)(a) after one opportunity  
303 in grade 10 and one opportunity in grade 11.

304 Section 4. Section 1003.4286, Florida Statutes, is created  
305 to read:

306 1003.4286 Graduation Exit Option Program; alternative  
307 diploma.--

308 (1) There is created the Graduation Exit Option Program  
309 under which a high school student shall be awarded an  
310 alternative diploma. To be eligible to participate in the  
311 program, a high school student must:

312 (a) Be at least 16 years old.

313 (b) Be enrolled in high school courses that meet high  
314 school graduation requirements.

315 (c) Be at risk of failing to graduate.

316 (d) Meet criteria developed by the Department of Education  
317 to ensure that the program is not used as a means for early  
318 graduation and to target students who have the ability to pass  
319 the end-of-course assessments required for high school  
320 graduation and the general educational development (GED) test.

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321 (2) To receive an alternative diploma under the Graduation  
322 Exit Option Program, a high school student must:

323 (a) Meet minimum reading levels and earn minimum scores on  
324 GED practice tests, as established by the department.

325 (b) Earn passing scores on the language arts and  
326 mathematics end-of-course assessments required for high school  
327 graduation in accordance with s. 1008.22(3)(c).

328 (c) Pass each of the five sections of the GED test.

329 (d) Earn at least 14 credits toward high school  
330 graduation, at least 8 of which are earned in English, reading,  
331 mathematics, science, or social studies.

332 (3) An alternative diploma awarded under this section may  
333 not be used for calculating graduation rates for any purpose.

334 (4) The department shall design the alternative diploma to  
335 distinguish the diploma from a standard diploma.

336 (5) The State Board of Education shall adopt rules  
337 pursuant to ss. 120.536(1) and 120.54 to implement this section.

338 Section 5. Section 1003.4287, Florida Statutes, is created  
339 to read:

340 1003.4287 Recognition of veterans; high school diploma.--

341 (1) The Commissioner of Education may award a standard  
342 high school diploma to honorably discharged veterans who started  
343 high school between 1937 and 1946 and were scheduled to graduate  
344 between 1941 and 1950 but were inducted into the United States  
345 Armed Forces between September 16, 1940, and December 31, 1946,  
346 prior to completing the necessary high school graduation  
347 requirements. Upon the recommendation of the commissioner, the

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348 State Board of Education may develop criteria and guidelines for  
349 awarding such diplomas.

350 (2) The Commissioner of Education may award a standard  
351 high school diploma to honorably discharged veterans who started  
352 high school between 1946 and 1950 and were scheduled to graduate  
353 between 1949 and 1955 but were inducted into the United States  
354 Armed Forces between June 1949 and January 1955 and served  
355 during the Korean War prior to completing the necessary high  
356 school graduation requirements. Upon the recommendation of the  
357 commissioner, the State Board of Education may develop criteria  
358 and guidelines for awarding such diplomas.

359 Section 6. Paragraph (b) of subsection (1) and paragraph  
360 (c) of subsection (8) of section 1003.429, Florida Statutes, are  
361 amended to read:

362 1003.429 Accelerated high school graduation options.--

363 (1) Students who enter grade 9 in the 2006-2007 school  
364 year and thereafter may select, upon receipt of each consent  
365 required by this section, one of the following three high school  
366 graduation options:

367 (b) Completion of a 3-year standard college preparatory  
368 program requiring successful completion of a minimum of 18  
369 academic credits in grades 9 through 12. At least 6 of the 18  
370 credits required for completion of this program must be received  
371 in classes that are offered pursuant to the International  
372 Baccalaureate Program, the Advanced Placement Program, dual  
373 enrollment, or the Advanced International Certificate of  
374 Education Program, or specifically listed or identified by the  
375 Department of Education as rigorous pursuant to s. 1009.531(3).

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376 Students must be advised of the Advanced Placement,  
377 International Baccalaureate, Advanced International Certificate  
378 of Education, and dual enrollment courses available, as well as  
379 the availability of course offerings through the Florida Virtual  
380 School. The 18 credits required for completion of this program  
381 shall be primary requirements and shall be distributed as  
382 follows:

- 383 1. Four credits in English, with major concentration in  
384 composition and literature;
- 385 2. Three credits in mathematics at the Algebra I level or  
386 higher from the list of courses that qualify for state  
387 university admission;
- 388 3. Three credits in natural science, two of which must  
389 have a laboratory component;
- 390 4. Three credits in social sciences, which must include  
391 one credit in American history, one credit in world history,  
392 one-half credit in American government, and one-half credit in  
393 economics;
- 394 5. Two credits in the same second language unless the  
395 student is a native speaker of or can otherwise demonstrate  
396 competency in a language other than English. If the student  
397 demonstrates competency in another language, the student may  
398 replace the language requirement with two credits in other  
399 academic courses; and
- 400 6. Three credits in electives; or

401  
402 Any student who selected an accelerated graduation program  
403 before July 1, 2004, may continue that program, and all  
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404 statutory program requirements that were applicable when the  
405 student made the program choice shall remain applicable to the  
406 student as long as the student continues that program.

407 (8) A student who selected one of the accelerated 3-year  
408 graduation options shall automatically move to the 4-year  
409 program set forth in s. 1003.43 if the student:

410 (c) Does not achieve passing scores ~~a score of 3 or higher~~  
411 on the writing portions of the language arts end-of-course  
412 assessments required for high school graduation in accordance  
413 with s. 1008.22(3)(c) grade 10 FCAT Writing assessment; or

414 Section 7. Paragraph (a) of subsection (5) and subsections  
415 (8) through (13) of section 1003.43, Florida Statutes, are  
416 amended to read:

417 1003.43 General requirements for high school graduation.--

418 (5) Each district school board shall establish standards  
419 for graduation from its schools, and these standards must  
420 include:

421 (a) Earning passing scores on the end-of-course  
422 assessments required for high school graduation ~~FCAT, as defined~~  
423 in accordance with s. 1008.22(3)(c), ~~or scores on a standardized~~  
424 ~~test that are concordant with passing scores on the FCAT as~~  
425 ~~defined in s. 1008.22(10).~~

426  
427 The standards required in this subsection, and any subsequent  
428 modifications, shall be reprinted in the Florida Administrative  
429 Code even though not defined as "rules."

430 ~~(8) The State Board of Education, after a public hearing~~  
431 ~~and consideration, shall adopt rules based upon the~~

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432 ~~recommendations of the commissioner for the provision of test~~  
433 ~~accommodations and modifications of procedures as necessary for~~  
434 ~~students with disabilities which will demonstrate the student's~~  
435 ~~abilities rather than reflect the student's impaired sensory,~~  
436 ~~manual, speaking, or psychological process skills.~~

437 ~~(9) The public hearing and consideration required in~~  
438 ~~subsection (8) shall not be construed to amend or nullify the~~  
439 ~~requirements of security relating to the contents of~~  
440 ~~examinations or assessment instruments and related materials or~~  
441 ~~data as prescribed in s. 1008.23.~~

442 (8) ~~(10)~~ (a) A student who meets all requirements prescribed  
443 in subsections (1), (4), and (5) shall be awarded a standard  
444 diploma in a form prescribed by the State Board of Education. A  
445 district school board may attach the Florida gold seal career  
446 endorsement to a standard diploma or, instead of the standard  
447 diploma, award differentiated diplomas to those exceeding the  
448 prescribed minimums.

449 (b) A student who completes the minimum number of credits  
450 and other requirements prescribed by subsections (1) and (4),  
451 but who is unable to meet the standards of paragraph (5) (a),  
452 paragraph (5) (b), or paragraph (5) (c), shall be awarded a  
453 certificate of completion in a form prescribed by the State  
454 Board of Education. However, any student who is otherwise  
455 entitled to a certificate of completion may elect to remain in  
456 the secondary school either as a full-time student or a part-  
457 time student for up to 1 additional year and receive special  
458 instruction designed to remedy his or her identified  
459 deficiencies.

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460       ~~(11) (a) Each district school board must provide~~  
461 ~~instruction to prepare students with disabilities to demonstrate~~  
462 ~~proficiency in the core content knowledge and skills necessary~~  
463 ~~for successful grade-to-grade progression and high school~~  
464 ~~graduation.~~

465       ~~(b) A student with a disability, as defined in s.~~  
466 ~~1007.02(2), for whom the individual educational plan (IEP)~~  
467 ~~committee determines that the FCAT cannot accurately measure the~~  
468 ~~student's abilities taking into consideration all allowable~~  
469 ~~accommodations, shall have the FCAT requirement of paragraph~~  
470 ~~(5) (a) waived for the purpose of receiving a standard high~~  
471 ~~school diploma, if the student:~~

472           ~~1. Completes the minimum number of credits and other~~  
473 ~~requirements prescribed by subsections (1) and (4).~~

474           ~~2. Does not meet the requirements of paragraph (5) (a)~~  
475 ~~after one opportunity in 10th grade and one opportunity in 11th~~  
476 ~~grade.~~

477       ~~(12) The Commissioner of Education may award a standard~~  
478 ~~high school diploma to honorably discharged veterans who started~~  
479 ~~high school between 1937 and 1946 and were scheduled to graduate~~  
480 ~~between 1941 and 1950 but were inducted into the United States~~  
481 ~~Armed Forces between September 16, 1940, and December 31, 1946,~~  
482 ~~prior to completing the necessary high school graduation~~  
483 ~~requirements. Upon the recommendation of the commissioner, the~~  
484 ~~State Board of Education may develop criteria and guidelines for~~  
485 ~~awarding such diplomas.~~

486       ~~(13) The Commissioner of Education may award a standard~~  
487 ~~high school diploma to honorably discharged veterans who started~~

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488 ~~high school between 1946 and 1950 and were scheduled to graduate~~  
489 ~~between 1949 and 1955, but were inducted into the United States~~  
490 ~~Armed Forces between June 1949 and January 1955, and served~~  
491 ~~during the Korean War prior to completing the necessary high~~  
492 ~~school graduation requirements. Upon the recommendation of the~~  
493 ~~commissioner, the State Board of Education may develop criteria~~  
494 ~~and guidelines for awarding such diplomas.~~

495 Section 8. Section 1003.433, Florida Statutes, is amended  
496 to read:

497 1003.433 Learning opportunities for out-of-state and out-  
498 of-country transfer students and students needing additional  
499 instruction to meet high school graduation requirements.--

500 (1) Students who enter a Florida public school at the  
501 eleventh or twelfth grade from out of state or from a foreign  
502 country shall not be required to spend additional time in a  
503 Florida public school in order to meet the high school course  
504 requirements if the student has met all requirements of the  
505 school district, state, or country from which he or she is  
506 transferring. Such students who are not proficient in English  
507 should receive immediate and intensive instruction in English  
508 language acquisition. However, to receive a standard high school  
509 diploma, a transfer student must earn a 2.0 grade point average  
510 and pass the end-of-course assessments required for high school  
511 graduation in accordance with s. 1008.22(3)(c) ~~grade 10 FCAT~~  
512 ~~required in s. 1008.22(3) or an alternate assessment as~~  
513 ~~described in s. 1008.22(10).~~

514 (2) Students who have met all requirements for the  
515 standard high school diploma except for passage of the end-of-  
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516 course assessments required for high school graduation ~~grade 10~~  
517 ~~FCAT or an alternate assessment by the end of grade 12~~ must be  
518 provided the following learning opportunities:

519 (a) Participation in an accelerated high school  
520 equivalency diploma preparation program during the summer.

521 (b) Upon receipt of a certificate of completion, be  
522 allowed to take the College Placement Test and be admitted to  
523 remedial or credit courses at a state community college, as  
524 appropriate.

525 (c) Participation in an adult general education program as  
526 provided in s. 1004.93 for such time as the student requires to  
527 master English, reading, mathematics, or any other subject  
528 required for high school graduation. Students attending adult  
529 basic, adult secondary, or vocational-preparatory instruction  
530 are exempt from any requirement for the payment of tuition and  
531 fees, including lab fees, pursuant to s. 1009.25. A student  
532 attending an adult general education program shall have the  
533 opportunity to take the end-of-course assessments required for  
534 high school graduation ~~grade 10 FCAT~~ an unlimited number of  
535 times in order to receive a standard high school diploma.

536 (3) Students who have been enrolled in an ESOL program for  
537 less than 2 school years and have met all requirements for the  
538 standard high school diploma except for passage of the end-of-  
539 course assessments required for high school graduation ~~grade 10~~  
540 ~~FCAT or alternate assessment~~ may receive immersion English  
541 language instruction during the summer following their senior  
542 year. Students receiving such instruction are eligible to take  
543 the FCAT or alternate assessment and receive a standard high  
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544 school diploma upon passage of the grade 10 FCAT or the  
545 alternate assessment. This subsection shall be implemented to  
546 the extent funding is provided in the General Appropriations  
547 Act.

548 (4) The district school superintendent shall be  
549 responsible for notifying all students of the consequences of  
550 failure to receive a standard high school diploma, including the  
551 potential ineligibility for financial assistance at  
552 postsecondary educational institutions.

553 (5) The State Board of Education may adopt rules pursuant  
554 to ss. 120.536(1) and 120.54 to administer this section.

555 Section 9. Subsection (4) of section 1007.263, Florida  
556 Statutes, is amended to read:

557 1007.263 Community colleges; admissions of students.--Each  
558 community college board of trustees is authorized to adopt rules  
559 governing admissions of students subject to this section and  
560 rules of the State Board of Education. These rules shall include  
561 the following:

562 (4) A student who has been awarded a special diploma as  
563 defined in s. 1003.438 or a certificate of completion as defined  
564 in s. 1003.43(8)~~(10)~~ is eligible to enroll in certificate career  
565 education programs.

566  
567 Each board of trustees shall establish policies that notify  
568 students about, and place students into, adult basic education,  
569 adult secondary education, or other instructional programs that  
570 provide students with alternatives to traditional college-  
571 preparatory instruction, including private provider instruction.

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572 A student is prohibited from enrolling in additional college-  
573 level courses until the student scores above the cut-score on  
574 all sections of the common placement test.

575 Section 10. Subsections (11) and (12) of section 1008.22,  
576 Florida Statutes, are renumbered as subsections (10) and (11),  
577 respectively, and paragraph (c) of subsection (3) and present  
578 subsection (10) of that section are amended to read:

579 1008.22 Student assessment program for public schools.--

580 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall  
581 design and implement a statewide program of educational  
582 assessment that provides information for the improvement of the  
583 operation and management of the public schools, including  
584 schools operating for the purpose of providing educational  
585 services to youth in Department of Juvenile Justice programs.  
586 The commissioner may enter into contracts for the continued  
587 administration of the assessment, testing, and evaluation  
588 programs authorized and funded by the Legislature. Contracts may  
589 be initiated in 1 fiscal year and continue into the next and may  
590 be paid from the appropriations of either or both fiscal years.  
591 The commissioner is authorized to negotiate for the sale or  
592 lease of tests, scoring protocols, test scoring services, and  
593 related materials developed pursuant to law. Pursuant to the  
594 statewide assessment program, the commissioner shall:

595 (c) Develop and implement a student achievement testing  
596 program known as the Florida Comprehensive Assessment Test  
597 (FCAT) as part of the statewide assessment program to measure a  
598 student's content knowledge and skills in reading, writing,  
599 science, and mathematics. Other content areas may be included as  
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600 directed by the commissioner. Comprehensive assessments of  
601 reading and mathematics shall be administered annually in grades  
602 3 through 10. Comprehensive assessments of writing and science  
603 shall be administered at least once at the elementary, middle,  
604 and high school levels. End-of-course assessments for a subject  
605 may be administered in addition to the comprehensive assessments  
606 required for that subject under this paragraph. An end-of-course  
607 assessment must be rigorous, statewide, standardized, and  
608 developed or approved by the department. The content knowledge  
609 and skills assessed by comprehensive and end-of-course  
610 assessments must be aligned to the core curricular content  
611 established in the Sunshine State Standards. The commissioner  
612 may select one or more nationally developed comprehensive  
613 examinations, which may include, but need not be limited to,  
614 examinations for a College Board Advanced Placement course,  
615 International Baccalaureate course, or Advanced International  
616 Certificate of Education course or industry-approved  
617 examinations to earn national industry certifications as defined  
618 in s. 1003.492, for use as end-of-course assessments under this  
619 paragraph, if the commissioner determines that the content  
620 knowledge and skills assessed by the examinations meet or exceed  
621 the grade level expectations for the core curricular content  
622 established for the course in the Next Generation Sunshine State  
623 Standards. The commissioner may collaborate with the American  
624 Diploma Project in the adoption or development of rigorous end-  
625 of-course assessments that are aligned to the Next Generation  
626 Sunshine State Standards. The testing program must be designed  
627 as follows:

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628           1. The tests shall measure student skills and competencies  
629 adopted by the State Board of Education as specified in  
630 paragraph (a). The tests must measure and report student  
631 proficiency levels of all students assessed in reading, writing,  
632 mathematics, and science. The commissioner shall provide for the  
633 tests to be developed or obtained, as appropriate, through  
634 contracts and project agreements with private vendors, public  
635 vendors, public agencies, postsecondary educational  
636 institutions, or school districts. The commissioner shall obtain  
637 input with respect to the design and implementation of the  
638 testing program from state educators, assistive technology  
639 experts, and the public.

640           2. The testing program shall be composed of criterion-  
641 referenced tests that shall, to the extent determined by the  
642 commissioner, include test items that require the student to  
643 produce information or perform tasks in such a way that the core  
644 content knowledge and skills he or she uses can be measured.

645           3. Beginning with the 2008-2009 school year, the  
646 commissioner shall discontinue administration of the selected-  
647 response test items on the comprehensive assessments of writing.  
648 Beginning with the 2012-2013 school year, the comprehensive  
649 assessments of writing shall be composed of a combination of  
650 selected-response test items, short-response performance tasks,  
651 and extended-response performance tasks, which shall measure a  
652 student's content knowledge of writing, including, but not  
653 limited to, paragraph and sentence structure, sentence  
654 construction, grammar and usage, punctuation, capitalization,

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655 spelling, parts of speech, verb tense, irregular verbs, subject-  
656 verb agreement, and noun-pronoun agreement.

657 4. A score shall be designated for each subject area  
658 tested, below which score a student's performance is deemed  
659 inadequate. The school districts shall provide appropriate  
660 remedial instruction to students who score below these levels.

661 5. Except as provided in s. 1003.4282 ~~1003.428(8)(b) or s.~~  
662 ~~1003.43(11)(b)~~, students must earn a passing score on end-of-  
663 course assessments being developed and phased in by the  
664 department the grade 10 assessment test described in this  
665 ~~paragraph or attain concordant scores as described in subsection~~  
666 ~~(10) in language arts reading, writing, and mathematics to~~  
667 qualify for a standard high school diploma. The State Board of  
668 Education shall designate a passing score for each end-of-course  
669 part of the grade 10 assessment, including passing scores for  
670 the reading and writing portions of the language arts  
671 assessments test. In establishing passing scores, the state  
672 board shall consider any possible negative impact of the  
673 assessments test on minority students. ~~The State Board of~~  
674 ~~Education shall adopt rules which specify the passing scores for~~  
675 ~~the grade 10 FCAT. Any such rules, which have the effect of~~  
676 ~~raising the required passing scores, shall apply only to~~  
677 ~~students taking the grade 10 FCAT for the first time after such~~  
678 ~~rules are adopted by the State Board of Education.~~

679 6. Participation in the testing program is mandatory for  
680 all students attending public school, including students served  
681 in Department of Juvenile Justice programs, except as otherwise  
682 prescribed by the commissioner. If a student does not

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683 participate in the statewide assessment, the district must  
684 notify the student's parent and provide the parent with  
685 information regarding the implications of such nonparticipation.  
686 A parent must provide signed consent for a student to receive  
687 classroom instructional accommodations that would not be  
688 available or permitted on the statewide assessments and must  
689 acknowledge in writing that he or she understands the  
690 implications of such instructional accommodations. The State  
691 Board of Education shall adopt rules, based upon recommendations  
692 of the commissioner, for the provision of test accommodations  
693 for students in exceptional education programs and for students  
694 who have limited English proficiency. Accommodations that negate  
695 the validity of a statewide assessment are not allowable in the  
696 administration of the FCAT. However, instructional  
697 accommodations are allowable in the classroom if included in a  
698 student's individual education plan. Students using  
699 instructional accommodations in the classroom that are not  
700 allowable as accommodations on the FCAT may have the FCAT  
701 requirement waived pursuant to the requirements of s. 1003.4282  
702 ~~1003.428(8)(b) or s. 1003.43(11)(b)~~.

703 7. A student seeking an adult high school diploma must  
704 meet the same testing requirements that a regular high school  
705 student must meet.

706 8. District school boards must provide instruction to  
707 prepare students to demonstrate proficiency in the core  
708 curricular content established in the Next Generation Sunshine  
709 State Standards adopted under s. 1003.41, including the core  
710 content knowledge and skills necessary for successful grade-to-  
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711 grade progression and high school graduation. If a student is  
712 provided with instructional accommodations in the classroom that  
713 are not allowable as accommodations in the statewide assessment  
714 program, as described in the test manuals, the district must  
715 inform the parent in writing and must provide the parent with  
716 information regarding the impact on the student's ability to  
717 meet expected proficiency levels in reading, writing, and  
718 mathematics. The commissioner shall conduct studies as necessary  
719 to verify that the required core curricular content is part of  
720 the district instructional programs.

721 9. District school boards must provide opportunities for  
722 students to demonstrate an acceptable level of performance on an  
723 alternative standardized assessment approved by the State Board  
724 of Education following enrollment in summer academies.

725 10. The Department of Education must develop, or select,  
726 and implement a common battery of assessment tools that will be  
727 used in all juvenile justice programs in the state. These tools  
728 must accurately measure the core curricular content established  
729 in the Sunshine State Standards.

730 11. For students seeking a special diploma pursuant to s.  
731 1003.438, the Department of Education must develop or select and  
732 implement an alternate assessment tool that accurately measures  
733 the core curricular content established in the Sunshine State  
734 Standards for students with disabilities under s. 1003.438.

735 12. The Commissioner of Education shall establish  
736 schedules for the administration of statewide assessments and  
737 the reporting of student test results. The commissioner shall,  
738 by August 1 of each year, notify each school district in writing

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739 and publish on the department's Internet website the testing and  
740 reporting schedules for, at a minimum, the school year following  
741 the upcoming school year. The testing and reporting schedules  
742 shall require that:

743 a. There is the latest possible administration of  
744 statewide assessments and the earliest possible reporting to the  
745 school districts of student test results which is feasible  
746 within available technology and specific appropriations;  
747 however, test results must be made available no later than the  
748 final day of the regular school year for students.

749 b. Beginning with the 2010-2011 school year, a  
750 comprehensive statewide assessment of writing is not  
751 administered earlier than the week of March 1 and a  
752 comprehensive statewide assessment of any other subject is not  
753 administered earlier than the week of April 15.

754 c. A statewide standardized end-of-course assessment is  
755 administered within the last 2 weeks of the course.

756  
757 The commissioner may, based on collaboration and input from  
758 school districts, design and implement student testing programs,  
759 for any grade level and subject area, necessary to effectively  
760 monitor educational achievement in the state, including the  
761 measurement of educational achievement of the Sunshine State  
762 Standards for students with disabilities. Development and  
763 refinement of assessments shall include universal design  
764 principles and accessibility standards that will prevent any  
765 unintended obstacles for students with disabilities while  
766 ensuring the validity and reliability of the test. These

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767 principles should be applicable to all technology platforms and  
768 assistive devices available for the assessments. The field  
769 testing process and psychometric analyses for the statewide  
770 assessment program must include an appropriate percentage of  
771 students with disabilities and an evaluation or determination of  
772 the effect of test items on such students.

773 ~~(10) CONCORDANT SCORES FOR THE FCAT.~~

774 ~~(a) The State Board of Education shall analyze the content~~  
775 ~~and concordant data sets for widely used high school achievement~~  
776 ~~tests, including, but not limited to, the PSAT, PLAN, SAT, ACT,~~  
777 ~~and College Placement Test, to assess if concordant scores for~~  
778 ~~FCAT scores can be determined for high school graduation,~~  
779 ~~college placement, and scholarship awards. In cases where~~  
780 ~~content alignment and concordant scores can be determined, the~~  
781 ~~Commissioner of Education shall adopt those scores as meeting~~  
782 ~~the graduation requirement in lieu of achieving the FCAT passing~~  
783 ~~score and may adopt those scores as being sufficient to achieve~~  
784 ~~additional purposes as determined by rule. Each time that test~~  
785 ~~content or scoring procedures change for the FCAT or for a high~~  
786 ~~school achievement test for which a concordant score is~~  
787 ~~determined, new concordant scores must be determined.~~

788 ~~(b) In order to use a concordant subject area score~~  
789 ~~pursuant to this subsection to satisfy the assessment~~  
790 ~~requirement for a standard high school diploma as provided in s.~~  
791 ~~1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must~~  
792 ~~take each subject area of the grade 10 FCAT a total of three~~  
793 ~~times without earning a passing score. The requirements of this~~  
794 ~~paragraph shall not apply to a new student who enters the~~

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795 ~~Florida public school system in grade 12, who may either achieve~~  
796 ~~a passing score on the FCAT or use an approved subject area~~  
797 ~~concordant score to fulfill the graduation requirement.~~

798 ~~(c) The State Board of Education may define by rule the~~  
799 ~~allowable uses, other than to satisfy the high school graduation~~  
800 ~~requirement, for concordant scores as described in this~~  
801 ~~subsection. Such uses may include, but need not be limited to,~~  
802 ~~achieving appropriate standardized test scores required for the~~  
803 ~~awarding of Florida Bright Futures Scholarships and college~~  
804 ~~placement.~~

805 Section 11. Subsection (3) of section 1008.30, Florida  
806 Statutes, is amended to read:

807 1008.30 Common placement testing for public postsecondary  
808 education.--

809 (3) The State Board of Education shall adopt rules that  
810 require high schools to evaluate before the beginning of grade  
811 12 the college readiness of each student who indicates an  
812 interest in postsecondary education and achieves passing scores  
813 on the language arts and at Level 2 or Level 3 on the reading  
814 portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on  
815 the mathematics end-of-course assessments required for high  
816 school graduation ~~portion of the grade 10 FCAT.~~ High schools  
817 shall perform this evaluation using results from the  
818 corresponding component of the common placement test prescribed  
819 in this section, or an equivalent test identified by the State  
820 Board of Education. The Department of Education shall purchase  
821 or develop the assessments necessary to perform the evaluations  
822 required by this subsection and shall work with the school

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823 districts to administer the assessments. The State Board of  
824 Education shall establish by rule the minimum test scores a  
825 student must achieve to demonstrate readiness. Students who  
826 demonstrate readiness by achieving the minimum test scores  
827 established by the state board and enroll in a community college  
828 within 2 years of achieving such scores shall not be required to  
829 enroll in remediation courses as a condition of acceptance to  
830 any community college. The high school shall use the results of  
831 the test to advise the students of any identified deficiencies  
832 and to the maximum extent practicable provide 12th grade  
833 students access to appropriate remedial instruction prior to  
834 high school graduation. The remedial instruction provided under  
835 this subsection shall be a collaborative effort between  
836 secondary and postsecondary educational institutions. To the  
837 extent courses are available, the Florida Virtual School may be  
838 used to provide the remedial instruction required by this  
839 subsection.

840 Section 12. Paragraph (b) of subsection (1) of section  
841 1009.531, Florida Statutes, is amended to read:

842 1009.531 Florida Bright Futures Scholarship Program;  
843 student eligibility requirements for initial awards.--

844 (1) Effective January 1, 2008, in order to be eligible for  
845 an initial award from any of the three types of scholarships  
846 under the Florida Bright Futures Scholarship Program, a student  
847 must:

848 (b) Earn a standard Florida high school diploma or its  
849 equivalent as described in s. 1003.428, s. 1003.429, s. 1003.43,  
850 or s. 1003.435 unless:

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851 1. The student completes a home education program  
852 according to s. 1002.41; or

853 2. The student earns a high school diploma from a non-  
854 Florida school while living with a parent or guardian who is on  
855 military or public service assignment away from Florida.

856 Section 13. This act shall take effect July 1, 2009.  
857

858 -----

859 **T I T L E A M E N D M E N T**

860 Remove the entire title and insert:

861 A bill to be entitled

862 An act relating to high school graduation; amending s. 1003.03,  
863 F.S.; conforming provisions to the replacement by the act of the  
864 grade 10 Florida Comprehensive Assessment Test with end-of-  
865 course assessments for purposes of high school graduation  
866 requirements; amending s. 1003.428, F.S.; requiring that  
867 students be advised of the availability of certain courses for  
868 purposes of high school graduation; providing credit  
869 requirements for high school graduation with a standard diploma  
870 beginning with students entering grade 9 in the 2010-2011 school  
871 year and students entering grade 9 in the 2012-2013 school year;  
872 revising remedial course requirements to conform to the  
873 replacement by the act of the grade 10 FCAT with end-of-course  
874 assessments; deleting provisions relating to general  
875 requirements for high school graduation to conform to changes  
876 made by the act; creating s. 1003.4282, F.S.; providing for  
877 accommodations for students with disabilities for purposes of  
878 high school graduation; creating s. 1003.4286, F.S.; creating  
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879 the Graduation Exit Option Program under which a high school  
880 student shall be awarded an alternative diploma; providing  
881 requirements for participation in the program and receipt of a  
882 diploma; providing Department of Education duties and requiring  
883 State Board of Education rules; creating s. 1003.4287, F.S.;  
884 authorizing the award of a standard high school diploma to  
885 certain honorably discharged veterans; amending s. 1003.429,  
886 F.S.; requiring that students be advised of the availability of  
887 certain courses for purposes of an accelerated high school  
888 graduation option; revising high school graduation requirements  
889 to conform to the replacement by the act of the grade 10 FCAT  
890 with end-of-course assessments; amending s. 1003.43, F.S.;  
891 revising high school graduation requirements to conform to the  
892 replacement by the act of the grade 10 FCAT with end-of-course  
893 assessments; deleting provisions relating to general  
894 requirements for high school graduation to conform to changes  
895 made by the act; amending s. 1003.433, F.S.; revising high  
896 school graduation requirements for transfer students to conform  
897 to the replacement by the act of the grade 10 FCAT with end-of-  
898 course assessments; amending s. 1007.263, F.S.; conforming a  
899 cross-reference; amending s. 1008.22, F.S.; requiring students  
900 to pass certain end-of-course assessments to qualify for a high  
901 school diploma; requiring the State Board of Education to  
902 designate passing scores; deleting provisions requiring passing  
903 scores on the grade 10 FCAT for purposes of a high school  
904 diploma; conforming cross-references; deleting provisions for  
905 the establishment of concordant scores used for purposes of high  
906 school graduation as alternative to FCAT scores; amending s.  
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HOUSE AMENDMENT  
Bill No. CS/CS/HB 1293

Amendment No.

907 1008.30, F.S.; revising requirements for high schools to  
908 evaluate the college readiness of students; conforming  
909 provisions; amending s. 1009.531, F.S.; conforming provisions;  
910 providing an effective date.

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