



**MIDDLE SCHOOL
STUDENT PROGRESSION PLAN
(GRADES 6-8)**

2013-2014

Sarasota County School Board Approval

Required Public Notice [[FS 1008.25\(8\)](#)]

The School Board of Sarasota County, Florida will publish annually in the local newspaper, and report in writing to the Florida State Board of Education by September 1, the following information on the prior school year:

- The provision of [[FS 1008.25\(8\)\(b\)](#)] relating to public school student progression and the district school board's policies and procedures on student retention and promotion.
- By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the reading portion of the FCAT 2.0.
- By grade, the number and percentage of students retained in grades 3 through 10.
- Any revisions to the district board's policy on student retention and promotion from the prior year.

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PREFACE

The Student Progression Plan is designed to support the philosophy and goals of the School Board of Sarasota County, Florida. The plan recognizes that students have unique characteristics, needs, and learning styles. It addresses a number of areas including student progression, remediation alternatives, retention, assessment and placement in special and alternative programs.

All School Board of Sarasota County Curriculum objectives for Middle School courses are aligned with the Common Core State Standards and the Next Generation Sunshine State Standards. Proficiency in reading, mathematics, and science is measured by the Florida Comprehensive Assessment Test (FCAT2.0), end of course exams, and district assessments. Each school will offer courses of study and instruction that reflect the Common Core State Standards and the Next Generation Sunshine State Standards in Grades 6-8 language arts, mathematics, science, social studies, foreign languages, health-physical education, the arts and career-technical education. Instruction will address the skills and competencies that a student must master in order to be promoted from Middle School to High School.

I. MIDDLE GRADES PROMOTION REQUIREMENTS [[FS 1003.4156](#)]

A. Promotion from middle school grades 6, 7, and 8 requires that a student must successfully complete the following academic courses or higher:

Grade	Required Courses			
6	English Language Arts	Math	Earth/Space Science	Social Studies
7	English Language Arts	Math*	Life Science	Social Studies/ Civics**
8	English Language Arts	Math*	Physical Science	Social Studies/ Career Education and Planning

* Each school that includes middle grades will offer at least one high school mathematics course for which students may earn high school credit. To earn high school credit for Algebra I, a middle grades student must pass the Algebra I statewide, standardized assessment. Beginning with the 2012-2013 school year, to earn high school credit for a geometry course, the middle grades student must take the statewide, standardized geometry assessment, which constitutes 30% of the student’s final course grade, and earn a passing grade in the course.

**Beginning with the 2013-2014 school year, each student’s performance on the statewide standardized EOC assessment in civics education constitutes 30% of the student’s final course grade.

The school principal or designee shall determine whether a student who transfers to the middle grades school, and who has successfully completed a civics course at the previous school, must take the Civics EOC. [[FS 1008.22\(3\)\(C\)\(2\)\(b\)](#)]

B. The Career and Education Planning course is a required component of the Middle Grades Social Studies curriculum and will include online access to career planning options and tools. In grade 8, students will develop a personalized academic and career plan signed by student, teacher, and parent/guardian. The plan will be reviewed and updated by the student and school counselor.

C. Each school that includes middle grades must conduct an annual parent meeting in the evening or on a weekend to inform parents about the course curriculum and activities. [[FS1003.4156\(1\)\(a\)\(1-5\)](#)]

II. REQUIRED REMEDIATION IN READING AND MATHEMATICS

A. Reading Remediation - If a middle grades student scores Level 1 or Level 2 on FCAT 2.0 Reading, the student must enroll in and complete a remedial course or content area course in which remediation strategies are incorporated into course content delivery. All diagnostic, placement, progress monitoring, and reading program strategies will be conducted in accordance with the Sarasota K-12 Comprehensive Reading Plan as required by [[FS 1001.62\(8\)](#)].

- B. Mathematics Remediation - – If a middle grades student scores Level 1 or Level 2 on FCAT 2.0 Mathematics, the student must receive remediation. This remediation requirement will either be integrated into the student’s required mathematics course at the next grade level, or the student will participate in an intensive remedial course.

III. GRADING SYSTEM

- A. The teacher shall be the authority in assigning each student a grade.
- B. Evaluation of achievement will indicate progress toward the mastery of Common Core State Standards and Next Generation Sunshine State Standards. The grades reflecting achievement in academic courses in grades 6-8 with numerical equivalents shall be:

A	90-100%	4.0 GPA	Outstanding Progress
B	80-89%	3.0 GPA	Above average progress
C	70-79%	2.0 GPA	Average progress
D	60-69%	1.0 GPA	Lowest acceptable progress
F	0-59%	0.0 GPA	Failure
I	0%	0.0 GPA	Incomplete
N			No Grade

- C. The student’s final grade in a course will be determined by quarterly academic grades and other relevant performance criteria (e.g., exams, projects and other demonstrations of mastery of the Common Core State Standards or the Next Generation Sunshine State Standards). Teachers have the responsibility to determine final grades using quarter grades and other evaluations as appropriate. (The final grade does not always reflect a simple average of quarter grades).

- D. Student Work Habits and Effort will be indicated by the following codes:

E	=	Excellent
G	=	Good
S	=	Satisfactory
N	=	Needs Improvement
U	=	Unsatisfactory
-	=	Not evaluated

These factors will be considered when evaluating student work habits and effort:

- Attends class regularly
- Arrives to class on time
- Comes prepared with required work tools
- Completes assigned homework

- Maintains an assigned notebook or other organization system
 - Is dressed appropriately
 - Participates in class work and discussions
 - Is motivated and organized
 - Shows an attitude of cooperation with teacher and fellow students
 - Is respectful of others' class participation and opportunities to learn
- E. Teacher comments on the report card shall be indicated through a coding system, and the report card shall contain a narrative explanation of the grading system.
- F. Report cards shall be issued four times during the school year. In addition, schools are required to issue mid-quarter progress reports to all students.
- G. Any time during a grading period that a student is in danger of failing, the teacher must make a documented contact with the parent by speaking with them on the phone, meeting in a conference, or sending written notification [[FAC 6A-6.0908](#)].
- H. Parent-teacher conferences shall be scheduled as requested by parents and/or teachers.
- I. Any parent or guardian, after consulting with the teacher, may request that the principal review any grade given a student at the end of a reporting period. However, such grade may not be changed or altered unless there is an apparent error in the grade calculation. If further appeal is requested, a review panel, as described in the SCTA/School Board of Sarasota County Instructional Bargaining Unit Agreement, will be charged to investigate and render a binding judgment.

IV. EXPECTED PERFORMANCE LEVELS

- A. Students in Florida and Sarasota County schools are expected to meet state and local performance standards as follows:

Grade Level	Reading Comprehension	Writing Assessment	Mathematics	Science	Social Studies
6	≥ Level 3 FCAT2.0	State Proficiency Classroom/School Assessment	≥ Level 3 FCAT2.0*		
7	≥ Level 3 FCAT2.0	State Proficiency Classroom/School Assessment	≥ Level 3 FCAT2.0*		Beginning in 2013-2014, students must take the Civics EOC to count for 30% of his/her grade.

8	≥ Level 3 FCAT 2.0	At or above state proficiency level FCAT Writing	≥ Level 3 FCAT2.0*	≥ Level 3 FCAT2.0	
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*and/or pass the appropriate high school end of course assessment

- B. Students with disabilities are required to meet the same standards as non-disabled students unless they are taking access point classes and participating in Alternative Assessment instead of FCAT 2.0.

V. RETENTION

- A. Students who fail more than two of the 4 core academic courses (language arts, mathematics, social studies, science) will be retained.
- B. Students in grade 6 or 7 who fail two of the 4 core academic courses must attend summer school to recover one or more of the courses or be retained. Students in grade 6 or 7 may be conditionally promoted to the next grade upon successful completion of one failed course during summer school. These students are expected to be enrolled in course recovery for the second failed course during the next school year.
- C. Students who fail one core academic course may be conditionally promoted to the next grade. These students are expected to attend summer school to recover the course.
- D. 7th grade students must successfully complete all 6th grade core academic courses or higher and if necessary comply with B and C above to be promoted to grade 8. 8th grade students must successfully complete all 6th, 7th, and 8th grade core academic courses or higher to be promoted to grade 9. Grade 8 students may not be promoted to grade 9 until they have successfully passed all 12 middle grades core courses or higher.
- E. Conditionally promoted students in grade 7 or 8 who have not passed all courses of the previous grade must be passing all courses at the end of the 1st quarter to remain at that grade level. Students failing one or more courses will be returned to previous grade.
- F. No promotion or retention decision may be made for any individual student classified as English Language Learner (ELL)/ Limited English Proficient (LEP) solely on a score on any single assessment instrument, whether such assessment instrument is part of the statewide assessment program or of a formal district assessment process. A formal retention recommendation regarding an ELL/LEP student may be made through action of the school's ELL/LEP Committee [[FAC 6A-1.09432](#)].
- G. Students who attend academic summer school in other states or districts may be conditionally promoted based on transcripts or other data indicating that they have successfully completed remediation. This promotion will be validated through student performance in the first quarter of grade 7 or 8 through district and classroom assessments.
- H. Students will not be retained for reasons other than course failures as stated in A-G.

VI. ACCELERATION Academic Challenging Curriculum to Enhance Learning (ACCEL)

- A. ACCEL options 1003.4295 F.S. are educational options that provide academically challenging curriculum or accelerated instruction to eligible students. ***For the majority of students, in-class differentiation provides the learning opportunities needed for advanced students to be***

Changes may occur any time pending legislation

challenged. The school must carefully consider the effect of ACCEL options, especially mid-year and full-year promotion, on the student's future social, emotional and academic performance. A plan for the smooth transition from the student's current grade to a higher grade must be developed, as well as assurance of continuous course progression into high school. **The students' commitment, desire for the program and maturity level must be considered as well as meeting the eligibility requirements.** School principals are required to inform parents and students of the available ACCEL options and the student eligibility requirements. Parent permission is necessary for ACCEL options.

Acceleration Options:

Whole Grade Promotion – Promotion of a student occurring at the end of the school year from one grade to a grade higher than normal matriculation allows. The student will be monitored for the first four (4) weeks of the change of placement to assess progress. If acceleration is not appropriate for the student as determined by the school principal, **the student will be returned to the former placement.**

Mid-Year Promotion – A student remains coded in the grade level they are currently enrolled in and is placed in the next grade level for instruction. The student will be monitored every four (4) weeks of the change of placement to assess progress. If acceleration is not appropriate for the student as determined by the school principal, **the student will be returned to the former placement.** If appropriately placed, the student will be formally promoted to the next grade level mid-year.

Subject Matter Acceleration – A student that is placed with students at a more advanced grade level on campus for one or more subjects for a part of a day without being assigned to a higher grade. The student will be monitored every four (4) weeks of the change of placement to assess progress. If acceleration is not appropriate for the student as determined by the school principal, **the student will be returned to the former placement.** High school courses taken in middle grade schools will be used to satisfy middle school promotion criteria once the student is enrolled in high school. The grades will become part of the high school academic record, including failing grades, and may impact future promotion. Student schedules must reflect courses taken. **High school courses other than (Algebra I, Geometry, Spanish I, French I, Chinese I, and Speech I which we teach at our middle grade schools) are accessible only through Sarasota Virtual Academy (SVA) or Florida Virtual School's (FLVS) Part Time Program.**

Virtual Instruction Higher Grade-Level Subjects - A student that is placed with students at a more advanced grade level in a virtual class for one or more subjects for a part of a day without being assigned to a higher grade. High school courses (see above) are accessible only through Sarasota Virtual Academy (SVA) or Florida Virtual School's (FLVS) Part Time Program.

Credit Acceleration Program (CAP) - 1003.4295, F.S. The Credit Acceleration Program (CAP) authorizes secondary students to earn high school credit in a course that requires a statewide, standardized end-of-course (EOC) assessment if the student attains a specified score on the EOC. For

2012-13, these courses include Algebra 1, Geometry, and Biology.

The district shall award course credit to a student who is not enrolled in the course, or who has not completed the course, if the student attains a score indicating satisfactory performance, as defined in F.S. 1008.22(3)c 5 on the corresponding EOC. Students interested in this option should confer with their counselor. 1003.4295 F.S.

The requirements and eligibility process is as follows:

- The EOC will be administered only at the times established by the state assessment calendar.
- The score necessary to earn credit will be determined by the state and applied in all situations.
- Only credit (no grade) will be earned by meeting the passing score on the EOC.
- For the April testing date, the Mastery Exam Request Form (Appendix D) must be completed and received by school counselor no later than February 1.
- For the July testing date, the Mastery Exam Request Form (Appendix D) must be completed and received by school counselor no later than May 1.
- For the September testing date, the Mastery Exam Request Form (Appendix D) must be completed and received by the school counselor no later than July 1.
- For the December/January testing date, the Mastery Exam Request Form (Appendix D) must be completed and received by school counselor no later than October 1.
- As part of the Mastery Exam Request, students will be required to supply evidence that they are prepared to sit for the EOC or that there is reasonable justification for the request. This evidence includes but is not limited to previous FCAT scores and grade in the most recent math or science course taken.
- If a student takes the EOC and does not earn credit, the student will not be eligible to apply for further CAP testing for the same course until additional preparation has been documented and evaluated.

Multi-Age Gifted – A district identified gifted or high achieving student may be placed with multi-age students (Grades 6-8) for the entire day to work on Advanced 6-8 coursework (which generally rotates on a three year cycle). The program provides a uniquely differentiated curriculum and allows students the opportunity to interact with intellectually similar peers throughout the day.

This approach will allow students to collaborate with other like-minded students, engage in more challenging assignments and gain confidence to express ideas in alternative ways. Students will gain opportunities to study content with a greater depth and complexity.

Procedures - The following procedure must be followed to consider a student for any of the ACCEL options:

1. If a parent requests consideration, it must be in writing using the *Request for Middle Grades Acceleration* form (Appendix C).
2. The parent must meet with the Principal/Counselor to review the request and the student's eligibility for acceleration.

3. If the request is granted, the parent and student must agree to a *Middle Grades Performance Contract* (Appendix C) prior to acceleration being granted.

Criteria and Procedures

Criteria	Whole Grade Promotion	Mid-Year Promotion	*Subject Matter Acceleration	Virtual Instruction Higher Grade-Level Subjects	Gifted Multi-Age (3 year program)
School Based, Parental and Teacher initiated Requests	Request must be submitted in writing by May 1 of the current school year using the <u>Request for Acceleration</u> form (Appendix C)		Request must be submitted in writing prior to the end of the first nine weeks of the current school year using the <u>Request for Acceleration</u> form (Appendix C)		School based decision
Assessment Results and Grades	<p>A recent FCAT Level 5 in reading and mathematics.</p> <p>Final grades in previous school year core course work (science, math, social studies and English Language Arts) must reflect 90% or above.</p> <p>Current core course work (science, math, social studies and English Language Arts) must reflect 90% or above.</p>	<p>A recent FCAT Level 5 in reading or mathematics.</p> <p>Final grades in previous school year core course work being considered for acceleration must reflect 90% or above.</p> <p>Current core course work being considered for acceleration must reflect 90% or above.</p> <p>*See Appendix B for Fast-Track Advanced Math Placement Criteria</p>	<p>District identified gifted students</p> <p>Students with high academic achievement pending availability as determined by school staff</p> <p>School based matrix (See school counselor)</p>		
Attendance	No more than 5 absences in a period of 30 days or no more than 10 absences in a period of 90 calendar days.				
Teacher Recommendation	A written recommendation from the student’s current grade level teachers for promotion requested				
School Counselor Recommendation	A written recommendation from the student’s current school counselor for promotion requested				
Principal Approval	In accordance with state statute 1012.28 (5) F.S the principal of the school is the final authority in the placement of students in programs or classes.				
District Approval	If promotion involves a change in schools, the executive directors and principals of both schools must be involved in the decision process.				

VII. PARENT NOTIFICATION

Annually, the school district shall provide a written report to parents/guardians of students' performance on each statewide assessment [[FAC 6A-6.0908\(2\)](#)].

VIII. PROGRESSION FOR ENGLISH LANGUAGE LEARNER/LIMITED ENGLISH PROFICIENCY STUDENTS

- A. As required by [[FS 1003.56](#)], Sarasota District schools will provide ELL/ LEP students with comprehensive instruction that is equal in amount, sequence, and scope as that provided to non-ELL/LEP students. The district will enroll ELL/LEP students who are reading below grade level in English and who score Level 1 or Level 2 on FCAT Reading in courses appropriate to their level of English proficiency and reading ability.
- B. Diagnostic, placement, progress monitoring and evaluation of ELL/ LEP student performance in reading will be conducted as specified in the district's K-12 Comprehensive Reading Plan.

IX. HIGH SCHOOL CREDIT FOR MIDDLE SCHOOL

A. **High School Credit in Middle School**

In accordance with Florida statutes 1003.4156 F.S., 1008.22 (3)(c)2.a. F.S., Middle grades students may be enrolled appropriately in high school credit-earning courses. Courses will adhere to high school grading policy which may be found in the high school program section of the Student Progression Plan.

Middle grades students earning high school credit shall simultaneously be credited with meeting the requirements for the appropriate corresponding pre-grade 9 courses. High school courses taken below grade 9 are included in student's cumulative GPA and may be used to satisfy high school graduation requirements and Bright Futures award requirements. (For additional information see Middle Grades Promotion Policy, page 6)

- B. Based on [[FS 1003.428](#)], middle school students who attempt Algebra I, Algebra I Honors, Geometry Honors, Spanish I, French I, Chinese I, or Speech I or other approved courses through ACCEL for high school credit may repeat the same or a comparable course to replace a grade of "C", "D", or "F" through grade forgiveness. Any grade for a repeated course for credit will replace the former grade in GPA calculation; however, all course grades will still be documented on high school official academic transcripts, cumulative student records, and an automated system. In addition, grades from all courses taken must be included in the GPA calculation unless the grade has been forgiven by retaking the same or comparable course. Under local district policy, if retaking a course improves an "F" to a "D", only the "D" will be calculated in the GPA. If a student earns the same letter grade twice for the same course, only ONE of the letter grades will be counted in the student's GPA calculation. In all cases of grade forgiveness, only new grade shall be used in GPA calculation.
- C. Students who drop a high school course are strongly encouraged to do so during the first grading quarter to avoid academic penalties. If students remain in a high school course(s) through the second grading quarter (first semester), the grade(s) and credit(s) earned will be added to the high

school official academic transcript. Any student dropping a high school course will be returned to a comparable middle school level course. One semester of a high school math course will be considered partial fulfillment of the math course requirement for promotion from 8th to 9th grade.

Please see Appendix A for complete description of Middle Grades EOC requirements.

Students successfully completing middle school may begin earning their community service hours for high school transcripts beginning on the first day of 9th grade.

Students who successfully complete an online course in grades 6-8 for high school credit may use that course to satisfy the online course for high school graduation requirement.

X. TRANSFERS FROM OTHER SCHOOLS

- A. Foreign-Born Students - The grade placement shall be age-appropriate for English Language Learner students who are unable to obtain records from previous schools. The principal may review and make changes in placement based on the academic performance of the student during the first grading period. The principal is responsible for the final placement decision.
- B. See Appendix D for Military Children
- C. Home Education [[FS 1002.41](#)]
 - 1. A “home education program” is the sequentially progressive instruction of a student directed by his or her parent in order to satisfy the attendance requirement of [[FS 1002.41](#), [1003.41](#), [1003.01\(4\)](#), [1003.21\(1\)](#), and [1002.01](#)].
 - 2. Parents must register home education students with the School Board of Sarasota County within 30 days of the establishment of the home education program.
 - 3. Parents must provide written notice of termination to the School Board of Sarasota County within 30 days of the termination of a home education program.
 - 4. Parents must maintain a portfolio of records, educational activities and materials. Portfolios are to be preserved for 2 years after re-entry into Sarasota County Schools and shall be made available for the district school superintendent, or the district school superintendent’s designee, upon 15 days’ written notice.
 - 5. Parents shall provide for annual educational evaluations documenting that the student’s educational progress is at a level commensurate with his or her ability.
 - 6. A home education program shall be excluded from meeting the requirements of a school day.
 - 7. Home education students may participate in School Board of Sarasota County interscholastic extra-curricular student activities at their zoned school. Home education students participating in an extra-curricular activity may attend the specific course required for participation in the activity.
- D. Florida Virtual School
 - 1. Students, including home education students, may take middle grades level courses offered through the Florida Virtual School each year.
 - 2. Florida Virtual School courses shall be available to students during or after the normal school day or during summer school enrollment. Students should be enrolled in a full schedule in the

middle school which may include FLVS course(s).

3. Students requesting to take a course offered by Florida Virtual School must have parent approval. Students and their families must consult with the middle school counselor prior to applying to or enrolling in Florida Virtual School.
 4. Schools must accept all academic grades and credits attempted and/or earned at Florida Virtual School as approved by the school counselor. These grades will also be included in the calculation of the high school GPA for any high school courses taken at the middle school level. Grade forgiveness policies will apply to Florida Virtual School courses.
 5. To avoid academic penalties, students must withdraw from courses based on deadlines set by Florida Virtual School.
 6. A full-time FLVS student who meets specified conduct and academic requirements is eligible to participate in extracurricular activities at the district public school to which the student would be assigned.
- E. Sarasota Virtual School (SVS) is a full-time online district school for students in grades K-12. A parent must request from the Office of Choice and Charter Schools a reassignment from the districted school and meet eligibility requirements in order for the student to be admitted to SVS. Enrollment is typically allowed during open enrollment periods prior to the beginning of the academic year and at midyear.

Sarasota Virtual School is completely Internet based and serves students in grades 6-8. Students with access to the Internet can complete their course work from any place, at any hour, and for as long as they choose. Students are responsible for completing their course assignments and submitting them via email to the teacher for feedback and grading. The chart below will provide a description of the district's full time virtual program and the eligibility criteria for entering Sarasota Virtual School.

PROGRAM NAME	Sarasota Virtual School (SVS) Grades 6-8
PROGRAM DESCRIPTION	<ul style="list-style-type: none"> • SVS is a Full Time district school. • SVS delivers online instruction through contracted Virtual Instruction Providers. • SVS operates by <u>all</u> District guidelines, policies, and procedures. • SVS follows the District's Middle School Student Progression Policy. • SVS students are <u>required</u> to follow the District Attendance Policy. • SVS follows the District school calendar. • Parents must commit to spending at least 2-4 hours per day as a learning coach for their student(s). • Parents and students must attend an orientation session and/ or personal interview with the SVS Supervisor or designee prior to enrollment. • Traditional middle school activities such as, but not limited to, a promotion ceremony, are not available for SVS students. • Students are provided all required text books and necessary resources from the contracted Virtual Instruction Providers; all materials are shipped directly to the students' home from the provider. • <u>Acceleration of grade levels</u> is not permissible. • Virtual Instruction Providers post grades at the end of first (mid-year) and second (end of the year) semesters; students and instructional coaches (parent/guardian) can access academic grades/progress 7 days a week 24 hours a day through the student/parent/ guardian accounts that are set up with the selected Virtual Instruction Provider.

<p>ELIGIBILITY CRITERIA</p>	<ul style="list-style-type: none">• According to section 1002.455, Florida Statutes, students who want to enroll in SVS must meet at least one of the following criteria specified:• Spent the prior school year in attendance at a public school in this state and was enrolled and reported by a public school district for funding during the preceding October and February for purposes of the Florida Education Finance Program (FEFP) surveys.• Is the dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to
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	<p>the parent's permanent change of station orders.</p> <ul style="list-style-type: none"> • Was enrolled during the prior school year in a school district virtual instruction program under Section 1002.45, a K-8 virtual school program under Section 1002.415, or a full-time Florida Virtual School Program under Section 1002.37 (8) (a) of Florida Statutes. • Has a sibling who is currently enrolled in the school district virtual instruction program and that sibling was enrolled in such program at the end of the prior school year.
PROMOTION POLICY	<p>Middle school grade promotions requires students in grades 6, 7, and 8 must successfully complete the following academic courses:</p> <ul style="list-style-type: none"> • 6th Grade- Language Arts, Math, Earth Space Science, Social Studies • 7th Grade- Language Arts, Math*, Life Science, Social Studies/Civics** • 8th Grade- Language Arts, Math*, Physical Science, Social Studies/Career Education and Planning <p>* To earn high school credit for Algebra 1, eligible students must pass the EOC assessment. Beginning with the 2012-2013 school year, to earn high school credit for Geometry, eligible students must pass the Geometry an end of course assessment (EOC) assessment. ** Beginning in 2012-2013,an EOC in civics education shall be administered as a field test at the middle school level. In 2013-2014, this EOC will constitute 30% of the student's final course grade. The school principal or designee shall determine whether a student who transfers to the middle school, and who has successfully completed a civics course at the previous school, must take the Civics EOC.</p>
EXTRA-CURRICULAR ACTIVITIES	<p>SVS students in grades 6-8 may participate in the School Board of Sarasota County interscholastic extra-curricular student activities at their zoned school.</p>
STATE /LOCAL ASSESSMENTS REQUIRED	<p>6-8 students take <u>all</u> required state (FCAT, EOC, etc) and district assessments identified on the District Assessment Calendar.</p>

XI. STUDENT RIGHTS FOR INSTRUCTION

- A. All Sarasota School District classes shall be available to all students without regard to race, color, religion, sex, national origin, age, disability, marital status, or sexual orientation. This is not intended to eliminate the provision of programs designed to meet the needs of students with limited proficiency in English or exceptional education students. [\[FS 1000.05\]](#)
- B. English for Speakers of Other Languages (ESOL) services are designed to meet the communicative, academic, and social needs of English Language Learners (ELLs) as defined in [\[FS 1003.56\]](#). Services will be provided as outlined the District ELL/LEP Plan. No ELL/LEP student will be retained solely due to a lack of English language proficiency.
- C. No student will be denied appropriate use of his/her primary language [\[FS 1003.56\]](#). No national language minority or English Language Learner student shall be subjected to any disciplinary action based on his/her use of a language other than English [\[FAC 6A-6.0908\(3\)\]](#).
- D. Students who become married and students who are pregnant shall not be prohibited from attending school. These students and students who are parents shall receive the same educational instruction or its equivalent as other students but may voluntarily be assigned to a class or program suited to their special needs. Consistent with [\[FS 1003.54\]](#), pregnant or parenting teens may participate in a teenage parent program.
- E. Any student who believes that he/she has been denied participation in or access to an educational program or activity, or has otherwise been discriminated against due to age, sex, race, color, religion, national or ethnic origin, disability, handicapping condition, pregnancy, parenthood, marriage, political beliefs, social and family background, or for any other reason not related to his/her individual capabilities, may file a grievance according to the procedure established in School Board policy and published in the brochure entitled Policy Against

Discrimination for Students, which may be accessed at:

<http://www.sarasota.k12.fl.us/humres/forms/Equity Book-Student.pdf>

- F. In cases of alleged discrimination and/or harassment, nothing in this policy shall prohibit a student, applicant for admission to an educational program or service, or parent from pursuing a grievance through the complaint and/or grievance procedures as may be established by federal and/or state statutes or regulations. No student, applicant for admission to an educational program or service, parent, or employee shall be subject to adverse action in retaliation for having filed a grievance or for having testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted under the authority of this policy.

Appendix A: MIDDLE GRADES STUDENTS AND EOC ASSESSMENT
REQUIREMENTS 2013-2014

MS Algebra 1 EOC 2013-2014	MS Geometry EOC 2013-2014	MS Civics 2013-2014
<p>A student completing Algebra I or Algebra I Honors must take the Algebra I EOC Assessment and achieve a passing score to be awarded high school credit. If the student passes the course (regardless of the Algebra I EOC Assessment score), the course may count as one of the three math courses required for promotion to high school and the course grade used as part of the high school grade point average (GPA). If a student does not pass the EOC Assessment, the student must retake the Algebra I EOC Assessment and achieve a passing score to earn the required high school credit for Algebra I. The student can only retake the same course through middle grade forgiveness (C, D, or F in course); a student who passes the EOC but not the course is not required to retake the course.</p>	<p>A student completing Geometry or Geometry Honors must take the Geometry I EOC Assessment and achieve a passing score which constitutes 30% of the student's final course grade to be awarded high school credit. If the student passes the course (regardless of the Geometry EOC Assessment score), the course may count as one of the three math courses required for promotion to high school and the course grade used as part of the high school grade point average (GPA). If a student does not pass the EOC Assessment, the student must retake the Geometry EOC Assessment and achieve a passing score to earn the required high school credit for Geometry. The student can only retake the same course through middle grade forgiveness (C, D, or F in course); a student who passes the EOC but</p>	<p>Each student's performance on the statewide standardized EOC assessment in Civics Education constitutes 30% of the student's final course grade.</p>

Appendix B: MIDDLE SCHOOL FAST-TRACK ADVANCED MATH CRITERIA

M/J Course 2 Advanced (1205050) in Sixth Grade – Required eligibility criteria
If student does meet the criteria below, then placement is M/J Course 1 Advanced (1205020)

Fifth grade Student must meet 4 out of 5 of these criteria:

- Teacher, Department Chair, and Administrator recommendation
- 95% + cumulative mathematics grade average in 5th grade advanced
- 95% + cumulative mathematics test average in 5th grade advanced
- 3.75 + cumulative grade point average in core content classes through three quarters 5th grade
- 40+ on Orleans-Hanna Algebra Prognosis Test
 - Administered by middle school proctors in May to designated students in the elementary school advanced math class

Student must meet the following two criteria:

- Level 5 on FCAT 2.0 Mathematics
- Level 5 on FCAT 2.0 Reading

Algebra 1 Honors (1200320) in Seventh Grade – Required eligibility criteria
If student does not meet criteria below, then placement is M/J Pre-Algebra Advanced (1205080) or repeat M/J Course 2 Advanced (1205050)

Student must meet 4 out of 5 of these criteria:

- Teacher, Department Chair, and Administrator recommendation
- 92% + cumulative mathematics grade average in M/J Course 2 Advanced (1205050)
- 90% + cumulative mathematics test average in M/J Course 2 Advanced (1205050)
- 3.5 + cumulative grade point average of core content classes for quarters one through three
- 50 + on Iowa Algebra Readiness Assessment (IARA)

Student must meet the following two criteria:

- Level 5 on FCAT 2.0 Mathematics
- Level 4 + on FCAT 2.0 Reading

Geometry Honors (1206320) in Eighth Grade – Required eligibility criteria
If student does not meet all criteria, then placement is Algebra 1 honors (1200320)

Student must meet all the following criteria:

- Passing score on the Algebra 1 End-of-Course Assessment
- 80% + cumulative mathematics average grade in Algebra 1 Honors (1200320)
- Teacher, Department Chair, and Administrator recommendation

APPENDIX C: REQUEST FOR MIDDLE GRADES ACCELERATION

To be completed by Parent/Guardian

ACCEL options 1003.4295 F.S. are educational options that provide academically challenging curriculum or accelerated instruction to eligible students. *For the majority of students, in-class differentiation provides the learning opportunities needed for advanced students to be challenged.* The school must carefully consider the effect of ACCEL options, especially mid-year and full-year promotion, on the student's future social, emotional and academic performance. A plan for the smooth transition from the student's current grade to a higher grade must be developed, as well as assurance of continuous course progression into middle and high school. **The students' commitment, desire for the program and maturity level must be considered as well as meeting the eligibility requirements.** Parent permission is necessary for ACCEL options.

Student (legal name): _____ DOB: _____

School: _____ Teacher: _____ Grade: _____

Parent/Guardian: (Please print first and last name) _____ Phone: _____

Address: _____

Parent/Guardian email: _____

Select the ACCEL Option you are requesting:

_____ Mid-year promotion to grade (request must be submitted by May 1)

_____ Full-year promotion to grade (request must be submitted by May 1)

_____ Subject-matter acceleration for subject(s) _____
(request must be submitted prior to the end of the first nine weeks)

_____ Virtual instruction in higher grade level subject(s) _____
(request must be submitted prior to the end of the first nine weeks)

On a separate piece of paper, give specific examples that you have observed of how your child functions at a significantly higher level in the subject area requested for acceleration. In your response, describe each of the following:

1. Academic performance
2. Ability to apply, analyze, and evaluate ideas at an advanced level
3. Ability to work independently
4. Ability to think creatively
5. Motivation to work on advanced material

Signature of individual submitting request: _____

Date Submitted: _____ Relationship to student: _____
**APPENDIX C: Academically Challenging Curriculum to Enhance Learning (ACCEL)
MIDDLE GRADES Performance Contract**

(To be completed before each new ACCEL Option)

Student (legal name): _____ DOB: _____

School: _____ Teacher: _____ Grade: _____

Parent/Guardian: (Please print first and last name) _____ Phone: _____

Address: _____

Parent/Guardian email: _____

Select the ACCEL Option you are requesting:

_____ Mid-year promotion to grade

_____ Full-year promotion to grade

_____ Subject-matter acceleration for subject(s) _____

_____ Virtual instruction in higher grade level subject(s) _____

Agreement

Student participation in the selected ACCEL Option is contingent upon the student meeting eligibility and procedural requirements, as explained in the Sarasota County Student Progression Plan. Students are required to participate in all state, federal, and local assessments if mid-year or full-year promotion occurs. If a student fails to comply with the stipulated requirements at any time after the ACCEL Option is in effect, the principal may terminate the student's participation and will determine the appropriate placement in lieu of the ACCEL Option.

I agree to the conditions stated above:

Student's Name (print): _____ Date _____

Student's Signature _____ Date _____

I grant permission for my student to accelerate his/her learning and agree to the conditions stated above:

Parent/Guardian's Name (print): _____ Date: _____

Parent/Guardian's signature: _____ Date: _____

Principal's Name (print): _____ Date: _____

Changes may occur any time pending legislation

Principal's signature: _____ Date: _____

Appendix D: MASTERY EXAM REQUEST

Student Name: _____ Counselor: _____

School: _____ Grade Level: _____

Date of Request: _____ School Year: _____

Data in Support of Credit Acceleration by Mastery Exam:

FCAT Assessment in Math _____ Date of Assessment _____

Most recent math or science course _____ Grades Earned _____

Other justification _____

Guidance Counselor's Communication with Parent _____ Date: _____

Parent in agreement that grade will appear in student records and transcript.

Requested State EOC in _____ administration date, _____, is 9 weeks in advance.

Has the student attempted the EOC in Algebra 1, Geometry or Biology previously? Yes No

If so, which one? _____

If yes, please provide date, score and evidence of additional preapproved preparation.

Date _____ Score _____ Additional preapproved preparation _____

Recommendation of Principal:

There is adequate documentation to support the student taking the EOC in Algebra 1, Geometry or Biology.

There is NOT adequate documentation to support the student taking the EOC in Algebra 1, Geometry or Biology

Signature _____

Additional Comments:

Appendix E: INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR
MILITARY CHILDREN INTERSTATE

COMMISSION MEETING – Rules (Approved, Nov. 2009)

INTRODUCTION:

Upon activation of the Interstate Compact a year ago, one of the first tasks necessary for the Commission was the creation of administrative rules under which the Compact would operate. A Rules Committee was formed and over the past year, the Committee met on several occasions to develop the rules. Comments were solicited from various stakeholders and input was considered. The rules complement the Interstate Compact and may not conflict with it. In addition, the rules are not designed to address every issue arising under the Compact, however, there is flexibility to make reasonable changes or clarification as the need arises through amendment, advisory opinions, and training opportunities. Attached is a final draft of the proposed rules for your consideration.

Chapter – 100 DEFINITIONS

SEC. 1.101 Definitions

As used in these rules, unless the context clearly requires a different construction—

- A. “Active duty” means: full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Section 1209 and 1211.
- B. “By-laws” means: those by-laws established by the Interstate Commission on Educational Opportunity for Military Children for its governance, or for directing or controlling the Interstate Commission’s actions or conduct.
- C. “Children of military families” means: a school-aged child(ren), enrolled in kindergarten through twelfth (12th) grade, in the household of an active duty member.
- D. “Compact commissioner” means: the voting representative of each compacting state, appointed pursuant to Article VIII of this compact.
- E. “Days” means: business days, unless otherwise noted.
- F. “Deployment” means: the period one (1) month prior to the service members’ departure from their home station on military orders through six (6) months after return to their home station.
- G. “Education(al) records” means: those official records, files, and data directly related to a student and maintained by the school or local education agency (LEA), including but not limited to records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of

achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

- H. "Extracurricular activities" means: a voluntary activity sponsored by the school or LEA or an organization sanctioned by the LEA. Extracurricular activities include, but are not

limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

- I. “Interstate Commission on Educational Opportunity for Military Children” means: the commission that is created under Article IX of this compact, which is generally referred to as Interstate Commission.
- J. “Local education agency” means: a public authority legally constituted by the state as an administrative agency to provide control of and direction for kindergarten through twelfth (12th) grade public educational institutions.
- K. “Member state” means: a state that has enacted this compact.
- L. “Military installation” means: a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. territory. Such term does not include any facility used primarily for civil works, rivers and harbors projects, or flood control projects.
- M. “Non-member state” means: a state that has not enacted this compact.
- N. “Receiving state” means: the state to which a child of a military family is sent, brought, or caused to be sent or brought.
- O. “Rule” means: a written statement by the Interstate Commission promulgated pursuant to Article XII of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the Interstate Commission, and has the force and effect of statutory law in a member state, and includes the amendment, repeal, or suspension of an existing rule.
- P. “Sending state” means: the state from which a child of a military family is sent, brought, or caused to be sent or brought.
- Q. “State” means: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands and any other U.S. territory.
- R. “Student” means: the child of a military family for whom the LEA receives public funding and who is formally enrolled in kindergarten through twelfth (12th) grade.
- S. “Transition” means: 1) the formal and physical process of transferring from school to school or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.
- T. “Uniformed service(s)” means: the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.
- U. “Veteran” means: a person who served in the uniformed services and who was discharged or released under conditions other than dishonorable.

Chapter 200 – GENERAL PROVISIONS

SEC 2.101 Adoption of rules; Amendment

Proposed rules or amendments to the rules shall be adopted by majority vote of the members of the Interstate Commission in the following manner:

- (a) Proposed new rules and amendments to existing rules shall be submitted to the Interstate Commission office for referral to the Rules Committee as follows:
 - (1) Any Commissioner may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual Commission meeting. This proposal must be made in the form of a motion and approved by a majority vote of a quorum of the Commission members present at the meeting;
 - (2) Standing Committees of the Commission may propose rules or rule amendments by majority vote of that Committee;
 - (3) Any regional group of states as may be subsequently recognized by the Commission may propose rules or rules amendments by a majority vote of members of that region;
- (b) The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Commissioners for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the Commission's website upon receipt. Based upon the comments made by the Commissioners, the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the Commission no later than the next annual meeting falling in an odd-numbered year.
- (c) Prior to promulgation and adoption of a final rule by the Interstate Commission, the text of the proposed rule or amendment shall be published by the Rules Committee no later than thirty (30) days prior to the meeting at which the vote is scheduled, on the official web site of the Interstate Commission and in any other official publication that may be designated by the Interstate Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
- (d) Each administrative rule or amendment shall state—
 - (1) The place, time, and date of the scheduled public hearing;
 - (2) The manner in which interested persons may submit notice to the Interstate Commission of their intention to attend the public hearing and any written comments; and
 - (3) The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.
- (e) Every public hearing shall be conducted in a manner guaranteeing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person or entity making the request shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not

preclude the Commission from making a transcript or recording of the public hearing if it chooses to do so.

- (f) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Interstate Commission at hearings required by this section.
- (g) Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Interstate Commission shall consider all written and oral comments received.
- (h) The Interstate Commission shall, by majority vote of a quorum of the commissioners, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
- (i) Not later than sixty (60) days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States district court of the District of Columbia or in the federal district court where the Interstate Commission's principal office is located. If the court finds that the Interstate Commission's action is not supported by substantial evidence, as defined in the federal Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside.
- (j) Upon determination that an emergency exists, the Interstate Commission may promulgate an emergency rule that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. An emergency rule is one that must be made effective immediately in order to--
 - (1) Meet an imminent threat to public health, safety, or welfare;
 - (2) Prevent a loss of federal or state funds;
 - (3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - (4) Protect human health and the environment.

SEC. 2.102 Dues formula

- (a) The commission shall determine the formula to be used in calculating the annual assessments to be paid by states. Public notice of any proposed revision to the approved dues formula shall be given at least 30 days prior to the Commission meeting at which the proposed revision will be considered.
- (b) The Commission may consider the population of the states, the number of students subject to the compact within each state, and the volume of student transfers between states in determining and adjusting the assessment formula.
- (c) The approved formula and resulting assessments for all member states shall be distributed by the commission to each member state annually.
- (d) The dues formula shall be based on the figure of one dollar per child of military families eligible for transfer under this compact.

Chapter 300 – TRANSFER OF EDUCATION RECORDS AND ENROLLMENT

SEC. 3.101 Eligibility for transfer and enrollment

- (a) Unofficial or “hand-carried” education records – In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible. In the event a state or LEA charges a fee for copies of educational records, such a fee shall not exceed the reasonable cost of reproduction.
- (b) Official education records/transcripts -- Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student’s official education record from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten (10) business days except for a designated school staff break including, but not limited to, spring, summer, or holiday. Records should be furnished as soon as possible following the return of staff from a school staff break; however, the time shall not exceed ten (10) days after the return of staff.

SEC. 3.102 Application for transfer of student records and enrollment

An application for transfer of educational records of students subject to this compact shall contain the following:

- (a) Immunizations – Compacting states shall give thirty (30) calendar days from the date of enrollment. For a series of immunizations, initial vaccinations must be obtained within thirty (30) calendar days.
- (b) Kindergarten and First grade entrance age – Students shall be allowed to continue their enrollment at grade level in the receiving state commensurate with their grade level (including Kindergarten) from a LEA in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.
 - (1) Any student who transfers from an out-of-state public school and who does not meet regular age requirements for admission to the school of the state being transferred into shall be admitted upon presentation of the data required in subsection (3).
 - (2) Any student who transfers from an out-of-state nonpublic school and who does not meet regular age requirements for admission to a public school in the state being transferred, shall be admitted if the student meets age requirements for public schools within the state from which he or she is transferring, and if the transfer of the student’s academic credit is

acceptable under rules of the school board. Prior to admission, the parent or guardian must also provide the data required in subsection (3).

- (3) In order to be admitted into a school in the receiving state, such a student transferring from the sending state must provide the following data:
- (i) Official military orders showing that the military member was assigned to the state (or commuting area) of the state in which the child was previously duly enrolled and attended school. If a child of a military member was residing with a legal guardian during the previous enrollment and not the military member, a copy of the family care plan, or proof of guardianship, as specified in the Interstate Compact, or any information sufficient for the receiving district to establish eligibility under this compact shall be provided;
 - (ii) An official letter or transcript from the proper school authority which shows record of attendance, academic information, and grade placement of the student;
 - (iii) Documented evidence of immunization against communicable diseases; and
 - (iv) Evidence of date of birth.

Chapter 400 – GRADUATION

SEC 4.101 Graduation

- (a) Waiver requirements – LEA administrative officials shall waive specific courses required for graduation if similar course work has been satisfactorily completed in another LEA or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the LEA shall provide an alternative means of acquiring required coursework so that graduation may occur on time. If the receiving LEA requires a graduation project, volunteer community service hours, or other state or LEA specific requirements, the receiving LEA may waive those requirements.
- (b) Exit exams – States shall accept: 1) exit or end-of-course exams required for graduation from the sending state; or 2) national norm-referenced achievement tests or 3) alternative testing, in lieu of testing requirements for graduation in the receiving state. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her senior year, then the provisions of Article VII, Section C of the Compact shall apply.
- (c) Transfers during senior year – There may be cases in which a military student transferring at the beginning or during his or her senior year is ineligible to graduate from the receiving LEA after all alternatives have been considered. In such cases the sending and receiving LEA's shall ensure the receipt of a diploma from the sending LEA, if the student meets the graduation requirements of the sending LEA. In the event that one of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with Sections A and B of Article VII of the Compact.

Chapter 500 – PLACEMENT & ATTENDANCE

SEC. 5.101 Course placement

The receiving school shall initially place a student who transfers before or during the school year in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state to the extent the educational courses are provided by the receiving school. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical and career pathways courses. The receiving school may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s). The receiving school may allow the student to attend similar educational courses in other schools within the LEA if the receiving school does not offer such educational courses.

SEC. 5.102 Educational program placement

The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in like programs in the sending state. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). The receiving school may perform subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s). The receiving school may allow the student to attend similar educational courses in other schools within the LEA if the receiving school does not offer such programs.

SEC. 5.103 Special education services

- (a) In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C.A. Section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP); and
- (b) In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C.A. Section 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C.A. Sections 12131-12165, the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education.
- (c) The receiving school may perform subsequent evaluations to ensure appropriate placement and appropriate services. The receiving school shall follow any current regulations the receiving state has in place in order to comply with federal or state law.

SEC. 5.104 Placement flexibility

LEA officials shall have flexibility in waiving course/program prerequisites, or other preconditions for placement in courses/programs offered under the jurisdiction of the LEA.

SEC. 5.105 Absence as related to deployment activities

A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the Compact, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the LEA superintendent or head of school to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or

Changes may occur any time pending legislation

guardian. Notwithstanding the above, the LEA superintendent or head of school may provide a maximum number of additional excused absences.

Chapter 600 -- ELIGIBILITY

SEC. 6.101 Eligibility for Enrollment

- (a) A custody order, special power of attorney, or other applicable document relative to the guardianship of a child of a military family and executed under the applicable law of each member state shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent. A special power of attorney form, which is acceptable in some jurisdictions, can be obtained through the JAG offices pursuant to Military Family Care Plan regulations.
- (1) A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent. Tuition may be charged for optional programs offered by the LEA.
- (2) A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent. The local education agency shall not charge tuition. In addition, transportation to and from school is the responsibility of the non-custodial parent or other persons standing in loco parentis.
- (b) Eligibility for extracurricular participation – State and local education agencies shall facilitate the opportunity for transitioning military children’s inclusion in extracurricular activities, regardless of application deadlines, with consultation with the state high school athletic association, to the extent they are otherwise qualified. Application deadlines include tryouts, summer conditioning and other coach or district prerequisites.

Chapter 700 – OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

SEC. 7.101 Informal communication to resolve disputes or controversies

- (a) States shall attempt to resolve disputes or controversies by communicating with each other by telephone, telefax, or electronic mail.
- (b) Failure to resolve dispute or controversy—
- (1) Following an unsuccessful attempt to resolve controversies or disputes arising under this compact, its by-laws or its rules as required under sec.7.101 (a), states shall pursue one or more of the informal dispute resolution processes set forth in sec. 7.101 (b)(2) prior to resorting to formal dispute resolution alternatives.
- (2) Parties shall submit a written request to the executive director for assistance in resolving the controversy or dispute. The executive director shall provide a written response to the parties within ten (10) days and may, at the executive director’s discretion, seek the assistance of legal counsel or the executive committee in resolving the dispute. The executive committee may authorize its standing committees or the executive director to assist in resolving the dispute or controversy.

SEC. 7.102 Formal resolution of disputes and controversies

- (a) Alternative dispute resolution – Any controversy or dispute between or among compacting states that arises from or relates to this compact that is not resolved under sec. 7.101 may be

resolved by alternative dispute resolution processes. These shall consist of mediation and arbitration.

(b) Mediation and arbitration

(1) Mediation

- (i) A state that is party to a dispute may request, or the executive committee may require, the submission of a matter in controversy to mediation.
- (ii) Mediation shall be conducted by a mediator appointed by the executive committee from a list of mediators approved by the national organization responsible for setting standards for mediators and pursuant to procedures customarily used in mediation proceedings.

(2) Arbitration

- (i) Arbitration may be recommended by the executive committee in any dispute regardless of the parties' previous submission of the dispute to mediation.
- (ii) Arbitration shall be administered by at least one neutral arbiters or a panel of arbiters not to exceed three members. These arbiters shall be selected from a list of arbiters maintained by the commission staff.
- (iii) The arbitration may be administered pursuant to procedures customarily used in arbitration proceedings and at the direction of the arbiter.
- (iv) Upon the demand of any party to a dispute arising under the compact, the dispute shall be referred to the American Arbitration Association and shall be administered pursuant to its commercial arbitration rules.
- (v) (a) The arbiter in all cases shall assess all costs of arbitration, including fees of the arbiter and reasonable attorney fees of the prevailing party, against the party that did not prevail.
(b) The arbiter shall have the power to impose any sanction permitted by this compact and other laws of the state or the federal district in which the commission has its principal offices.
- (vi) Judgment on any award may be entered in any court having jurisdiction.

SEC 7.103 Enforcement actions against a defaulting state

- (a) If the Interstate Commission determines that any state has at any time defaulted ("defaulting state") in the performance of any of its obligations or responsibilities under this Compact, the by-laws or any duly promulgated rules the Interstate Commission may impose any or all of the following penalties:
 - (1) Damages or costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission;
 - (2) Remedial training and technical assistance as directed by the Interstate Commission;
 - (3) Suspension and termination of membership in the compact. Suspension shall be imposed only after all other reasonable means of securing compliance under the by-laws and rules have been exhausted. Immediate notice of suspension shall be given by the Interstate

Commission to the governor, the chief justice or chief judicial officer of the state, the majority and minority leaders of the defaulting state's legislature, and the state council.

- (b) The grounds for default include, but are not limited to, failure of a Compacting State to perform such obligations or responsibilities imposed upon it by this compact, Interstate Commission by-laws, or duly promulgated rules. The Interstate Commission shall immediately notify the defaulting state in writing of the penalty imposed by the Interstate Commission on the defaulting state pending a cure of the default. The Interstate Commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the Interstate Commission, in addition to any other penalties imposed herein, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the compacting states and all rights, privileges, and benefits conferred by this Compact shall be terminated from the effective date of suspension.
- (c) Within sixty (60) calendar days of the effective date of termination of a defaulting state, the Interstate Commission shall notify the governor, the chief justice or chief judicial officer, the majority and minority leaders of the defaulting state's legislature, and the state council of such termination.
- (d) The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.
- (e) The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Interstate Commission and the defaulting state.
- (f) Reinstatement following termination of any compacting state requires both a reenactment of the Compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

SEC 7.104 Judicial enforcement

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices to enforce compliance with the provisions of the Compact, its duly promulgated rules and by-laws, against any compacting state in default. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.