

2.1 student learning that measurement experts have determined to be valid and reliable and
2.2 that are available to the educators deciding whether or not to grant the student's request.
2.3 School district officials must use the data that form the bases of the student appeals under
2.4 this subdivision, where appropriate, to revise district curriculum to ensure that all students
2.5 have an equal opportunity to learn and provide appropriate academic intervention and
2.6 remediation to students who fail to pass the state's reading or math GRAD test.

2.7 (c) The commissioner must evaluate the effectiveness and impact of the appeals
2.8 process and recommend to the legislature by February 1, 2011, whether or not to continue
2.9 the appeals process under this subdivision. If the commissioner recommends continuing
2.10 this process, the commissioner also must recommend student performance levels for the
2.11 state reading and math GRAD tests and the appropriate indicators for school districts to
2.12 consider in deciding whether or not to grant a diploma to high school seniors who do not
2.13 receive a passing score on the state reading or math GRAD test.

2.14 **EFFECTIVE DATE.** This section is effective the day following final enactment
2.15 and applies to the 2008-2009 through 2010-2011 school years.