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Proposed Committee Substitute by the Committee on Education

A bill to be entitled

An act relating to education accountability; amending s. 1002.22, F.S.; requiring the State Board of Education to notify the Legislature of any major changes in federal law which may affect the state's K-20 education performance accountability system; amending s. 1004.015, F.S.; providing that one of the purposes of the Higher Education Coordinating Council is to facilitate solutions to data issues identified by the Articulation Coordinating Committee to improve the K-20 education performance accountability system; revising the guiding principles for recommendations of the Higher Education Coordinating Council; amending s. 1005.22, F.S.; revising the duties of the Commission for Independent Education with regard to collecting and distributing current data regarding institutions licensed by the commission; providing reporting requirements; requiring the commission to annually report the data to the department by a specified date; amending s. 1007.01, F.S.; requiring the Articulation Coordinating Committee to make recommendations related to statewide policies and issues regarding access, quality, and reporting of data maintained by the K-20 data warehouse; revising the committee's duties related to collecting and reporting of statewide education data; amending s. 1008.31, F.S.; revising the legislative intent with regard to the state's K-20 education performance accountability system; requiring



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29 the Board of Governors to make available to the
30 Department of Education all data within the State
31 University Database System which is to be integrated
32 into the K-20 data warehouse; requiring the
33 Commissioner of Education to have access to certain
34 data for the added purpose of providing data to
35 organizations and certain authorized representatives;
36 requiring all public educational institutions to
37 annually provide data from the prior year to the K-20
38 data warehouse in a format based on data elements
39 identified by the commissioner; requiring colleges and
40 universities eligible to participate in the William L.
41 Boyd, IV, Florida Resident Access Grant Program to
42 report current data from the prior year for each
43 student who receives state funds in a format
44 prescribed by the Department of Education; providing
45 reporting requirements; requiring these colleges and
46 universities to annually report the data to the
47 department by a specified date; requiring the
48 commissioner to collaborate with the Department of
49 Economic Opportunity to develop procedures for the
50 ability to tie student-level data to student and
51 workforce outcome data contained in the Wage Record
52 Interchange System; deleting a provision that requires
53 the commissioner to prepare a report that assists the
54 school districts in eliminating or consolidating
55 paperwork, data, and reports by providing suggestions,
56 technical assistance, and guidance; requiring the
57 commissioner to improve and streamline by a specified



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58 date access to data maintained by the K-20 data
59 warehouse by creating and fully implementing a web-
60 based interface and a self-service, restricted access
61 component of the K-20 data warehouse called the
62 "Research Engine"; providing requirements for the
63 Research Engine; providing requirements for a written
64 agreement to access the Research Engine; requiring the
65 adoption of rules and procedures; deleting a provision
66 that requires the commissioner to use existing data
67 being collected to reduce duplication and minimize
68 paperwork; requiring the Department of Education to
69 share education records of students which may contain
70 students' personally identifiable information with
71 organizations and authorized representatives pursuant
72 to the studies and audit and evaluation exceptions
73 under the Family Educational Rights and Privacy Act;
74 amending s. 1008.34, F.S.; revising provisions
75 relating to schools that are assigned school grades,
76 including colocated schools, and students whose
77 assessment data is used in determining school grades;
78 amending s. 1008.341, F.S.; revising provisions
79 relating to alternative schools that are assigned a
80 school improvement rating; revising the student data
81 used in determining an alternative school's school
82 improvement rating; providing requirements for the
83 content and distribution of student report cards for
84 alternative schools; amending s. 1008.385, F.S.;
85 requiring the commissioner to provide information
86 relating to master school identification numbers for



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87 purposes of the comprehensive management information
88 system; providing an effective date.

89

90 Be It Enacted by the Legislature of the State of Florida:

91

92 Section 1. Paragraph (b) of subsection (3) of section
93 1002.22, Florida Statutes, is amended to read:

94 1002.22 Education records and reports of K-12 students;
95 rights of parents and students; notification; penalty.—

96 (3) DUTIES AND RESPONSIBILITIES.—The State Board of
97 Education shall:

98 (b) Monitor the FERPA and notify the Legislature of any
99 significant change to the requirements of the FERPA or other
100 major changes in federal law which may impact this section or s.
101 1008.31.

102 Section 2. Subsection (1) of section 1004.015, Florida
103 Statutes, is amended, and paragraph (f) is added to subsection
104 (3) of that section, to read:

105 1004.015 Higher Education Coordinating Council.—

106 (1) The Higher Education Coordinating Council is created
107 for the purposes of identifying unmet needs; ~~and~~ facilitating
108 solutions to disputes regarding the creation of new degree
109 programs and the establishment of new institutes, campuses, or
110 centers; and facilitating solutions to data issues identified by
111 the Articulation Coordinating Committee pursuant to s. 1007.01
112 to improve the K-20 education performance accountability system.

113 (3) The council shall serve as an advisory board to the
114 Legislature, the State Board of Education, and the Board of
115 Governors. Recommendations of the council shall be consistent



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116 with the following guiding principles:

117 (f) To promote adoption of a common set of data elements
118 identified by the National Center for Education Statistics to
119 support the effective exchange of data within and across states.

120 Section 3. Paragraph (i) of subsection (1) of section
121 1005.22, Florida Statutes, is amended to read:

122 1005.22 Powers and duties of commission.—

123 (1) The commission shall:

124 (i) Serve as a central agency for collecting and
125 distributing current information regarding institutions licensed
126 by the commission. The commission shall annually collect, and
127 all institutions licensed by the commission shall annually
128 report, student-level data from the prior year for each student
129 who receives state funds, in a format prescribed by the
130 Department of Education. At a minimum, data from the prior year
131 must shall be reported annually and include retention rates,
132 transfer rates, completion rates, graduation rates, employment
133 and placement rates, and earnings of graduates. By December 31,
134 2013, the commission shall report the data for the 2012-2013
135 academic year to the Department of Education. By October 1 of
136 each year thereafter, the commission shall report the data to
137 the department.

138 Section 4. Subsection (3) of section 1007.01, Florida
139 Statutes, is amended to read:

140 1007.01 Articulation; legislative intent; purpose; role of
141 the State Board of Education and the Board of Governors;
142 Articulation Coordinating Committee.—

143 (3) The Commissioner of Education, in consultation with the
144 Chancellor of the State University System, shall establish the



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145 Articulation Coordinating Committee which shall make
146 recommendations related to statewide articulation policies and
147 issues regarding access, quality, and reporting of data
148 maintained by the K-20 data warehouse established pursuant to
149 ss. 1001.10 and 1008.31, to the Higher Education Coordination
150 Council, the State Board of Education, and the Board of
151 Governors. The committee shall consist of two members each
152 representing the State University System, the Florida College
153 System, public career and technical education, public K-12
154 education, and nonpublic education and one member representing
155 students. The chair shall be elected from the membership. The
156 committee shall:

157 (a) Monitor the alignment between the exit requirements of
158 one education system and the admissions requirements of another
159 education system into which students typically transfer and make
160 recommendations for improvement.

161 (b) Propose guidelines for interinstitutional agreements
162 between and among public schools, career and technical education
163 centers, Florida College System institutions, state
164 universities, and nonpublic postsecondary institutions.

165 (c) Annually recommend dual enrollment course and high
166 school subject area equivalencies for approval by the State
167 Board of Education and the Board of Governors.

168 (d) Annually review the statewide articulation agreement
169 pursuant to s. 1007.23 and make recommendations for revisions.

170 (e) Annually review the statewide course numbering system,
171 the levels of courses, and the application of transfer credit
172 requirements among public and nonpublic institutions
173 participating in the statewide course numbering system and



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174 identify instances of student transfer and admissions
175 difficulties.

176 (f) Annually publish a list of courses that meet common
177 general education and common degree program prerequisite
178 requirements at public postsecondary institutions identified
179 pursuant to s. 1007.25.

180 (g) Foster timely collection and reporting of statewide
181 education data ~~Examine statewide data regarding articulation to~~
182 ~~identify issues and make recommendations to improve articulation~~
183 ~~throughout the K-20 education~~ performance accountability system
184 by:-

185 1. Facilitating timely reporting of data by all educational
186 delivery systems to the K-20 data warehouse established pursuant
187 to ss. 1001.10 and 1008.31.

188 2. Facilitating timely reporting of data by the K-20 data
189 warehouse to organizations and authorized representatives
190 pursuant to s. 1008.31.

191 3. Identifying data issues including, but not limited to,
192 data quality and accessibility.

193 (h) Recommend roles and responsibilities of public
194 education entities in interfacing with the single, statewide
195 computer-assisted student advising system established pursuant
196 to s. 1006.73.

197 Section 5. Paragraph (f) is added to subsection (1) of
198 section 1008.31, Florida Statutes, subsection (3) is amended,
199 present subsection (4) is redesignated as subsection (5), and a
200 new subsection (4) is added to that section, to read:

201 1008.31 Florida's K-20 education performance accountability
202 system; legislative intent; mission, goals, and systemwide



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203 measures; data quality improvements.-

204 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature
205 that:

206 (f) The Commissioner of Education interpret the Family
207 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
208 in the least restrictive manner possible to allow data linkage
209 among institutions across all educational delivery systems. This
210 intent does not abrogate the provisions of ss. 1002.22,
211 1002.221, and 1006.52, relating to student records or the
212 requirements of FERPA.

213 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.—To provide
214 data required to implement education performance accountability
215 measures in state and federal law, the commissioner ~~of Education~~
216 shall initiate and maintain strategies to improve data quality
217 and timeliness. The Board of Governors shall make available to
218 the department all data within the State University Database
219 System to collected from state universities shall, as determined
220 by the commissioner, be integrated into the K-20 data warehouse.
221 The commissioner shall have unlimited access to such data ~~solely~~
222 for the purposes of conducting studies, reporting annual and
223 longitudinal student outcomes, ~~and~~ improving college readiness
224 and articulation, and providing data to organizations and
225 authorized representatives pursuant to subsection (4). All
226 public educational institutions shall annually provide data from
227 the prior year to the K-20 data warehouse in a format based on
228 data elements identified ~~specified~~ by the commissioner.

229 (a) School districts and public postsecondary educational
230 institutions shall maintain information systems that will
231 provide the State Board of Education, the Board of Governors of



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232 the State University System, and the Legislature with
233 information and reports necessary to address the specifications
234 of the accountability system. The level of comprehensiveness and
235 quality must ~~shall~~ be no less than that which was available as
236 of June 30, 2001.

237 (b) Colleges and universities eligible to participate in
238 the William L. Boyd, IV, Florida Resident Access Grant Program
239 shall annually report student-level data from the prior year for
240 each student who receives state funds in a format prescribed by
241 the Department of Education. At a minimum, data from the prior
242 year must ~~shall be reported annually to the department and~~
243 include retention rates, transfer rates, completion rates,
244 graduation rates, employment and placement rates, and earnings
245 of graduates. By December 31, 2013, the colleges and
246 universities described in this paragraph shall report the data
247 for the 2012-2013 academic year to the department. By October 1
248 of each year thereafter, the colleges and universities described
249 in this paragraph shall report the data to the department.

250 (c) The Commissioner of Education shall determine the
251 standards for the required data, monitor data quality, and
252 measure improvements. The commissioner shall report annually to
253 the State Board of Education, the Board of Governors of the
254 State University System, the President of the Senate, and the
255 Speaker of the House of Representatives data quality indicators
256 and ratings for all school districts and public postsecondary
257 educational institutions.

258 (d) The commissioner shall collaborate with the executive
259 director of the Department of Economic Opportunity to develop
260 procedures for the ability to tie student-level data to student



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261 and workforce outcome data contained in the Wage Record
262 Interchange System ~~The commissioner shall continuously monitor~~
263 ~~and review the collection of paperwork, data, and reports by~~
264 ~~school districts and complete an annual review of such~~
265 ~~collection no later than June 1 of each year. The annual review~~
266 ~~must include recommendations for consolidating paperwork, data,~~
267 ~~and reports, wherever feasible, in order to reduce the burdens~~
268 ~~on school districts.~~

269 (e) By June 30, 2014, the commissioner shall improve and
270 streamline access to data maintained by the K-20 data warehouse
271 by creating and fully implementing:

272 1. A web-based interface for parents, students, teachers,
273 principals, local educational agency leaders, community members,
274 researchers, policymakers, and other constituents which is
275 engaging, informative, and customer-friendly.

276 a. The web-based interface must provide a single location
277 for public access to aggregated data from the K-20 data
278 warehouse which do not contain personally identifiable
279 information or any other information that is confidential
280 pursuant to applicable law.

281 b. Personally identifiable information from education
282 records of students, or any other information that is
283 confidential pursuant to applicable law, must be redacted or
284 aggregated, or the confidentiality otherwise protected by de-
285 identification, anonymization, or any combination thereof.

286 2. A self-service, restricted access component of the K-20
287 data warehouse, called the "Research Engine," which is:

288 a. Restricted to organizations and authorized
289 representatives pursuant to subsection (4). The commissioner



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290 shall create a website for organizations and authorized
291 representatives to submit data requests. The website shall
292 generate an automated acknowledgement of each data request. Each
293 acknowledgement of a data request must include a username and
294 password to view the order and status of completion of the data
295 request and a link to the directory of data elements which
296 provides a detailed description of each data element. Within 90
297 days after acknowledging each data request, the department shall
298 provide to organizations or authorized representatives technical
299 assistance regarding the written agreement required under sub-
300 subparagraph d. However, organizations and authorized
301 representatives may execute the written agreement with the
302 department at any time after submitting a data request. Data
303 requests must be completed within 90 days after the written
304 agreement is executed, unless the written agreement specifies
305 otherwise.

306 b. Capable of providing access to education records of
307 students which may contain students' personally identifiable
308 information in the K-20 data warehouse.

309 c. Accessible at the department's headquarters or by other
310 secure means as agreed upon in writing by the parties.

311 d. Accessible after an organization or an authorized
312 representative executes a written agreement with the
313 commissioner. The written agreement must include, but need not
314 be limited to:

315 (I) Identification of the purpose, scope, and duration of
316 the activity with sufficient specificity to make clear that the
317 activity falls within permissible uses authorized by FERPA and
318 does not further a commercial, trade, or profit interest.



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319 (II) Identification of the data elements necessary to
320 complete a study, an audit, or an evaluation. The department
321 shall provide assistance to organizations and authorized
322 representatives regarding selection of data elements to fulfill
323 data requests. Requests for additional data by an organization
324 or an authorized representative may be made by amending the
325 written agreement. The deadline for fulfilling a data request
326 may be adjusted accordingly.

327 (III) Identification of the FERPA exception relied upon to
328 obtain education records of students which may contain students'
329 personally identifiable information.

330 (IV) Requirements regarding procedures for securing data,
331 including, but not limited to, a data security plan. The
332 Department of Education shall reserve the right to conduct
333 security audits or reviews as necessary.

334 (V) Requirements limiting the use of education records of
335 students which contain students' personally identifiable
336 information to meet only the purpose stated in the written
337 agreement.

338 (VI) Requirements establishing disciplinary policies for
339 organizations and authorized representatives which violate FERPA
340 or the written agreement.

341 (VII) Prohibitions regarding access to or use of education
342 records of students which contain students' personally
343 identifiable information obtained pursuant to the written
344 agreement by anyone not authorized to have such access or use by
345 the department.

346 (VIII) Requirements regarding destruction of all personally
347 identifiable information from education records of students



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348 which are received pursuant to the written agreement and
349 specification of when the information must be destroyed.

350 (IX) Requirements regarding background screening of
351 organizations and authorized representatives.

352 (X) Requirements regarding the assessment of liquidated
353 damages for unauthorized disclosure of education records of
354 students which contain students' personally identifiable
355 information or for violation of terms and conditions of the
356 written agreement.

357 (XI) Identification of deliverables to be provided by the
358 organization or authorized representative. The deliverables must
359 include, but are not limited to, as appropriate: a copy of the
360 final study, audit, or evaluation or, if no study, audit, or
361 evaluation is completed, a report identifying such with a copy
362 of unfinished research; a copy of reports, publications, papers,
363 theses, or similar documents; and certification by the
364 organization or authorized representative stating the final
365 status of deliverables and confirming compliance with all
366 provisions of the written agreement. The deliverables shall be
367 provided to the department within 1 year after the date of
368 execution of the written agreement, unless the written agreement
369 specifies otherwise. The Commissioner of Education may assess
370 liquidated damages specified in the written agreement if all
371 deliverables are not timely provided to the Department of
372 Education.

373 (XII) Requirements regarding maintaining the
374 confidentiality of any information that is exempt from s.
375 119.071(1) and s. 24(a), Art. I of the State Constitution, or
376 that is otherwise made confidential by state or federal law.



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377 (XIII) Requirements regarding a service charge identified
378 in sub-subparagraph e.

379
380 The Department of Education shall develop, and the State Board
381 of Education shall adopt, rules regarding the written agreement.

382 e. Funded by creating and implementing a pricing structure
383 that is self-sustainable with the goal that the service charge
384 for use of the Research Engine recovers actual costs to fulfill
385 a data request. The commissioner may waive or reduce the service
386 charge for fulfilling a data request. Funds collected from the
387 service charge shall be deposited into the Operating Trust Fund.
388 The department shall develop and the State Board of Education
389 shall adopt rules regarding the service charge.

390 f. Linked to a list of organizations and authorized
391 representatives that obtain data from the Research Engine on the
392 web-based interface in subparagraph 1. The list must include,
393 but need not be limited to, the date of receipt of each data
394 request, response time to address each data request, and current
395 status of each data request. The department shall continually
396 update the list and maintain a copy of reports prepared and
397 submitted by the organizations and authorized representatives.

398
399 The department shall adopt procedures to implement the web-based
400 interface and the Research Engine established pursuant to this
401 subsection ~~By July 1 of each year, the commissioner shall~~
402 ~~prepare a report assisting the school districts in eliminating~~
403 ~~or consolidating paperwork, data, and reports by providing~~
404 ~~suggestions, technical assistance, and guidance.~~

405 (f) Before establishing any new reporting or data



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406 collection requirements, the commissioner of Education shall
407 utilize existing data being collected to reduce duplication and
408 minimize paperwork.

409 (4) ACCESS TO THE K-20 DATA WAREHOUSE.-Pursuant to the
410 studies exception under FERPA, and the federal regulations
411 issued pursuant thereto, specifically, including, but not
412 limited to, organizations conducting studies for, or on behalf
413 of, educational agencies and institutions as provided in 34
414 C.F.R. 99.31(a)(6), shall be given access to data maintained by
415 the K-20 data warehouse in a manner consistent with ss. 1002.22,
416 1002.221, and 1006.52 and FERPA. Pursuant to the audit or
417 evaluation exception under FERPA, specifically including, but
418 not limited to, authorized representatives conducting an audit
419 or an evaluation of a Federal- or state-supported education
420 program as provided in 34 C.F.R. 99.31(a)(3), shall be given
421 access to the data maintained by the K-20 data warehouse in a
422 manner consistent with ss. 1002.22, 1002.221, and 1006.52 and
423 FERPA.

424 (a) Requests by organizations or authorized representatives
425 for access to education records of students which may contain
426 students' personally identifiable information, with the
427 exception of requests from the Executive Office of the Governor,
428 the Florida Legislature, the Florida Auditor General, and the
429 Office of Program Policy Analysis and Government Accountability,
430 shall be submitted through the Research Engine established
431 pursuant to subparagraph (3)(h)2. Access to the Research Engine
432 is not conditioned upon or limited to studies, audits, or
433 evaluations that support the research agenda, interests, or
434 priorities of the State Board of Education, the commissioner, or



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435 the department.

436 (b) Authorized representatives include the Executive Office
437 of the Governor, the Florida Legislature, the Florida Auditor
438 General, the Office of Program Policy Analysis and Government
439 Accountability, the Florida district school boards, Florida
440 College System institutions, and Florida state universities or
441 entities approved by the Department of Education.

442 (c) Requests for data from the Executive Office of the
443 Governor, the Florida Legislature, the Florida Auditor General,
444 and the Office of Program Policy Analysis and Government
445 Accountability, shall be given a priority over other data
446 requests and shall be provided free of charge.

447 Section 6. Subsection (1) and paragraphs (a) and (c) of
448 subsection (3) of section 1008.34, Florida Statutes, are amended
449 to read:

450 1008.34 School grading system; school report cards;
451 district grade.—

452 (1) ANNUAL REPORTS.—The Commissioner of Education shall
453 prepare annual reports of the results of the statewide
454 assessment program which describe student achievement in the
455 state, each district, and each school. The commissioner shall
456 prescribe the design and content of these reports, which must
457 include descriptions of the performance of all schools
458 participating in the assessment program and all of their major
459 student populations as determined by the commissioner. The
460 report must also include the percent of students performing at
461 or above grade level and making ~~a year's~~ learning gains ~~growth~~
462 ~~in a year's time~~ in reading and mathematics. The provisions of
463 s. 1002.22 pertaining to student records apply to this section.



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464 (3) DESIGNATION OF SCHOOL GRADES.—

465 (a) Beginning with the 2013-2014 school year, each school
466 that has students who are tested and included in the school
467 grading system shall receive a school grade if the number of its
468 students tested on statewide assessments pursuant to s. 1008.22
469 meets or exceeds the minimum sample size of 10, except as
470 follows:

471 ~~1. A school shall not receive a school grade if the number~~
472 ~~of its students tested and included in the school grading system~~
473 ~~is less than the minimum sample size necessary, based on~~
474 ~~accepted professional practice, for statistical reliability and~~
475 ~~prevention of the unlawful release of personally identifiable~~
476 ~~student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

477 1.2. An alternative school may choose to receive a school
478 grade under this section or a school improvement rating under s.
479 1008.341. For charter schools that meet the definition of an
480 alternative school pursuant to State Board of Education rule,
481 the decision to receive a school grade is the decision of the
482 charter school governing board.

483 ~~2.3.~~ A school that serves any combination of students in
484 kindergarten through grade 3 which does not receive a school
485 grade because its students are not tested and included in the
486 school grading system shall receive the school grade designation
487 of a K-3 feeder pattern school identified by the Department of
488 Education and verified by the school district. A school feeder
489 pattern exists if at least 60 percent of the students in the
490 school serving a combination of students in kindergarten through
491 grade 3 are scheduled to be assigned to the graded school.

492 3. If a colocated school does not earn a school grade or



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493 school improvement rating for the performance of its students,
494 the student performance data of all schools operating at the
495 same facility must be aggregated to develop a school grade that
496 will be assigned to all schools at that location. A colocated
497 school is a school that has its own unique master school
498 identification number, provides for the education of each of its
499 enrolled students, and operates at the same facility as another
500 school that has its own unique master school identification
501 number and provides for the education of each of its enrolled
502 students.

503 (c) Student assessment data used in determining school
504 grades shall include:

505 1. The aggregate scores of all eligible students enrolled
506 in the school who have been assessed on the FCAT and statewide,
507 standardized end-of-course assessments in courses required for
508 high school graduation, including, beginning with the 2011-2012
509 school year, the end-of-course assessment in Algebra I; and
510 beginning with the 2012-2013 school year, the end-of-course
511 assessments in geometry and Biology I; and beginning with the
512 2014-2015 school year, on the statewide, standardized end-of-
513 course assessment in civics education at the middle school
514 level.

515 2. The aggregate scores of all eligible students enrolled
516 in the school who have been assessed on the FCAT and statewide,
517 standardized end-of-course assessments as described in s.
518 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
519 percentile of students in the school in reading and mathematics,
520 unless these students are exhibiting satisfactory performance.

521 3. The achievement scores and learning gains of eligible



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522 students attending alternative schools that provide dropout
523 prevention and academic intervention services pursuant to s.
524 1003.53. The term "eligible students" in this subparagraph does
525 not include students attending an alternative school who are
526 subject to district school board policies for expulsion for
527 repeated or serious offenses, who are in dropout retrieval
528 programs serving students who have officially been designated as
529 dropouts, or who are in programs operated or contracted by the
530 Department of Juvenile Justice.

531
532 The student performance data for eligible students identified in
533 this subparagraph shall be included in the calculation of the
534 home school's grade. As used in this subparagraph and s.
535 1008.341, the term "home school" means the school to which the
536 student would be assigned if the student were not assigned to an
537 alternative school. If an alternative school chooses to be
538 graded under this section, student performance data for eligible
539 students identified in this subparagraph shall not be included
540 in the home school's grade but shall be included only in the
541 calculation of the alternative school's grade. A school district
542 that fails to assign the FCAT and statewide, standardized end-
543 of-course assessment as described in s. 1008.22(3)(c)2.a. scores
544 of each of its students to his or her home school or to the
545 alternative school that receives a grade shall forfeit Florida
546 School Recognition Program funds for 1 fiscal year. School
547 districts must require collaboration between the home school and
548 the alternative school in order to promote student success. This
549 collaboration must include an annual discussion between the
550 principal of the alternative school and the principal of each



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551 student's home school concerning the most appropriate school
552 assignment of the student.

553 4. The achievement scores and learning gains of students
554 designated as hospital- or homebound. Student assessment data
555 for a student ~~students~~ designated as hospital- or homebound
556 shall be assigned to his or her ~~their~~ home school for the
557 purposes of school grades if the student was enrolled in the
558 home school during the October and February FTE count in the
559 prior school year. As used in this subparagraph, the term "home
560 school" means the school to which a student would be assigned if
561 the student were not assigned to a hospital- or homebound
562 program.

563 5. For schools comprised of high school grades 9, 10, 11,
564 and 12, or grades 10, 11, and 12, the data listed in
565 subparagraphs 1.-3. and the following data as the Department of
566 Education determines such data are valid and available:

567 a. The high school graduation rate of the school as
568 calculated by the department;

569 b. The participation rate of all eligible students enrolled
570 in the school and enrolled in College Board Advanced Placement
571 courses; International Baccalaureate courses; dual enrollment
572 courses; Advanced International Certificate of Education
573 courses; and courses or sequences of courses leading to national
574 industry certification identified in the Industry Certification
575 Funding List, pursuant to rules adopted by the State Board of
576 Education;

577 c. The aggregate scores of all eligible students enrolled
578 in the school in College Board Advanced Placement courses,
579 International Baccalaureate courses, and Advanced International



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- 580 Certificate of Education courses;
- 581 d. Earning of college credit by all eligible students
- 582 enrolled in the school in dual enrollment programs under s.
- 583 1007.271;
- 584 e. Earning of a national industry certification identified
- 585 in the Industry Certification Funding List, pursuant to rules
- 586 adopted by the State Board of Education;
- 587 f. The aggregate scores of all eligible students enrolled
- 588 in the school in reading, mathematics, and other subjects as
- 589 measured by the SAT, the ACT, the Postsecondary Education
- 590 Readiness Test, and the common placement test for postsecondary
- 591 readiness;
- 592 g. The high school graduation rate of all eligible at-risk
- 593 students enrolled in the school who scored at Level 2 or lower
- 594 on grade 8 FCAT Reading and FCAT Mathematics;
- 595 h. The performance of the school's students on statewide,
- 596 standardized end-of-course assessments administered under s.
- 597 1008.22(3)(c)2.c. and d.; and
- 598 i. The growth or decline in the data components listed in
- 599 sub-subparagraphs a.-h. from year to year.

600

601 The State Board of Education shall adopt appropriate criteria

602 for each school grade. The criteria must also give added weight

603 to student achievement in reading. Schools earning a grade of

604 "C," making satisfactory progress, shall be required to

605 demonstrate that adequate progress has been made by students in

606 the school who are in the lowest 25th percentile in reading and

607 mathematics on the FCAT and end-of-course assessments as

608 described in s. 1008.22(3)(c)2.a., unless these students are



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609 exhibiting satisfactory performance. For schools comprised of
610 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
611 the criteria for school grades must also give added weight to
612 the graduation rate of all eligible at-risk students. In order
613 for a high school to earn a grade of "A," the school must
614 demonstrate that its at-risk students, as defined in this
615 paragraph, are making adequate progress.

616 Section 7. Subsections (2), (3), and (5) of section
617 1008.341, Florida Statutes, are amended to read:

618 1008.341 School improvement rating for alternative
619 schools.-

620 (2) SCHOOL IMPROVEMENT RATING.-An alternative school is a
621 school that provides dropout prevention and academic
622 intervention services pursuant to s. 1003.53. An alternative
623 school shall receive a school improvement rating pursuant to
624 this section unless the school earns a school grade pursuant to
625 s. 1008.34. Beginning with the 2013-2014 school year, each
626 ~~However, an~~ alternative school that chooses to receive a school
627 improvement rating shall ~~not~~ receive a school improvement rating
628 if the number of its students for whom student performance data
629 on statewide, standardized assessments pursuant to s. 1008.22
630 which is available for the current year and previous year meets
631 or exceeds ~~is less than~~ the minimum sample size of 10. An
632 alternative school that tests at least 80 percent of its
633 students may receive a school improvement rating. If an
634 alternative school tests less than 90 percent of its students,
635 the school may not earn a rating higher than "maintaining."
636 ~~necessary, based on accepted professional practice, for~~
637 ~~statistical reliability and prevention of the unlawful release~~



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638 ~~of personally identifiable student data under s. 1002.22 or 20~~
639 ~~U.S.C. s. 1232g.~~ The school improvement rating shall identify an
640 alternative school as having one of the following ratings
641 defined according to rules of the State Board of Education:

642 (a) "Improving" means the students attending the school are
643 making more academic progress than when the students were served
644 in their home schools.

645 (b) "Maintaining" means the students attending the school
646 are making progress equivalent to the progress made when the
647 students were served in their home schools.

648 (c) "Declining" means the students attending the school are
649 making less academic progress than when the students were served
650 in their home schools.

651
652 The school improvement rating shall be based on a comparison of
653 student performance data for the current year and previous year.
654 Schools that improve at least one level or maintain an
655 "improving" rating pursuant to this section are eligible for
656 school recognition awards pursuant to s. 1008.36.

657 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data
658 used in determining an alternative school's school improvement
659 rating shall include:

660 (a) Student performance results based ~~The aggregate scores~~
661 on statewide, standardized assessments, including retakes,
662 administered under s. 1008.22 for all eligible students who were
663 assigned to and enrolled in the school during the October or
664 February FTE count and who have assessment scores ~~FCAT~~ or
665 comparable scores for the preceding school year.

666 (b) Student performance results based ~~The aggregate scores~~



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667 on statewide, standardized assessments, including retakes,
668 administered under s. 1008.22 for all eligible students who were
669 assigned to and enrolled in the school during the October or
670 February FTE count and who have scored in the lowest 25th
671 percentile of students in the state on FCAT Reading.

672
673 Student performance results ~~The assessment scores~~ of students
674 who are subject to district school board policies for expulsion
675 for repeated or serious offenses, who are in dropout retrieval
676 programs serving students who have officially been designated as
677 dropouts, or who are in programs operated or contracted by the
678 Department of Juvenile Justice may not be included in an
679 alternative school's school improvement rating.

680 (5) SCHOOL AND STUDENT REPORT CARDS ~~CARD~~.—The Department of
681 Education shall annually develop, in collaboration with the
682 school districts, a school report card for alternative schools
683 to be delivered to parents throughout each school district. The
684 report card shall include the school improvement rating,
685 identification of student learning gains, student attendance
686 data, information regarding school improvement, ~~an explanation~~
687 ~~of school performance as evaluated by the federal No Child Left~~
688 ~~Behind Act of 2001,~~ and indicators of return on investment. An
689 alternative school that serves at least 10 students who are
690 tested on the statewide, standardized assessments pursuant to s.
691 1008.22 in the current year and previous year shall distribute
692 an individual student report card to parents which includes the
693 student's learning gains and progress toward meeting high school
694 graduation requirements. The report card must also include the
695 school's industry certification rate, college readiness rate,



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696 dropout rate, and graduation rate. This subsection does not
697 abrogate the provisions of s. 1002.22 relating to student
698 records or the requirements of 20 U.S.C. s. 1232g, the Family
699 Educational Rights and Privacy Act.

700 Section 8. Paragraph (a) of subsection (2) of section
701 1008.385, Florida Statutes, is amended to read:

702 1008.385 Educational planning and information systems.—

703 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
704 Commissioner of Education shall develop and implement an
705 integrated information system for educational management. The
706 system must be designed to collect, via electronic transfer, all
707 student and school performance data required to ascertain the
708 degree to which schools and school districts are meeting state
709 performance standards, and must be capable of producing data for
710 a comprehensive annual report on school and district
711 performance. In addition, the system shall support, as feasible,
712 the management decisions to be made in each division of the
713 department and at the individual school and district levels.
714 Similar data elements among divisions and levels shall be
715 compatible. The system shall be based on an overall conceptual
716 design; the information needed for such decisions, including
717 fiscal, student, program, personnel, facility, community,
718 evaluation, and other relevant data; and the relationship
719 between cost and effectiveness. The system shall be managed and
720 administered by the commissioner and shall include a district
721 subsystem component to be administered at the district level,
722 with input from the reports-and-forms control management
723 committees. Each district school system with a unique management
724 information system shall assure that compatibility exists



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725 between its unique system and the district component of the
726 state system so that all data required as input to the state
727 system is made available via electronic transfer and in the
728 appropriate input format.

729 (a) The specific responsibilities of the commissioner shall
730 include:

731 1. Consulting with school district representatives in the
732 development of the system design model and implementation plans
733 for the management information system for public school
734 education management;

735 2. Providing operational definitions for the proposed
736 system, including criteria for issuing and revoking master
737 school identification numbers to support the maintenance of
738 education records, to enforce and support education
739 accountability, to support the distribution of funds to school
740 districts, to support the preparation and analysis of school
741 district financial reports, and to assist the commissioner in
742 carrying out the duties specified in ss. 1001.10 and 1001.11;

743 3. Determining the information and specific data elements
744 required for the management decisions made at each educational
745 level, recognizing that the primary unit for information input
746 is the individual school and recognizing that time and effort of
747 instructional personnel expended in collection and compilation
748 of data should be minimized;

749 4. Developing standardized terminology and procedures to be
750 followed at all levels of the system;

751 5. Developing a standard transmittal format to be used for
752 collection of data from the various levels of the system;

753 6. Developing appropriate computer programs to assure



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754 integration of the various information components dealing with
755 students, personnel, facilities, fiscal, program, community, and
756 evaluation data;

757 7. Developing the necessary programs to provide statistical
758 analysis of the integrated data provided in subparagraph 6. in
759 such a way that required reports may be disseminated,
760 comparisons may be made, and relationships may be determined in
761 order to provide the necessary information for making management
762 decisions at all levels;

763 8. Developing output report formats which will provide
764 district school systems with information for making management
765 decisions at the various educational levels;

766 9. Developing a phased plan for distributing computer
767 services equitably among all public schools and school districts
768 in the state as rapidly as possible. The plan shall describe
769 alternatives available to the state in providing such computing
770 services and shall contain estimates of the cost of each
771 alternative, together with a recommendation for action. In
772 developing the plan, the feasibility of shared use of computing
773 hardware and software by school districts, Florida College
774 System institutions, and universities shall be examined. Laws or
775 administrative rules regulating procurement of data processing
776 equipment, communication services, or data processing services
777 by state agencies shall not be construed to apply to local
778 agencies which share computing facilities with state agencies;

779 10. Assisting the district school systems in establishing
780 their subsystem components and assuring compatibility with
781 current district systems;

782 11. Establishing procedures for continuous evaluation of



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783 system efficiency and effectiveness;

784 12. Initiating a reports-management and forms-management
785 system to ascertain that duplication in collection of data does
786 not exist and that forms and reports for reporting under state
787 and federal requirements and other forms and reports are
788 prepared in a logical and uncomplicated format, resulting in a
789 reduction in the number and complexity of required reports,
790 particularly at the school level; and

791 13. Initiating such other actions as are necessary to carry
792 out the intent of the Legislature that a management information
793 system for public school management needs be implemented. Such
794 other actions shall be based on criteria including, but not
795 limited to:

- 796 a. The purpose of the reporting requirement;
- 797 b. The origination of the reporting requirement;
- 798 c. The date of origin of the reporting requirement; and
- 799 d. The date of repeal of the reporting requirement.

800 Section 9. This act shall take effect July 1, 2013.