

By the Committees on Appropriations; and Education; and Senator Galvano

576-02440-13

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1 A bill to be entitled
2 An act relating to education accountability; amending
3 s. 1002.22, F.S.; requiring the State Board of
4 Education to notify the Legislature of any major
5 changes in federal law which may affect the state's K-
6 20 education performance accountability system;
7 amending s. 1004.015, F.S.; providing that one of the
8 purposes of the Higher Education Coordinating Council
9 is to facilitate solutions to data issues identified
10 by the Articulation Coordinating Committee to improve
11 the K-20 education performance accountability system;
12 revising the guiding principles for recommendations of
13 the Higher Education Coordinating Council; amending s.
14 1005.22, F.S.; revising the duties of the Commission
15 for Independent Education with regard to collecting
16 and distributing current data regarding institutions
17 licensed by the commission; providing reporting
18 requirements; requiring the commission to annually
19 report the data to the department by a specified date;
20 amending s. 1007.01, F.S.; requiring the Articulation
21 Coordinating Committee to make recommendations related
22 to statewide policies and issues regarding access,
23 quality, and reporting of data maintained by the K-20
24 data warehouse; revising the committee's duties
25 related to collecting and reporting of statewide
26 education data; amending s. 1008.31, F.S.; requiring
27 the Board of Governors to make available to the
28 Department of Education all data within the State
29 University Database System which is to be integrated

576-02440-13

2013878c2

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

576-02440-13

2013878c2

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

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576-02440-13

2013878c2

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

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90 Section 1. Paragraph (b) of subsection (3) of section
91 1002.22, Florida Statutes, is amended to read:

92 1002.22 Education records and reports of K-12 students;
93 rights of parents and students; notification; penalty.—

94 (3) DUTIES AND RESPONSIBILITIES.—The State Board of
95 Education shall:

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

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

103 1004.015 Higher Education Coordinating Council.—

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

111 (3) The council shall serve as an advisory board to the
112 Legislature, the State Board of Education, and the Board of
113 Governors. Recommendations of the council shall be consistent
114 with the following guiding principles:

115 (f) To promote adoption of a common set of data elements
116 identified by the National Center for Education Statistics to

576-02440-13

2013878c2

117 support the effective exchange of data within and across states.

118 Section 3. Paragraph (i) of subsection (1) of section
119 1005.22, Florida Statutes, is amended to read:

120 1005.22 Powers and duties of commission.—

121 (1) The commission shall:

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

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

138 1007.01 Articulation; legislative intent; purpose; role of
139 the State Board of Education and the Board of Governors;
140 Articulation Coordinating Committee.—

141 (3) The Commissioner of Education, in consultation with the
142 Chancellor of the State University System, shall establish the
143 Articulation Coordinating Committee which shall make
144 recommendations related to statewide articulation policies and
145 issues regarding access, quality, and reporting of data

576-02440-13

2013878c2

146 maintained by the K-20 data warehouse established pursuant to
147 ss. 1001.10 and 1008.31, to the Higher Education Coordination
148 Council, the State Board of Education, and the Board of
149 Governors. The committee shall consist of two members each
150 representing the State University System, the Florida College
151 System, public career and technical education, public K-12
152 education, and nonpublic education and one member representing
153 students. The chair shall be elected from the membership. The
154 committee shall:

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

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

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

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

168 (e) Annually review the statewide course numbering system,
169 the levels of courses, and the application of transfer credit
170 requirements among public and nonpublic institutions
171 participating in the statewide course numbering system and
172 identify instances of student transfer and admissions
173 difficulties.

174 (f) Annually publish a list of courses that meet common

576-02440-13

2013878c2

175 general education and common degree program prerequisite
176 requirements at public postsecondary institutions identified
177 pursuant to s. 1007.25.

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

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

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

189 3. Identifying data issues including, but not limited to,
190 data quality and accessibility.

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

195 Section 5. Present subsection (4) of section 1008.31,
196 Florida Statutes, is renumbered as subsection (5), a new
197 subsection (4) is added to that section, and subsection (3) of
198 that section is amended, to read:

199 1008.31 Florida's K-20 education performance accountability
200 system; legislative intent; mission, goals, and systemwide
201 measures; data quality improvements.-

202 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
203 data required to implement education performance accountability

576-02440-13

2013878c2

204 measures in state and federal law, the commissioner ~~of Education~~
205 shall initiate and maintain strategies to improve data quality
206 and timeliness. The Board of Governors shall make available to
207 the department all data within the State University Database
208 System to collected from state universities shall, as determined
209 by the commissioner, be integrated into the K-20 data warehouse.
210 The commissioner shall have ~~unlimited~~ access to such data ~~solely~~
211 for the purposes of conducting studies, reporting annual and
212 longitudinal student outcomes, ~~and~~ improving college readiness
213 and articulation, and providing data to organizations and
214 authorized representatives pursuant to subsection (4). All
215 public educational institutions shall annually provide data from
216 the prior year to the K-20 data warehouse in a format based on
217 data elements identified ~~specified~~ by the commissioner.

218 (a) School districts and public postsecondary educational
219 institutions shall maintain information systems that will
220 provide the State Board of Education, the Board of Governors of
221 the State University System, and the Legislature with
222 information and reports necessary to address the specifications
223 of the accountability system. The level of comprehensiveness and
224 quality must ~~shall~~ be no less than that which was available as
225 of June 30, 2001.

226 (b) Colleges and universities eligible to participate in
227 the William L. Boyd, IV, Florida Resident Access Grant Program
228 shall annually report student-level data from the prior year for
229 each student who receives state funds in a format prescribed by
230 the Department of Education. At a minimum, data from the prior
231 year must ~~shall be reported annually to the department and~~
232 include retention rates, transfer rates, completion rates,

576-02440-13

2013878c2

233 graduation rates, employment and placement rates, and earnings
234 of graduates. By December 31, 2013, the colleges and
235 universities described in this paragraph shall report the data
236 for the 2012-2013 academic year to the department. By October 1
237 of each year thereafter, the colleges and universities described
238 in this paragraph shall report the data to the department.

239 (c) The Commissioner of Education shall determine the
240 standards for the required data, monitor data quality, and
241 measure improvements. The commissioner shall report annually to
242 the State Board of Education, the Board of Governors of the
243 State University System, the President of the Senate, and the
244 Speaker of the House of Representatives data quality indicators
245 and ratings for all school districts and public postsecondary
246 educational institutions.

247 (d) The commissioner shall collaborate with the executive
248 director of the Department of Economic Opportunity to develop
249 procedures for the ability to tie student-level data to student
250 and workforce outcome data contained in the Wage Record
251 Interchange System ~~The commissioner shall continuously monitor~~
252 ~~and review the collection of paperwork, data, and reports by~~
253 ~~school districts and complete an annual review of such~~
254 ~~collection no later than June 1 of each year. The annual review~~
255 ~~must include recommendations for consolidating paperwork, data,~~
256 ~~and reports, wherever feasible, in order to reduce the burdens~~
257 ~~on school districts.~~

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

261 1. A web-based interface for parents, students, teachers,

576-02440-13

2013878c2

262 principals, local educational agency leaders, community members,
263 researchers, policymakers, and other constituents which is
264 engaging, informative, and customer-friendly.

265 a. The web-based interface must provide a single location
266 for public access to aggregated data from the K-20 data
267 warehouse which do not contain personally identifiable
268 information or any other information that is confidential
269 pursuant to applicable law.

270 b. Personally identifiable information from education
271 records of students, or any other information that is
272 confidential pursuant to applicable law, must be redacted or
273 aggregated, or the confidentiality otherwise protected by de-
274 identification, anonymization, or any combination thereof.

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

277 a. Restricted to organizations and authorized
278 representatives pursuant to subsection (4). The commissioner
279 shall create a website for organizations and authorized
280 representatives to submit data requests. The website shall
281 generate an automated acknowledgement of each data request. Each
282 acknowledgement of a data request must include a username and
283 password to view the order and status of completion of the data
284 request and a link to the directory of data elements which
285 provides a detailed description of each data element. Within 90
286 days after acknowledging each data request, the department shall
287 provide to organizations or authorized representatives technical
288 assistance regarding the written agreement required under sub-
289 subparagraph d. However, organizations and authorized
290 representatives may execute the written agreement with the

576-02440-13

2013878c2

291 department at any time after submitting a data request. Data
292 requests must be completed within 90 days after the written
293 agreement is executed, unless the written agreement specifies
294 otherwise.

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

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

300 d. Accessible after an organization or an authorized
301 representative executes a written agreement with the
302 commissioner. The written agreement must include, but need not
303 be limited to:

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

308 (II) Identification of the data elements necessary to
309 complete a study, an audit, or an evaluation. The department
310 shall provide assistance to organizations and authorized
311 representatives regarding selection of data elements to fulfill
312 data requests. Requests for additional data by an organization
313 or an authorized representative may be made by amending the
314 written agreement. The deadline for fulfilling a data request
315 may be adjusted accordingly.

316 (III) Identification of the FERPA exception relied upon to
317 obtain education records of students which may contain students'
318 personally identifiable information.

319 (IV) Requirements regarding procedures for securing data,

576-02440-13

2013878c2

320 including, but not limited to, a data security plan. The
321 Department of Education shall reserve the right to conduct
322 security audits or reviews as necessary.

323 (V) Requirements limiting the use of education records of
324 students which contain students' personally identifiable
325 information to meet only the purpose stated in the written
326 agreement.

327 (VI) Requirements establishing disciplinary policies for
328 organizations and authorized representatives which violate FERPA
329 or the written agreement.

330 (VII) Prohibitions regarding access to or use of education
331 records of students which contain students' personally
332 identifiable information obtained pursuant to the written
333 agreement by anyone not authorized to have such access or use by
334 the department.

335 (VIII) Requirements regarding destruction of all personally
336 identifiable information from education records of students
337 which are received pursuant to the written agreement and
338 specification of when the information must be destroyed.

339 (IX) Requirements regarding background screening of
340 organizations and authorized representatives.

341 (X) Requirements regarding the assessment of liquidated
342 damages for unauthorized disclosure of education records of
343 students which contain students' personally identifiable
344 information or for violation of terms and conditions of the
345 written agreement.

346 (XI) Identification of deliverables to be provided by the
347 organization or authorized representative. The deliverables must
348 include, but are not limited to, as appropriate: a copy of the

576-02440-13

2013878c2

349 final study, audit, or evaluation or, if no study, audit, or
350 evaluation is completed, a report identifying such with a copy
351 of unfinished research; a copy of reports, publications, papers,
352 theses, or similar documents; and certification by the
353 organization or authorized representative stating the final
354 status of deliverables and confirming compliance with all
355 provisions of the written agreement. The deliverables shall be
356 provided to the department within 1 year after the date of
357 execution of the written agreement, unless the written agreement
358 specifies otherwise. The Commissioner of Education may assess
359 liquidated damages specified in the written agreement if all
360 deliverables are not timely provided to the Department of
361 Education.

362 (XII) Requirements regarding maintaining the
363 confidentiality of any information that is exempt from s.
364 119.071(1) and s. 24(a), Art. I of the State Constitution, or
365 that is otherwise made confidential by state or federal law.

366 (XIII) Requirements regarding a service charge identified
367 in sub-subparagraph e.

368
369 The Department of Education shall develop, and the State Board
370 of Education shall adopt, rules regarding the written agreement.

371 e. Funded by creating and implementing a pricing structure
372 that is self-sustainable with the goal that the service charge
373 for use of the Research Engine recovers actual costs to fulfill
374 a data request. The commissioner may waive or reduce the service
375 charge for fulfilling a data request. Funds collected from the
376 service charge shall be deposited into the Operating Trust Fund.
377 The department shall develop and the State Board of Education

576-02440-13

2013878c2

378 shall adopt rules regarding the service charge.

379 f. Linked to a list of organizations and authorized
380 representatives that obtain data from the Research Engine on the
381 web-based interface in subparagraph 1. The list must include,
382 but need not be limited to, the date of receipt of each data
383 request, response time to address each data request, and current
384 status of each data request. The department shall continually
385 update the list and maintain a copy of reports prepared and
386 submitted by the organizations and authorized representatives.

387

388 The department shall adopt procedures to implement the web-based
389 interface and the Research Engine established pursuant to this
390 subsection ~~By July 1 of each year, the commissioner shall~~
391 ~~prepare a report assisting the school districts in eliminating~~
392 ~~or consolidating paperwork, data, and reports by providing~~
393 ~~suggestions, technical assistance, and guidance.~~

394 (f) Before establishing any new reporting or data
395 collection requirements, the commissioner of Education shall
396 utilize existing data being collected to reduce duplication and
397 minimize paperwork.

398 (4) ACCESS TO THE K-20 DATA WAREHOUSE.—Pursuant to the
399 studies exception under FERPA, and the federal regulations
400 issued pursuant thereto, organizations conducting studies for,
401 or on behalf of, educational agencies and institutions as
402 provided in 34 C.F.R. 99.31(a)(6), shall be given access to data
403 maintained by the K-20 data warehouse in a manner consistent
404 with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA.
405 Pursuant to the audit or evaluation exception under FERPA,
406 authorized representatives conducting an audit or an evaluation

576-02440-13

2013878c2

407 of a Federal- or state-supported education program as provided
408 in 34 C.F.R. 99.31(a)(3), shall be given access to the data
409 maintained by the K-20 data warehouse in a manner consistent
410 with this section, ss. 1002.22, 1002.221, 1006.52, and FERPA.

411 (a) Requests by organizations or authorized representatives
412 for access to education records of students which may contain
413 students' personally identifiable information, with the
414 exception of requests from the Executive Office of the Governor,
415 the Florida Legislature, the Florida Auditor General, and the
416 Office of Program Policy Analysis and Government Accountability,
417 shall be submitted through the Research Engine established
418 pursuant to subparagraph (3)(e)2. Access to the Research Engine
419 is not conditioned upon or limited to studies, audits, or
420 evaluations that support the research agenda, interests, or
421 priorities of the State Board of Education, the commissioner, or
422 the department.

423 (b) Authorized representatives include the Executive Office
424 of the Governor, the Florida Legislature, the Florida Auditor
425 General, the Office of Program Policy Analysis and Government
426 Accountability, the Florida district school boards, Florida
427 College System institutions, and Florida state universities or
428 entities approved by the Department of Education.

429 (c) Requests for data from the Executive Office of the
430 Governor, the Florida Legislature, the Florida Auditor General,
431 and the Office of Program Policy Analysis and Government
432 Accountability, shall be given a priority over other data
433 requests and shall be provided free of charge.

434 Section 6. Subsection (1) and paragraphs (a) and (c) of
435 subsection (3) of section 1008.34, Florida Statutes, are amended

576-02440-13

2013878c2

436 to read:

437 1008.34 School grading system; school report cards;
438 district grade.—

439 (1) ANNUAL REPORTS.—The Commissioner of Education shall
440 prepare annual reports of the results of the statewide
441 assessment program which describe student achievement in the
442 state, each district, and each school. The commissioner shall
443 prescribe the design and content of these reports, which must
444 include descriptions of the performance of all schools
445 participating in the assessment program and all of their major
446 student populations as determined by the commissioner. The
447 report must also include the percent of students performing at
448 or above grade level and making ~~a year's~~ learning gains ~~growth~~
449 ~~in a year's time~~ in reading and mathematics. The provisions of
450 s. 1002.22 pertaining to student records apply to this section.

451 (3) DESIGNATION OF SCHOOL GRADES.—

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

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

464 1.2. An alternative school may choose to receive a school

576-02440-13

2013878c2

465 grade under this section or a school improvement rating under s.
466 1008.341. For charter schools that meet the definition of an
467 alternative school pursuant to State Board of Education rule,
468 the decision to receive a school grade is the decision of the
469 charter school governing board.

470 ~~2.3-~~ A school that serves any combination of students in
471 kindergarten through grade 3 which does not receive a school
472 grade because its students are not tested and included in the
473 school grading system shall receive the school grade designation
474 of a K-3 feeder pattern school identified by the Department of
475 Education and verified by the school district. A school feeder
476 pattern exists if at least 60 percent of the students in the
477 school serving a combination of students in kindergarten through
478 grade 3 are scheduled to be assigned to the graded school.

479 3. If a colocated school does not earn a school grade or
480 school improvement rating for the performance of its students,
481 the student performance data of all schools operating at the
482 same facility must be aggregated to develop a school grade that
483 will be assigned to all schools at that location. A colocated
484 school is a school that has its own unique master school
485 identification number, provides for the education of each of its
486 enrolled students, and operates at the same facility as another
487 school that has its own unique master school identification
488 number and provides for the education of each of its enrolled
489 students.

490 (c) Student assessment data used in determining school
491 grades shall include:

492 1. The aggregate scores of all eligible students enrolled
493 in the school who have been assessed on the FCAT and statewide,

576-02440-13

2013878c2

494 standardized end-of-course assessments in courses required for
495 high school graduation, including, beginning with the 2011-2012
496 school year, the end-of-course assessment in Algebra I; and
497 beginning with the 2012-2013 school year, the end-of-course
498 assessments in geometry and Biology I; and beginning with the
499 2014-2015 school year, on the statewide, standardized end-of-
500 course assessment in civics education at the middle school
501 level.

502 2. The aggregate scores of all eligible students enrolled
503 in the school who have been assessed on the FCAT and statewide,
504 standardized end-of-course assessments as described in s.
505 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
506 percentile of students in the school in reading and mathematics,
507 unless these students are exhibiting satisfactory performance.

508 3. The achievement scores and learning gains of eligible
509 students attending alternative schools that provide dropout
510 prevention and academic intervention services pursuant to s.
511 1003.53. The term "eligible students" in this subparagraph does
512 not include students attending an alternative school who are
513 subject to district school board policies for expulsion for
514 repeated or serious offenses, who are in dropout retrieval
515 programs serving students who have officially been designated as
516 dropouts, or who are in programs operated or contracted by the
517 Department of Juvenile Justice.

518
519 The student performance data for eligible students identified in
520 this subparagraph shall be included in the calculation of the
521 home school's grade. As used in this subparagraph and s.
522 1008.341, the term "home school" means the school to which the

576-02440-13

2013878c2

523 student would be assigned if the student were not assigned to an
524 alternative school. If an alternative school chooses to be
525 graded under this section, student performance data for eligible
526 students identified in this subparagraph shall not be included
527 in the home school's grade but shall be included only in the
528 calculation of the alternative school's grade. A school district
529 that fails to assign the FCAT and statewide, standardized end-
530 of-course assessment as described in s. 1008.22(3)(c)2.a. scores
531 of each of its students to his or her home school or to the
532 alternative school that receives a grade shall forfeit Florida
533 School Recognition Program funds for 1 fiscal year. School
534 districts must require collaboration between the home school and
535 the alternative school in order to promote student success. This
536 collaboration must include an annual discussion between the
537 principal of the alternative school and the principal of each
538 student's home school concerning the most appropriate school
539 assignment of the student.

540 4. The achievement scores and learning gains of students
541 designated as hospital- or homebound. Student assessment data
542 for a student ~~students~~ designated as hospital- or homebound
543 shall be assigned to his or her ~~their~~ home school for the
544 purposes of school grades if the student was enrolled in the
545 home school during the October and February FTE count in the
546 prior school year. As used in this subparagraph, the term "home
547 school" means the school to which a student would be assigned if
548 the student were not assigned to a hospital- or homebound
549 program.

550 5. For schools comprised of high school grades 9, 10, 11,
551 and 12, or grades 10, 11, and 12, the data listed in

576-02440-13

2013878c2

552 subparagraphs 1.-3. and the following data as the Department of
553 Education determines such data are valid and available:

554 a. The high school graduation rate of the school as
555 calculated by the department;

556 b. The participation rate of all eligible students enrolled
557 in the school and enrolled in College Board Advanced Placement
558 courses; International Baccalaureate courses; dual enrollment
559 courses; Advanced International Certificate of Education
560 courses; and courses or sequences of courses leading to national
561 industry certification identified in the Industry Certification
562 Funding List, pursuant to rules adopted by the State Board of
563 Education;

564 c. The aggregate scores of all eligible students enrolled
565 in the school in College Board Advanced Placement courses,
566 International Baccalaureate courses, and Advanced International
567 Certificate of Education courses;

568 d. Earning of college credit by all eligible students
569 enrolled in the school in dual enrollment programs under s.
570 1007.271;

571 e. Earning of a national industry certification identified
572 in the Industry Certification Funding List, pursuant to rules
573 adopted by the State Board of Education;

574 f. The aggregate scores of all eligible students enrolled
575 in the school in reading, mathematics, and other subjects as
576 measured by the SAT, the ACT, the Postsecondary Education
577 Readiness Test, and the common placement test for postsecondary
578 readiness;

579 g. The high school graduation rate of all eligible at-risk
580 students enrolled in the school who scored at Level 2 or lower

576-02440-13

2013878c2

581 on grade 8 FCAT Reading and FCAT Mathematics;

582 h. The performance of the school's students on statewide,
583 standardized end-of-course assessments administered under s.
584 1008.22(3)(c)2.c. and d.; and

585 i. The growth or decline in the data components listed in
586 sub-subparagraphs a.-h. from year to year.

587

588 The State Board of Education shall adopt appropriate criteria
589 for each school grade. The criteria must also give added weight
590 to student achievement in reading. Schools earning a grade of
591 "C," making satisfactory progress, shall be required to
592 demonstrate that adequate progress has been made by students in
593 the school who are in the lowest 25th percentile in reading and
594 mathematics on the FCAT and end-of-course assessments as
595 described in s. 1008.22(3)(c)2.a., unless these students are
596 exhibiting satisfactory performance. For schools comprised of
597 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
598 the criteria for school grades must also give added weight to
599 the graduation rate of all eligible at-risk students. In order
600 for a high school to earn a grade of "A," the school must
601 demonstrate that its at-risk students, as defined in this
602 paragraph, are making adequate progress.

603 Section 7. Subsections (2), (3), and (5) of section
604 1008.341, Florida Statutes, are amended to read:

605 1008.341 School improvement rating for alternative
606 schools.—

607 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
608 school that provides dropout prevention and academic
609 intervention services pursuant to s. 1003.53. An alternative

576-02440-13

2013878c2

610 school shall receive a school improvement rating pursuant to
611 this section unless the school earns a school grade pursuant to
612 s. 1008.34. Beginning with the 2013-2014 school year, each
613 ~~However, an~~ alternative school that chooses to receive a school
614 improvement rating shall not receive a school improvement rating
615 if the number of its students for whom student performance data
616 on statewide, standardized assessments pursuant to s. 1008.22
617 which is available for the current year and previous year meets
618 or exceeds is less than the minimum sample size of 10. An
619 alternative school that tests at least 80 percent of its
620 students may receive a school improvement rating. If an
621 alternative school tests less than 90 percent of its students,
622 the school may not earn a rating higher than "maintaining."
623 ~~necessary, based on accepted professional practice, for~~
624 ~~statistical reliability and prevention of the unlawful release~~
625 ~~of personally identifiable student data under s. 1002.22 or 20~~
626 ~~U.S.C. s. 1232g.~~ The school improvement rating shall identify an
627 alternative school as having one of the following ratings
628 defined according to rules of the State Board of Education:

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

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

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

638

576-02440-13

2013878c2

639 The school improvement rating shall be based on a comparison of
640 student performance data for the current year and previous year.
641 Schools that improve at least one level or maintain an
642 "improving" rating pursuant to this section are eligible for
643 school recognition awards pursuant to s. 1008.36.

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

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

653 (b) Student performance results based ~~The aggregate scores~~
654 on statewide, standardized assessments, including retakes,
655 administered under s. 1008.22 for all eligible students who were
656 assigned to and enrolled in the school during the October or
657 February FTE count and who have scored in the lowest 25th
658 percentile of students in the state on FCAT Reading.

659
660 Student performance results ~~The assessment scores~~ of students
661 who are subject to district school board policies for expulsion
662 for repeated or serious offenses, who are in dropout retrieval
663 programs serving students who have officially been designated as
664 dropouts, or who are in programs operated or contracted by the
665 Department of Juvenile Justice may not be included in an
666 alternative school's school improvement rating.

667 (5) SCHOOL AND STUDENT REPORT CARDS ~~CARD~~.—The Department of

576-02440-13

2013878c2

668 Education shall annually develop, in collaboration with the
669 school districts, a school report card for alternative schools
670 to be delivered to parents throughout each school district. The
671 report card shall include the school improvement rating,
672 identification of student learning gains, student attendance
673 data, information regarding school improvement, ~~an explanation~~
674 ~~of school performance as evaluated by the federal No Child Left~~
675 ~~Behind Act of 2001,~~ and indicators of return on investment. An
676 alternative school that serves at least 10 students who are
677 tested on the statewide, standardized assessments pursuant to s.
678 1008.22 in the current year and previous year shall distribute
679 an individual student report card to parents which includes the
680 student's learning gains and progress toward meeting high school
681 graduation requirements. The report card must also include the
682 school's industry certification rate, college readiness rate,
683 dropout rate, and graduation rate. This subsection does not
684 abrogate the provisions of s. 1002.22 relating to student
685 records or the requirements of 20 U.S.C. s. 1232g, the Family
686 Educational Rights and Privacy Act.

687 Section 8. Paragraph (a) of subsection (2) of section
688 1008.385, Florida Statutes, is amended to read:

689 1008.385 Educational planning and information systems.—

690 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
691 Commissioner of Education shall develop and implement an
692 integrated information system for educational management. The
693 system must be designed to collect, via electronic transfer, all
694 student and school performance data required to ascertain the
695 degree to which schools and school districts are meeting state
696 performance standards, and must be capable of producing data for

576-02440-13

2013878c2

697 a comprehensive annual report on school and district
698 performance. In addition, the system shall support, as feasible,
699 the management decisions to be made in each division of the
700 department and at the individual school and district levels.
701 Similar data elements among divisions and levels shall be
702 compatible. The system shall be based on an overall conceptual
703 design; the information needed for such decisions, including
704 fiscal, student, program, personnel, facility, community,
705 evaluation, and other relevant data; and the relationship
706 between cost and effectiveness. The system shall be managed and
707 administered by the commissioner and shall include a district
708 subsystem component to be administered at the district level,
709 with input from the reports-and-forms control management
710 committees. Each district school system with a unique management
711 information system shall assure that compatibility exists
712 between its unique system and the district component of the
713 state system so that all data required as input to the state
714 system is made available via electronic transfer and in the
715 appropriate input format.

716 (a) The specific responsibilities of the commissioner shall
717 include:

718 1. Consulting with school district representatives in the
719 development of the system design model and implementation plans
720 for the management information system for public school
721 education management;

722 2. Providing operational definitions for the proposed
723 system, including criteria for issuing and revoking master
724 school identification numbers to support the maintenance of
725 education records, to enforce and support education

576-02440-13

2013878c2

726 accountability, to support the distribution of funds to school
727 districts, to support the preparation and analysis of school
728 district financial reports, and to assist the commissioner in
729 carrying out the duties specified in ss. 1001.10 and 1001.11;

730 3. Determining the information and specific data elements
731 required for the management decisions made at each educational
732 level, recognizing that the primary unit for information input
733 is the individual school and recognizing that time and effort of
734 instructional personnel expended in collection and compilation
735 of data should be minimized;

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

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

740 6. Developing appropriate computer programs to assure
741 integration of the various information components dealing with
742 students, personnel, facilities, fiscal, program, community, and
743 evaluation data;

744 7. Developing the necessary programs to provide statistical
745 analysis of the integrated data provided in subparagraph 6. in
746 such a way that required reports may be disseminated,
747 comparisons may be made, and relationships may be determined in
748 order to provide the necessary information for making management
749 decisions at all levels;

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

753 9. Developing a phased plan for distributing computer
754 services equitably among all public schools and school districts

576-02440-13

2013878c2

755 in the state as rapidly as possible. The plan shall describe
756 alternatives available to the state in providing such computing
757 services and shall contain estimates of the cost of each
758 alternative, together with a recommendation for action. In
759 developing the plan, the feasibility of shared use of computing
760 hardware and software by school districts, Florida College
761 System institutions, and universities shall be examined. Laws or
762 administrative rules regulating procurement of data processing
763 equipment, communication services, or data processing services
764 by state agencies shall not be construed to apply to local
765 agencies which share computing facilities with state agencies;

766 10. Assisting the district school systems in establishing
767 their subsystem components and assuring compatibility with
768 current district systems;

769 11. Establishing procedures for continuous evaluation of
770 system efficiency and effectiveness;

771 12. Initiating a reports-management and forms-management
772 system to ascertain that duplication in collection of data does
773 not exist and that forms and reports for reporting under state
774 and federal requirements and other forms and reports are
775 prepared in a logical and uncomplicated format, resulting in a
776 reduction in the number and complexity of required reports,
777 particularly at the school level; and

778 13. Initiating such other actions as are necessary to carry
779 out the intent of the Legislature that a management information
780 system for public school management needs be implemented. Such
781 other actions shall be based on criteria including, but not
782 limited to:

783 a. The purpose of the reporting requirement;

576-02440-13

2013878c2

- 784 b. The origination of the reporting requirement;
- 785 c. The date of origin of the reporting requirement; and
- 786 d. The date of repeal of the reporting requirement.
- 787 Section 9. This act shall take effect July 1, 2013.