

2013878e1

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

2013878e1

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; deleting a provision that
50 requires the commissioner to prepare a report that
51 assists the school districts in eliminating or
52 consolidating paperwork, data, and reports by
53 providing suggestions, technical assistance, and
54 guidance; requiring the commissioner to improve and
55 streamline by a specified date access to data
56 maintained by the K-20 data warehouse by creating and
57 fully implementing a web-based interface and a self-
58 service, restricted access component of the K-20 data

2013878e1

59 warehouse called the "Research Engine"; providing
60 requirements for the Research Engine; providing
61 requirements for a written agreement to access the
62 Research Engine; providing termination of data access
63 privileges and an administrative penalty for violating
64 the written agreement; requiring the adoption of rules
65 and procedures; deleting a provision that requires the
66 commissioner to use existing data being collected to
67 reduce duplication and minimize paperwork; requiring
68 the Department of Education to share data 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; amending s. 1008.341,
75 F.S.; revising provisions relating to alternative
76 schools that are assigned a school improvement rating;
77 revising the student data used in determining an
78 alternative school's school improvement rating;
79 providing requirements for the content and
80 distribution of student report cards for alternative
81 schools; amending s. 1008.385, F.S.; requiring the
82 commissioner to provide information relating to master
83 school identification numbers for purposes of the
84 comprehensive management information system; providing
85 an effective date.

86
87 Be It Enacted by the Legislature of the State of Florida:

2013878e1

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

91 1002.22 Education records and reports of K-12 students;
92 rights of parents and students; notification; penalty.—

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

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

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

102 1004.015 Higher Education Coordinating Council.—

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

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

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

2013878e1

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

119 1005.22 Powers and duties of commission.—

120 (1) The commission shall:

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

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

137 1007.01 Articulation; legislative intent; purpose; role of
138 the State Board of Education and the Board of Governors;
139 Articulation Coordinating Committee.—

140 (3) The Commissioner of Education, in consultation with the
141 Chancellor of the State University System, shall establish the
142 Articulation Coordinating Committee which shall make
143 recommendations related to statewide articulation policies and
144 issues regarding access, quality, and reporting of data
145 maintained by the K-20 data warehouse established pursuant to

2013878e1

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

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

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

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

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

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

173 (f) Annually publish a list of courses that meet common
174 general education and common degree program prerequisite

2013878e1

175 requirements at public postsecondary institutions identified
176 pursuant to s. 1007.25.

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

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

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

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

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

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

198 1008.31 Florida's K-20 education performance accountability
199 system; legislative intent; mission, goals, and systemwide
200 measures; data quality improvements.-

201 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
202 data required to implement education performance accountability
203 measures in state and federal law, the commissioner ~~of Education~~

2013878e1

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

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

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

2013878e1

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

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

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

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

259 1. A web-based interface for parents, students, teachers,
260 principals, local educational agency leaders, community members,
261 researchers, policymakers, and other constituents which is

2013878e1

262 engaging, informative, and customer-friendly.

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

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

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

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

2013878e1

291 agreement is executed, unless the written agreement specifies
292 otherwise.

293 b. Capable of providing student-level data; however, the
294 department shall remove personally identifiable information from
295 education records of students, or any other information that is
296 confidential pursuant to applicable law. The personally
297 identifiable information must be redacted, aggregated, or
298 otherwise protected by de-identification, anonymization, or any
299 combination thereof. To satisfy confidentiality protections of
300 this section and 20 U.S.C. s. 1232g, also known as the Family
301 Educational Rights and Privacy Act (FERPA), the department may
302 assign an anonymized random identification number to each record
303 before providing access to data. The department shall develop
304 and the State Board of Education shall adopt rules regarding
305 redacting and anonymizing personally identifiable information.

306
307 Data provided to organizations and authorized representatives
308 pursuant to subsection (4) may not include personally
309 identifiable information regarding a student's or a student's
310 family's juvenile delinquency records, criminal records, medical
311 records, biometric information, religious affiliations or
312 beliefs, political affiliations or beliefs, and sexual behavior
313 or attitudes.

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

316 d. Accessible after an organization or an authorized
317 representative executes a written agreement with the
318 commissioner. The written agreement must include, but need not
319 be limited to:

2013878e1

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

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

332 (III) Identification of the FERPA exception relied upon to
333 obtain data.

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

338 (V) Requirements limiting the use of data to meet only the
339 purpose stated in the written agreement.

340 (VI) Requirements establishing disciplinary policies for
341 organizations and authorized representatives that violate FERPA
342 or the written agreement.

343 (VII) Prohibitions regarding access to or use of data
344 obtained pursuant to the written agreement by anyone not
345 authorized to have such access or use by the department.

346 (VIII) Requirements regarding destruction of data that are
347 received pursuant to the written agreement and specifications of
348 when the information must be destroyed.

2013878e1

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

351 (X) Requirements regarding the assessment of liquidated
352 damages for unauthorized disclosure of data or for violation of
353 terms and conditions of the written agreement. In addition, if
354 the department determines that an organization or authorized
355 representative, pursuant to subsection (4), has violated the
356 terms and conditions of the written agreement or FERPA, the
357 violation, as determined by the department, is grounds for
358 termination of data access privileges for 10 years. The
359 department may also impose an administrative penalty of up to
360 \$1,000 per violation.

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

377 (XII) Requirements regarding maintaining the

2013878e1

378 confidentiality of any information that is exempt from s.
379 119.071(1) and s. 24(a), Art. I of the State Constitution, or
380 that is otherwise made confidential by state or federal law.

381 (XIII) Requirements regarding a service charge identified
382 in sub-subparagraph e.

383
384 The Department of Education shall develop, and the State Board
385 of Education shall adopt, rules regarding the written agreement.

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

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

402
403 The department shall adopt procedures to implement the web-based
404 interface and the Research Engine established pursuant to this
405 subsection ~~By July 1 of each year, the commissioner shall~~
406 ~~prepare a report assisting the school districts in eliminating~~

2013878e1

407 ~~or consolidating paperwork, data, and reports by providing~~
408 ~~suggestions, technical assistance, and guidance.~~

409 (f) Before establishing any new reporting or data
410 collection requirements, the commissioner of Education shall
411 utilize existing data being collected to reduce duplication and
412 minimize paperwork.

413 (4) ACCESS TO THE K-20 DATA WAREHOUSE.—Pursuant to 20
414 U.S.C. s. 1232g(b)(1)(F), and the federal regulations issued
415 pursuant thereto, organizations conducting studies for, or on
416 behalf of, educational agencies and institutions as provided in
417 34 C.F.R. 99.31(a)(6) shall be given access to data maintained
418 by the K-20 data warehouse in a manner consistent with this
419 section, ss. 1002.22, 1002.221, 1006.52, and FERPA. Pursuant to
420 20 U.S.C. s. 1232g(b)(3)(C), authorized representatives
421 conducting an audit or an evaluation of a federal- or state-
422 supported education program as provided in 34 C.F.R.
423 99.31(a)(3), shall be given access to the data maintained by the
424 K-20 data warehouse in a manner consistent with this section,
425 ss. 1002.22, 1002.221, 1006.52, and FERPA.

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

2013878e1

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

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

448 Section 6. Subsection (1) and paragraph (a) of subsection
449 (3) of section 1008.34, Florida Statutes, are amended 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.

464 (3) DESIGNATION OF SCHOOL GRADES.—

2013878e1

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
493 school improvement rating for the performance of its students,

2013878e1

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

504 The State Board of Education shall adopt appropriate criteria
505 for each school grade. The criteria must also give added weight
506 to student achievement in reading. Schools earning a grade of
507 "C," making satisfactory progress, shall be required to
508 demonstrate that adequate progress has been made by students in
509 the school who are in the lowest 25th percentile in reading and
510 mathematics on the FCAT and end-of-course assessments as
511 described in s. 1008.22(3)(c)2.a., unless these students are
512 exhibiting satisfactory performance. For schools comprised of
513 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
514 the criteria for school grades must also give added weight to
515 the graduation rate of all eligible at-risk students. In order
516 for a high school to earn a grade of "A," the school must
517 demonstrate that its at-risk students, as defined in this
518 paragraph, are making adequate progress.

519 Section 7. Subsections (2), (3), and (5) of section
520 1008.341, Florida Statutes, are amended to read:

521 1008.341 School improvement rating for alternative
522 schools.-

2013878e1

523 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
524 school that provides dropout prevention and academic
525 intervention services pursuant to s. 1003.53. An alternative
526 school shall receive a school improvement rating pursuant to
527 this section unless the school earns a school grade pursuant to
528 s. 1008.34. Beginning with the 2013-2014 school year, each
529 ~~However, an~~ alternative school that chooses to receive a school
530 improvement rating shall ~~not~~ receive a school improvement rating
531 if the number of its students for whom student performance data
532 on statewide, standardized assessments pursuant to s. 1008.22
533 which is available for the current year and previous year meets
534 or exceeds is less than the minimum sample size of 10. An
535 alternative school that tests at least 80 percent of its
536 students may receive a school improvement rating. If an
537 alternative school tests less than 90 percent of its students,
538 the school may not earn a rating higher than "maintaining."
539 ~~necessary, based on accepted professional practice, for~~
540 ~~statistical reliability and prevention of the unlawful release~~
541 ~~of personally identifiable student data under s. 1002.22 or 20~~
542 ~~U.S.C. s. 1232g.~~ The school improvement rating shall identify an
543 alternative school as having one of the following ratings
544 defined according to rules of the State Board of Education:

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

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

551 (c) "Declining" means the students attending the school are

2013878e1

552 making less academic progress than when the students were served
553 in their home schools.

554

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

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

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

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

575

576 Student performance results ~~The assessment scores~~ of students
577 who are subject to district school board policies for expulsion
578 for repeated or serious offenses, who are in dropout retrieval
579 programs serving students who have officially been designated as
580 dropouts, or who are in programs operated or contracted by the

2013878e1

581 Department of Juvenile Justice may not be included in an
582 alternative school's school improvement rating.

583 (5) SCHOOL AND STUDENT REPORT CARDS ~~CARD~~.—The Department of
584 Education shall annually develop, in collaboration with the
585 school districts, a school report card for alternative schools
586 to be delivered to parents throughout each school district. The
587 report card shall include the school improvement rating,
588 identification of student learning gains, student attendance
589 data, information regarding school improvement, ~~an explanation~~
590 ~~of school performance as evaluated by the federal No Child Left~~
591 ~~Behind Act of 2001~~, and indicators of return on investment. An
592 alternative school that serves at least 10 students who are
593 tested on the statewide, standardized assessments pursuant to s.
594 1008.22 in the current year and previous year shall distribute
595 an individual student report card to parents which includes the
596 student's learning gains and progress toward meeting high school
597 graduation requirements. The report card must also include the
598 school's industry certification rate, college readiness rate,
599 dropout rate, and graduation rate. This subsection does not
600 abrogate the provisions of s. 1002.22 relating to student
601 records or the requirements of 20 U.S.C. s. 1232g, the Family
602 Educational Rights and Privacy Act.

603 Section 8. Paragraph (a) of subsection (2) of section
604 1008.385, Florida Statutes, is amended to read:

605 1008.385 Educational planning and information systems.—

606 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.—The
607 Commissioner of Education shall develop and implement an
608 integrated information system for educational management. The
609 system must be designed to collect, via electronic transfer, all

2013878e1

610 student and school performance data required to ascertain the
611 degree to which schools and school districts are meeting state
612 performance standards, and must be capable of producing data for
613 a comprehensive annual report on school and district
614 performance. In addition, the system shall support, as feasible,
615 the management decisions to be made in each division of the
616 department and at the individual school and district levels.
617 Similar data elements among divisions and levels shall be
618 compatible. The system shall be based on an overall conceptual
619 design; the information needed for such decisions, including
620 fiscal, student, program, personnel, facility, community,
621 evaluation, and other relevant data; and the relationship
622 between cost and effectiveness. The system shall be managed and
623 administered by the commissioner and shall include a district
624 subsystem component to be administered at the district level,
625 with input from the reports-and-forms control management
626 committees. Each district school system with a unique management
627 information system shall assure that compatibility exists
628 between its unique system and the district component of the
629 state system so that all data required as input to the state
630 system is made available via electronic transfer and in the
631 appropriate input format.

632 (a) The specific responsibilities of the commissioner shall
633 include:

634 1. Consulting with school district representatives in the
635 development of the system design model and implementation plans
636 for the management information system for public school
637 education management;

638 2. Providing operational definitions for the proposed

2013878e1

639 system, including criteria for issuing and revoking master
640 school identification numbers to support the maintenance of
641 education records, to enforce and support education
642 accountability, to support the distribution of funds to school
643 districts, to support the preparation and analysis of school
644 district financial reports, and to assist the commissioner in
645 carrying out the duties specified in ss. 1001.10 and 1001.11;

646 3. Determining the information and specific data elements
647 required for the management decisions made at each educational
648 level, recognizing that the primary unit for information input
649 is the individual school and recognizing that time and effort of
650 instructional personnel expended in collection and compilation
651 of data should be minimized;

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

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

656 6. Developing appropriate computer programs to assure
657 integration of the various information components dealing with
658 students, personnel, facilities, fiscal, program, community, and
659 evaluation data;

660 7. Developing the necessary programs to provide statistical
661 analysis of the integrated data provided in subparagraph 6. in
662 such a way that required reports may be disseminated,
663 comparisons may be made, and relationships may be determined in
664 order to provide the necessary information for making management
665 decisions at all levels;

666 8. Developing output report formats which will provide
667 district school systems with information for making management

2013878e1

668 decisions at the various educational levels;

669 9. Developing a phased plan for distributing computer
670 services equitably among all public schools and school districts
671 in the state as rapidly as possible. The plan shall describe
672 alternatives available to the state in providing such computing
673 services and shall contain estimates of the cost of each
674 alternative, together with a recommendation for action. In
675 developing the plan, the feasibility of shared use of computing
676 hardware and software by school districts, Florida College
677 System institutions, and universities shall be examined. Laws or
678 administrative rules regulating procurement of data processing
679 equipment, communication services, or data processing services
680 by state agencies shall not be construed to apply to local
681 agencies which share computing facilities with state agencies;

682 10. Assisting the district school systems in establishing
683 their subsystem components and assuring compatibility with
684 current district systems;

685 11. Establishing procedures for continuous evaluation of
686 system efficiency and effectiveness;

687 12. Initiating a reports-management and forms-management
688 system to ascertain that duplication in collection of data does
689 not exist and that forms and reports for reporting under state
690 and federal requirements and other forms and reports are
691 prepared in a logical and uncomplicated format, resulting in a
692 reduction in the number and complexity of required reports,
693 particularly at the school level; and

694 13. Initiating such other actions as are necessary to carry
695 out the intent of the Legislature that a management information
696 system for public school management needs be implemented. Such

2013878e1

697 other actions shall be based on criteria including, but not
698 limited to:

- 699 a. The purpose of the reporting requirement;
700 b. The origination of the reporting requirement;
701 c. The date of origin of the reporting requirement; and
702 d. The date of repeal of the reporting requirement.
703 Section 9. This act shall take effect July 1, 2013.