

FOR CONSIDERATION By the Committee on Education

581-01952-14

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1                                   A bill to be entitled  
2       An act relating to education accountability; amending  
3       s. 1008.34, F.S.; providing definitions for the  
4       statewide, standardized assessment program and school  
5       grading system; deleting annual reports; revising  
6       authority over allocation of a school's budget based  
7       on school grades; revising the basis for the  
8       calculation of school grades; revising the contents of  
9       the school report card; revising the basis for the  
10      calculation of district grades; requiring the  
11      Department of Education to develop a district report  
12      card; providing for transition to the revised school  
13      grading system; amending s. 1001.42, F.S.; revising  
14      criteria that necessitate a school's improvement plan  
15      to include certain strategies; amending s. 1002.33,  
16      F.S.; revising cross-references; amending s.  
17      1003.621, F.S.; revising cross-references; amending s.  
18      1008.31, F.S.; revising legislative intent for the K-  
19      20 education performance accountability system;  
20      amending s. 1008.33, F.S.; conforming provisions  
21      relating to school improvement and education  
22      accountability; amending s. 1008.341, F.S.; revising  
23      provisions relating to the school improvement rating  
24      for alternative schools; amending s. 1008.3415, F.S.;  
25      correcting cross-references; providing an effective  
26      date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Section 1008.34, Florida Statutes, is amended to  
31 read:

32 1008.34 School grading system; school report cards;  
33 district grade.—

34 (1) DEFINITIONS.—For purposes of the statewide,  
35 standardized assessment program and school grading system, the  
36 following terms are defined:

37 (a) "Achievement level," "student achievement," or  
38 "achievement" describes the level of content mastery a student  
39 has acquired in a particular subject as measured by a statewide,  
40 standardized assessment administered pursuant to s.  
41 1008.22(3)(a) and (b). There are five achievement levels. Level  
42 1 is the lowest achievement level, level 5 is the highest  
43 achievement level, and level 3 indicates satisfactory  
44 performance. A student passes an assessment if the student  
45 achieves a level 3, level 4, or level 5. For purposes of the  
46 Florida Alternate Assessment administered pursuant to s.  
47 1008.22(3)(c), the state board shall provide, in rule, the  
48 number of achievement levels and identify the achievement levels  
49 that are considered passing.

50 (b) "Learning Gains," "annual learning gains," or "student  
51 learning gains" means the degree of student learning growth  
52 occurring from one school year to the next as required by state  
53 board rule for purposes of calculating school grades under this  
54 section.

55 (c) "Student performance," "student academic performance,"  
56 or "academic performance" includes, but is not limited to,  
57 student learning growth, achievement levels, and Learning Gains  
58 on statewide, standardized assessments administered pursuant to

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59 s. 1008.22.

60 ~~(1) ANNUAL REPORTS. The Commissioner of Education shall~~  
61 ~~prepare annual reports of the results of the statewide~~  
62 ~~assessment program which describe student achievement in the~~  
63 ~~state, each district, and each school. The commissioner shall~~  
64 ~~prescribe the design and content of these reports, which must~~  
65 ~~include descriptions of the performance of all schools~~  
66 ~~participating in the assessment program and all of their major~~  
67 ~~student populations as determined by the commissioner. The~~  
68 ~~report must also include the percent of students performing at~~  
69 ~~or above grade level and making learning gains in reading and~~  
70 ~~mathematics. The provisions of s. 1002.22 pertaining to student~~  
71 ~~records apply to this section.~~

72 ~~(2) SCHOOL GRADES. The annual report shall identify Schools~~  
73 ~~shall be graded using as having one of the following grades,~~  
74 ~~defined according to rules of the State Board of Education:~~

- 75 (a) "A," schools making excellent progress.  
76 (b) "B," schools making above average progress.  
77 (c) "C," schools making satisfactory progress.  
78 (d) "D," schools making less than satisfactory progress.  
79 (e) "F," schools failing to make adequate progress.

80  
81 Each school that earns a grade of "A" or improves at least two  
82 letter grades may ~~shall~~ have greater authority over the  
83 allocation of the school's total budget generated from the FEFP,  
84 state categoricals, lottery funds, grants, and local funds, ~~as~~  
85 ~~specified in state board rule. The rule must provide that the~~  
86 ~~increased budget authority shall remain in effect until the~~  
87 ~~school's grade declines.~~

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88 (3) DESIGNATION OF SCHOOL GRADES.—

89 (a) Each school must assess at least 95 percent of its  
90 eligible students, except as provided under s. 1008.341 for  
91 alternative schools. ~~Beginning with the 2013-2014 school year,~~  
92 ~~Each school that has students who are tested and included in the~~  
93 ~~school grading system~~ shall receive a school grade based on the  
94 school's performance on the components listed in subparagraphs  
95 (b)1. and 2. If a school does not have at least 10 students with  
96 complete data for one or more of the components listed in  
97 subparagraphs (b)1. and 2., those components may not be used in  
98 calculating the school's grade. ~~if the number of its students~~  
99 ~~tested on statewide assessments pursuant to s. 1008.22 meets or~~  
100 ~~exceeds the minimum sample size of 10, except as follows:~~

101 1. An alternative school may choose to receive a school  
102 grade under this section or a school improvement rating under s.  
103 1008.341. For charter schools that meet the definition of an  
104 alternative school pursuant to State Board of Education rule,  
105 the decision to receive a school grade is the decision of the  
106 charter school governing board.

107 2. A school that serves any combination of students in  
108 kindergarten through grade 3 that ~~which~~ does not receive a  
109 school grade because its students are not tested and included in  
110 the school grading system shall receive the school grade  
111 designation of a K-3 feeder pattern school identified by the  
112 Department of Education and verified by the school district. A  
113 school feeder pattern exists if at least 60 percent of the  
114 students in the school serving a combination of students in  
115 kindergarten through grade 3 are scheduled to be assigned to the  
116 graded school.

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117 3. If a collocated school does not earn a school grade or  
118 school improvement rating for the performance of its students,  
119 the student performance data of all schools operating at the  
120 same facility must be aggregated to develop a school grade that  
121 will be assigned to all schools at that location. A collocated  
122 school is a school that has its own unique master school  
123 identification number, provides for the education of each of its  
124 enrolled students, and operates at the same facility as another  
125 school that has its own unique master school identification  
126 number and provides for the education of each of its enrolled  
127 students.

128 (b)1. Beginning with the 2014-2015 school year, a school's  
129 grade shall be based on the following components, each worth 100  
130 points a combination of:

131 a. The percentage of eligible students passing Student  
132 achievement scores on statewide, standardized assessments in  
133 English Language Arts under s. 1008.22(3) ~~1008.22~~ and  
134 achievement scores for students seeking a special diploma.

135 b. The percentage of eligible students passing statewide,  
136 standardized assessments in mathematics under s. 1008.22(3).

137 c. The percentage of eligible students passing statewide,  
138 standardized assessments in science under s. 1008.22(3).

139 d. The percentage of eligible students passing the  
140 statewide, standardized assessments in social studies under s.  
141 1008.22(3).

142 ~~e.b.~~ The percentage of eligible students who make Student  
143 Learning Gains in FCAT Reading or, upon transition to common  
144 core assessments, the common core English Language Arts and  
145 Mathematics assessments as measured by statewide, standardized

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146 assessments administered under ~~pursuant to~~ s. 1008.22(3)  
147 ~~1008.22, including learning gains for students seeking a special~~  
148 ~~diploma, as measured by an alternate assessment.~~

149 f. The percentage of eligible students who make Learning  
150 Gains in mathematics as measured by statewide, standardized  
151 assessments administered under s. 1008.22(3).

152 ~~g.e. The percentage of eligible students in Improvement of~~  
153 ~~the lowest 25 percent in English Language Arts, as identified by~~  
154 ~~prior year performance on statewide, standardized assessments,~~  
155 ~~who make Learning Gains as measured by statewide, standardized~~  
156 ~~English Language Arts assessments administered under s.~~  
157 ~~1008.22(3) 25th percentile of students in the school in reading~~  
158 ~~or, upon transition to common core assessments, English Language~~  
159 ~~Arts and Mathematics assessments administered pursuant to s.~~  
160 ~~1008.22, unless these students are exhibiting satisfactory~~  
161 ~~performance.~~

162 h. The percentage of eligible students in the lowest 25  
163 percent in mathematics, as identified by prior year performance  
164 on statewide, standardized assessments, who make Learning Gains  
165 as measured by statewide, standardized mathematics assessments  
166 administered under s. 1008.22(3).

167  
168 In calculating Learning Gains for the components listed in sub-  
169 subparagraphs e.-h., the State Board of Education shall require  
170 that learning growth toward achievement levels 3, 4, and 5 is  
171 demonstrated by students who scored below each of those levels  
172 in the prior year.

173 ~~2. Beginning with the 2011-2012 school year, for schools~~  
174 ~~comprised of middle grades 6 through 8 or grades 7 and 8, the~~

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175 ~~school's grade shall include the performance and participation~~  
176 ~~of its students enrolled in high school level courses with~~  
177 ~~statewide, standardized assessments administered under s.~~  
178 ~~1008.22. Performance and participation must be weighted equally.~~  
179 ~~As valid data becomes available, the school grades shall include~~  
180 ~~the students' attainment of national industry certification~~  
181 ~~identified in the Industry Certification Funding List pursuant~~  
182 ~~to rules adopted by the state board.~~

183 ~~2.3. Beginning with the 2009-2010 school year~~ For a school  
184 ~~schools~~ comprised of ~~high school~~ grades 9, 10, 11, and 12, or  
185 grades 10, 11, and 12, the school's grade at least 50 percent of  
186 ~~the school grade~~ shall also be based on a ~~combination of the~~  
187 ~~factors listed in sub-subparagraphs 1.a.-c. and the remaining~~  
188 ~~percentage on the following~~ components, each worth 100 points  
189 ~~factors:~~

190 a. The four-year high school graduation rate of the school,  
191 as defined by state board rule.

192 b. The percentage of students who were eligible to earn  
193 college credit through ~~As valid data becomes available, the~~  
194 ~~performance and participation of the school's students in~~  
195 College Board Advanced Placement examinations ~~courses,~~  
196 International Baccalaureate examinations ~~courses,~~ dual  
197 enrollment courses, or ~~and~~ Advanced International Certificate of  
198 Education examinations ~~courses; or who, at any time during high~~  
199 school, earned ~~and the students' achievement of national~~  
200 industry certification for which there is a statewide  
201 articulation agreement and that is identified in the Industry  
202 Certification Funding List, pursuant to rules adopted by the  
203 state board.

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204       (c)1. The calculation of a school grade shall be based on  
205 the percentage of points earned from the components listed in  
206 subparagraph (b)1. and, if applicable, subparagraph (b)2. The  
207 State Board of Education shall adopt in rule a school grading  
208 scale that sets the percentage of points needed to earn each of  
209 the school grades listed in subsection (2). There shall be at  
210 least five percentage points separating the percentage  
211 thresholds needed to earn each of the school grades. The state  
212 board shall periodically review the school grading scale to  
213 determine if the scale should be adjusted upward to meet raised  
214 expectations and encourage increased student performance.

215       2. The calculation of school grades may not include any  
216 provision that would raise or lower the school's grade beyond  
217 the percentage of points earned. Extra weight may not be added  
218 to the calculation of any components.

219       ~~e. Postsecondary readiness of all of the school's on-time~~  
220 ~~graduates as measured by the SAT, the ACT, the Postsecondary~~  
221 ~~Education Readiness Test, or the common placement test;~~

222       ~~d. The high school graduation rate of at-risk students, who~~  
223 ~~score Level 1 or Level 2 on grade 8 FCAT Reading or the English~~  
224 ~~Language Arts and mathematics assessments administered under s.~~  
225 ~~1008.22;~~

226       ~~e. As valid data becomes available, the performance of the~~  
227 ~~school's students on statewide, standardized end-of-course~~  
228 ~~assessments administered under s. 1008.22(3)(b)4. and 5.; and~~

229       ~~f. The growth or decline in the components listed in sub-~~  
230 ~~subparagraphs a. e. from year to year.~~

231       ~~(c) Student assessment data used in determining school~~  
232 ~~grades shall include:~~

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233 ~~1. The aggregate scores of all eligible students enrolled~~  
234 ~~in the school who have been assessed on statewide, standardized~~  
235 ~~assessments in courses required for high school graduation,~~  
236 ~~including, beginning with the 2011-2012 school year, the end-of-~~  
237 ~~course assessment in Algebra I; and beginning with the 2012-2013~~  
238 ~~school year, the end-of-course assessments in Geometry and~~  
239 ~~Biology I; and beginning with the 2014-2015 school year, on the~~  
240 ~~statewide, standardized end-of-course assessment in civics~~  
241 ~~education at the middle grades level.~~

242 ~~2. The aggregate scores of all eligible students enrolled~~  
243 ~~in the school who have been assessed on statewide, standardized~~  
244 ~~assessments under s. 1008.22 and who have scored at or in the~~  
245 ~~lowest 25th percentile of students in the school in reading and~~  
246 ~~mathematics, unless these students are exhibiting satisfactory~~  
247 ~~performance.~~

248 (d) The performance of students attending alternative  
249 schools and students designated as hospital or homebound shall  
250 be factored into a school grade as follows:

251 1.3. The student performance data for achievement scores  
252 and learning gains of eligible students attending alternative  
253 schools that provide dropout prevention and academic  
254 intervention services pursuant to s. 1003.53 shall be included  
255 in the calculation of the home school's grade. The term  
256 "eligible students" in this subparagraph does not include  
257 students attending an alternative school who are subject to  
258 district school board policies for expulsion for repeated or  
259 serious offenses, who are in dropout retrieval programs serving  
260 students who have officially been designated as dropouts, or who  
261 are in programs operated or contracted by the Department of

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262 Juvenile Justice. ~~The student performance data for eligible~~  
263 ~~students identified in this subparagraph shall be included in~~  
264 ~~the calculation of the home school's grade.~~ As used in this  
265 subparagraph and s. 1008.341, the term "home school" means the  
266 school to which the student would be assigned if the student  
267 were not assigned to an alternative school. If an alternative  
268 school chooses to be graded under this section, student  
269 performance data for eligible students identified in this  
270 subparagraph shall not be included in the home school's grade  
271 but shall be included only in the calculation of the alternative  
272 school's grade. A school district that fails to assign  
273 statewide, standardized end-of-course assessment scores of each  
274 of its students to his or her home school or to the alternative  
275 school that receives a grade shall forfeit Florida School  
276 Recognition Program funds for one ± fiscal year. School  
277 districts must require collaboration between the home school and  
278 the alternative school in order to promote student success. This  
279 collaboration must include an annual discussion between the  
280 principal of the alternative school and the principal of each  
281 student's home school concerning the most appropriate school  
282 assignment of the student.

283 2.4. Student performance data for ~~The achievement scores~~  
284 ~~and learning gains of students designated as~~ hospital or  
285 homebound ~~hospital or homebound.~~ ~~Student assessment data for~~  
286 ~~students designated as hospital or homebound~~ shall be assigned  
287 to their home school for the purposes of school grades. As used  
288 in this subparagraph, the term "home school" means the school to  
289 which a student would be assigned if the student were not  
290 assigned to a hospital or homebound ~~hospital or homebound~~

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291 program.

292 ~~5. For schools comprised of high school grades 9, 10, 11,~~  
293 ~~and 12, or grades 10, 11, and 12, the data listed in~~  
294 ~~subparagraphs 1. 3. and the following data as the Department of~~  
295 ~~Education determines such data are valid and available:~~

296 ~~a. The high school graduation rate of the school as~~  
297 ~~calculated by the department;~~

298 ~~b. The participation rate of all eligible students enrolled~~  
299 ~~in the school and enrolled in College Board Advanced Placement~~  
300 ~~courses; International Baccalaureate courses; dual enrollment~~  
301 ~~courses; Advanced International Certificate of Education~~  
302 ~~courses; and courses or sequences of courses leading to national~~  
303 ~~industry certification identified in the Industry Certification~~  
304 ~~Funding List, pursuant to rules adopted by the State Board of~~  
305 ~~Education;~~

306 ~~c. The aggregate scores of all eligible students enrolled~~  
307 ~~in the school in College Board Advanced Placement courses,~~  
308 ~~International Baccalaureate courses, and Advanced International~~  
309 ~~Certificate of Education courses;~~

310 ~~d. Earning of college credit by all eligible students~~  
311 ~~enrolled in the school in dual enrollment programs under s.~~  
312 ~~1007.271;~~

313 ~~e. Earning of a national industry certification identified~~  
314 ~~in the Industry Certification Funding List, pursuant to rules~~  
315 ~~adopted by the State Board of Education;~~

316 ~~f. The aggregate scores of all eligible students enrolled~~  
317 ~~in the school in reading, mathematics, and other subjects as~~  
318 ~~measured by the SAT, the ACT, the Postsecondary Education~~  
319 ~~Readiness Test, and the common placement test for postsecondary~~

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320 ~~readiness;~~

321 ~~g. The high school graduation rate of all eligible at-risk~~  
322 ~~students enrolled in the school who scored Level 2 or lower on~~  
323 ~~grade 8 FCAT Reading and FCAT Mathematics;~~

324 ~~h. The performance of the school's students on statewide,~~  
325 ~~standardized end-of-course assessments administered under s.~~  
326 ~~1008.22(3)(b)4. and 5.; and~~

327 ~~i. The growth or decline in the data components listed in~~  
328 ~~sub-subparagraphs a. h. from year to year.~~

329  
330 ~~The State Board of Education shall adopt appropriate criteria~~  
331 ~~for each school grade. The criteria must also give added weight~~  
332 ~~to student achievement in reading. Schools earning a grade of~~  
333 ~~"C," making satisfactory progress, shall be required to~~  
334 ~~demonstrate that adequate progress has been made by students in~~  
335 ~~the school who are in the lowest 25th percentile in reading and~~  
336 ~~mathematics on statewide, standardized assessments under s.~~  
337 ~~1008.22, unless these students are exhibiting satisfactory~~  
338 ~~performance. For schools comprised of high school grades 9, 10,~~  
339 ~~11, and 12, or grades 10, 11, and 12, the criteria for school~~  
340 ~~grades must also give added weight to the graduation rate of all~~  
341 ~~eligible at-risk students. In order for a high school to earn a~~  
342 ~~grade of "A," the school must demonstrate that its at-risk~~  
343 ~~students, as defined in this paragraph, are making adequate~~  
344 ~~progress.~~

345 ~~(4) SCHOOL IMPROVEMENT RATINGS. The annual report shall~~  
346 ~~identify each school's performance as having improved, remained~~  
347 ~~the same, or declined. This school improvement rating shall be~~  
348 ~~based on a comparison of the current year's and previous year's~~

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349 ~~student and school performance data. A school that improves its~~  
350 ~~rating by at least one level is eligible for school recognition~~  
351 ~~awards pursuant to s. 1008.36.~~

352 (4)~~(5)~~ SCHOOL REPORT CARD.—The Department of Education  
353 shall annually develop, in collaboration with the school  
354 districts, a school report card to be provided by the school  
355 district to parents within the district. The report card shall  
356 include the school's grade; student performance in English  
357 Language Arts, mathematics, science, and social studies;~~;~~  
358 information regarding school improvement;~~;~~ an explanation of  
359 school performance as evaluated by the federal Elementary and  
360 Secondary Education Act (ESEA), 20 U.S.C. ss. 6301 et seq.;~~;~~ and  
361 indicators of return on investment. Each school's report card  
362 shall be published annually by the department on its website  
363 based upon the most recent data available.

364 ~~(6) PERFORMANCE-BASED FUNDING.—The Legislature may factor~~  
365 ~~in the performance of schools in calculating any performance-~~  
366 ~~based funding policy that is provided for annually in the~~  
367 ~~General Appropriations Act.~~

368 (5)~~(7)~~ DISTRICT GRADE.—The annual report required by  
369 subsection ~~(1)~~ shall include the school district's grade.  
370 Beginning with the 2014-2015 school year, a school district's  
371 grade shall include a district-level calculation of the  
372 components under paragraph (3) (b) be calculated using student  
373 performance and learning gains data on statewide assessments  
374 used for determining school grades under subparagraph (3) (b) 1.  
375 for each eligible student enrolled for a full school year in the  
376 district. This calculation methodology captures each eligible  
377 student in the district who may have transferred among schools

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378 within the district or is enrolled in a school that does not  
379 receive a grade. The department shall develop a district report  
380 card that includes the district's grade; measures of the  
381 district's progress in closing the achievement gap between  
382 higher-performing student subgroups and lower-performing student  
383 subgroups; measures of the district's progress in demonstrating  
384 Learning Gains of its highest-performing students; measures of  
385 the district's success in improving student attendance; the  
386 district's grade-level promotion of students scoring achievement  
387 levels 1 and 2 on statewide, standardized English Language Arts  
388 and mathematics assessments; and measures of the district's  
389 performance in preparing students for the transition from  
390 elementary to middle school, middle to high school, and high  
391 school to postsecondary institutions and careers.

392 (6)(8) RULES.—The State Board of Education shall adopt  
393 rules under ss. 120.536(1) and 120.54 to administer this  
394 section.

395 (7) TRANSITION.—School grades and school improvement  
396 ratings pursuant to s. 1008.341 for the 2013-2014 school year  
397 shall be calculated based on statutes and rules in effect on  
398 June 30, 2014. To assist in the transition to 2014-2015 school  
399 grades, calculated based on new statewide, standardized  
400 assessments administered pursuant to s. 1008.22, the 2014-2015  
401 school grades shall serve as an informational baseline for  
402 schools to work toward improved performance in future years.  
403 Accordingly, notwithstanding any other provision of law:

404 (a) A school may not be required to select and implement a  
405 turnaround option pursuant to s. 1008.33 in the 2015-2016 school  
406 year based on the school's 2014-2015 grade or school improvement

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407 rating under s. 1008.341, as applicable.

408 (b)1. A school or approved provider under s. 1002.45 that  
409 receives the same or a lower school grade or school improvement  
410 rating for the 2014-2015 school year compared to the 2013-2014  
411 school year is not subject to sanctions or penalties that would  
412 otherwise occur as a result of the 2014-2015 school grade or  
413 rating. A charter school system or a school district designated  
414 as high performing may not lose the designation based on the  
415 2014-2015 school grades of any of the schools within the charter  
416 school system or school district, as applicable.

417 2. The School Recognition Program established under s.  
418 1008.36 shall continue to be implemented as otherwise provided  
419 in the General Appropriations Act.

420 (c) For purposes of determining grade 3 retention pursuant  
421 to s. 1008.25(5) and high school graduation pursuant to s.  
422 1003.4282, student performance on the 2014-2015 statewide,  
423 standardized assessments shall be linked to 2013-2014 student  
424 performance expectations.

425  
426 This subsection is repealed July 1, 2017.

427 Section 2. Subsection (18) of section 1001.42, Florida  
428 Statutes, is amended to read:

429 1001.42 Powers and duties of district school board.—The  
430 district school board, acting as a board, shall exercise all  
431 powers and perform all duties listed below:

432 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
433 Maintain a ~~state~~ system of school improvement and education  
434 accountability as provided by statute and State Board of  
435 Education rule. This system of school improvement and education

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436 accountability shall be consistent with, and implemented  
437 through, the district's continuing system of planning and  
438 budgeting required by this section and ss. 1008.385, 1010.01,  
439 and 1011.01. This system of school improvement and education  
440 accountability shall comply with the provisions of ss. 1008.33,  
441 1008.34, 1008.345, and 1008.385 and include the following:

442 (a) *School improvement plans.*—The district school board  
443 shall annually approve and require implementation of a new,  
444 amended, or continuation school improvement plan for each school  
445 in the district. If a school has a significant gap in  
446 achievement on statewide, standardized assessments administered  
447 pursuant to s. 1008.22 ~~1008.34(3)(b)~~ by one or more student  
448 subgroups, as defined in the federal Elementary and Secondary  
449 Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not  
450 significantly increased ~~decreased~~ the percentage of students  
451 passing scoring below satisfactory on statewide, standardized  
452 assessments; has not significantly increased the percentage of  
453 students demonstrating Learning Gains, as defined in s. 1008.34  
454 and as calculated under s. 1008.34(3)(b), who passed statewide,  
455 standardized assessments; or has significantly lower graduation  
456 rates for a subgroup when compared to the state's graduation  
457 rate, that school's improvement plan shall include strategies  
458 for improving these results. The state board shall adopt rules  
459 establishing thresholds and for determining compliance with this  
460 paragraph.

461 (b) *Public disclosure.*—The district school board shall  
462 provide information regarding the performance of students and  
463 educational programs as required pursuant to ss. 1008.22 and  
464 1008.385 and implement a system of school reports as required by

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465 statute and State Board of Education rule which shall include  
466 schools operating for the purpose of providing educational  
467 services to youth in Department of Juvenile Justice programs,  
468 and for those schools, report on the elements specified in s.  
469 1003.52(19). Annual public disclosure reports shall be in an  
470 easy-to-read report card format and shall include the school's  
471 grade, high school graduation rate calculated without GED tests,  
472 disaggregated by student ethnicity, and performance data as  
473 specified in state board rule.

474 (c) *School improvement funds.*—The district school board  
475 shall provide funds to schools for developing and implementing  
476 school improvement plans. Such funds shall include those funds  
477 appropriated for the purpose of school improvement pursuant to  
478 s. 24.121(5)(c).

479 Section 3. Paragraph (n) of subsection (9) and paragraph  
480 (b) of subsection (21) of section 1002.33, Florida Statutes, are  
481 amended to read:

482 1002.33 Charter schools.—

483 (9) CHARTER SCHOOL REQUIREMENTS.—

484 (n)1. The director and a representative of the governing  
485 board of a charter school that has earned a grade of "D" or "F"  
486 pursuant to s. 1008.34 ~~1008.34(2)~~ shall appear before the  
487 sponsor to present information concerning each contract  
488 component having noted deficiencies. The director and a  
489 representative of the governing board shall submit to the  
490 sponsor for approval a school improvement plan to raise student  
491 performance achievement. Upon approval by the sponsor, the  
492 charter school shall begin implementation of the school  
493 improvement plan. The department shall offer technical

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494 assistance and training to the charter school and its governing  
495 board and establish guidelines for developing, submitting, and  
496 approving such plans.

497 2.a. If a charter school earns three consecutive grades of  
498 "D," two consecutive grades of "D" followed by a grade of "F,"  
499 or two nonconsecutive grades of "F" within a 3-year period, the  
500 charter school governing board shall choose one of the following  
501 corrective actions:

502 (I) Contract for educational services to be provided  
503 directly to students, instructional personnel, and school  
504 administrators, as prescribed in state board rule;

505 (II) Contract with an outside entity that has a  
506 demonstrated record of effectiveness to operate the school;

507 (III) Reorganize the school under a new director or  
508 principal who is authorized to hire new staff; or

509 (IV) Voluntarily close the charter school.

510 b. The charter school must implement the corrective action  
511 in the school year following receipt of a third consecutive  
512 grade of "D," a grade of "F" following two consecutive grades of  
513 "D," or a second nonconsecutive grade of "F" within a 3-year  
514 period.

515 c. The sponsor may annually waive a corrective action if it  
516 determines that the charter school is likely to improve a letter  
517 grade if additional time is provided to implement the  
518 intervention and support strategies prescribed by the school  
519 improvement plan. Notwithstanding this sub-subparagraph, a  
520 charter school that earns a second consecutive grade of "F" is  
521 subject to subparagraph 4.

522 d. A charter school is no longer required to implement a

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523 corrective action if it improves by at least one letter grade.  
524 However, the charter school must continue to implement  
525 strategies identified in the school improvement plan. The  
526 sponsor must annually review implementation of the school  
527 improvement plan to monitor the school's continued improvement  
528 pursuant to subparagraph 5.

529 e. A charter school implementing a corrective action that  
530 does not improve by at least one letter grade after 2 full  
531 school years of implementing the corrective action must select a  
532 different corrective action. Implementation of the new  
533 corrective action must begin in the school year following the  
534 implementation period of the existing corrective action, unless  
535 the sponsor determines that the charter school is likely to  
536 improve a letter grade if additional time is provided to  
537 implement the existing corrective action. Notwithstanding this  
538 sub-subparagraph, a charter school that earns a second  
539 consecutive grade of "F" while implementing a corrective action  
540 is subject to subparagraph 4.

541 3. A charter school with a grade of "D" or "F" that  
542 improves by at least one letter grade must continue to implement  
543 the strategies identified in the school improvement plan. The  
544 sponsor must annually review implementation of the school  
545 improvement plan to monitor the school's continued improvement  
546 pursuant to subparagraph 5.

547 4. The sponsor shall terminate a charter if the charter  
548 school earns two consecutive grades of "F" unless:

549 a. The charter school is established to turn around the  
550 performance of a district public school pursuant to s.  
551 1008.33(4)(b)3. Such charter schools shall be governed by s.

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552 1008.33;

553 b. The charter school serves a student population the  
554 majority of which resides in a school zone served by a district  
555 public school that earned a grade of "F" in the year before the  
556 charter school opened and the charter school earns at least a  
557 grade of "D" in its third year of operation. The exception  
558 provided under this sub-subparagraph does not apply to a charter  
559 school in its fourth year of operation and thereafter; or

560 c. The state board grants the charter school a waiver of  
561 termination. The charter school must request the waiver within  
562 15 days after the department's official release of school  
563 grades. The state board may waive termination if the charter  
564 school demonstrates that the Learning Gains of its students on  
565 statewide assessments are comparable to or better than the  
566 Learning Gains of similarly situated students enrolled in nearby  
567 district public schools. The waiver is valid for 1 year and may  
568 only be granted once. Charter schools that have been in  
569 operation for more than 5 years are not eligible for a waiver  
570 under this sub-subparagraph.

571 5. The director and a representative of the governing board  
572 of a graded charter school that has implemented a school  
573 improvement plan under this paragraph shall appear before the  
574 sponsor at least once a year to present information regarding  
575 the progress of intervention and support strategies implemented  
576 by the school pursuant to the school improvement plan and  
577 corrective actions, if applicable. The sponsor shall communicate  
578 at the meeting, and in writing to the director, the services  
579 provided to the school to help the school address its  
580 deficiencies.

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581 6. Notwithstanding any provision of this paragraph except  
582 sub-subparagraphs 4.a.-c., the sponsor may terminate the charter  
583 at any time pursuant to subsection (8).

584 (21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

585 (b)1. The Department of Education shall report to each  
586 charter school receiving a school grade pursuant to s. 1008.34  
587 or a school improvement rating pursuant to s. 1008.341 the  
588 school's student assessment data pursuant to s. 1008.34(3)(e)  
589 ~~which is reported to schools that receive a school grade or~~  
590 ~~student assessment data pursuant to s. 1008.341(3) which is~~  
591 ~~reported to alternative schools that receive a school~~  
592 ~~improvement rating to each charter school that:~~

593 ~~a. Does not receive a school grade pursuant to s. 1008.34~~  
594 ~~or a school improvement rating pursuant to s. 1008.341; and~~

595 ~~b. Serves at least 10 students who are tested on the~~  
596 ~~statewide assessment test pursuant to s. 1008.22.~~

597 2. The charter school shall report the information in  
598 subparagraph 1. to each parent of a student at the charter  
599 school, the parent of a child on a waiting list for the charter  
600 school, the district in which the charter school is located, and  
601 the governing board of the charter school. This paragraph does  
602 not abrogate the provisions of s. 1002.22, relating to student  
603 records, or the requirements of 20 U.S.C. s. 1232g, the Family  
604 Educational Rights and Privacy Act.

605 3.a. Pursuant to this paragraph, the Department of  
606 Education shall compare the charter school student performance  
607 data for each charter school in subparagraph 1. with the student  
608 performance data in traditional public schools in the district  
609 in which the charter school is located and other charter schools

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610 in the state. For alternative charter schools, the department  
611 shall compare the student performance data described in this  
612 paragraph with all alternative schools in the state. The  
613 comparative data shall be provided by the following grade  
614 groupings:

- 615 (I) Grades 3 through 5;
- 616 (II) Grades 6 through 8; and
- 617 (III) Grades 9 through 11.

618 b. Each charter school shall provide the information  
619 specified in this paragraph on its Internet website and also  
620 provide notice to the public at large in a manner provided by  
621 the rules of the State Board of Education. The State Board of  
622 Education shall adopt rules to administer the notice  
623 requirements of this subparagraph pursuant to ss. 120.536(1) and  
624 120.54. The website shall include, through links or actual  
625 content, other information related to school performance.

626 Section 4. Paragraphs (a) and (d) of subsection (1) of  
627 section 1003.621, Florida Statutes, are amended to read:

628 1003.621 Academically high-performing school districts.—It  
629 is the intent of the Legislature to recognize and reward school  
630 districts that demonstrate the ability to consistently maintain  
631 or improve their high-performing status. The purpose of this  
632 section is to provide high-performing school districts with  
633 flexibility in meeting the specific requirements in statute and  
634 rules of the State Board of Education.

635 (1) ACADEMICALLY HIGH-PERFORMING SCHOOL DISTRICT.—

636 (a) A school district is an academically high-performing  
637 school district if it meets the following criteria:

638 1.a. ~~Beginning with the 2004-2005 school year,~~ Earns a

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639 grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2 consecutive  
640 years; and

641 b. Has no district-operated school that earns a grade of  
642 "F" under s. 1008.34;

643 2. Complies with all class size requirements in s. 1, Art.  
644 IX of the State Constitution and s. 1003.03; and

645 3. Has no material weaknesses or instances of material  
646 noncompliance noted in the annual financial audit conducted  
647 pursuant to s. 11.45 or s. 218.39.

648 (d) In order to maintain the designation as an academically  
649 high-performing school district pursuant to this section, a  
650 school district must meet the following requirements:

651 1. Comply with the provisions of subparagraphs (a)2. and  
652 3.; and

653 2. Earn a grade of "A" under s. 1008.34 ~~1008.34(7)~~ for 2  
654 years within a 3-year period.

655

656 However, a district in which a district-operated school earns a  
657 grade of "F" under s. 1008.34 during the 3-year period may not  
658 continue to be designated as an academically high-performing  
659 school district during the remainder of that 3-year period. The  
660 district must meet the criteria in paragraph (a) in order to be  
661 redesignated as an academically high-performing school district.

662 Section 5. Paragraph (b) of subsection (1) of section  
663 1008.31, Florida Statutes, is amended to read:

664 1008.31 Florida's K-20 education performance accountability  
665 system; legislative intent; mission, goals, and systemwide  
666 measures; data quality improvements.-

667 (1) LEGISLATIVE INTENT.-It is the intent of the Legislature

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668 that:

669 (b) The K-20 education performance accountability system be  
670 established as a single, unified accountability system with  
671 multiple components, including, but not limited to, ~~measures of~~  
672 ~~adequate yearly progress, individual~~ student performance  
673 ~~learning gains~~ in public schools and school and district  
674 ~~grades, and return on investment.~~

675 Section 6. Subsection (2) of section 1008.33, Florida  
676 Statutes, is amended to read:

677 1008.33 Authority to enforce public school improvement.—

678 (2) (a) Pursuant to subsection (1) and ss. 1008.34,  
679 1008.345, and 1008.385, the State Board of Education shall hold  
680 all school districts and public schools accountable for student  
681 performance. The state board is responsible for a state system  
682 of school improvement and education accountability that assesses  
683 student performance by school, identifies schools that ~~in which~~  
684 ~~students~~ are not meeting accountability ~~making adequate progress~~  
685 ~~toward state~~ standards, and institutes appropriate measures for  
686 enforcing improvement.

687 (b) The state system of school improvement and education  
688 accountability must provide for uniform accountability  
689 standards, provide assistance of escalating intensity to ~~low-~~  
690 ~~performing~~ schools not meeting accountability standards, direct  
691 support to schools in order to improve and sustain performance,  
692 focus on the performance of student subgroups, and enhance  
693 student performance.

694 (c) School districts must be held accountable for improving  
695 the academic performance ~~achievement~~ of all students and for  
696 identifying and improving ~~turning around low-performing~~ schools

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697 that fail to meet accountability standards.

698 Section 7. Subsections (2), (3), and (4) of section  
699 1008.341, Florida Statutes, are amended to read:

700 1008.341 School improvement rating for alternative  
701 schools.—

702 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a  
703 school that provides dropout prevention and academic  
704 intervention services pursuant to s. 1003.53. An alternative  
705 school shall receive a school improvement rating pursuant to  
706 this section unless the school earns a school grade pursuant to  
707 s. 1008.34. ~~Beginning with the 2013-2014 school year, each~~ An  
708 alternative school that chooses to receive a school improvement  
709 rating shall receive a school improvement rating if the number  
710 of its students for whom student performance data on statewide,  
711 standardized assessments pursuant to s. 1008.22 which is  
712 available for the current year and previous year meets or  
713 exceeds the minimum sample size of 10. If an alternative school  
714 does not have at least 10 students with complete data for a  
715 component listed in subsection (3), that component may not be  
716 used in calculating the school's improvement rating. The  
717 calculation of the school improvement rating shall be based on  
718 the percentage of points earned from the components listed in  
719 subsection (3). An alternative school that tests at least 80  
720 percent of its students may receive a school improvement rating.  
721 If an alternative school tests less than 90 percent of its  
722 students, the school may not earn a rating higher than  
723 "maintaining." Beginning with the 2016-2017 school year, if an  
724 alternative school does not meet the requirements for the  
725 issuance of a school improvement rating in the current year, and

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726 has failed to receive a school improvement rating for the prior  
727 two consecutive years, the school shall receive a rating for the  
728 current year based upon a compilation of all student Learning  
729 Gains, for all grade levels, for those three years. Likewise, if  
730 the school fails to meet the requirements for a rating the  
731 following year or any year thereafter, the school's rating shall  
732 be based on a compilation of student Learning Gains achieved  
733 during the current and prior two years. The school improvement  
734 rating shall identify an alternative school as having one of the  
735 following ratings defined according to rules of the State Board  
736 of Education:

737 (a) "Commendable" ~~"Improving"~~ means a significant  
738 percentage of the students attending the school are making  
739 Learning Gains ~~more academic progress than when the students~~  
740 ~~were served in their home schools.~~

741 (b) "Maintaining" means a sufficient percentage of the  
742 students attending the school are making Learning Gains ~~progress~~  
743 ~~equivalent to the progress made when the students were served in~~  
744 ~~their home schools.~~

745 (c) "Unsatisfactory" ~~"Declining"~~ means an insufficient  
746 percentage of the students attending the school are making  
747 Learning Gains ~~less academic progress than when the students~~  
748 ~~were served in their home schools.~~

749  
750 ~~The school improvement rating shall be based on a comparison of~~  
751 ~~student performance data for the current year and previous year.~~  
752 Schools that improve at least one level or maintain a  
753 "commendable" ~~an "improving"~~ rating pursuant to this section are  
754 eligible for school recognition awards pursuant to s. 1008.36.

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755 (3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student ~~data~~  
756 ~~used in determining an alternative school's school improvement~~  
757 ~~rating shall include:~~

758 ~~(a) student~~ Learning Gains ~~performance results~~ based on  
759 statewide, standardized assessments, including retakes,  
760 administered under s. 1008.22 for all eligible students who were  
761 assigned to and enrolled in the school during the October or  
762 February FTE count and who have assessment scores or comparable  
763 scores for the preceding school year shall be used in  
764 determining an alternative school's school improvement rating.

765 An alternative school's rating shall be based on the following  
766 components:

767 (a) The percentage of eligible students who make Learning  
768 Gains in English Language Arts as measured by statewide,  
769 standardized assessments under s. 1008.22(3).

770 (b) The percentage of eligible students who make Learning  
771 Gains in mathematics as measured by statewide, standardized  
772 assessments under s. 1008.22(3) ~~Student performance results~~  
773 ~~based on statewide, standardized assessments, including retakes,~~  
774 ~~administered under s. 1008.22 for all eligible students who were~~  
775 ~~assigned to and enrolled in the school during the October or~~  
776 ~~February FTE count and who have scored in the lowest 25th~~  
777 ~~percentile of students in the state on FCAT Reading.~~

778  
779 Student performance results of students who are subject to  
780 district school board policies for expulsion for repeated or  
781 serious offenses, who are in dropout retrieval programs serving  
782 students who have officially been designated as dropouts, or who  
783 are in programs operated or contracted by the Department of

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784 Juvenile Justice may not be included in an alternative school's  
785 school improvement rating.

786 (4) IDENTIFICATION OF STUDENT LEARNING GAINS.—For each  
787 alternative school receiving a school improvement rating, the  
788 Department of Education shall annually identify the percentage  
789 of students making Learning Gains consistent with the provisions  
790 in s. 1008.34(3) ~~as compared to the percentage of the same~~  
791 ~~students making learning gains in their home schools in the year~~  
792 ~~prior to being assigned to the alternative school.~~

793 Section 8. Subsection (2) of section 1008.3415, Florida  
794 Statutes, is amended to read:

795 1008.3415 School grade or school improvement rating for  
796 exceptional student education centers.—

797 (2) Notwithstanding s. 1008.34 ~~1008.34(3)(c)3.~~, the  
798 achievement levels ~~scores~~ and Learning Gains of a student with a  
799 disability who attends an exceptional student education center  
800 and has not been enrolled in or attended a public school other  
801 than an exceptional student education center for grades K-12  
802 within the school district shall not be included in the  
803 calculation of the home school's grade if the student is  
804 identified as an emergent student on the alternate assessment  
805 tool described in s. 1008.22(3)(c) ~~1008.22(3)(c)13.~~

806 Section 9. This act shall take effect July 1, 2014.