

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 major changes
5 in federal law that may affect the state's K-20
6 education performance accountability system; amending
7 s. 1004.015, F.S.; providing a purpose and guiding
8 principle of the Higher Education Coordinating Council
9 to improve the K-20 education performance
10 accountability system and to support data exchange;
11 amending s. 1005.22, F.S.; revising duties of the
12 Commission for Independent Education relating to
13 collecting and reporting data regarding institutions
14 licensed by the commission; amending s. 1007.01, F.S.;
15 revising duties of the Articulation Coordinating
16 Committee relating to collecting and reporting
17 statewide education data; amending s. 1008.31, F.S.;
18 providing legislative intent with regard to the
19 state's K-20 education performance accountability
20 system; requiring the Board of Governors to make data
21 available to the Department of Education to be
22 integrated into the K-20 data warehouse; requiring the
23 Commissioner of Education to have access to certain
24 data for the purpose of providing data to
25 organizations and authorized representatives;
26 requiring certain educational institutions to annually
27 provide data from the prior year to the K-20 data
28 warehouse or to the department; requiring the

29 commissioner to collaborate with the Department of
30 Economic Opportunity to develop procedures to tie
31 student-level data to student and workforce outcome
32 data; requiring the commissioner to improve access to
33 data maintained by the K-20 data warehouse by
34 implementing a web-based interface and a restricted
35 access component of the K-20 data warehouse called the
36 "Research Engine"; providing requirements for the
37 Research Engine and for a written agreement to access
38 the Research Engine; requiring the adoption of rules
39 and procedures; requiring the Department of Education
40 to share education records of students that may
41 contain students' personally identifiable information
42 with organizations and authorized representatives
43 pursuant to exceptions under the Family Educational
44 Rights and Privacy Act; amending s. 1008.34, F.S.;
45 revising provisions relating to schools that are
46 assigned school grades, including colocated schools,
47 and students whose assessment data is used in
48 determining school grades; amending s. 1008.341, F.S.;
49 revising provisions relating to alternative schools
50 that are assigned a school improvement rating,
51 including an exceptional student education center;
52 revising the student data used in determining an
53 alternative school's school improvement rating;
54 providing requirements for the content and
55 distribution of student report cards for alternative
56 schools; amending s. 1008.385, F.S.; requiring the

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57 commissioner to provide information relating to master
58 school identification numbers for purposes of the
59 comprehensive management information system; providing
60 an effective date.

61

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

63

64 Section 1. Paragraph (b) of subsection (3) of section
65 1002.22, Florida Statutes, is amended to read:

66 1002.22 Education records and reports of K-12 students;
67 rights of parents and students; notification; penalty.—

68 (3) DUTIES AND RESPONSIBILITIES.—The State Board of
69 Education shall:

70 (b) Monitor the FERPA and notify the Legislature of any
71 significant change to the requirements of the FERPA or other
72 major changes in federal law which may impact this section or s.
73 1008.31.

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

77 1004.015 Higher Education Coordinating Council.—

78 (1) The Higher Education Coordinating Council is created
79 for the purposes of identifying unmet needs; ~~and~~ facilitating
80 solutions to disputes regarding the creation of new degree
81 programs and the establishment of new institutes, campuses, or
82 centers; and facilitating solutions to data issues identified by
83 the Articulation Coordinating Committee pursuant to s. 1007.01
84 to improve the K-20 education performance accountability system.

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85 (3) The council shall serve as an advisory board to the
86 Legislature, the State Board of Education, and the Board of
87 Governors. Recommendations of the council shall be consistent
88 with the following guiding principles:

89 (f) To promote adoption by the members of the council of a
90 common set of data elements identified by the National Center
91 for Education Statistics to support the effective exchange of
92 data within and across states.

93 Section 3. Paragraph (i) of subsection (1) of section
94 1005.22, Florida Statutes, is amended to read:

95 1005.22 Powers and duties of commission.—

96 (1) The commission shall:

97 (i) Serve as a central agency for collecting and
98 distributing current information regarding institutions licensed
99 by the commission. The commission shall annually collect, and
100 all institutions licensed by the commission shall annually
101 report, student-level data from the prior year for each student
102 who receives state funds, in a format prescribed by the
103 Department of Education. At a minimum, data from the prior year
104 ~~must shall be reported annually and~~ include retention rates,
105 transfer rates, completion rates, graduation rates, employment
106 and placement rates, and earnings of graduates. By December 31,
107 2013, the commission shall report the data for the 2012-2013
108 academic year to the department. By December 31 of each year
109 thereafter, the commission shall report the data to the
110 department.

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

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113 | 1007.01 Articulation; legislative intent; purpose; role of
114 | the State Board of Education and the Board of Governors;
115 | Articulation Coordinating Committee.—

116 | (3) The Commissioner of Education, in consultation with
117 | the Chancellor of the State University System, shall establish
118 | the Articulation Coordinating Committee, which shall make
119 | recommendations related to statewide articulation policies and
120 | issues regarding access, quality, and reporting of data
121 | maintained by the K-20 data warehouse, established pursuant to
122 | ss. 1001.10 and 1008.31, to the Higher Education Coordination
123 | Council, the State Board of Education, and the Board of
124 | Governors. The committee shall consist of two members each
125 | representing the State University System, the Florida College
126 | System, public career and technical education, public K-12
127 | education, and nonpublic education and one member representing
128 | students. The chair shall be elected from the membership. The
129 | committee shall:

130 | (a) Monitor the alignment between the exit requirements of
131 | one education system and the admissions requirements of another
132 | education system into which students typically transfer and make
133 | recommendations for improvement.

134 | (b) Propose guidelines for interinstitutional agreements
135 | between and among public schools, career and technical education
136 | centers, Florida College System institutions, state
137 | universities, and nonpublic postsecondary institutions.

138 | (c) Annually recommend dual enrollment course and high
139 | school subject area equivalencies for approval by the State
140 | Board of Education and the Board of Governors.

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

143 (e) Annually review the statewide course numbering system,
144 the levels of courses, and the application of transfer credit
145 requirements among public and nonpublic institutions
146 participating in the statewide course numbering system and
147 identify instances of student transfer and admissions
148 difficulties.

149 (f) Annually publish a list of courses that meet common
150 general education and common degree program prerequisite
151 requirements at public postsecondary institutions identified
152 pursuant to s. 1007.25.

153 (g) Foster timely collection and reporting of statewide
154 education data ~~Examine statewide data regarding articulation to~~
155 ~~identify issues and make recommendations to improve articulation~~
156 ~~throughout~~ the K-20 education performance accountability system
157 by:

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

161 2. Facilitating timely reporting of data by the K-20 data
162 warehouse to organizations and authorized representatives
163 pursuant to s. 1008.31.

164 3. Identifying data issues including, but not limited to,
165 data quality and accessibility.

166 (h) Recommend roles and responsibilities of public
167 education entities in interfacing with the single, statewide
168 computer-assisted student advising system established pursuant

169 to s. 1006.73.

170 Section 5. Paragraph (f) is added to subsection (1) of
 171 section 1008.31, Florida Statutes, subsection (3) is amended,
 172 subsection (4) is renumbered as subsection (5), and a new
 173 subsection (4) is added to that section, to read:

174 1008.31 Florida's K-20 education performance
 175 accountability system; legislative intent; mission, goals, and
 176 systemwide measures; data quality improvements.-

177 (1) LEGISLATIVE INTENT.-It is the intent of the
 178 Legislature that:

179 (f) The Commissioner of Education interpret the Family
 180 Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g,
 181 in the least restrictive manner possible to allow data linkage
 182 across all educational delivery systems and to provide to
 183 organizations and authorized representatives pursuant to
 184 subsection (4) access to data maintained by the K-20 data
 185 warehouse in a manner consistent with ss. 1002.22, 1002.221, and
 186 1006.52 and the FERPA.

187 (3) K-20 EDUCATION DATA QUALITY IMPROVEMENTS.-To provide
 188 data required to implement education performance accountability
 189 measures in state and federal law, the Commissioner of Education
 190 shall initiate and maintain strategies to improve data quality
 191 and timeliness. The Board of Governors shall make available to
 192 the department all data within the State University Database
 193 System to collected from state universities shall, as determined
 194 by the commissioner, be integrated into the K-20 data warehouse.
 195 The commissioner shall have unlimited access to such data ~~solely~~
 196 for the purposes of conducting studies, reporting annual and

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197 longitudinal student outcomes, ~~and~~ improving college readiness
198 and articulation, and providing data to organizations and
199 authorized representatives pursuant to subsection (4). All
200 public educational institutions shall annually provide data from
201 the prior year to the K-20 data warehouse in a format based on
202 data elements identified ~~specified~~ by the commissioner.

203 (a) School districts and public postsecondary educational
204 institutions shall maintain information systems that will
205 provide the State Board of Education, the Board of Governors of
206 the State University System, and the Legislature with
207 information and reports necessary to address the specifications
208 of the accountability system. The level of comprehensiveness and
209 quality must ~~shall~~ be no less than that which was available as
210 of June 30, 2001.

211 (b) Colleges and universities eligible to participate in
212 the William L. Boyd, IV, Florida Resident Access Grant Program
213 shall annually report student-level data from the prior year for
214 each student who receives state funds in a format prescribed by
215 the Department of Education. At a minimum, data from the prior
216 year must ~~shall be reported annually to the department and~~
217 include retention rates, transfer rates, completion rates,
218 graduation rates, employment and placement rates, and earnings
219 of graduates. By December 31, 2013, the colleges and
220 universities described in this paragraph shall report the data
221 for the 2012-2013 academic year to the department. By December
222 31 of each year thereafter, the colleges and universities
223 described in this paragraph shall report the data to the
224 department.

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225 (c) The Commissioner of Education shall determine the
226 standards for the required data, monitor data quality, and
227 measure improvements. The commissioner shall report annually to
228 the State Board of Education, the Board of Governors of the
229 State University System, the President of the Senate, and the
230 Speaker of the House of Representatives data quality indicators
231 and ratings for all school districts and public postsecondary
232 educational institutions.

233 (d) The commissioner shall continuously monitor and review
234 the collection of paperwork, data, and reports by school
235 districts and complete an annual review of such collection by ~~no~~
236 ~~later than~~ June 1 of each year. The annual review must include
237 recommendations for consolidating paperwork, data, and reports,
238 wherever feasible, in order to reduce the burdens on school
239 districts.

240 (e) By July 1 of each year, the commissioner shall prepare
241 a report assisting the school districts in eliminating or
242 consolidating paperwork, data, and reports by providing
243 suggestions, technical assistance, and guidance.

244 (f) Before establishing any new reporting or data
245 collection requirements, the commissioner ~~of Education~~ shall use
246 ~~utilize~~ existing data being collected to reduce duplication and
247 minimize paperwork.

248 (g) The commissioner shall collaborate with the executive
249 director of the Department of Economic Opportunity to develop
250 procedures for the ability to tie student-level data to student
251 and workforce outcome data contained in the Wage Record
252 Interchange System.

253 (h) By June 30, 2014, the commissioner shall improve and
254 streamline access to data maintained by the K-20 data warehouse
255 by creating and fully implementing:

256 1. A web-based interface for parents, students, teachers,
257 principals, local educational agency leaders, community members,
258 researchers, policymakers, and other constituents that is
259 engaging, informative, and customer friendly.

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

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

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

272 a. Restricted to organizations and authorized
273 representatives pursuant to subsection (4). The commissioner
274 shall create a website for organizations and authorized
275 representatives to submit data requests. The website shall
276 generate an automated acknowledgement of each data request. Each
277 acknowledgement of a data request must include a username and
278 password to view the order and status of completion of the data
279 request and a link to the directory of data elements that
280 provides a detailed description of each data element. Within 90

281 days after acknowledging each data request, the department shall
282 provide to organizations or authorized representatives technical
283 assistance regarding the written agreement required under sub-
284 subparagraph d. However, organizations and authorized
285 representatives may execute the written agreement with the
286 department at any time after submitting a data request. Data
287 requests must be completed within 90 days after the written
288 agreement is executed unless the written agreement specifies
289 otherwise.

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

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

295 d. Accessible after an organization or an authorized
296 representative executes a written agreement with the
297 commissioner. The written agreement must include, but need not
298 be limited to:

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

303 (II) Identification of the data elements necessary to
304 complete a study, an audit, or an evaluation. The department
305 shall provide assistance to organizations and authorized
306 representatives regarding selection of data elements to fulfill
307 data requests. Requests for additional data by an organization
308 or an authorized representative may be made by amending the

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309 written agreement. The deadline for fulfilling a data request
310 may be adjusted accordingly.

311 (III) Identification of the FERPA exception relied upon to
312 obtain education records of students that may contain students'
313 personally identifiable information.

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

318 (V) Requirements limiting the use of education records of
319 students that contain students' personally identifiable
320 information to meet only the purpose stated in the written
321 agreement.

322 (VI) Requirements establishing disciplinary policies for
323 organizations and authorized representatives that violate the
324 FERPA or the written agreement.

325 (VII) Prohibitions regarding access to or use of education
326 records of students that contain students' personally
327 identifiable information obtained pursuant to the written
328 agreement by anyone not authorized to have such access or use by
329 the department.

330 (VIII) Requirements regarding destruction of all
331 personally identifiable information from education records of
332 students that are received pursuant to the written agreement and
333 specification of when the information must be destroyed.

334 (IX) Requirements regarding the assessment of liquidated
335 damages for unauthorized disclosure of education records of
336 students that contain students' personally identifiable

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337 information or for violation of terms and conditions of the
338 written agreement.

339 (X) Identification of deliverables to be provided by the
340 organization or authorized representative. The deliverables must
341 include, but are not limited to, as appropriate: a copy of the
342 final study, audit, or evaluation, or if no study, audit, or
343 evaluation is completed, a report identifying such with a copy
344 of unfinished research; a copy of reports, publications, papers,
345 theses, or similar documents; and certification by the
346 organization or authorized representative stating the final
347 status of deliverables and confirming compliance with all
348 provisions of the written agreement. The deliverables shall be
349 provided to the department within 1 year after the date of
350 execution of the written agreement unless the written agreement
351 specifies otherwise. The commissioner may assess liquidated
352 damages specified in the written agreement if all deliverables
353 are not timely provided to the department.

354 (XI) Requirements regarding maintaining the
355 confidentiality of any information that is exempt from s.
356 119.071(1) and s. 24(a), Art. I of the State Constitution or
357 that is otherwise made confidential by state or federal law.

358 (XII) Requirements regarding a service charge identified
359 in sub-subparagraph e.

360
361 The department shall develop, and the State Board of Education
362 shall adopt, rules regarding the written agreement.

363 e. Funded by creating and implementing a pricing structure
364 that is self-sustainable with the goal that the service charge

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365 for use of the Research Engine recovers costs to fulfill a data
366 request. The commissioner may waive or reduce the service charge
367 for fulfilling a data request. Funds collected from the service
368 charge shall be deposited into the Operating Trust Fund. The
369 department shall develop, and the State Board of Education shall
370 adopt, rules regarding the service charge.

371 f. Linked to a list of organizations and authorized
372 representatives that obtain data from the Research Engine on the
373 web-based interface in subparagraph 1. The list must include,
374 but need not be limited to, the date of receipt of each data
375 request, the response time to address each data request, and the
376 current status of each data request. The department shall
377 continually update the list and maintain a copy of reports
378 prepared and submitted by the organizations and authorized
379 representatives.

380
381 The department shall adopt procedures to implement the web-based
382 interface and the Research Engine established pursuant to this
383 subsection.

384 (4) ACCESS TO THE K-20 DATA WAREHOUSE.—Pursuant to the
385 studies exception under the FERPA and the federal regulations
386 issued pursuant thereto, organizations specifically including,
387 but not limited to, organizations conducting studies for, or on
388 behalf of, educational agencies and institutions as provided in
389 34 C.F.R. s. 99.31(a)(6) shall be given access to data
390 maintained by the K-20 data warehouse in a manner consistent
391 with ss. 1002.22, 1002.221, and 1006.52 and the FERPA. Pursuant
392 to the audit or evaluation exception under the FERPA,

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393 representatives specifically including, but not limited to,
394 authorized representatives conducting an audit or an evaluation
395 of a federally supported or state-supported education program as
396 provided in 34 C.F.R. s. 99.31(a)(3) shall be given access to
397 the data maintained by the K-20 data warehouse in a manner
398 consistent with ss. 1002.22, 1002.221, and 1006.52 and the
399 FERPA.

400 (a) Requests by organizations or authorized
401 representatives for access to education records of students that
402 may contain students' personally identifiable information,
403 except requests from the Executive Office of the Governor, the
404 Legislature, the Auditor General, and the Office of Program
405 Policy Analysis and Government Accountability, shall be
406 submitted through the Research Engine established pursuant to
407 subparagraph (3)(h)2. Access to the Research Engine is not
408 conditioned upon or limited to studies, audits, or evaluations
409 that support the research agenda, interests, or priorities of
410 the State Board of Education, the commissioner, or the
411 department.

412 (b) Authorized representatives include, but are not
413 limited to, the Executive Office of the Governor, the
414 Legislature, the Auditor General, the Office of Program Policy
415 Analysis and Government Accountability, district school boards,
416 Florida College System institutions, and state universities.

417 (c) Requests for data from the Executive Office of the
418 Governor, the Legislature, the Auditor General, and the Office
419 of Program Policy Analysis and Government Accountability shall
420 be given a priority over other data requests and shall be

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421 provided free of charge.

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

425 1008.34 School grading system; school report cards;
426 district grade.—

427 (1) ANNUAL REPORTS.—The Commissioner of Education shall
428 prepare annual reports of the results of the statewide
429 assessment program which describe student achievement in the
430 state, each district, and each school. The commissioner shall
431 prescribe the design and content of these reports, which must
432 include descriptions of the performance of all schools
433 participating in the assessment program and all of their major
434 student populations as determined by the commissioner. The
435 report must also include the percent of students performing at
436 or above grade level and making ~~a year's~~ learning gains ~~growth~~
437 ~~in a year's time~~ in reading and mathematics. The provisions of
438 s. 1002.22 pertaining to student records apply to this section.

439 (3) DESIGNATION OF SCHOOL GRADES.—

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

446 ~~1. A school shall not receive a school grade if the number~~
447 ~~of its students tested and included in the school grading system~~
448 ~~is less than the minimum sample size necessary, based on~~

449 | ~~accepted professional practice, for statistical reliability and~~
450 | ~~prevention of the unlawful release of personally identifiable~~
451 | ~~student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~

452 | ~~1.2.~~ An alternative school may choose to receive a school
453 | grade under this section or a school improvement rating under s.
454 | 1008.341. For charter schools that meet the definition of an
455 | alternative school pursuant to State Board of Education rule,
456 | the decision to receive a school grade is the decision of the
457 | charter school governing board.

458 | ~~2.3.~~ A school that serves any combination of students in
459 | kindergarten through grade 3 which does not receive a school
460 | grade because its students are not tested and included in the
461 | school grading system shall receive the school grade designation
462 | of a K-3 feeder pattern school identified by the Department of
463 | Education and verified by the school district. A school feeder
464 | pattern exists if at least 60 percent of the students in the
465 | school serving a combination of students in kindergarten through
466 | grade 3 are scheduled to be assigned to the graded school.

467 | 3. If a colocated school does not earn a school grade or
468 | school improvement rating for the performance of its students,
469 | the student performance data of all schools operating at the
470 | same facility must be aggregated to develop a school grade that
471 | will be assigned to all schools at that location. A colocated
472 | school is a school that has its own unique master school
473 | identification number and provides for the education of each of
474 | its enrolled students and operates at the same facility as
475 | another school that has its own unique master school
476 | identification number and provides for the education of each of

477 | its enrolled students.

478 | (c) Student assessment data used in determining school
479 | grades shall include:

480 | 1. The aggregate scores of all eligible students enrolled
481 | in the school who have been assessed on the FCAT and statewide,
482 | standardized end-of-course assessments in courses required for
483 | high school graduation, including, beginning with the 2011-2012
484 | school year, the end-of-course assessment in Algebra I; and
485 | beginning with the 2012-2013 school year, the end-of-course
486 | assessments in geometry and Biology I; and beginning with the
487 | 2014-2015 school year, on the statewide, standardized end-of-
488 | course assessment in civics education at the middle school
489 | level.

490 | 2. The aggregate scores of all eligible students enrolled
491 | in the school who have been assessed on the FCAT and statewide,
492 | standardized end-of-course assessments as described in s.
493 | 1008.22(3)(c)2.a., and who have scored at or in the lowest 25th
494 | percentile of students in the school in reading and mathematics,
495 | unless these students are exhibiting satisfactory performance.

496 | 3. The achievement scores and learning gains of eligible
497 | students attending alternative schools that provide dropout
498 | prevention and academic intervention services pursuant to s.
499 | 1003.53. The term "eligible students" in this subparagraph does
500 | not include:

501 | a. Students attending an alternative school who are
502 | subject to district school board policies for expulsion for
503 | repeated or serious offenses, who are in dropout retrieval
504 | programs serving students who have officially been designated as

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505 dropouts, or who are in programs operated or contracted by the
506 Department of Juvenile Justice.

507 b. Students attending an alternative school that is an
508 exceptional student education center, pursuant to s.
509 1008.341(2), who were not enrolled in or in attendance at a
510 public school within the school district during the previous 3
511 years other than the exceptional student education center.

512

513 The student performance data for eligible students identified in
514 this subparagraph shall be included in the calculation of the
515 home school's grade. As used in this subparagraph and s.

516 1008.341, the term "home school" means the school to which the
517 student would be assigned if the student were not assigned to an
518 alternative school. If an alternative school chooses to be
519 graded under this section, student performance data for eligible
520 students identified in this subparagraph shall not be included
521 in the home school's grade but shall be included only in the
522 calculation of the alternative school's grade. A school district
523 that fails to assign the FCAT and statewide, standardized end-
524 of-course assessment as described in s. 1008.22(3)(c)2.a. scores
525 of each of its students to his or her home school or to the
526 alternative school that receives a grade shall forfeit Florida
527 School Recognition Program funds for 1 fiscal year. School
528 districts must require collaboration between the home school and
529 the alternative school in order to promote student success. This
530 collaboration must include an annual discussion between the
531 principal of the alternative school and the principal of each
532 student's home school concerning the most appropriate school

533 assignment of the student.

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

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

547 a. The high school graduation rate of the school as
548 calculated by the department;

549 b. The participation rate of all eligible students
550 enrolled in the school and enrolled in College Board Advanced
551 Placement courses; International Baccalaureate courses; dual
552 enrollment courses; Advanced International Certificate of
553 Education courses; and courses or sequences of courses leading
554 to national industry certification identified in the Industry
555 Certification Funding List, pursuant to rules adopted by the
556 State Board of Education;

557 c. The aggregate scores of all eligible students enrolled
558 in the school in College Board Advanced Placement courses,
559 International Baccalaureate courses, and Advanced International
560 Certificate of Education courses;

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561 d. Earning of college credit by all eligible students
562 enrolled in the school in dual enrollment programs under s.
563 1007.271;

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

567 f. The aggregate scores of all eligible students enrolled
568 in the school in reading, mathematics, and other subjects as
569 measured by the SAT, the ACT, the Postsecondary Education
570 Readiness Test, and the common placement test for postsecondary
571 readiness;

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

575 h. The performance of the school's students on statewide,
576 standardized end-of-course assessments administered under s.
577 1008.22(3)(c)2.c. and d.; and

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

580

581 The State Board of Education shall adopt appropriate criteria
582 for each school grade. The criteria must also give added weight
583 to student achievement in reading. Schools earning a grade of
584 "C," making satisfactory progress, shall be required to
585 demonstrate that adequate progress has been made by students in
586 the school who are in the lowest 25th percentile in reading and
587 mathematics on the FCAT and end-of-course assessments as
588 described in s. 1008.22(3)(c)2.a., unless these students are

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589 exhibiting satisfactory performance. For schools comprised of
590 high school grades 9, 10, 11, and 12, or grades 10, 11, and 12,
591 the criteria for school grades must also give added weight to
592 the graduation rate of all eligible at-risk students. In order
593 for a high school to earn a grade of "A," the school must
594 demonstrate that its at-risk students, as defined in this
595 paragraph, are making adequate progress.

596 Section 7. Subsections (2), (3), and (5) of section
597 1008.341, Florida Statutes, are amended to read:

598 1008.341 School improvement rating for alternative
599 schools.—

600 (2) SCHOOL IMPROVEMENT RATING.—An alternative school is a
601 school that provides dropout prevention and academic
602 intervention services pursuant to s. 1003.53. An alternative
603 school shall receive a school improvement rating pursuant to
604 this section unless the school earns a school grade pursuant to
605 s. 1008.34. For accountability purposes, an exceptional student
606 education center, defined in State Board of Education rule to
607 provide instruction in accordance with the requirements in s.
608 1003.57(1)(d), is an alternative school that has its own unique
609 master school identification number and serves students with
610 disabilities for whom the individual education plan team
611 determines that the school is the least restrictive environment
612 based upon the student's need for specialized instruction and
613 related services. The department shall monitor each district
614 school board's placement of students with disabilities.
615 Beginning with the 2013-2014 school year, each ~~However, an~~
616 alternative school that chooses to receive a school improvement

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

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

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

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

641

642 The school improvement rating shall be based on a comparison of
643 student performance data for the current year and previous year.
644 Schools that improve at least one level or maintain an

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645 "improving" rating pursuant to this section are eligible for
646 school recognition awards pursuant to s. 1008.36.

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

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

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

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

670 (5) SCHOOL AND STUDENT REPORT CARDS ~~CARD~~.—The Department
671 of Education shall annually develop, in collaboration with the
672 school districts, a school report card for alternative schools

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

690 Section 8. Paragraph (a) of subsection (2) of section
691 1008.385, Florida Statutes, is amended to read:

692 1008.385 Educational planning and information systems.—

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

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

719 (a) The specific responsibilities of the commissioner
720 shall include:

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

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

729 accountability, to support the distribution of funds to school
730 districts, to support the preparation and analysis of school
731 district financial reports, and to assist the commissioner in
732 carrying out the duties set forth in ss. 1001.10 and 1001.11;

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

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

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

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

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

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

756 9. Developing a phased plan for distributing computer

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

769 10. Assisting the district school systems in establishing
770 their subsystem components and assuring compatibility with
771 current district systems;

772 11. Establishing procedures for continuous evaluation of
773 system efficiency and effectiveness;

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

781 13. Initiating such other actions as are necessary to
782 carry out the intent of the Legislature that a management
783 information system for public school management needs be
784 implemented. Such other actions shall be based on criteria

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785 | including, but not limited to:

786 | a. The purpose of the reporting requirement;

787 | b. The origination of the reporting requirement;

788 | c. The date of origin of the reporting requirement; and

789 | d. The date of repeal of the reporting requirement.

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