

By Senator Cowin

11-1010A-00

1 A bill to be entitled
2 An act relating to rulemaking authority with
3 respect to education (RAB); amending s.
4 229.555, F.S.; authorizing the State Board of
5 Education to adopt rules to administer the
6 educational planning and information system of
7 the Department of Education; amending s.
8 229.565, F.S.; authorizing the State Board of
9 Education to establish course requirements for
10 specified courses; amending s. 232.0225, F.S.;
11 requiring that a school board's policy
12 authorizing absences for religious instruction
13 or holidays be in accordance with rules of the
14 State Board of Education; amending s. 236.081,
15 F.S.; authorizing the State Board of Education
16 to adopt rules for certain programs and
17 courses; amending s. 240.1201, F.S.; requiring
18 the State Board of Education to designate by
19 rule certain categories or classifications
20 under which an alien is eligible to be
21 classified as a resident for tuition purposes;
22 amending s. 295.01, F.S.; authorizing the State
23 Board of Education to adopt rules for certain
24 educational programs for children of deceased
25 or disabled veterans; providing an effective
26 date.

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

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30 Section 1. Section 229.555, Florida Statutes, is
31 amended to read:

1 229.555 Educational planning and information
2 systems.--

3 (1) EDUCATIONAL PLANNING.--

4 (a) The commissioner shall be responsible for all
5 planning functions for the department, including collection,
6 analysis, and interpretation of all data, information, test
7 results, evaluations, and other indicators that are used to
8 formulate policy, identify areas of concern and need, and
9 serve as the basis for short-range and long-range planning.
10 Such planning shall include assembling data, conducting
11 appropriate studies and surveys, and sponsoring research and
12 development activities designed to provide information about
13 educational needs and the effect of alternative educational
14 practices.

15 (b) Each district school board shall maintain a
16 continuing system of planning and budgeting designed to aid in
17 identifying and meeting the educational needs of students and
18 the public. Provision shall be made for coordination between
19 district school boards and community college district boards
20 of trustees concerning the planning for vocational and adult
21 educational programs. The major emphasis of the system shall
22 be upon locally determined goals and objectives, the state
23 plan for education, and the Sunshine State Standards developed
24 by the Department of Education and adopted by the State Board
25 of Education. The district planning and budgeting system must
26 include consideration of student achievement data obtained
27 pursuant to s. 229.57. The system shall be structured to meet
28 the specific management needs of the district and to align the
29 budget adopted by the district school board with the plan the
30 board has also adopted. Each district school board shall
31 utilize its system of planning and budgeting to emphasize a

1 system of school-based management in which individual school
2 centers become the principal planning units and to integrate
3 planning and budgeting at the school level.

4 (2) COMPREHENSIVE MANAGEMENT INFORMATION SYSTEMS.--The
5 commissioner shall develop and implement an integrated
6 information system for educational management. The system must
7 be designed to collect, via electronic transfer, all student
8 and school performance data required to ascertain the degree
9 to which schools and school districts are meeting state
10 performance standards, and must be capable of producing data
11 for a comprehensive annual report on school and district
12 performance. In addition, the system shall support, as
13 feasible, the management decisions to be made in each division
14 of the department and at the individual school and district
15 levels. Similar data elements among divisions and levels
16 shall be compatible. The system shall be based on an overall
17 conceptual design; the information needed for such decisions,
18 including fiscal, student, program, personnel, facility,
19 community, evaluation, and other relevant data; and the
20 relationship between cost and effectiveness. The system shall
21 be managed and administered by the commissioner and shall
22 include a district subsystem component to be administered at
23 the district level, with input from the reports-and-forms
24 control management committees. Each district school system
25 with a unique management information system shall assure that
26 compatibility exists between its unique system and the
27 district component of the state system so that all data
28 required as input to the state system is made available via
29 electronic transfer and in the appropriate input format.

30 (a) The specific responsibilities of the commissioner
31 shall include:

- 1 1. Consulting with school district representatives in
2 the development of the system design model and implementation
3 plans for the management information system for public school
4 education management;
- 5 2. Providing operational definitions for the proposed
6 system;
- 7 3. Determining the information and specific data
8 elements required for the management decisions made at each
9 educational level, recognizing that the primary unit for
10 information input is the individual school and recognizing
11 that time and effort of instructional personnel expended in
12 collection and compilation of data should be minimized;
- 13 4. Developing standardized terminology and procedures
14 to be followed at all levels of the system;
- 15 5. Developing a standard transmittal format to be used
16 for collection of data from the various levels of the system;
- 17 6. Developing appropriate computer programs to assure
18 integration of the various information components dealing with
19 students, personnel, facilities, fiscal, program, community,
20 and evaluation data;
- 21 7. Developing the necessary programs to provide
22 statistical analysis of the integrated data provided in
23 subparagraph 6. in such a way that required reports may be
24 disseminated, comparisons may be made, and relationships may
25 be determined in order to provide the necessary information
26 for making management decisions at all levels;
- 27 8. Developing output report formats which will provide
28 district school systems with information for making management
29 decisions at the various educational levels;
- 30 9. Developing a phased plan for distributing computer
31 services equitably among all public schools and school

1 districts in the state as rapidly as possible. The plan shall
2 describe alternatives available to the state in providing such
3 computing services and shall contain estimates of the cost of
4 each alternative, together with a recommendation for action.
5 In developing the plan, the feasibility of shared use of
6 computing hardware and software by school districts, community
7 colleges, and universities shall be examined. Laws or
8 administrative rules regulating procurement of data processing
9 equipment, communication services, or data processing services
10 by state agencies shall not be construed to apply to local
11 agencies which share computing facilities with state agencies;

12 10. Assisting the district school systems in
13 establishing their subsystem components and assuring
14 compatibility with current district systems;

15 11. Establishing procedures for continuous evaluation
16 of system efficiency and effectiveness;

17 12. Initiating a reports-management and
18 forms-management system to ascertain that duplication in
19 collection of data does not exist and that forms and reports
20 for reporting under state and federal requirements and other
21 forms and reports are prepared in a logical and uncomplicated
22 format, resulting in a reduction in the number and complexity
23 of required reports, particularly at the school level; and

24 13. Initiating such other actions as are necessary to
25 carry out the intent of the Legislature that a management
26 information system for public school management needs be
27 implemented. Such other actions shall be based on criteria
28 including, but not limited to:

- 29 a. The purpose of the reporting requirement;
30 b. The origination of the reporting requirement;

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1 c. The date of origin of the reporting requirement;
2 and
3 d. The date of repeal of the reporting requirement.
4 (b) The specific responsibilities of each district
5 school system shall include:
6 1. Establishing, at the district level, a
7 reports-control and forms-control management system committee
8 composed of school administrators and classroom teachers. The
9 district school board shall appoint school administrator
10 members and classroom teacher members; or, in school districts
11 where appropriate, the classroom teacher members shall be
12 appointed by the bargaining agent. Teachers shall constitute a
13 majority of the committee membership. The committee shall
14 periodically recommend procedures to the district school board
15 for eliminating, reducing, revising, and consolidating
16 paperwork and data collection requirements and shall submit to
17 the district school board an annual report of its findings.
18 2. With assistance from the commissioner, developing
19 systems compatibility between the state management information
20 system and unique local systems.
21 3. Providing, with the assistance of the department,
22 inservice training dealing with management information system
23 purposes and scope, a method of transmitting input data, and
24 the use of output report information.
25 4. Establishing a plan for continuous review and
26 evaluation of local management information system needs and
27 procedures.
28 5. Advising the commissioner of all district
29 management information needs.
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1 6. Transmitting required data input elements to the
2 appropriate processing locations in accordance with guidelines
3 established by the commissioner.

4 7. Determining required reports, comparisons, and
5 relationships to be provided to district school systems by the
6 system output reports, continuously reviewing these reports
7 for usefulness and meaningfulness, and submitting recommended
8 additions, deletions, and change requirements in accordance
9 with the guidelines established by the commissioner.

10 8. Being responsible for the accuracy of all data
11 elements transmitted to the department.

12 (c) It is the intent of the Legislature that the
13 expertise in the state system of public education, as well as
14 contracted services, be utilized to hasten the plan for full
15 implementation of a comprehensive management information
16 system.

17 (3) RULES.--The State Board of Education shall adopt
18 rules to administer this section.

19 Section 2. Paragraph (c) is added to subsection (1) of
20 section 229.565, Florida Statutes, to read:

21 229.565 Educational evaluation procedures.--

22 (1) STUDENT PERFORMANCE STANDARDS.--

23 (c) The State Board of Education may adopt rules
24 establishing course requirements for basic education programs
25 for grades 6 through 12 and adult secondary education
26 programs.

27 Section 3. Section 232.0225, Florida Statutes, is
28 amended to read:

29 232.0225 Absence for religious instruction or
30 holidays.--Each school board, in accordance with rules of the
31 State Board of Education, shall adopt a policy that ~~which~~

1 authorizes a parent or guardian to request and be granted
2 permission for absence of a student from school for religious
3 instruction or religious holidays.

4 Section 4. Paragraph (q) is added to subsection (1) of
5 section 236.081, Florida Statutes, to read:

6 236.081 Funds for operation of schools.--If the annual
7 allocation from the Florida Education Finance Program to each
8 district for operation of schools is not determined in the
9 annual appropriations act or the substantive bill implementing
10 the annual appropriations act, it shall be determined as
11 follows:

12 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
13 OPERATION.--The following procedure shall be followed in
14 determining the annual allocation to each district for
15 operation:

16 (q) Computation for funding through the Florida
17 Education Finance Program.--The State Board of Education may
18 adopt rules establishing programs and courses for which the
19 student may earn credit toward high school graduation.

20 Section 5. Present subsection (10) of section
21 240.1201, Florida Statutes, is redesignated as subsection
22 (11), and a new subsection (10) is added to that section, to
23 read:

24 240.1201 Determination of resident status for tuition
25 purposes.--Students shall be classified as residents or
26 nonresidents for the purpose of assessing tuition fees in
27 public community colleges and universities.

28 (10) An alien who possesses any category of
29 nonresident visa or other classification from the United
30 States Immigration and Naturalization Service must provide
31 proof of permanent status to be classified as a resident for

1 tuition purposes. An eligible alien may be classified as a
2 state resident 12 months after the time he or she establishes
3 legal state residence for tuition purposes. An alien who
4 possesses a visa of a category issued for purposes of
5 attending a postsecondary institution in the United States
6 must be classified as a nonresident for tuition purposes. The
7 State Board of Education shall designate by rule which
8 categories of a visa or other classifications from the United
9 States Immigration and Naturalization Service authorize an
10 alien to be classified as a resident for tuition purposes.

11 Section 6. Subsection (3) is added to section 295.01,
12 Florida Statutes, to read:

13 295.01 Children of deceased or disabled veterans;
14 education.--

15 (3) The State Board of Education shall adopt rules for
16 administering this section.

17 Section 7. This act shall take effect upon becoming a
18 law.

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21 SENATE SUMMARY

22 Authorizes the State Board of Education to adopt rules
23 governing the planning and information system of the
24 Department of Education, school attendance, and the
25 classification of aliens as residents for tuition
26 purposes. Authorizes the State Board of Education to
27 adopt rules providing course descriptions. Requires that
28 a school board's policy authorizing absences for
29 religious instruction or holidays be in accordance with
30 rules of the State Board of Education. Authorizes the
31 State Board of Education to adopt rules for awarding
credit for high school graduation. Requires that the
State Board of Education adopt rules to administer the
program that pays the educational expenses for children
of deceased or disabled veterans. (See bill for details.)