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.; requiring the Commissioner of
9   Education to develop course descriptions for
10   specified courses; amending s. 232.022, F.S.;
11   requiring the State Board of Education to adopt
12   rules with respect to student attendance;
13   amending s. 232.0225, F.S.; requiring that a
14   school board's policy authorizing absences for
15   religious instruction or holidays be in
16   accordance with rules of the State Board of
17   Education; amending s. 236.081, F.S.; providing
18   additional requirements for determining the
19   annual allocation for school districts under
20   the Florida Education Finance Program; amending
21   s. 240.1201, F.S.; requiring the State Board of
22   Education to designate by rule certain
23   classifications of students as residents or
24   nonresidents for tuition purposes; providing an
25   effective date.
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27 Be It Enacted by the Legislature of the State of Florida:
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29   Section 1. Section 229.555, Florida Statutes, is
30 amended to read:
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 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

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 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:

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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

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 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 Commissioner of Education shall develop a
24   course description that provides the essential content and
25   course requirements for each course in grades 6 through 12
26   which are contained in the Course Code Directory and
27   Instructional Personnel Assignments. When appropriate and
28   feasible, the course descriptions must incorporate the
29   approved student performance standards.
30   Section 3.   Section 232.022, Florida Statutes, is
31   amended to read:

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 1          232.022  Attendance defined.--
 2          (1) The attendance of all public school pupils shall
 3  be checked each school day in the manner prescribed by
 4  regulations of the state board and recorded in the teacher's
 5  register or by some approved system of recording attendance.
 6  Pupils may be counted in attendance only if they are actually
 7  present at school or are away from school on a school day and
 8  are engaged in an educational activity which constitutes a
 9  part of the school-approved instructional program for the
10  pupil.
11          (2)  The State Board of Education shall adopt rules to
12  administer this section.
13          Section 4.  Section 232.0225, Florida Statutes, is
14  amended to read:
15          232.0225  Absence for religious instruction or
16  holidays.--Each school board, in accordance with rules of the
17  State Board of Education,shall adopt a policy that which
18  authorizes a parent or guardian to request and be granted
19  permission for absence of a student from school for religious
20  instruction or religious holidays.
21          Section 5.  Paragraph (q) is added to subsection (1) of
22  section 236.081, Florida Statutes, to read:
23          236.081  Funds for operation of schools.--If the annual
24  allocation from the Florida Education Finance Program to each
25  district for operation of schools is not determined in the
26  annual appropriations act or the substantive bill implementing
27  the annual appropriations act, it shall be determined as
28  follows:
29          (1)  COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
30  OPERATION.--The following procedure shall be followed in
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 1 determining the annual allocation to each district for
 2 operation:
 3   (q) Computation for funding through the Florida
 4 Education Finance Program.--For student membership in a
 5 program or course to generate funding through the Florida
 6 Education Finance Program and for students in grades 9 through
 7 12 to receive elective or required credit toward high school
 8 graduation for such a program or course, the following
 9 conditions must be met:
10   1. The course or program in which the student is in
11 membership must be an educational activity that constitutes a
12 part of the instructional program approved by the district
13 school board.
14   2. The course or program must be listed in the Course
15 Code Directory and Instructional Personnel Assignments
16 developed by the Department of Education for the year in which
17 the student is in membership. The Commissioner of Education
18 may publish the directory in appropriate and useful formats,
19 such as a printed copy, an electronic database, or an
20 electronic disc. The Commissioner of Education may approve
21 additional courses for which funding could be generated
22 through the Florida Educational Finance Program.
23   Section 6. Subsection (11) is added to section
24 240.1201, Florida Statutes, to read:
25   240.1201 Determination of resident status for tuition
26 purposes.--Students shall be classified as residents or
27 nonresidents for the purpose of assessing tuition fees in
28 public community colleges and universities.
29   (11) The State Board of Education shall by rule
30 designate classifications of students as residents or
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1 non-residents for tuition purposes at public community

2 colleges and universities.

3   Section 7. This act shall take effect upon becoming a

4 law.

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