

## **NOTICE OF PROPOSED RULEMAKING**

**RULE NO: RULE TITLE:**

6A-6.0788: Notice Requirements for Charter School Performance Data

**PURPOSE AND EFFECT:** The purpose of this rule is to outline the manner in which charter schools, that serve at least ten (10) students who are tested on the statewide assessment and who do not receive a school grade or school improvement rating, will provide student performance data to the required recipients.

**SUMMARY:** The proposed rule will outline the manner in which charter schools, that serve at least 10 students who are tested on the statewide assessment and who do not receive a school grade or school improvement rating, will provide student performance data to the required recipients.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** Charter schools required to comply with this rule may incur minimal costs associated with providing student assessment data in writing to the required recipients. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**SPECIFIC AUTHORITY:** 1002.33 (21) and (26) FS.

**LAW IMPLEMENTED:** 1002.33 (21) FS.

**A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**TIME AND DATE:**

**PLACE:**

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Adam Miller, Director of Charter Schools, Office of Independent Education and Parental Choice, 325 West Gaines Street, Suite 522, Tallahassee, Florida 32399-0400.

THE FULL TEXT OF THE PROPOSED RULE IS:

**6A-6.0788: Notice Requirements for Charter School Performance Data**

The following provisions have been established to administer the notice requirements of s. 1002.33(21)(b), F.S.

(1) Distribution of student assessment data.

(a) Department of Education duties. The Department of Education shall annually report student assessment data pursuant to s. 1002.34(3)(c), F.S., for charter schools that do not receive a school grade or school improvement rating and serve at least 10 students who are tested on the statewide assessment test through the individual School Accountability Reports accessible on the Department's Internet Web site at <http://schoolgrades.fldoe.org>. The data for a school grading component shall be suppressed in cases where the number of students tested is less than 10. The Department shall notify applicable charter schools that the student assessment data is available within 10 days of its posting.

(b) Charter school duties. The charter school shall report the student assessment data to the required recipients no later than 30 days after receipt of notification that the data is available in the charter school's School Accountability Report. The data shall be provided in writing on school letterhead to each parent of a student at the charter school, the parent of a child on a waiting list for the charter school, the district in which the charter school is located, and the charter school's governing board, and shall include, as applicable: the percentage of students meeting high standards in reading, math, writing, and science; the percentage of students making

learning gains in reading and math; the percentage of the lowest performing 25% students making learning gains in reading and math; and the percentage of students tested.

(2) Comparison of charter school student assessment data.

(a) Department of Education duties. Annually, following the release of School Grades, the Department of Education shall provide district-level performance data for traditional public school students and state-level performance data for charter school students. The Department shall also provide state-level performance data for students in alternative public (non-charter) schools in the state. This data shall be provided in the grade groupings 3-5, 6-8, and 9-11, and posted on the School Grades Web site at <http://schoolgrades.fldoe.org>, in a downloadable, Excel file format. The data for any component where the number of students is less than 10 shall be suppressed. The Department shall notify applicable charter schools that the performance data is available within 10 days of its posting.

(b) Charter school duties.

1. A traditional charter school shall provide comparison data to the public at large by posting in a prominent place on its school site the data from charter school's School Accountability Report compared to the state-level performance data for all charter school students and the district-level student performance data for traditional public schools in district in which the charter school is located. If the charter school maintains an Internet Web site, the comparison data must also be posted in a prominent place on the Web site. The information must remain posted throughout the school year following the availability of the data.

2. An alternative charter school shall provide comparison data to the public at large by posting in a prominent place on its school site the data from the charter school's School Accountability Report compared to the state-level student performance data for all alternative schools in the

state. If the alternative charter school maintains an Internet Web site, the comparison data must also be posted in a prominent place on the Web site. The information must remain posted throughout the school year following the availability of the data.

*Specific Authority 1002.33(21) and (26) FS. Law Implemented 1002.33(21) FS. History –  
New\_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Kooi, Executive Director,  
Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Eric J. Smith,  
Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2010.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 10,  
2009