

**6A-1.099812 Education Accountability for Department of Juvenile Justice Education Programs.**

Rulemaking Authority 1001.02(2)(n), 1003.52(16), (21) FS. Law Implemented 1003.52 FS. History—New 10-18-18, Amended 10-27-20, Repealed

**6A-1.099812 Education Accountability for Department of Juvenile Justice Education Programs.**

(1) Purpose. The purpose of this rule is to set forth the performance rating system for Department of Juvenile Justice (DJJ) education programs.

(2) Definitions. For the purposes of this rule, the following definitions shall apply:

(a) “Common assessment” means the assessment required by Section 1003.52(3)(d), F.S., and designed to measure student learning gains and academic progress, which is administered to students upon entry into and again prior to release from DJJ education programs.

(b) “Core-curricula courses” means courses in the subject areas defined in Section 1003.01(14), F.S.

(c) “Department of Juvenile Justice (DJJ) education program” means a program operated by or under contract with the Department of Juvenile Justice that provides educational services to students receiving prevention, day treatment, or residential commitment services designated within Section 985.03(44), F.S.

(d) “Eligible students” means students whose length of stay within the same DJJ education program is at least forty (40) calendar days, which can include consecutive stays. Consecutive stays in the same program will be treated as a single, continuous program enrollment if:

1. Attendance dates overlap,

2. Attendance gap between stays is thirty (30) days or less, or

3. Attendance gap reflects a summer break and the student re-enrolls in the same DJJ education program during the following term.

(e) “Employment” means that a student with a valid social security number was employed in the quarter of release, or during any of the subsequent four reporting quarters after release, from a DJJ education program as reflected by the unemployment insurance quarterly wage (U/I) data found in the Florida Education and Training Placement Information Program (FETPIP) data collection system established under Section 1008.39, F.S.

(f) “Learning gains on the common assessment” means a student’s score increases on the common assessment

between the pre- and post-test, or a student scores one hundred (100) percent on both the pre- and post-tests.

(g) "Learning gains on the statewide standardized assessments" means learning gains calculated based on the provisions of Rule 6A-1.099822, F.A.C.

(h) "Program type" means prevention, intervention (day treatment), nonsecure residential, and secure residential (high-risk residential, maximum-risk residential) based upon the restrictiveness level of the DJJ education program as defined by Section 985.03(44), F.S.

(i) "Released students" means students who withdrew from a DJJ education program and did not return to the same program within thirty (30) days of withdrawal or after summer break.

(j) "Statewide standardized assessments" means the English language arts and mathematics assessments identified in Section 1008.22(3), F.S.

(k) "Subject areas" means the areas of English language arts and mathematics.

(l) "Sufficient data" means at least ten (10) observations are eligible for inclusion in the denominator of the component calculation.

(3) DJJ Accountability Ratings. The three (3) accountability ratings for DJJ educational programs are Commendable, Acceptable, and Unsatisfactory.

(4) DJJ Accountability Rating System.

(a) Each component with sufficient data shall be calculated as a percentage and weighted equally to determine the accountability rating. The DJJ Accountability Rating shall be based only on the components for which the DJJ education program has sufficient data.

(b) DJJ Accountability Rating Components.

1. Attendance. The percentage of eligible students who returned to public school and whose attendance rate improved following their attendance in a DJJ education program, or whose attendance rate was ninety-five (95) percent or higher upon their return to a public school.

2. Graduation. The percentage of eligible students enrolled in grade 12 during their participation in the DJJ education program and who earned a standard high school diploma or its equivalent in the cohort year or the subsequent year. Eligible students who graduate in the cohort year and enrolled in grades other than grade 12 are also included.

3. Qualified Teachers. The percentage of core-curricula courses taught by in-field teachers, as outlined in Rule

6A-1.0503, F.A.C.

4. Postsecondary Enrollment. The percentage of eligible, released students who earned a standard diploma or its equivalent during the year they participated in a DJJ education program and who enrolled in a postsecondary institution in Florida during the year of their release from the DJJ education program or during the subsequent year.

5. Employment. The percentage of eligible released students who are sixteen (16) years of age or older and employed within one year following release from the DJJ education program. Students not employed but enrolled in a K-12 public school or a state of Florida postsecondary institution shall be removed from the calculation of this component.

6. English Language Arts Learning Gains. The percentage of eligible students who meet the forty-day (40-day) length-of-stay criteria set forth in paragraph (2)(d) of this rule prior to the beginning of the assessment window and demonstrate learning gains on statewide standardized assessments in English language arts.

7. Mathematics Learning Gains. The percentage of eligible students who meet the forty-day (40-day) length-of-stay criteria set for in paragraph (2)(d) of this rule prior to the beginning of the assessment window and demonstrate learning gains on statewide standardized assessments in mathematics.

8. Industry Certification. For programs with a contracted minimum length of stay of nine (9) months or longer, the percentage of eligible students who earned a Career and Professional Education (CAPE) industry certification or a CAPE acceleration industry certification identified in the Industry Certification Funding List adopted in Rule 6A-6.0573, F.A.C., during the year in which they participated in the program or in the subsequent year.

9. Common Assessment Reading/English Language Arts. The percentage of eligible students demonstrating learning gains on the reading/English Language Arts portion of the common assessment.

10. Common Assessment Mathematics. The percentage of eligible students demonstrating learning gains on the mathematics portion of the common assessment.

11. Data Integrity. The percentage of eligible released students who have both pre- and post-test data on the common assessment for the same program placement.

12. Grade Advancement. The percentage of eligible students who returned to a Florida public school and improved their grade level following attendance in a DJJ education program, or who earned a standard high school diploma or equivalent, in the cohort year or the subsequent year.

(5) Procedures for Calculating DJJ Accountability Ratings.

(a) A program's accountability rating shall be calculated based on the percentage of possible points earned by each DJJ education program for the components for which the program has sufficient data. In the calculation of the DJJ Accountability Rating, 100 points are available for each component with sufficient data, with one (1) point earned for each percentage of students meeting the criteria for the component. The points earned for each component shall be expressed as whole numbers by rounding the percentages. Percentages with a value of .5 or greater will be rounded up to the nearest whole number, and percentages with a value of less than .5 will be rounded down to the nearest whole number. The DJJ Accountability Rating is determined by summing the earned points for each component and dividing this sum by the total number of available points for all components with sufficient data. The percentage resulting from this calculation shall be expressed as a whole number using the rounding convention described in this subparagraph.

(b) Accountability ratings shall be assigned to programs based on the percentage of possible points earned by program type as follows:

Program Type	Commendable		Acceptable		Unsatisfactory	
	Max	Min	Max	Min	Max	Min
Prevention	100%	62%	61%	51%	50%	0%
Intervention	100%	60%	59%	51%	50%	0%
Nonsecure Residential	100%	70%	69%	60%	59%	0%
Secure Residential	100%	65%	64%	54%	53%	0%

1. A score greater than 2.4 equals a rating of Commendable;
2. A score of 1.6 to 2.4 equals a rating of Acceptable; and
3. A score less than 1.6 equals a rating of Unsatisfactory.

(c) A DJJ education program shall receive a DJJ Accountability Rating based solely on the components for which it has sufficient data. A DJJ education program that does not have sufficient data to receive a DJJ Accountability Rating for three (3) consecutive years shall receive a DJJ Accountability Rating based on the aggregate of the most recent three-year (3-year) period for components for which it has sufficient data to perform the calculation. If the three-year (3-year) aggregate does not provide sufficient data to calculate any components, the DJJ education program will not receive a DJJ Accountability Rating.

(6) Accuracy and Representativeness of Performance Data.

(a) Accountability ratings shall be based solely upon data submitted to the Florida Department of Education (FDOE) Student, Staff, and Workforce Development databases, via the data reporting processes as defined in Rule 6A-1.0014, F.A.C., Comprehensive Management Information Systems; data reported to the Florida Education and Training Placement Information Program (FETPIP) data collection system established under Section 1008.39, F.S.; data reported to the Florida College System and State University System; and data reported to the FDOE for the common assessment. All changes in student eligibility for inclusion in rating calculations shall be reported prior to the issuance of the ratings. Each school district shall be responsible for ensuring that all necessary information to calculate the components reported to the Comprehensive Management Information Systems used in the DJJ accountability system is reported to the FDOE within the time limits specified by the Commissioner.

(b) Each school district superintendent shall designate a DJJ education program accountability contact person to be responsible for the following:

1. Verifying that each DJJ education program is correctly listed on the Master School Identification (MSID) file and is appropriately classified by program type, making changes as necessary pursuant to the change process described in Rule 6A-1.0016, F.A.C.

2. Verifying student-enrollment data, program entry and exit dates, and other data needed for calculating specific measures of the DJJ Accountability Rating, including student eligibility for inclusion in calculations for each component.

3. Working with DJJ education programs and other reporting entities to ensure that all data needed to calculate DJJ Accountability Ratings are reported accurately and timely.

(c) Annually, before the calculation of DJJ Accountability Ratings, the FDOE shall provide to the Department of Juvenile Justice and the school districts a list of DJJ education programs. The Department of Juvenile Justice and school districts shall have a minimum of fourteen (14) days to review the list and provide information regarding additions to or deletions from the list.

(7) School District Review Process.

- (a) The FDOE shall provide preliminary DJJ Accountability Ratings for the DJJ education programs in the district.

- (b) Subsequent to the ratings described in paragraph (7)(a), the FDOE shall create data files based upon the data provided by school districts from which ratings have been calculated and provide districts the opportunity to review

and correct these files.

(c) Districts shall be afforded an opportunity to contest or appeal a preliminary DJJ Accountability Rating within thirty (30) days of the release of the DJJ Accountability Rating.

(d) A successful appeal requires that a district clearly demonstrate that due to the omission of student data, a data miscalculation, or a special circumstance beyond the control of the district, a different rating would be assigned to the DJJ education program.

(e) Appropriate documentation of all elements and data to be reviewed by the FDOE must be submitted by the superintendent of the school district in which the DJJ education program is located within the time limits specified by the Commissioner of Education.

(f) An appeal shall not be granted under the following circumstances:

1. It was not timely received;
2. It was not submitted by the district superintendent;
3. It would not result in a different rating, if granted; or
4. It relies on changes made that could have been corrected prior to the calculation of the DJJ Accountability

Ratings.

*Rulemaking Authority 1001.02(2)(n), 1003.52(16), (21) FS. Law Implemented 1003.52 FS. History—New 10-18-18, Amended 10-27-20*