

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Wise, Chair
Senator Bullard, Vice Chair

MEETING DATE: Tuesday, December 6, 2011
TIME: 9:30 —11:30 a.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Wise, Chair; Senator Bullard, Vice Chair; Senators Alexander, Altman, Benacquisto, Bogdanoff, and Montford

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
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A proposed committee substitute for the following bill (SB 834) is expected to be considered:

1	SB 834 Education Pre-K - 12	Juvenile Justice Education and Workforce Programs; Providing legislative intent regarding juvenile justice education and workforce-related programs; requiring that the Department of Juvenile Justice ensure that each juvenile justice education program meets specified minimum standards; creating the Florida Juvenile Justice Education Act; requiring that each juvenile justice education program involve the regional workforce board or economic development agency and local postsecondary institutions to determine the occupational areas for the education and workforce-related program; providing for performance ratings of school districts and private providers; requiring that the Department of Juvenile Justice hold the school districts and private providers accountable for performance outcomes until the youth are released from the department's supervision, etc. ED 11/17/2011 Workshop-Discussed ED 12/06/2011 Fav/CS CJ BC	Fav/CS Yeas 5 Nays 0
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2	Presentation on Accountability in the John M. McKay Scholarships for Students with Disabilities Program by Partricia K. Hardman, Ph.D.	Presented
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Other Related Materials



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Proposed Committee Substitute by the Committee on Education Pre-K - 12

A bill to be entitled

An act relating to juvenile justice education and workforce programs; amending s. 985.46, F.S.; requiring that each juvenile committed to a juvenile justice commitment program have a transition plan upon release; requiring that the transition plan include an education transition plan component and information regarding delinquency treatment and intervention services that are accessible upon exiting the program; amending s. 985.618, F.S.; providing legislative intent regarding juvenile justice education and workforce-related programs; requiring that the Department of Juvenile Justice verify that each juvenile justice education program meets specified minimum standards; requiring that the effectiveness of the programs be determined by implementing systematic data collection, data analysis, and evaluations; requiring that the programs be evaluated based on student performance outcomes; providing duties for the department; requiring that an annual report be submitted to the Governor and the Legislature by a specified date; requiring that the department collaborate with certain entities to adopt rules; amending ss. 985.632 and 1001.42, F.S.; conforming provisions to changes made by the act; conforming cross-references; amending ss. 1002.20 and 1002.45, F.S.; conforming cross-references; creating s.



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1003.515, F.S.; providing a short title; providing purposes of the Florida Juvenile Justice Education Act; providing responsibilities for school districts and private providers contracted by school districts to offer education services to youth in juvenile justice education programs; requiring that each juvenile justice education program involve the regional workforce board or economic development agency and local postsecondary institutions to determine the occupational areas for the education and workforce-related program; providing requirements for education and workforce-related services in juvenile justice programs; providing responsibilities for the Department of Education; requiring that the department identify school districts and private providers by performance ratings; providing criteria for determining performance ratings; requiring that the department make available a common student assessment to measure the academic progress in reading and mathematics of youth in juvenile justice education programs; requiring that school districts and private providers be held accountable for student performance outcomes; providing for program accountability; requiring that a youth who exits the program attain an industry certification, enroll in a program to complete the industry certification, or enroll in and continue his or her education based on a transition plan; requiring that an education transition plan component be incorporated in a youth's transition



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57 plan; requiring that each school district and private
58 provider develop the education transition plan
59 component during the course of the youth's stay in a
60 juvenile justice program; providing funding
61 requirements for the juvenile justice education
62 programs; prohibiting a district school board from
63 being charged rent, maintenance, utilities, or
64 overhead on facilities; requiring that the Department
65 of Juvenile Justice provide maintenance, repairs, and
66 remodeling of existing facilities; requiring that the
67 State Board of Education collaborate with the
68 Department of Juvenile Justice, the Department of
69 Economic Opportunity, school districts, and private
70 providers to adopt rules; repealing s. 1003.52, F.S.,
71 relating to educational services in Department of
72 Juvenile Justice programs; amending s. 1011.62, F.S.;
73 conforming a cross-reference; providing an effective
74 date.

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

77
78 Section 1. Subsection (6) is added to section 985.46,
79 Florida Statutes, to read:

80 985.46 Conditional release.—

81 (6) Each juvenile committed to a commitment program shall
82 have a transition plan upon release. Transition planning shall
83 begin for each juvenile upon placement in a commitment program
84 and shall result in an individual transition plan for each youth
85 before he or she is released. The transition plan shall be



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86 developed with the participation of the youth, representatives
87 of the commitment program, school district personnel, and
88 representatives of conditional release or postcommitment
89 probation programs, if appropriate. The transition plan shall
90 include an education transition plan component as provided in s.
91 1003.515(9), as well as information regarding pertinent
92 delinquency treatment and intervention services that are
93 accessible upon exiting the program.

94 (a) For a juvenile who is released on conditional release
95 or postcommitment probation status, the transition plan shall be
96 incorporated into the conditions of release.

97 (b) For a juvenile who is not released on conditional
98 release or postcommitment probation status, the transition plan
99 shall be explained to the youth and provided upon release, with
100 all necessary referrals having been made at least 30 days before
101 the youth exits the program.

102 (c) For a juvenile who participates in a day treatment
103 program, the transition plan shall be explained to the youth and
104 provided upon release. For a juvenile who participates in a day
105 treatment program and who is released on conditional release or
106 postcommitment probation status, the transition plan shall be
107 incorporated into the conditions of release.

108 Section 2. Section 985.618, Florida Statutes, is amended to
109 read:

110 (Substantial rewording of section. See
111 s. 985.618, F.S., for present text.)

112 985.618 Education and workforce-related programs.—

113 (1) The Legislature intends for youth in juvenile justice
114 programs to be provided a quality education that includes



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115 workforce-related skills that lead to continuing education or
116 meaningful employment, or both, and that results in reduced
117 rates of recidivism.

118 (2) The department shall verify that each juvenile justice
119 education program, at a minimum:

120 (a) Uses virtual course offerings that maximize learning
121 opportunities for adjudicated youth.

122 (b) Uses virtual counseling to address the educational and
123 workforce needs of adjudicated youth.

124 (c) Provides instruction from individuals who hold industry
125 credentials in the occupational area in which they teach.

126 (d) Provides instruction during evenings and weekends.

127 (e) Considers, before placement, the age, interests, prior
128 education, training, work experience, emotional and mental
129 abilities, and physical capabilities of the youth and the
130 duration of the term of placement imposed.

131 (f) Expends funds in a manner that directly supports the
132 attainment of successful student outcomes as specified in s.
133 1003.515(6) and that allows youth to engage in real work
134 situations whenever possible.

135 (3)(a) Program effectiveness shall be determined by
136 implementing systematic data collection, data analysis, and
137 education and workforce-related program evaluations pursuant to
138 ss. 985.632 and 1003.515.

139 (b) The evaluation of juvenile justice education and
140 workforce-related programs shall be based on the performance
141 outcomes provided in s. 1003.515(6).

142 (4) The department shall:

143 (a) Monitor the education performance of youth in juvenile



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144 justice facilities.

145 (b) Prohibit school districts or private providers that
146 have failing performance ratings from delivering the education
147 services as provided in s. 1003.515(7).

148 (c) Verify that a school district enters into a contract
149 with a high-performing school district or provider pursuant to
150 s. 1003.515(7) to deliver education services.

151 (5) The department, in collaboration with the Department of
152 Education and in consultation with the school districts and
153 private juvenile justice education program providers, shall
154 prepare an annual report containing the education performance
155 outcomes, based on the criteria in s. 1003.515(6), of youth in
156 juvenile justice education programs. The report shall delineate
157 the performance outcomes of youth in the state, in each school
158 district, and by each private provider, including the
159 performance outcomes of all major student populations and
160 genders, as determined by the Department of Juvenile Justice.
161 The report shall address the use and successful completion of
162 virtual instruction courses and the successful implementation of
163 transition and reintegration plans. The report must include an
164 analysis of the performance of youth over time, including, but
165 not limited to, additional education attainment, employment,
166 earnings, industry certification, and rates of recidivism. The
167 report must also include recommendations for improving
168 performance outcomes and for additional cost savings and
169 efficiencies. The report shall be submitted to the Governor, the
170 President of the Senate, and the Speaker of the House of
171 Representatives by December 31, 2013, and each year thereafter.

172 (6) The department shall collaborate with the Department of



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173 Education, the Department of Economic Opportunity, school
174 districts, and private providers to adopt rules to administer
175 this section.

176 Section 3. Subsection (3) of section 985.632, Florida
177 Statutes, is amended to read:

178 985.632 Quality assurance and cost-effectiveness.—

179 (3) The department shall annually collect and report cost
180 data for every program operated by the department or its
181 contracted provider or contracted by the department. The cost
182 data shall conform to a format approved by the department and
183 the Legislature. Uniform cost data shall be reported and
184 collected for each education program operated by a school
185 district or private provider contracted by a school district
186 ~~state-operated and contracted programs~~ so that comparisons can
187 be made among programs. The Department of Education shall ensure
188 that there is accurate cost accounting for education programs
189 operated by school districts and private providers, state-
190 ~~operated services~~ including market-equivalent rent and other
191 shared ~~costs~~ cost. The cost of the education educational program
192 ~~provided to a residential facility~~ shall be reported and
193 included in the cost of a program. The Department of Education
194 shall submit an annual cost data report to the department
195 ~~President of the Senate, the Speaker of the House of~~
196 ~~Representatives, the Minority Leader of each house of the~~
197 ~~Legislature, the appropriate substantive and fiscal committees~~
198 ~~of each house of the Legislature, and the Governor, no later~~
199 ~~than December 1 of each year. The annual cost data shall be~~
200 included in the annual report required under s. 985.618(5).

201 Cost-benefit analysis for juvenile justice education educational



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202 programs ~~shall will~~ be developed and implemented in
203 collaboration with and in cooperation with the Department of
204 Education, local providers, and local school districts. ~~Cost~~
205 ~~data for the report shall include data collected by the~~
206 ~~Department of Education for the purposes of preparing the annual~~
207 ~~report required by s. 1003.52(19).~~

208 Section 4. Paragraph (b) of subsection (18) of section
209 1001.42, Florida Statutes, is amended to read:

210 1001.42 Powers and duties of district school board.—The
211 district school board, acting as a board, shall exercise all
212 powers and perform all duties listed below:

213 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—

214 Maintain a state system of school improvement and education
215 accountability as provided by statute and State Board of
216 Education rule. This system of school improvement and education
217 accountability shall be consistent with, and implemented
218 through, the district's continuing system of planning and
219 budgeting required by this section and ss. 1008.385, 1010.01,
220 and 1011.01. This system of school improvement and education
221 accountability shall comply with the provisions of ss. 1008.33,
222 1008.34, 1008.345, and 1008.385 and include the following:

223 (b) *Public disclosure.*—The district school board shall
224 provide information regarding the performance of students in and
225 education educational programs as required pursuant to ss.
226 1008.22 and 1008.385 and implement a system of school reports as
227 required by statute and State Board of Education rule which
228 shall include schools operating for the purpose of providing
229 education educational services to youth in juvenile justice
230 education Department of Juvenile Justice programs, and for those



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231 ~~programs~~ schools, report on the data and education outcomes
232 ~~elements~~ specified in s. 1003.515(6) ~~1003.52(19)~~. Annual public
233 disclosure reports shall be in an easy-to-read report card
234 format and shall include the school's grade, high school
235 graduation rate calculated without GED tests, disaggregated by
236 student ethnicity, and performance data as specified in state
237 board rule.

238 Section 5. Subsection (20) of section 1002.20, Florida
239 Statutes, is amended to read:

240 1002.20 K-12 student and parent rights.—Parents of public
241 school students must receive accurate and timely information
242 regarding their child's academic progress and must be informed
243 of ways they can help their child to succeed in school. K-12
244 students and their parents are afforded numerous statutory
245 rights including, but not limited to, the following:

246 (20) JUVENILE JUSTICE PROGRAMS.—Students who are in
247 juvenile justice programs have the right to receive educational
248 programs and services in accordance with the provisions of s.
249 1003.515 ~~1003.52~~.

250 Section 6. Paragraph (b) of subsection (1) of section
251 1002.45, Florida Statutes, is amended to read:

252 1002.45 Virtual instruction programs.—

253 (1) PROGRAM.—

254 (b) Each school district that is eligible for the sparsity
255 supplement pursuant to s. 1011.62(7) shall provide all enrolled
256 public school students within its boundaries the option of
257 participating in part-time and full-time virtual instruction
258 programs. Each school district that is not eligible for the
259 sparsity supplement shall provide at least three options for



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260 part-time and full-time virtual instruction. All school
261 districts must provide parents with timely written notification
262 of an open enrollment period for full-time students of at least
263 90 days that ends no later than 30 days prior to the first day
264 of the school year. The purpose of the program is to make
265 quality virtual instruction available to students using online
266 and distance learning technology in the nontraditional
267 classroom. A school district virtual instruction program shall
268 provide the following:

269 1. Full-time virtual instruction for students enrolled in
270 kindergarten through grade 12.

271 2. Part-time virtual instruction for students enrolled in
272 grades 9 through 12 courses that are measured pursuant to
273 subparagraph (8)(a)2.

274 3. Full-time or part-time virtual instruction for students
275 enrolled in dropout prevention and academic intervention
276 programs under s. 1003.53, Department of Juvenile Justice
277 education programs under s. 1003.515 ~~1003.52~~, core-curricula
278 courses to meet class size requirements under s. 1003.03, or
279 Florida College System institutions under this section.

280 Section 7. Section 1003.515, Florida Statutes, is created
281 to read:

282 1003.515 The Florida Juvenile Justice Education Act.—

283 (1) SHORT TITLE.—This section may be cited as the "Florida
284 Juvenile Justice Education Act."

285 (2) LEGISLATIVE FINDING.—The Legislature finds that an
286 education is the single most important factor in the
287 rehabilitation of adjudicated youth who are in Department of
288 Juvenile Justice programs.



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289 (3) PURPOSES.—The purposes of this section are to:
290 (a) Provide performance-based outcome measures and
291 accountability for juvenile justice education programs; and
292 (b) Improve academic and workforce-related outcomes so that
293 adjudicated and at-risk youth may successfully complete the
294 transition to and reenter the academic and workforce
295 environments.
296 (4) SCHOOL DISTRICT AND CONTRACTED EDUCATION PROVIDER
297 RESPONSIBILITIES.—
298 (a) A school district or private provider contracted by a
299 school district to offer education services to youth in a
300 juvenile justice education program shall:
301 1. Provide rigorous and relevant academic and workforce-
302 related curricula that will lead to industry certifications in
303 an occupational area of high demand identified in the Industry
304 Certification Funding list adopted by the State Board of
305 Education, or articulate to secondary or postsecondary-level
306 coursework, as appropriate.
307 2. Support state, local, and regional economic development
308 demands.
309 3. Make high-wage and high-demand careers more accessible
310 to adjudicated and at-risk youth.
311 4. Reduce rates of recidivism for adjudicated youth.
312 5. Provide access to the appropriate courses and
313 instruction to prepare youth for a standard high school diploma
314 or the GED examination, as appropriate.
315 6. Provide access to virtual education courses that are
316 appropriate to meet the requirements of academic or workforce-
317 related programs and the requirements for continuing education



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318 specified in the youth's transition and postrelease plans.
319 7. Provide opportunities for earning credits toward high
320 school graduation or credits that articulate to postsecondary
321 education institutions while the youth are in residential and
322 nonresidential juvenile justice facilities.
323 8. Ensure that the credits and partial credits earned by
324 youth are transferred and included in the youth's records as
325 part of the transition plan.
326 9. Ensure that the education program consists of the
327 appropriate academic, workforce-related, or exceptional
328 education curricula and related services that directly support
329 performance outcomes, which must be specified in each youth's
330 transition plan as required by subsection (9).
331 10. If the duration of a youth's stay in a program is less
332 than 40 days, ensure that the youth continues his or her
333 education or workforce-related training that leads to industry
334 certification in an occupational area of high demand.
335 11. Maintain an academic record for each youth who is
336 enrolled in a juvenile justice facility, as required by s.
337 1003.51, and ensure that the coursework, credits, partial
338 credits, occupational completion points, and industry
339 certifications earned by the youth are transferred and included
340 in the youth's transition plan pursuant to s. 985.46.
341 (b) Each school district and private provider shall ensure
342 that the following youth participate in the program:
343 1. Youth who are of compulsory school attendance age
344 pursuant to s. 1003.21.
345 2. Youth who are not of compulsory school attendance age
346 and who have not received a high school diploma or its



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347 equivalent, if the youth is in a juvenile justice facility. Such
348 youth must participate in a workforce-related education program
349 that leads to industry certification in an occupational area of
350 high demand or job placement earning full-time wages.

351 3. Youth who have attained a high school diploma or its
352 equivalent and who are not employed. Such youth must participate
353 in a workforce-related education program that leads to industry
354 certification in an occupational area of high demand or gainful
355 employment earning full-time wages.

356 (5) PROGRAM REQUIREMENTS.—In compliance with the strategic
357 5-year plan under s. 1003.491, each juvenile justice education
358 program shall, in collaboration with the regional workforce
359 board or economic development agency and local postsecondary
360 institutions, determine the appropriate occupational areas for
361 the program. Juvenile justice education programs must:

362 (a) Ensure that rigorous academic and workforce-related
363 coursework is offered and meets or exceeds appropriate state-
364 approved subject area standards, and results in the attainment
365 of industry certification and postsecondary credit, when
366 appropriate;

367 (b) Ensure workforce-related instruction by industry-
368 certified faculty;

369 (c) Maximize the use of private sector personnel;

370 (d) Use strategies to maximize the delivery of virtual
371 instruction;

372 (e) Maximize instructional efficiency for youth in juvenile
373 justice facilities;

374 (f) Provide opportunities for youth to earn weighted or
375 dual enrollment credit for higher-level courses, when



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376 appropriate;

377 (g) Promote credit recovery; and

378 (h) Provide instruction that results in competency,
379 certification, or credentials in workplace skills, including,
380 but not limited to, communication skills, interpersonal skills,
381 decisionmaking skills, work ethic, and the importance of
382 attendance and timeliness in the work environment.

383 (6) DEPARTMENT RESPONSIBILITIES.—

384 (a) The Department of Education shall identify school
385 districts and private providers as having one of the following
386 performance ratings as defined by State Board of Education rule:

387 1. High performance.

388 2. Adequate performance.

389 3. Failing performance.

390 (b) The department shall consider the level of rigor
391 associated with the attainment of a particular outcome when
392 assigning weight to the outcome. The department shall use the
393 following criteria in determining a school district's or private
394 provider's performance rating:

395 1. One or more of the following outcomes for a youth who is
396 middle school age or younger:

397 a. Attaining an industry certification in an occupational
398 area of high demand identified in the Industry Certification
399 Funding list adopted by the State Board of Education, if
400 available and appropriate, and participating in continuing
401 education upon release from a juvenile justice facility.

402 b. Attaining occupational completion points in an
403 occupational area of high demand identified in the Industry
404 Certification Funding list adopted by the State Board of



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405 Education and participating in continuing education upon release
406 from a juvenile justice facility.

407 c. Completing secondary coursework and participating in
408 continuing education upon release from a juvenile justice
409 facility.

410 d. Achieving academic progress in reading and mathematics,
411 as measured by the statewide common assessment adopted by the
412 department for use in juvenile justice education programs, and
413 participating in continuing education upon release from a
414 juvenile justice facility.

415 2. One or more of the following outcomes for a youth who is
416 high school age:

417 a. Achieving academic progress in reading and mathematics,
418 as measured by the statewide common assessment adopted by the
419 department for use in juvenile justice education programs, and
420 participating in continuing education upon release from a
421 juvenile justice facility.

422 b. Earning secondary or postsecondary credit upon release
423 from a juvenile justice facility and participating in continuing
424 education upon release from a juvenile justice facility.

425 c. Attaining a high school diploma or its equivalent and
426 participating in continuing education at the postsecondary level
427 upon release from a juvenile justice facility.

428 d. Attaining a high school diploma or its equivalent and
429 obtaining job placement or self-employment in a position earning
430 full-time wages.

431 e. Attaining an industry certification in an occupational
432 area of high demand identified in the Industry Certification
433 Funding list adopted by the State Board of Education and



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434 attaining job placement or self-employment earning full-time
435 wages in a position for which the student attained an industry
436 certification.

437 f. Attaining occupational completion points in an
438 occupational area of high demand identified in the Industry
439 Certification Funding list adopted by the State Board of
440 Education and job placement or self-employment in a position
441 earning full-time wages.

442 g. Attaining occupational completion points in an
443 occupational area of high demand identified in the Industry
444 Certification Funding list adopted by the State Board of
445 Education and participation in continuing education in order to
446 complete the industry certification in that occupation.

447 (c) By September 1, 2012, the department shall make
448 available a common student assessment to measure the academic
449 progress in reading and mathematics of youth who are assigned to
450 juvenile justice education programs.

451 For purposes of performance ratings, school districts and
452 private providers shall be held accountable for the performance
453 outcomes of youth until they are released from supervision by
454 the Department of Juvenile Justice. This subsection does not
455 abrogate the provisions of s. 1002.22 which relate to education
456 records or the requirements of 20 U.S.C. s. 1232g, the Family
457 Educational Rights and Privacy Act.

458 (7) PROGRAM ACCOUNTABILITY.—

459 (a) If a school district or private provider earns two
460 consecutive failing performance ratings or two failing
461 performance ratings in any 3-year period, as provided in
462



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463 subsection (6), the school district shall enter into a contract
464 with a school district or private provider that has a high-
465 performance rating to deliver the education services to the
466 youth in the program. The Department of Juvenile Justice may use
467 its statutory authority to sanction or prohibit a private
468 provider from delivering education services to youth under the
469 department's supervision due to noneducation reasons.

470 (b) Except as provided in paragraph (a), the school
471 district of the county in which the residential or
472 nonresidential care facility or juvenile assessment facility is
473 located shall deliver education services to youth in Department
474 of Juvenile Justice programs. A school district may enter into a
475 contract with a private provider to deliver the education
476 services in lieu of directly providing the education services.
477 The contract shall include performance criteria as provided in
478 subsection (6).

479 (c) When determining educational placement for youth who
480 enroll in a school district upon release, the school district
481 must consult with the lead educator of the juvenile justice
482 program to which the youth was last assigned and adhere to the
483 transition plan established under s. 985.46(6).

484 (d) If a private provider under contract with a school
485 district maintains a high-performance rating pursuant to
486 subsection (6), the school district may not require a private
487 provider to use the school district's personnel or require
488 qualifications of private provider personnel beyond those that
489 are necessary to protect the health, safety, and welfare of the
490 students, as determined by the Department of Juvenile Justice.

491 (e) Each school district must provide juvenile justice



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492 education programs access to substitute classroom teachers used
493 by the school district.

494 (8) EXITING PROGRAM.—Upon exiting a program, a youth must:

495 (a) Attain an industry certification in an occupational
496 area of high demand identified in the Industry Certification
497 Funding list adopted by the State Board of Education;

498 (b) Enroll in a program to complete the industry
499 certification;

500 (c) Be gainfully employed and earning full-time wages; or

501 (d) Enroll in and continue his or her education based on
502 the transition and postrelease plan provided in s. 958.46.

503 (9) EDUCATION TRANSITION PLAN COMPONENT.—

504 (a) The education transition plan component shall be
505 incorporated in the transition plan pursuant to s. 985.46(6).

506 (b) Each school district and private provider must develop
507 an education transition plan component during the course of a
508 youth's stay in a juvenile justice program which coordinates
509 academic and workforce services and assists the youth in
510 successful community reintegration upon the youth's release.

511 (c) The development of the education transition plan
512 component shall begin upon a youth's placement in the program.
513 The education transition plan component must include the
514 academic and workforce services to be provided during the
515 program stay and the establishment of services to be implemented
516 upon release. The appropriate personnel in the juvenile justice
517 education program, members of the community, the youth, and the
518 youth's family, when appropriate, shall collaborate to develop
519 the education transition plan component.

520 (d) Education planning for reintegration shall begin when



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521 placement decisions are made and continue throughout the youth's
522 stay in order to provide for continuing education, job
523 placement, and other necessary services. Individuals who are
524 responsible for reintegration shall coordinate activities to
525 ensure that the education transition plan component is
526 successfully implemented and a youth is provided access to
527 support services that will sustain the youth's success once he
528 or she is no longer under the supervision of the Department of
529 Juvenile Justice. The education transition plan component must
530 provide for continuing education, workforce development, or
531 meaningful job placement pursuant to the performance outcomes in
532 subsection (6). For purposes of this section, the term
533 "reintegration" means the process by which a youth returns to
534 the community following release from a juvenile justice program.

535 (10) FUNDING.—

536 (a) Youth who are participating in GED preparation programs
537 while under the supervision of the Department of Juvenile
538 Justice shall be funded at the basic program cost factor for
539 juvenile justice programs in the Florida Education Finance
540 Program (FEFP). Juvenile justice education programs shall be
541 funded in the appropriate FEFP program based on the education
542 services needed by the students in the programs pursuant to s.
543 1011.62.

544 (b) Juvenile justice education programs operated through a
545 contract with the Department of Juvenile Justice and under the
546 purview of the department's quality assurance standards and
547 performance outcomes shall receive the appropriate FEFP funding
548 for juvenile justice programs.

549 (c) A district school board shall fund the education



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550 program in a juvenile justice facility at the same or higher
551 level of funding for equivalent students in the district school
552 system based on the funds generated through the FEFP and funds
553 allocated from federal programs.

554 (d) Consistent with the rules of the State Board of
555 Education, district school boards shall request an alternative
556 full-time equivalent (FTE) survey for juvenile justice programs
557 experiencing fluctuations in student enrollment.

558 (e) The State Board of Education shall prescribe rules
559 relating to FTE count periods which must be the same for
560 juvenile justice programs and other public school programs. The
561 summer school period for students in juvenile justice programs
562 shall begin on the day immediately preceding the subsequent
563 regular school year. Students may be funded for no more than 25
564 hours per week of direct instruction; however, students shall be
565 provided access to virtual instruction in order to maximize the
566 most efficient use of time.

567 (11) FACILITIES.—The district school board may not be
568 charged any rent, maintenance, utilities, or overhead on the
569 facilities. Maintenance, repairs, and remodeling of existing
570 facilities shall be provided by the Department of Juvenile
571 Justice.

572 (12) RULEMAKING.—The State Board of Education shall
573 collaborate with the Department of Juvenile Justice, the
574 Department of Economic Opportunity, school districts, and
575 private providers to adopt rules pursuant to ss. 120.536(1) and
576 120.54 to administer this section.

577 Section 8. Section 1003.52, Florida Statutes, is repealed.

578 Section 9. Paragraph (f) of subsection (1) of section



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579 1011.62, Florida Statutes, is amended to read:

580 1011.62 Funds for operation of schools.—If the annual
581 allocation from the Florida Education Finance Program to each
582 district for operation of schools is not determined in the
583 annual appropriations act or the substantive bill implementing
584 the annual appropriations act, it shall be determined as
585 follows:

586 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
587 OPERATION.—The following procedure shall be followed in
588 determining the annual allocation to each district for
589 operation:

590 (f) *Supplemental academic instruction; categorical fund.*—

591 1. There is created a categorical fund to provide
592 supplemental academic instruction to students in kindergarten
593 through grade 12. This paragraph may be cited as the
594 “Supplemental Academic Instruction Categorical Fund.”

595 2. Categorical funds for supplemental academic instruction
596 shall be allocated annually to each school district in the
597 amount provided in the General Appropriations Act. These funds
598 shall be in addition to the funds appropriated on the basis of
599 FTE student membership in the Florida Education Finance Program
600 and shall be included in the total potential funds of each
601 district. These funds shall be used to provide supplemental
602 academic instruction to students enrolled in the K-12 program.
603 Supplemental instruction strategies may include, but are not
604 limited to: modified curriculum, reading instruction, after-
605 school instruction, tutoring, mentoring, class size reduction,
606 extended school year, intensive skills development in summer
607 school, and other methods for improving student achievement.



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608 Supplemental instruction may be provided to a student in any
609 manner and at any time during or beyond the regular 180-day term
610 identified by the school as being the most effective and
611 efficient way to best help that student progress from grade to
612 grade and to graduate.

613 3. Effective with the 1999-2000 fiscal year, funding on the
614 basis of FTE membership beyond the 180-day regular term shall be
615 provided in the FEFP only for students enrolled in juvenile
616 justice education programs or in education programs for
617 juveniles placed in secure facilities or programs under s.
618 985.19. Funding for instruction beyond the regular 180-day
619 school year for all other K-12 students shall be provided
620 through the supplemental academic instruction categorical fund
621 and other state, federal, and local fund sources with ample
622 flexibility for schools to provide supplemental instruction to
623 assist students in progressing from grade to grade and
624 graduating.

625 4. The Florida State University School, as a lab school, is
626 authorized to expend from its FEFP or Lottery Enhancement Trust
627 Fund allocation the cost to the student of remediation in
628 reading, writing, or mathematics for any graduate who requires
629 remediation at a postsecondary educational institution.

630 5. ~~Beginning in the 1999-2000 school year,~~ Dropout
631 prevention programs as defined in ss. ~~1003.515~~ ~~1003.52~~,
632 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in
633 group 1 programs under subparagraph (d)3.

634 Section 10. This act shall take effect upon becoming a law.

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Education Pre-K - 12 Committee

BILL: CS/SB 834

INTRODUCER: Education Pre-K - 12 Committee

SUBJECT: Education Programs for Juvenile Justice Students

DATE: December 6, 2011 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Carrouth	Matthews	ED	Fav/CS
2.			CJ	
3.			BC	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|-----------------------------------------|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The bill is the culmination of the committee’s interim project on education in Department of Juvenile Justice (DJJ) facilities.¹ It includes the recommendations of the Juvenile Justice Education Workgroup to improve the education outcomes of youth in DJJ facilities. The bill requires an evaluation of the effectiveness of school districts and private providers based upon the attainment of relevant academic and workforce skills that increase the likelihood of success upon release from a DJJ facility. School districts and private providers would be prohibited from providing educational services to youth in DJJ facilities if they fail to meet the above performance outcomes.

This bill substantially amends sections 985.46 and 985.618, creates section 1003.515, repeals section 1003.52, and makes conforming changes to sections 985.632, 1001.42, 1002.20, 1002.45, and 1011.62 of the Florida Statutes.

¹ Senate Interim Report 2012-219, Delivery of Educational Services in the Department of Juvenile Justice Services, available at <http://www.flsenate.gov/Committees/InterimProjects/2012/>.

II. Present Situation:

Statutory requirements

Section 1003.52, F.S., establishes the educational expectations for DJJ youth in residential and day treatment programs.² The Department of Education (DOE) currently serves as the lead agency for juvenile justice education programs, curriculum, support services, and resources. Although district school boards are responsible for providing educational services to youth in juvenile justice programs, the DOE and DJJ are responsible for reporting the academic performance of students in juvenile justice programs, developing academic and career guidance to district school boards and providers in educational programming, and prescribing the roles of program personnel and school district or provider collaboration strategies.³

Current law states that education is the single most important factor in the rehabilitation of adjudicated delinquent youth and that the goal of juvenile justice system is to allow these youth the opportunity to obtain a high-quality education.⁴ Unfortunately, the law only requires an education program that supports treatment goals and leads to a high school diploma or equivalent.⁵ Data collected on student achievement is based primarily on learning gains in reading and mathematics.⁶ Given the serious academic deficits many of these youth bring to the programs and the significant hurdles they will face in obtaining gainful employment, DJJ education programs must go beyond a high school diploma or equivalent and offer workforce skills that will lead to employment.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) reported concerns with a lack of meaningful student outcomes in DJJ facilities and recommended the evaluation of youth based on outcomes proven to reduce delinquency—continuing education and meaningful employment.⁷ Instead, educational programs are currently assigned quality assurance ratings based on on-site reviews and interviews of education services personnel.⁸

² DJJ programs provide oversight for approximately 150 residential, day treatment, and prevention programs in 43 counties. The majority of programs are operated under contract by private providers for services such as mental health, substance abuse treatment, plans for restitution, and transition services so that youth successfully re-enter their home communities.

³ s. 1003.52(1), F.S.

⁴ *Id.*

⁵ s. 1003.52(5), F.S.

⁶ Approximately 15 percent of DJJ students demonstrated learning gains in mathematics and reading during FY 2009-2010. Eighty-five percent failed to read on grade level and 78 percent scored below grade level on mathematics. See page 4, www.fldoe.org/ese/pdf/jj_annual.pdf.

⁷ OPPAGA Report 08-07, available at: <http://www.oppaga.state.fl.us/ReportsYearList.aspx?yearID=22>.

⁸ Quality assurance ratings include information relating to teacher certifications and qualifications, courses taught by each teacher, qualifications and duties of all educational support personnel, assessment information, progress monitoring data, and program characteristics (i.e., size, location, provider, career education level designated by the DJJ, security level, and age range of students), school names and numbers under which diplomas are reported, course offerings, class schedules, bell schedules, school calendars, curriculum information, fidelity checks, walk-through forms, and annual evaluations of the educational program. See also *Developing Effective Education in Department of Juvenile Justice and other Dropout Prevention Programs*, 2009-10, Department of Education, available at: www.fldoe.org/ese/pdf/jj_annual.pdf.

DJJ education program outcomes

The need to improve the educational outcomes of youth in DJJ facilities is documented through available data. On any given day, approximately 100,000 youth are in some form of juvenile justice placement, nationally.⁹ Obstacles to successful re-entry amplify the effects of the school-to-prison pipeline and increase the likelihood that these youth will find themselves returning to the justice system they just exited. Youth who return to school from juvenile justice placements have lower recidivism rates and a higher likelihood of successful re-entry into the community.¹⁰ Unfortunately, 79 percent of juvenile justice students in residential programs, who were age 16 or older and significantly behind academically, did not return to school upon release.¹¹

The Department of Education (DOE) provided data on youth released from DJJ programs over several years using information from the Florida Education and Training Placement Information Program (FETPIP). The DOE tracked youth in DJJ residential programs to determine occupational, educational, and subsequent judicial placement in the years following release from the program. To provide context, the DOE provided the same outcome information for high school dropouts and graduates. The chart shows that youth released from DJJ are returning to school at progressively lower rates over time. In addition, DJJ youth are similar to dropouts in that low percentages enroll in postsecondary education. Youth released from DJJ were also less likely to be employed than dropouts or high school graduates. Finally, DJJ youth, following release, are more likely to be incarcerated as adults than dropouts or high school graduates. Of those who were later incarcerated by Department of Corrections, they were less likely to earn full time equivalent wages after leaving the DJJ program.

Information on DJJ Youth in Comparison to School Dropouts and High School Graduates

	Year Students Left Or Graduated 2006-07			Year Students Left or Graduated 2007-08		
	DJJ Leavers	Dropouts	HS Grads	DJJ Leavers	Dropouts	HS Grads
1. Number of students	7,395	25,144	127,258	6,041	19,640	131,128
2. Number and percent who returned to HS or MS at any point following release	2430	7,879	NA	634	5,471	NA
	33%	31%		10%	28%	
3. Number and percentage of DJJ Leavers who received a GED	1,557	NA	NA	1,288	NA	NA
	21%			21%		

⁹ See *The School to Prison Pipeline and Back*, New York Law School Review, Volume 54, 2009-10, pg. 1116, available at: www.nyls.edu/index.php?cID=2666.

¹⁰ *Id.*

¹¹ *Juvenile Justice Students Face Barriers to High School Graduation and Job Training*, OPPAGA, Report No. 10-55 (October 2010.)

	Year Students Left Or Graduated 2006-07			Year Students Left or Graduated 2007-08		
	DJJ Leavers	Dropouts	HS Grads	DJJ Leavers	Dropouts	HS Grads
4. Number and percent who enrolled in Postsecondary ED in the year following their release - continuing education	390 0%	1,520 6%	80,057 63%	364 6%	1,274 6%	82,741 63%
5. Number and percent who were employed in the year after release	1,502 20%	9,234 37%	69,117 54%	866 14%	5,437 28%	62,890 48%
6. Of those who were employed, number and percent who were employed with full time equivalent wages in the year after their release ¹²	231 15%	2,011 22%	15,032 22%	135 16%	1,239 28%	10,613 17%
7. Number and percent who were later incarcerated in a DOC facility (Followed through 2009-10)	1,197 16%	874 3%	271 0%	600 10%	503 3%	159 0%
8. Of those that were later incarcerated in a DOC facility, the number and percent employed in the year after release with full time equivalent wages ¹	20 2%	16 2%	29 11%	3 0%	2 0%	8 5%

Source: Florida Education and Training Placement Information Program
 * Percentages less than .50% are rounded to (whole percentages) 0%.

Youth released from DJJ programs are most likely to reoffend within the first nine months of release.¹³ Of these recidivists, more than half will be rearrested within the first four months following program release. Although Florida and federal law¹⁴ require state and local agencies to provide for effective re-entry of youth into the community, 13 of the state’s 67 school districts automatically place students in an alternative education setting despite recommendations from the DJJ program staff and statutory requirements to use those recommendations in re-entry placement decisions.¹⁵ Youth who have been involved in juvenile and criminal activity are not provided sufficient re-entry support to ensure that they do not re-offend.

The Center for Smart Justice¹⁶ reports that the \$240 million the state spends annually on residential facilities is not making Florida safer, but instead more vulnerable. Residential

¹² Full-time is determined by the wages equal to or greater than “minimum wages *13 weeks* 40 hours”. If the wage amount is equal to or greater than this number, FETPIP considers the individual full-time for the quarter.

¹³ DJJ CAR Report, 2009-09, page 115.

¹⁴ Sections 1401(a), 1417(a), and 1422(d) of PL 107-110, No Child Left Behind Act of 2001; Sections 1003.52(5) (13)(i) and 985.618(1)(a)(b), F.S.; and State Board Rule 6A-6.05281.

¹⁵ See <http://www.fldoe.org/ese/sdte.asp>.

¹⁶ The Florida TaxWatch Center for Smart Justice was established in 2010 as a statewide research organization to ensure statewide justice reform through proven, cost-effective measures. The center is led by a board of civic and business leaders from across the state. See www.floridatxwatch.org/centers/CSJ/aboutsmartjustice.php.

facilities have higher recidivism rates than community-based alternatives, and repeated studies have proven that institutional programs make low-risk children more likely to re-offend.¹⁷

Juvenile Justice Education Workgroup

The Juvenile Justice Education Workgroup was created in the summer of 2011 to bring together stakeholders in juvenile justice education. The workgroup heard testimony concerning youth education outcomes in juvenile justice facilities. Cognizant of the significant challenges these youth will face in obtaining gainful employment, the workgroup recommended a revised accountability structure to evaluate the effectiveness of the education. In particular, the workgroup recommended evaluating DJJ education programs on the following: youth attainment of industry certifications in targeted, high-demand and high-wage fields; continuing education at the secondary or postsecondary level; job placement or self-employment; and attainment of postsecondary credit.

High-demand and high-wage employment

In an effort to improve the alignment of coursework to skills needed in high demand occupations, the Career and Professional Academy Act was enacted by the 2007 Legislature.¹⁸ The legislation requires the collaborative development of a strategic 5-year plan by school districts, regional workforce boards, postsecondary institutions, and private businesses to determine relevant workforce-related educational offerings to be delivered within the K-12 arena. As a result of the legislation, the number of career academies in the state's secondary schools has increased dramatically. High school students earned a total of 803 industry certifications in high demand occupations during the 2007-08 school year and 8,629 certifications in the 2009-10 school year.¹⁹ Of particular importance, the development of the 5-year plan specifically requires that strategies be included to involve youth in DJJ facilities.²⁰ During the 2010-11 FY, grant funding supported industry certifications for youth in DJJ programs through virtual course offerings. As a result of the funding, the DJJ reports that 72 youth earned OSHA (Office of Safety and Health Administration) industry certifications, 60 earned industry certifications in Microsoft Office Suites, and 13 earned OSHA+certifications (OSHA plus add-on certification in Aggression Management and/or Blood-borne Pathogens).²¹

III. Effect of Proposed Changes:

The Department of Juvenile Justice (DJJ)

The bill is a comprehensive effort to transform educational opportunities for youth in DJJ programs. Under the bill, the DOE is given authority to develop performance ratings for school

¹⁷The Juvenile Justice Blueprint Commission found that youth who are kept in programs for prolonged lengths of time after treatment goals are achieved often begin to deteriorate and may be more likely to re-offend once release is finally achieved. See the *Report of the Blueprint Commission: Getting Smart About Juvenile Justice*, available at: <http://www.djj.state.fl.us/blueprint/index.html>.

¹⁸ ch. 2007-216, L.O.F.

¹⁹ Presentation by the Department of Education, Chancellor for Career and Adult Education, August 24, 2011, on file with the committee.

²⁰ See s. 1003.491(3)(j), F.S.

²¹ Data provided by DJJ Office of Educational Services, on file with the committee.

district and private providers based on identified student outcomes. School districts or private providers who fail to meet established performance thresholds for two consecutive years or two years out of three, based on the specified outcomes, would no longer provide educational services to these youth. Instead, the school district would be required to contract with a school district or private provider with a high-performance rating to offer educational and workforce-related services to youth in these programs. Under the bill, the DJJ would be required to verify that this provision is met.

The DJJ, in consultation with the DOE, the Department of Economic Opportunity, school districts, and private providers, would adopt rules to implement provisions in the bill for which the DJJ is given responsibility.

The State Board of Education, in consultation with the DJJ, the Department of Economic Opportunity, school districts, and private providers, would adopt rules to establish performance ratings based on levels of attainment of outcomes. The bill requires the performance ratings to be weighted based on the rigor in attaining specified outcomes. Performance categories would include high, adequate, and failing. For purposes of determining performance ratings, school districts and private providers would be held accountable for student outcomes until such time that the youth is released from DJJ supervision.

Performance Outcomes

Education outcomes are designed to promote the successful return of adjudicated youth to their communities through employment in high demand occupations or continuing education. Outcomes established under the bill would differ based on the age-appropriate needs of the youth. Those of middle-school age would be required to meet at least one of the following outcomes:

- Attainment of an industry certification in a targeted occupation²² and continuing education;²³
- Attainment of occupational completion points²⁴ in a targeted occupation and continuing education;
- Attainment of secondary or postsecondary credit and continuing education; or
- Achievement of academic progress in reading and mathematics²⁵ and continuing education.

²² In order to provide workforce skills in high demand occupations, the bill requires that industry certifications for these students be limited to those included on the Industry Certification Funding List pursuant to s. 1011.62(1)(o), F.S.

²³ For purposes of measuring student outcomes, continuing education would be defined based on the individual youth. Students of compulsory attendance age, for example, would be expected to continue their education within the secondary school arena in a supportive environment and an academic area that has meaning to them. Older youth who have attained a partial industry certification would enroll in an educational environment to complete the training, while those having attained full industry certification may wish to enhance those credentials with additional coursework.

²⁴ Occupational Completion Points (OCPs) are selected sets of student performance standards that fall between established occupational completion points, as identified in vocational job preparatory course descriptions. These selected standards guide the student in completing a modified program and developing marketable skills. See <http://www.fldoe.org/workforce/programs/ss5.asp>.

²⁵ Section 1003.52(3)(b), F.S., requires the DOE to select a valid assessment tool to measure learning gains in mathematics and reading.

High-school age youth would be required to meet at least one of the following outcomes:

- Attainment of an industry certification in a targeted occupation;²⁶
- Attainment of occupational completion points in a targeted occupation and continuing education to complete the industry certification;
- Attainment of occupational completion points and obtaining employment earning full-time wages;
- Attainment of a high school diploma or its equivalent and continuing education;
- Attainment of a high school diploma or its equivalent and job placement or self employment in a position earning full-time wages;
- Job placement or self-employment in an area for which the youth earned an industry certification;
- Earning secondary or postsecondary credit and continuing education; or
- Achievement of academic progress in reading and mathematics²⁷ and continuing education.

Industry Certifications for Targeted Occupations

In an effort to promote academic engagement and relevant workforce skills, the bill establishes youth attainment of industry certifications as a key performance outcome. The DJJ program must collaborate with the regional workforce board and postsecondary institutions to determine the occupational areas of emphasis in the program. This provision will ensure that employment positions are currently or forecast to be available in the area in which the student is pursuing the certification. Additionally, it provides opportunities for industry certified volunteers from the community to provide support.

Access to Educational and Workforce-related Virtual Courses and Virtual Counseling

The bill requires juvenile justice education programs to provide access to virtual education instruction and virtual counseling to support the educational and workforce skills needed for adjudicated youth. This provision supports efficient use of the youth's time in a DJJ facility, by accelerating instructional opportunities during evenings and weekends, and expands access to courses, many of which result in high-demand industry certifications.²⁸

School District Contracts with Private Providers

School districts would continue to provide educational services or contract with a private provider to meet specified student outcomes, contingent upon a designated level of performance over time. The bill also establishes that school districts that contract for educational services may not dictate personnel decisions beyond requirements for the health, safety and welfare of the youth if the contracted provider maintains a high performance rating. This provision promotes flexibility to employ instructors who are highly effective in working with at-risk youth. Also,

²⁶ The Industry Certification Funding List is available at: <https://www.fldoe.org/workforce/fcpea/pdf/1011icfl.pdf>.

²⁷ Section 1003.52(3)(b), F.S., requires the DOE to select a common assessment tool to measure academic progress in mathematics and reading.

²⁸ All 145 industry certifications earned by youth in DJJ programs during FY 2010-11 (OSHA and Microsoft Office Suites) were completed through virtual education courses.

districts would be prohibited from placing a youth in an alternative school setting once released from the DJJ program without the consultation of the lead educational instructor in the DJJ facility. This provision promotes decisions made in the best interest of the youth and supports the transition and re-entry plan established during program stay.

Development of Transitions Plans for Successful Reintegration

The bill requires that a an educational component to the transition plan be developed for youth to specify educational and other services to be provided during the youth's stay in the DJJ program, as well as services to be provided upon release. The educational component of the transition plan, developed in collaboration with the youth and the youth's family, would govern decisions regarding educational, workforce, and other services to ensure successful reintegration into the community.

Annual Report to the Legislature

The DJJ, with assistance from the DOE, school districts, and private providers, is required to submit an annual report to the Legislature beginning December 31, 2013. The report must include data on the level of attainment of performance outcomes by DJJ youth and include comparisons by demographics, by district and provider, and with students in traditional educational settings. The report must address the use of virtual education in attainment of outcomes and implementation of transition and reintegration plans for successful re-entry of youth into the community. Additionally, the report must provide recommendations for improving outcome measures and additional cost savings.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private providers that fail to meet performance expectations for two consecutive years or two out of three years would be barred from providing education services to youth in DJJ facilities. These entities may experience a reduction in revenue. High-performing providers may experience a positive fiscal impact.

The cost savings to taxpayers, although indeterminate, may be significant. Criminologists estimate that steering just one high-risk delinquent teen away from a life of crime saves society \$3 million to \$6 million in reduced victim costs and criminal justice expenses, plus increased wages and tax payments over the young person's lifetime.²⁹

C. Government Sector Impact:

School districts that fail to meet performance expectations for two consecutive years or two out of three years would experience a reduction in revenue. High-performing school districts may experience a positive revenue impact.

Government cost savings, although indeterminate, may be significant. Youth are more likely to successfully return to their communities with educational success and meaningful workforce skills. When youth are successful, future crime and costly incarceration is prevented.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by the Education Pre-K – 12 Committee on December 6, 2011:

The committee substitute:

- Places authority to determine school district and private provider performance with the Department of Education, rather than the Department of Juvenile Justice;
- Adds occupational completion points as an acceptable youth outcome, provided the youth is placed in employment or continues his or her education to full industry certification;

²⁹ Missouri's current director of adult corrections credits their Department of Youth Services practices with saving the state millions of dollars by reducing the recidivism of juvenile offenders into adult prisons. See the Missouri Model, available at: www.aecf.org/~media/Pubs/.../MOModel/MO_Fullreport_webfinal.pdf.

- Adds academic progress in reading and mathematics as an outcome for high school age youth, provided that they continue their education upon release from the program;
- Removes student completion of comprehensive career exploration as a performance outcome;
- Requires that virtual education and workforce related counseling be made available to youth in education programs in juvenile justice facilities;
- Provides autonomy to private providers when selecting personnel, provided that they maintain high performing status; and
- Requires that an educational component be included in the transition plan developed during the youth's stay in a program and that the educational component drive decisions for youth when they are released.

B. Amendments:

None.

By the Committee on Education Pre-K - 12

581-00848A-12

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1 A bill to be entitled
 2 An act relating to juvenile justice education and
 3 workforce programs; amending s. 985.618, F.S.;
 4 providing legislative intent regarding juvenile
 5 justice education and workforce-related programs;
 6 requiring that the Department of Juvenile Justice
 7 ensure that each juvenile justice education program
 8 meets specified minimum standards; requiring that the
 9 programs be evaluated based on student performance
 10 outcomes; requiring that the effectiveness of the
 11 programs be determined by implementing systematic data
 12 collection, data analysis, and evaluations; amending
 13 ss. 985.632 and 1001.42, F.S; conforming provisions to
 14 changes made by the act; conforming cross-references;
 15 creating s. 1003.515, F.S.; providing a short title;
 16 providing the purposes of the Florida Juvenile Justice
 17 Education Act; requiring that each juvenile justice
 18 education program involve the regional workforce board
 19 or economic development agency and local postsecondary
 20 institutions to determine the occupational areas for
 21 the education and workforce-related program; providing
 22 requirements for education and workforce-related
 23 services in juvenile justice programs; requiring that
 24 a youth who exits the program attain an industry
 25 certification, enroll in a program to complete the
 26 industry certification, or enroll in and continue his
 27 or her education based on a transition plan; requiring
 28 that certain youth be provided opportunities for
 29 career exploration and enrollment in continuing

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 education upon release from a program; requiring that
 31 a program meet certain passage rates on industry
 32 certification examinations; providing that if a
 33 program fails to meet the minimum passage rates, the
 34 program must discontinue enrollment and redirect
 35 students into a different industry certification area
 36 of high demand; amending s. 1003.52, F.S.; providing a
 37 legislative finding; providing for performance ratings
 38 of school districts and private providers; providing
 39 certain criteria to be used in determining the
 40 performance rating of a school district or private
 41 provider; requiring that the Department of Juvenile
 42 Justice hold the school districts and private
 43 providers accountable for performance outcomes until
 44 the youth are released from the department's
 45 supervision; providing requirements and
 46 responsibilities for school districts and private
 47 providers participating in juvenile justice education
 48 programs; requiring that each school district and
 49 private provider develop a transition plan during the
 50 course of the youth's stay in a juvenile justice
 51 program; providing requirements for the transition and
 52 reintegration plan process; providing responsibilities
 53 for the Department of Juvenile Justice and the
 54 Department of Education; requiring that the Department
 55 of Education make available a common student
 56 assessment to measure youth learning gains in reading
 57 and mathematics; providing funding requirements for
 58 the juvenile justice education programs; prohibiting a

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59 district school board from being charged rent,
 60 maintenance, utilities, or overhead on facilities;
 61 requiring that the Department of Juvenile Justice
 62 provide maintenance, repairs, and remodeling of
 63 existing facilities; requiring that the Department of
 64 Juvenile Justice, in collaboration with the Department
 65 of Education and in consultation with participating
 66 school districts and private providers, prepare an
 67 annual report containing certain data; requiring that
 68 the report identify school districts and private
 69 providers by performance ratings; requiring that the
 70 report be submitted to the Governor and the
 71 Legislature by a specified date each year; requiring
 72 that the Department of Juvenile Justice collaborate
 73 with the Department of Education, the Department of
 74 Economic Opportunity, school districts, and private
 75 providers to adopt rules; providing an effective date.

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

78
 79 Section 1. Section 985.618, Florida Statutes, is amended to
 80 read:

81 (Substantial rewording of section. See
 82 s. 985.618, F.S., for present text.)

83 985.618 Education and workforce-related programs.—

84 (1) The Legislature intends for youth in juvenile justice
 85 programs to be provided with a quality education that includes
 86 workforce-related skills that lead to continuing education or
 87 meaningful employment, or both, and that result in reduced rates

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88 of recidivism.

89 (2) The Department of Juvenile Justice shall ensure that
 90 each juvenile justice education program, at a minimum:

91 (a) Uses virtual course offerings that maximize learning
 92 opportunities for adjudicated youth.

93 (b) Provides instruction from individuals who hold industry
 94 credentials in the occupational area in which they teach.

95 (c) Provides instructors who are available to teach
 96 evenings and weekends.

97 (d) Considers, before placement, the age, interests, prior
 98 education, training, work experience, emotional and mental
 99 abilities, and physical capabilities of the youth and the
 100 duration of the term of placement imposed.

101 (e) Expends funds in a manner that directly supports the
 102 attainment of successful student outcomes as specified in s.
 103 1003.52(3) and that allows youth to engage in real work
 104 situations whenever possible.

105 (3) (a) The evaluation of juvenile justice education and
 106 workforce-related programs shall be based on the performance
 107 outcomes provided in s. 1003.52(3).

108 (b) Program effectiveness shall be determined by
 109 implementing systematic data collection, data analysis, and
 110 education and workforce-related program evaluations pursuant to
 111 ss. 985.632 and 1003.52.

112 Section 2. Subsection (3) of section 985.632, Florida
 113 Statutes, is amended to read:

114 985.632 Quality assurance and cost-effectiveness.—

115 (3) The department shall annually collect and report cost
 116 data for every program operated or contracted by the department.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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117 The cost data shall conform to a format approved by the
 118 department and the Legislature. Uniform cost data shall be
 119 reported and collected for state-operated and contracted
 120 programs so that comparisons can be made among programs. The
 121 department shall ensure that there is accurate cost accounting
 122 for state-operated services including market-equivalent rent and
 123 other shared cost. The cost of the education ~~educational~~ program
 124 provided to a residential facility shall be reported and
 125 included in the cost of a program. The department shall submit
 126 an annual cost report to the President of the Senate, the
 127 Speaker of the House of Representatives, the Minority Leader of
 128 each house of the Legislature, the appropriate substantive and
 129 fiscal committees of each house of the Legislature, and the
 130 Governor, no later than December 1 of each year. Cost-benefit
 131 analysis for education ~~educational~~ programs shall ~~will~~ be
 132 developed and implemented in collaboration with and in
 133 cooperation with the Department of Education, local providers,
 134 and local school districts. Cost data for the report shall
 135 include the data and education program analyses provided
 136 ~~collected~~ by the Department of Juvenile Justice, in
 137 collaboration with the Department of Education, for the purposes
 138 of preparing the annual report required in ~~by~~ s. 1003.52(10)
 139 ~~1003.52(19)~~.

140 Section 3. Paragraph (b) of subsection (18) of section
 141 1001.42, Florida Statutes, is amended to read:

142 1001.42 Powers and duties of district school board.—The
 143 district school board, acting as a board, shall exercise all
 144 powers and perform all duties listed below:

145 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—

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146 Maintain a state system of school improvement and education
 147 accountability as provided by statute and State Board of
 148 Education rule. This system of school improvement and education
 149 accountability shall be consistent with, and implemented
 150 through, the district's continuing system of planning and
 151 budgeting required by this section and ss. 1008.385, 1010.01,
 152 and 1011.01. This system of school improvement and education
 153 accountability shall comply with the provisions of ss. 1008.33,
 154 1008.34, 1008.345, and 1008.385 and include the following:

155 (b) *Public disclosure.*—The district school board shall
 156 provide information regarding the performance of students and
 157 education ~~educational~~ programs as required pursuant to ss.
 158 1008.22 and 1008.385 and implement a system of school reports as
 159 required by statute and State Board of Education rule which
 160 shall include schools operating for the purpose of providing
 161 education ~~educational~~ services to youth in Department of
 162 Juvenile Justice programs, and for those schools, report on the
 163 data and education program analyses ~~elements~~ specified in s.
 164 1003.52(10) ~~1003.52(19)~~. Annual public disclosure reports shall
 165 be in an easy-to-read report card format and shall include the
 166 school's grade, high school graduation rate calculated without
 167 GED tests, disaggregated by student ethnicity, and performance
 168 data as specified in state board rule.

169 Section 4. Section 1003.515, Florida Statutes, is created
 170 to read:

171 1003.515 The Florida Juvenile Justice Education Act.—

172 (1) This section may be cited as the "Florida Juvenile
 173 Justice Education Act."

174 (2) The purposes of this section are to:

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- 175 (a) Provide performance-based outcome measures and
 176 accountability for juvenile justice education programs;
 177 (b) Improve academic and workforce-related outcomes so that
 178 adjudicated and at-risk youth may successfully complete the
 179 transition to and reenter the academic and workforce
 180 environments;
 181 (c) Provide rigorous and relevant workforce-related
 182 curricula that will lead to industry certifications in high-
 183 demand occupations or articulation to secondary or
 184 postsecondary-level coursework, as appropriate;
 185 (d) Directly support and respond to state, local, and
 186 regional economic development demands;
 187 (e) Make high-wage and high-demand careers more accessible
 188 to adjudicated and at-risk youth; and
 189 (f) Reduce rates of recidivism for adjudicated youth.
 190 (3) In compliance with the strategic 5-year plan under s.
 191 1003.491, each juvenile justice education program shall, in
 192 collaboration with the regional workforce board or economic
 193 development agency and local postsecondary institutions,
 194 determine the occupational areas for the program. Juvenile
 195 justice education program services must:
 196 (a) Maximize the use of private sector personnel;
 197 (b) Ensure instruction by industry-certified faculty;
 198 (c) Ensure that academically rigorous workforce-related
 199 coursework is offered and meets or exceeds appropriate state-
 200 approved subject area standards, results in the attainment of
 201 industry certification, and when appropriate, results in
 202 postsecondary credit;
 203 (d) Use strategies to maximize the delivery of virtual

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- 204 instruction;
 205 (e) Maximize instructional efficiency for youth in juvenile
 206 justice facilities;
 207 (f) Provide opportunities for youth to earn weighted or
 208 dual enrollment credit for higher-level courses;
 209 (g) Promote credit recovery; and
 210 (h) Provide instruction that results in competency,
 211 certification, or credentials in workplace skills, including,
 212 but not limited to, communication skills, interpersonal skills,
 213 decisionmaking skills, work ethic, and the importance of
 214 attendance and timeliness in the work environment.
 215 (4) Upon exiting a program, a youth must:
 216 (a) Attain an industry certification, enroll in a program
 217 to complete the industry certification, or enroll in and
 218 continue his or her education based on the transition and
 219 postrelease plan provided in s. 958.12; or
 220 (b) Be provided opportunities for career exploration and
 221 enrollment in continuing education if the youth is of middle
 222 school age.
 223 (5) If the passage rate on an industry certification
 224 examination that is associated with a juvenile justice education
 225 program falls below 50 percent for participating students, the
 226 program shall be given 1 calendar year to meet a 50 percent
 227 passage rate. If, after 1 year, the program fails to meet the
 228 minimum passage rate, it must discontinue enrollment and
 229 redirect students into a different industry certification area
 230 in high demand.
 231 Section 5. Section 1003.52, Florida Statutes, is amended to
 232 read:

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233 (Substantial rewording of section. See
 234 s. 1003.52, F.S., for present text.)
 235 1003.52 Education services in Department of Juvenile
 236 Justice programs.-
 237 (1) LEGISLATIVE FINDING.-The Legislature finds that an
 238 education is the single most important factor in the
 239 rehabilitation of adjudicated youth who are in Department of
 240 Juvenile Justice programs.
 241 (2) PERFORMANCE RATINGS.-The annual report required in
 242 subsection (10) shall identify school districts and private
 243 providers as having one of the following performance ratings as
 244 defined by rule of the Department of Juvenile Justice:
 245 (a) High performance.
 246 (b) Adequate performance.
 247 (c) Failing performance.
 248 (3) DESIGNATION OF PERFORMANCE RATINGS.-The following
 249 criteria shall be used in determining a school district's or
 250 private provider's performance rating:
 251 (a) One or more of the following outcomes for a youth who
 252 is middle school age or younger:
 253 1. Attaining an industry certification in an occupational
 254 area of high demand identified in the Industry Certification
 255 Funding list adopted by the State Board of Education, if
 256 available and appropriate, and participating in continuing
 257 education.
 258 2. Earning secondary or postsecondary credit upon release
 259 from a juvenile justice facility and participating in continuing
 260 education.
 261 3. Completing the comprehensive career awareness and

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262 exploration course described in s. 1003.4156(1) (a)5. and
 263 participating in continuing education.
 264 4. Achieving learning gains in reading and mathematics
 265 while the youth is in a juvenile justice education program if a
 266 valid assessment instrument is used, as determined by the
 267 Department of Education, and participating in continuing
 268 education.
 269 (b) One or more of the following outcomes for a youth who
 270 is high school age:
 271 1. Earning secondary or postsecondary credit upon release
 272 from a juvenile justice facility and participating in continuing
 273 education.
 274 2. Attaining a high school diploma or its equivalent and
 275 earning postsecondary credit.
 276 3. Attaining an industry certification in an occupational
 277 area of high demand identified in the Industry Certification
 278 Funding list adopted by the State Board of Education.
 279 4. Obtaining job placement or self-employment in a position
 280 for which the student earns meaningful wages.
 281 5. Obtaining job placement or self-employment in a position
 282 for which the student attained an industry certification as
 283 provided in subparagraph 3.
 284 6. Achieving a level of performance in an acceleration
 285 mechanism which would earn the youth postsecondary credit.
 286
 287 This subsection does not abrogate the provisions of s. 1002.22
 288 which relate to education records or the requirements of 20
 289 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.
 290 When determining performance ratings, the Department of Juvenile

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291 Justice shall hold the school districts and private providers
 292 accountable for the performance outcomes of youth until they are
 293 released from supervision by the Department of Juvenile Justice.

294 (4) PROGRAM PARTICIPATION.—

295 (a) If a school district or private provider earns two
 296 consecutive failing performance ratings or two failing
 297 performance ratings in any 3-year period, as provided in
 298 subsection (2), the Department of Juvenile Justice shall enter
 299 into a contract with a school district or private provider that
 300 has a high performance rating to deliver the education services
 301 to the youth in the program. The Department of Juvenile Justice
 302 may use its statutory authority to sanction or prohibit a
 303 private provider from delivering education services to youth
 304 under the department's supervision due to noneducation reasons.

305 (b) Except as provided in paragraph (a), the school
 306 district of the county in which the residential or
 307 nonresidential care facility or juvenile assessment facility is
 308 located shall deliver education services to youth in Department
 309 of Juvenile Justice programs. A school district may enter into a
 310 contract with a private provider to deliver the education
 311 services in lieu of directly providing the education services.
 312 The contract shall include the performance criteria provided in
 313 subsection (3).

314 (c) A school district may not place a youth who enrolls in
 315 the school district upon release from a juvenile justice
 316 facility in an alternative school under s. 1003.53, unless
 317 approved by the program director of the juvenile justice program
 318 to which the youth was last assigned.

319 (d) A school district may not require a private provider to

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320 use the school district's personnel or require qualifications of
 321 private provider personnel beyond that which is necessary to
 322 protect the health, safety, and welfare of the students, as
 323 determined by the Department of Juvenile Justice.

324 (e) Each school district must provide juvenile justice
 325 education programs access to substitute classroom teachers used
 326 by the school district.

327 (5) SCHOOL DISTRICT AND PRIVATE PROVIDER RESPONSIBILITIES.—

328 (a) Each school district and private provider that offers
 329 education services to youth in juvenile justice education
 330 programs shall:

331 1. Provide access to the appropriate courses and
 332 instruction to prepare youth for a standard high school diploma
 333 or the GED examination, as appropriate.

334 2. Provide access to virtual education courses that are
 335 appropriate to meet the requirements of academic or workforce-
 336 related programs and the requirements for continuing education
 337 specified in the youth's transition and postrelease plans.

338 3. Provide opportunities for earning credits toward high
 339 school graduation or credits that articulate to postsecondary
 340 education institutions while the youth are in residential and
 341 nonresidential juvenile justice facilities.

342 4. Ensure that the credits and partial credits earned by
 343 youth are transferred and included in the youth's records as
 344 part of the transition plan.

345 5. Ensure that the education program consists of the
 346 appropriate academic, workforce-related, or exceptional
 347 education curricula and related services that directly support
 348 performance outcomes, which must be specified in each youth's

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349 transition plan as required by subsection (6).

350 6. If the duration of a youth's stay in a program is less
 351 than 40 days, ensure that the youth continues his or her
 352 education or workforce-related training that leads to industry
 353 certification in an occupational area of high demand.

354 7. Maintain an academic record for each youth who is
 355 enrolled in a juvenile justice facility, as required by s.
 356 1003.51, which reflects the coursework and industry
 357 certifications completed by the youth. The academic record must
 358 be up to date and included in the transition plan when the youth
 359 exits the facility.

360 (b) Each school district and private provider shall ensure
 361 that the following youth participate in the program:

362 1. Youth who are of compulsory school attendance age
 363 pursuant to s. 1003.21.

364 2. Youth who are not of compulsory school attendance age
 365 and who have not received a high school diploma or its
 366 equivalent, if the youth is in a juvenile justice facility. Such
 367 youth must participate in a workforce-related education program
 368 that leads to industry certification in an occupational area of
 369 high demand.

370 3. Youth who have attained a high school diploma or its
 371 equivalent and who are not employed. Such youth must participate
 372 in a workforce-related education program that leads to industry
 373 certification in an occupational area of high demand.

374 (6) TRANSITION PLANS.—

375 (a) Each school district and private provider must develop
 376 a transition plan during the course of a youth's stay in a
 377 juvenile justice program to coordinate academic, workforce, and

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378 social services and assist the youth in successful community
 379 reintegration upon the youth's release.

380 (b) Transition planning shall begin upon a youth's
 381 placement in the program. The transition plan must include:

382 1. Incorporation of services and interventions that match
 383 the youth's risks and needs.

384 2. Services to be provided during the program stay and
 385 establishment of services to be implemented upon release. The
 386 appropriate personnel in the juvenile justice education program,
 387 members of the community, the youth, and the youth's family,
 388 when appropriate, shall collaborate to develop the transition
 389 plan.

390 3. Directed services and educational and workforce-related
 391 activities to be implemented before and after release. Juvenile
 392 justice education program personnel shall direct the youth to
 393 the appropriate, coordinated, and comprehensive supervision and
 394 support services in the community which are established by the
 395 Department of Juvenile Justice for effective reintegration. For
 396 purposes of this section, the term "transition plan" includes
 397 the decisions, planning, activities, and services employed to
 398 successfully return the youth to the community.

399 (c) Planning for reintegration begins when placement
 400 decisions are made and continue throughout the youth's stay in
 401 order to provide for continuing education, job placement, and
 402 other necessary services. Individuals who are responsible for
 403 reintegration shall coordinate activities to ensure that the
 404 transition plan is successfully implemented and a youth is
 405 provided access to support services that will sustain the
 406 youth's success once he or she is no longer under the

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 407 supervision of the Department of Juvenile Justice. The youth's
 408 transition plan must govern decisions relating to transition and
 409 reintegration. A transition plan must provide for continuing
 410 education, workforce development, or meaningful job placement
 411 pursuant to the performance outcomes in subsection (4). For
 412 purposes of this section, the term "reintegration" means the
 413 process by which a youth returns to the community following
 414 release from a juvenile justice program.

415 (7) DEPARTMENT RESPONSIBILITIES.-

416 (a) The Department of Juvenile Justice shall:

417 1. Enter into a contract with school districts or private
 418 providers to provide education services pursuant to subsection
 419 (4).

420 2. Determine the performance ratings of school districts
 421 and private providers using the criteria described in subsection
 422 (3).

423 3. Monitor the education performance of youth in juvenile
 424 justice facilities.

425 4. Prohibit school districts or private providers from
 426 delivering the education services pursuant to subsection (4).

427 5. Assign a high performing provider for delivery of
 428 education services pursuant to subsection (4).

429 (b) By September 1, 2012, the Department of Education shall
 430 make available a common student assessment to measure the
 431 learning gains in reading and mathematics of youth who are
 432 assigned to juvenile justice education programs.

433 (8) FUNDING.-

434 (a) Youth who are participating in GED preparation programs
 435 while under the supervision of the Department of Juvenile

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 436 Justice shall be funded at the basic program cost factor for
 437 juvenile justice programs in the Florida Education Finance
 438 Program (FEFP). Juvenile justice education programs shall be
 439 funded in the appropriate FEFP program based on the education
 440 services needed by the students in the programs pursuant to s.
 441 1011.62.

442 (b) Juvenile justice education programs operated through a
 443 contract with the Department of Juvenile Justice and under the
 444 purview of the department's quality assurance standards and
 445 performance outcomes shall receive the appropriate FEFP funding
 446 for juvenile justice programs.

447 (c) A district school board shall fund the education
 448 program in a juvenile justice facility at the same or higher
 449 level of funding for equivalent students in the district school
 450 system based on the funds generated through the FEFP and funds
 451 allocated from federal programs.

452 (d) Consistent with the rules of the State Board of
 453 Education, district school boards shall request an alternative
 454 full-time equivalent (FTE) survey for juvenile justice programs
 455 experiencing fluctuations in student enrollment.

456 (e) The State Board of Education shall prescribe rules
 457 relating to FTE count periods which must be the same for
 458 juvenile justice programs and other public school programs. The
 459 summer school period for students in juvenile justice programs
 460 shall begin on the day immediately preceding the subsequent
 461 regular school year. Students may be funded for no more than 25
 462 hours per week of direct instruction; however, students shall be
 463 provided access to virtual instruction in order to maximize the
 464 most efficient use of time.

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465 (9) FACILITIES.—The district school board may not be
 466 charged any rent, maintenance, utilities, or overhead on the
 467 facilities. Maintenance, repairs, and remodeling of existing
 468 facilities shall be provided by the Department of Juvenile
 469 Justice.

470 (10) ANNUAL REPORT.—The Department of Juvenile Justice, in
 471 collaboration with the Department of Education and in
 472 consultation with the school districts and private juvenile
 473 justice education program providers, shall prepare an annual
 474 report containing the education performance outcomes, based on
 475 the criteria in subsection (3), of youth in juvenile justice
 476 programs. The report shall delineate the performance outcomes of
 477 youth in the state, in each school district, and by each private
 478 provider, including the performance outcomes of all major
 479 student populations and genders, as determined by the Department
 480 of Juvenile Justice. The report shall address the use and
 481 successful completion of virtual instruction courses and the
 482 successful implementation of transition and reintegration plans.
 483 The report must include an analysis of the performance of youth
 484 over time, including, but not limited to, additional education
 485 attainment, employment, earnings, industry certification, and
 486 rates of recidivism. The report must also include
 487 recommendations for improving performance outcomes and for
 488 additional cost savings and efficiencies. The report shall be
 489 submitted to the Governor, the President of the Senate, and the
 490 Speaker of the House of Representatives by December 31, 2013,
 491 and each year thereafter.

492 (11) RULEMAKING.—The Department of Juvenile Justice shall
 493 collaborate with the Department of Education, the Department of

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494 Economic Opportunity, school districts, and private providers to
 495 adopt rules to administer this section.

496 Section 6. This act shall take effect upon becoming a law.

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THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic JUVENILE JUSTICE EDUC./WORKFORCE PROGRAMS Bill Number SB 834
(if applicable)

Name JACK VESEY Amendment Barcode _____
(if applicable)

Job Title PRINCIPAL / A11 CIRCUIT 17 BOARD

Address 11000 HOLMBERG RD
Street

Phone 754 322-4800

MARK LAKE FL 33076
City State Zip

E-mail JACK.VESEY@BROWARD
SCHOOLS.COM

Speaking: For Against Information

Representing A11 CIRCUIT #17

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE FLORIDA SENATE
APPEARANCE RECORD

Speaks

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic SB 834

Bill Number RS 834
(if applicable)

Name Joy Frank

Amendment Barcode _____
(if applicable)

Job Title General Counsel

Address 208 S. Monroe Street
Street
Tallahassee FL 32301
City State Zip

Phone 850-577-5784

E-mail JFRANK@FADSS.ORG

Speaking: For Against Information

Representing FADSS

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

WAVE
IN
SUPPORT

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic SB 834 - PCS

Bill Number 834
(if applicable)

Name Brian McManus

Amendment Barcode 694014
(if applicable)

Job Title Deputy Legislative Director

Address 2737 Centrevue Drive
Street
Tallahassee FL
City State Zip

Phone 850-322-9572

E-mail _____

Speaking: For Against Information

Representing Dep Juvenile Justice

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/6/11
Meeting Date

Topic SB 834

Bill Number 834
(if applicable)

Name Eric Hall

Amendment Barcode _____
(if applicable)

Job Title National Director of Educ. (AMIKids)

Address 5915 Benjamin Center Dr.
Street

Phone 813-477-6083

Tampa FL. 33634
City State Zip

E-mail ehall@amikids.org

Speaking: For Against Information

Representing AMIKids

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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12/6/11
Meeting Date

Topic SB 834

Bill Number SB 834
(if applicable)

Name Cathy Craig-Myers

Amendment Barcode _____
(if applicable)

Job Title EXECUTIVE Director

Address 1170 HAYS ST

Phone 850 671 3442

TALLAHASSEE FL
City State Zip

E-mail Cathy@fjja.org

Speaking: For Against Information

Representing Florida Juvenile Justice Assn

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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5 FOLK ✓

THE FLORIDA SENATE APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12-6-11
Meeting Date

Topic Juvenile Justice Education / Workforce Bill Bill Number 834
(if applicable)

Name Tom Blomberg Amendment Barcode _____
(if applicable)

Job Title Dean and Professor at Criminology FSU

Address 6334 Thomasville Rd Phone 893-8471
Street

Palmdale, FL E-mail tjblomberg@aol.com
City State Zip

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

THE MCKAY SCHOLARSHIP PROGRAM

FACT SHEET

Florida: In the Forefront With A National Model, Serving Children with Disabilities

Did You Know That The McKay Scholarship Program:

- Started in 1999 as a pilot program in Sarasota with 2 children
- Has grown to over 22,000 children this year
- Is available ONLY for children with disabilities with IEP's or on 504 Plans.

Why was the McKay Scholarship Program established?

Children with disabilities have a tremendous number of unique needs. While many good programs exist in the public school system, the public schools do not have the ability to meet every need of every disability. The McKay Scholarship program allows parents the essential flexibility to choose a program that best meets their child's needs.

What makes a child eligible for The McKay Scholarship Program?

1. The public school tests students and identifies their disability.
2. The public school determines the level of services for the child through the Individual Educational Plan (IEP) process. (These services reflect the child's funding in the public school and determine the amount of McKay scholarship they receive.)
3. Children who have a 504 Plan are eligible for the McKay Scholarship Program.
4. The child must have attended the public school for one year prior to entering the McKay Scholarship Program.
5. Parents must file a notice of intent to participate in the McKay Scholarship Program with the FLDOE.

How much are the scholarships?

1. Funding for students with an IEP is set by the level of services they receive through the IEP process. Students who are on a 504 plan receive the base state funding allocation.
2. The average scholarship award for students with an IEP during the 2010-2011 year was \$7,209. Students on a 504 plan receive an average of \$3,892 per scholarship.
3. Because services for children with disabilities are often higher than the scholarship, parents may supplement the scholarship. Many private schools also provide additional scholarships to assist families to obtain these services.

Where may the scholarships be used?

1. Parents may choose to use the McKay Scholarship at a nonassigned **public school** or an adjacent school district if the parent feels the chosen public school has a more appropriate program for their child.
2. Parents may choose to use the scholarship at a **private school** that participates in the program if the parent feels the school is better equipped to meet their child's needs.

Who holds the private schools accountable?

1. **For fiscal and statutory compliance:** Under the law DOE is responsible for holding private schools accountable for remaining in compliance with state statutory requirements and for fiscal soundness. The current oversight, management and accountability measures are working.
2. **For the child's progress:** Under this program the parent holds both the public and the private school accountable. For the first time, the parent may leave a school without penalty to themselves or their child and take their scholarship elsewhere if the school does not follow through with appropriate services. Previously, a parent could not leave a public school program without penalty because their child's funding would stay in the public school and the parent would have to use their own money to pay for private schooling.

Are parents satisfied with the McKay Scholarship Program?

According to the Manhattan Institute report 92% of currently participating parents indicated their satisfaction with the program. Of parents who are no longer utilizing the program, "90.7% responded that the program should continue to be available." (www.manhattan-institute.org/html/cr_38.htm)

How have the "growing pains" and accountability issues improved?

Through the passage of The Scholarship Accountability Statute and revisions of The McKay Scholarship Statute, the Legislature has provided many more accountability measures. The statutes have:

- ✓ Established the Annual Notarized Compliance Form
- ✓ Developed a tighter attendance verification procedure, cross checking with public school attendance
- ✓ Required State and Federal Fingerprinting for staff with direct contact with students
- ✓ Set-up a hot line for complaints and systems for investigating them
- ✓ Instituted more fiscal responsibility
- ✓ Directed guidelines for reporting of student progress

A strong Public-Private Partnership exists between FLDOE and the Private Sector. DOE and the Private Sector have:

- ✓ Established better communication
- ✓ Built a strong web based system for circulating information
- ✓ Established a system to verify compliance documents every three years
- ✓ Developed Rules approved by the Board of Education
- ✓ Established systems for resolving compliance issues

Prepared by The Coalition of McKay Scholarship Schools which is an organization of non-public schools that accepts students receiving funding through the McKay Scholarship program and individuals who are committed to keeping the McKay Scholarship Program a viable choice for parents of students with disabilities in Florida. The Coalition's mission is to assimilate and disseminate information about the McKay Scholarship program from sources such as the Department of Education (DOE), the legislature, schools, parents, and the community. The Coalition also advocates for McKay Scholarship schools and students with disabilities to ensure viability of this program.



McKay Scholarship Accountability History of DOE Investigations of McKay Schools

Report Presented to
Florida Association for Choice in Education
August 2011

By Dr. Andrew Hicks and
The Coalition of McKay Scholarship Schools

1. McKay accountability legislation passed in 2006, and the “Ethics in Education Act” passed in 2008. Among many other requirements, McKay compliance measures include requirements that participating private schools:

- Be registered with the Florida DOE
- Notify DOE of intent to participate and any changes in name, location or leadership
- Complete enrollment and attendance verification
- Demonstrate fiscal soundness
- Comply with federal law prohibiting discrimination
- Meet state and local health, safety & welfare laws
- Employ qualified teachers and provide ethics training
- Complete an annual scholarship compliance statement certifying background screening & submit a notarized annual survey
- Provide parents with written explanations of student progress
- Provide instruction at the school’s physical location for a minimum of 170 school days each year

2. Since 2008, there has been a dramatic increase in the number of DOE investigations (120+) of McKay scholarship program schools. However, there has been a significant decrease in the number of infractions found.

Of the 26 findings of wrongdoing reported by DOE since 2000:

14 incidents began before 2006, with most of the funds in question (\$565,000) being returned for 3 of the 9 schools where misuse of funds was alleged

11 incidents began in 2006-08, with most of the funds in question (\$456,000) being returned for 6 of the 8 schools where misuse of funds was alleged

1 incident began after 2008, with no misuse of funds alleged

3. There are two primary issues involved in current concerns about McKay program accountability:

- Unscrupulous people who abuse the system or break the law:
Unfortunately, there are some people who will abuse any system and who will break the law regardless of what accountability measures are put into place. Additional regulations will not stop these people who already show a disregard for the law.

- Misleading reporting in the media:
We have reached a “tipping point” in educational choice, both in Florida and around the nation. Parental choice has become bipartisan, and this year has produced “legislative breakthroughs that surpass anything the movement has seen before” (Foundation for Educational Choice) as “school choice victories...have captivated the nation” (Alliance for School Choice). Despite evidence that vouchers and other choice options work (Greg Forster, *A Win-Win Solution: The Empirical Evidence on School Vouchers*, 2011), the NEA and others are fighting back and held a rally at the end of July opposing education reform.

The most sensational recent attack against the McKay program and other parental choice options was the June 23, 2011 Miami New Times article that presented “half-truths, twisted facts and misinformation” (DOE). This paper is a free, alternative weekly that is not recognized as a credible news source by major Florida newspapers. The three “notable cases” reported that involved misuse of funds occurred in 2005 (X2) and 2007 prior to the passage of laws which address fraud or misuse of funds.

4. Rather than create legislation that, no matter how stringent, will not appease those who seek the elimination of parental choice programs (*charter schools give the FCAT & have full audits but still have fraud & are criticized for taking funds from “public schools”*), the following options may be considered:

- Provide comprehensive information to legislators, media and others about the scholarship program accountability and compliance measures and enforcement activities
- Request greater assistance from the attorney general to investigate and prosecute those who abuse the program
- Support DOE in enforcing regulations, possibly by increasing DOE school visits

The Coalition of McKay Scholarship Schools

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August 2011

The Coalition's Position on Accountability

The Coalition of McKay Scholarship Schools is a not for profit Florida corporation with a volunteer, elected board of directors. It was established December 2003 and has the mission to assimilate and disseminate information about the McKay Scholarship program from sources such as the Department of Education, the legislature, schools, parents, and the community. The Coalition also advocates for McKay Scholarship schools and students with disabilities to ensure the viability of this program. The Coalition is a member of Florida Alliance for Choices in Education.

The Coalition has hosted six statewide conference of schools participating in the McKay program where DOE, legislators and schools could share concerns and discuss issues. The Coalition has sent FYI Email alerts concerning the Compliance Form, Re-evaluation, Legislative issues and other items to assist schools that participate in the McKay Scholarship Program.

To carry out the advocacy part of The Coalition's mission, board members worked with DOE officials to develop the Compliance Form, discussed changes needed in the McKay Statute with the Senate Task Force Committee and the Senate Education Committee, assisted in the crafting of accountability legislation, and continue to work in all of these areas to insure that the McKay Scholarship Program remains a viable program.

Through the passage of The Scholarship Accountability Statute and revisions of The McKay Scholarship Statute during the 2006 Legislative Session, the Legislature has provided many more accountability measures for both the Department of Education and the participating private schools. FLDOE has addressed most of the issues that were raised by The Florida Senate Education Staff Committee's Interim Project Report 2004-130 which indicated that the major weakness of the McKay Scholarship Program has been the State Board of Education's lack of management and oversight of the program.

FL DOE has established the Annual Notarized Compliance Form for participating schools; developed a tighter attendance verification procedure, cross checking with public school attendance; required State and Federal Fingerprinting for staff with direct contact with students; set-up a hot line for complaints and systems for investigating them; instituted more fiscal responsibility; and directed guidelines for reporting of student progress.

The Public-Private Partnership between DOE and the Private Sector is beginning to work more effectively. DOE and the Private Sector have established better lines of communication; built a strong web based system for circulating information; established a system to verify compliance documents every three years; developed Rules approved by the Board of Regents.

These changes have established a system which is truly accountable and serves the needs of children with disabilities effectively.

Since The Coalition's founding in 2003, we have supported accountability. Many of the issues listed below have now become part of the McKay Scholarship Statute. The Coalition was a partner in the legislative process to place these measures into law.

The Coalition supports Fiscal Accountability:

Demonstrate fiscal soundness by being in operation for 3 years, or

Obtain a surety bond or letter of credit for the amount equal to the scholarship funds for any quarter (for schools in operation less than 3 years)

Improve oversight by FLDOE in terms of attendance verification for scholarship distribution

The Coalition supports Safety Accountability:

Comply with all state and local health and safety laws and codes as well as all laws relating to general regulation of private schools prior to being allowed to participate in the program

Conduct mandatory level 2 background fingerprint screening for all employees who have unsupervised direct contact with scholarship students in the private schools. Results of the screening shall be provided to the participating private schools.

The Coalition supports Accountability to the Parent and Child:

Publish information by the school concerning the services provided, the credentials and training of the staff explained, and an evaluation plan described

Schedule meetings with parents to discuss the child's progress.

Provide evaluations, both objective and subjective, that are appropriate to the child and their disability.

Establish processes where parents or others may notify FLDOE of any violation by a private or public school relating to the McKay Scholarship Program

Establish processes by the FLDOE whereby the parents can obtain information concerning private schools enrolled in the program, as well as information on the McKay Scholarship Program,

Establish processes by the FLDOE whereby the parent can give an evaluation of the private or public school in which they have enrolled.

The Coalition Supports Teacher Criteria:

The original statute provides for "teachers who hold baccalaureate or high degrees, or have at least 3 years of teaching experience in public or private schools, or have special skills, knowledge, or expertise that qualifies them to provide instruction in subjects taught." We continue to support this part of the statute. While an examination of McKay schools have shown that, predominately, their teachers hold a baccalaureate or higher degree, room is left for innovative practices such as hiring individuals with AS degrees in computer fields to be the computer teachers, and/or in hiring individuals with health related training to assist in some of the programs with the medically needed.

Our stand continues to be INFORMED PARENTS. Schools should explain the qualifications of their teachers and let the parents make the choice.

The Coalition Supports Private School Autonomy and Parent Choice:

The strength of the private school sector is in its ability to develop diverse programs which meets the needs of its students. This is not a one size fits all model. A rural county may require different programming than an urban county; a school for autistic requires different choices than a school for the developmentally disabled; a parochial school may have a very different philosophy than a secular school. The McKay Program was designed so that a parent would have a diverse field from which to choose the best program for their child. **We support regulation that will allow this autonomy to remain in the hands of the private school and of the private school consumer.**

The Coalition feels that there is much more right to the current McKay Statute than is wrong. However, certain groups and legislators have sought to place false accountability measures on the McKay Scholarship Program. These measures would force the McKay Program into a “One Shoe Fits All” mode instead of allowing for the diversity of programming which is essential for parents of children with disabilities.

The Coalition does not support Accreditation:

It has been suggested that in order to participate in scholarship programs, schools would have to be accredited by certain accrediting agencies. This requirement would not achieve the goal of ensuring fiscal or academic accountability.

Accreditation does not ensure quality academic outcomes. In 2010-2011 42 schools in Duval County were either D or F schools. All of these schools are accredited by SACS. None are in danger of losing their accreditation. In 2006 only 36% of public schools were accredited. Sixty-four percent of F or Double F Florida schools in 2006 were accredited and they were not in danger of losing their accreditation. If private schools must be accredited to accept students, will all public schools face the same requirement?

Many innovated schools serving McKay scholarship students could not be accredited due to certain technical requirements, such as having a library with a certain number of books, or recreational facilities of a certain type. Roughly one third of McKay students attend unaccredited schools. These students would be forced out of the schools chosen by their parents.

According to DOE, there has never been a complaint by any parent in reference to whether a private school is accredited or not. Who is asking for accreditation as a requirement? Even the major accrediting agencies have not been asking that schools be required to be accredited. Is this not just another bureaucratic stumbling block being proposed by opponents of parental choice?

The Coalition does not support unilateral nationally normed testing:

From an earlier survey of our Coalition members, the majority of schools perform nationally normed testing.

Our concern with this being a unilateral requirement is that nationally normed testing for some of our students, due to their disabilities (autism, developmentally disabled) is totally inappropriate. We support evaluations appropriate to the disability.

Our second concern covers who determines the “nationally normed test” and which tests will be acceptable. Private schools have chosen nationally normed tests based on their philosophy and curriculum. The possibility of taking that choice away, infringes on the private school’s autonomy and understanding of its own needs and mission. Financially, the cost of changing to a new test would be an unnecessary burden for private schools to bear.

The Coalition does not support forced training:

A suggested amendment to the statute was the requirement that McKay Scholarship schools send their teachers to two FLDOE sponsored ESE workshops each year. The Coalition is in favor of training for all teachers, however, the autonomy to train in the area of disability and in the manner in which the private schools deem appropriate to use their mission should not be taken away from the private school.

When this requirement was brought forward to some McKay parents, their response was, "I left the public school trained teachers in search of something else. Why would I want my private school to be trained by the same people?"

Finally, the financial burden this would place upon both the state to train staffs of over 700 schools and upon the private school would be horrific.

The Coalition does not support in-field teaching:

We support trained teachers, but the requirement of "in-field" would have far reaching implications which would make it impossible for most private schools to take the McKay Scholarship.

If the requirement is for only a 4-year baccalaureate degree, but in-field teaching is required, what "field" would we look to for an elementary teacher? The only in-field person qualified would be an elementary certified teacher. Already a vast shortage of certified teachers exist in the public schools, private schools could not compete with the public school and its resources in terms of salary and benefits. What "certification" will qualify? State? Self certifying groups?

In the private sector many of our teachers "cross teach subjects". A history teacher may also teach literature. Most private schools do not have the financial luxury of hiring only "in-field" and sometimes the cross training actually creates a better teacher.

The public school does not have this requirement and/or has many exceptions to it as many teachers, especially in ESE programs, are not certified in-field.

In Conclusion:

The Coalition of McKay Scholarship Schools is dedicated to providing to parents of children with disabilities a diverse arena from which parents may choose the program that they feel best fits their children's needs. We are supportive of legislation which allows for the autonomy of the private school while providing for fiscal responsibility and parent accountability.

The Coalition of McKay Scholarship Schools is an organization of non-public schools that accepts students receiving funding through the McKay Scholarship program and individuals who are committed to keeping the McKay Scholarship Program a viable choice for parents of students with disabilities in Florida. The Coalition's mission is to assimilate and disseminate information about the McKay Scholarship program from sources such as the Department of Education (DOE), the legislature, schools, parents, and the community. The Coalition also advocated for McKay Scholarship schools and students with disabilities to ensure viability of this program

McKay Scholarship Program Accountability

Report Presented to
Florida Association for Choice in Education
August 2011
By Dr. Andrew Hicks and
The Coalition of McKay Scholarship Schools

All private schools that participate in the McKay Scholarship Program must meet the fiscal requirements of Florida Statute 1002.39 and the Accountability and Ethics Acts of 2006 and 2008. Any failures to comply or complaints of infractions are investigated by the Department of Education and may result in loss of eligibility, return of funds to the state, and criminal prosecution.

Private school administrators are responsible for knowledge of and compliance with the requirements outlined in Sections 1002.42, 1002.421, 1002.39 and 1002.395, Florida Statutes, as well as 6A-6.03315, 6A-6.0970 and 6A-6.0960, Florida Administrative Code.

Fiscal requirements include, but are not limited to:

- Submit a fee schedule, including special education and related services available and associated fees
- Fees applied to the McKay scholarship program must be the same as those for other students at the school
- Complete student enrollment and attendance verification requirements
- Annually complete and submit to the Department a notarized scholarship compliance statement certifying that all school employees and contracted personnel with direct student contact have undergone background screening pursuant to s. 943.0542
- Demonstrate fiscal soundness and accountability by being in operation for at least three school years or obtaining a surety bond or letter of credit

- Require the parent of each scholarship student to personally restrictively endorse the scholarship warrant to the school
- Require each employee and contracted personnel to undergo a state and national background screening and deny employment to or terminate an employee if he or she fails to meet the screening standards under s. 435.04
- Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators
- Require all personnel to complete training on ethical standards
- Screen personnel or administrators through educator screening tools described in s. 1001.10(5), including participation in the Bureau of Educator Certification Partnership Access & Services System database and the Professional Practices Database of Disciplinary Action
- Timely respond to requests for information from the DOE, including responses to Departmental inquiries based upon complaints against the school
- Return any funds received for services on a student's fee schedule that were not provided
- Accurately report student withdrawal dates
- Withdraw a student from the school's register of McKay scholarship students when requested by the parent
- Complete and submit the signed and notarized Private School Annual Survey required by s. 1002.42

In addition, obligations of the Department of Education and the Commissioner of Education include:

- Annually verify the eligibility of private schools
- Establish a process by which individuals may notify the department of any violation of state laws
- Conduct an inquiry of any written complaint of a violation, or make a referral to the appropriate agency for an investigation
- Require an annual, notarized, sworn compliance statement
- Cross-check the list of participating scholarship students with the public school enrollment
- Conduct random site visits to private schools participating in the program
- Annually report to the Governor, the President of the Senate, and the Speaker of the House of Representatives the DOE's actions
- Deny, suspend, or revoke a private school's participation in the scholarship program if it is determined that the private school has failed to comply with the provisions of 1002.39
- May deny, suspend, or revoke a private school's participation if an owner or operator of the school is operating or has operated an educational institution in a manner contrary to the health, safety, or welfare of the public
- The commissioner may consider factors that include, but are not limited to, any offense involving fraud, deceit, dishonesty, or moral turpitude.
- May immediately suspend payment of scholarship funds if there is probable cause to believe there is an imminent threat to the health, safety, or welfare of the students or fraudulent activity on the part of the school.

Additional private school educational, health, safety, and welfare requirements include:

- Comply with all requirements for private schools participating in state school choice scholarship programs pursuant to s. 1002.421
- Provide to the Department of Education all documentation required for a student's participation
- Be academically accountable to the parent by providing to the parent a written explanation of the student's progress and by cooperating if parents choose to participate in statewide assessments pursuant to s. 1008.22
- Be registered as a private school in accordance with s. 1002.42
- Comply with the antidiscrimination provisions of 42 U.S.C. s. 2000d
- Notify the Department of intent to participate
- Notify the Department of any change in the school's name, director, mailing address, or physical location within 15 days after the change
- Maintain current contact information on the Department's website, including e-mail addresses
- Meet applicable state and local health, safety, and welfare laws, codes, and rules, including: fire safety, building safety
- Employ or contract with teachers who hold baccalaureate or higher degrees, have at least three years of teaching experience, or have special skills, knowledge, or expertise
- Inform the Department of Law Enforcement of any change in employment or contractual status of personnel whose fingerprints are retained

- Ensure that employees meet screening standards every five years following initial employment by requesting that the Department of Law Enforcement forward fingerprints to the FBI for national processing
- Disqualify instructional personnel and school administrators if they are ineligible for employment under s. 1012.315
- Provide an explanation of the employee liability protections provided under ss. 39.203 and 768.095, F.S.
- Require all personnel to report alleged misconduct by other instructional personnel and school administrators
- Post at the school site and on the school's website the policies and procedures for reporting misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student
- Report legally sufficient allegations of misconduct by Florida certified educators to the Office of Professional Practices using the Educator Misconduct Reporting Form
- Post a notice at the school stating that all employees have a duty to report actual or suspected cases of child abuse, abandonment, or neglect
- Prohibit the school or any employees from entering into a confidentiality agreement regarding terminated or dismissed employees based in whole or in part on misconduct
- Conduct employment history checks of previous employers and document findings
- Provide a program of instruction for a minimum of 170 actual school instruction days with the required instructional hours (per rule 6A-1.09512) under the direct instruction of the teacher at the school's physical location with occasional supervised off-site activities

- Require students to present certification of a school entry health examination
- Maintain a current semi-annual Public/Private School Inspection Report (DH 4030)
- Maintain a current and acceptable Mandatory Measurements Nonresidential Radon Measurement Report (DH 1777 and lab results)
- Maintain a current, violation-free or satisfactory Fire Code Inspection Report



Florida Department of Education



Office of Independent Education & Parental Choice

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JOHN M. MCKAY

Scholarship Program

SEPTEMBER QUARTERLY REPORT 2011

The John M. McKay Scholarships for Students with Disabilities Program allows parents of students with disabilities to choose the best academic environment for their children. This program provides eligible students the opportunity to attend a participating private school or transfer to another public school. Eligible students include students who have been issued an Individualized Education Plan (IEP) or a 504 Accommodation Plan that is effective for more than 6 months.

This report contains private school and student statistics for the September 2011 payment period of the 2011-2012 school year.

Next quarterly report will be available: November 2011

McKay Scholarship Payment for Students with IEPs and 504 Plans

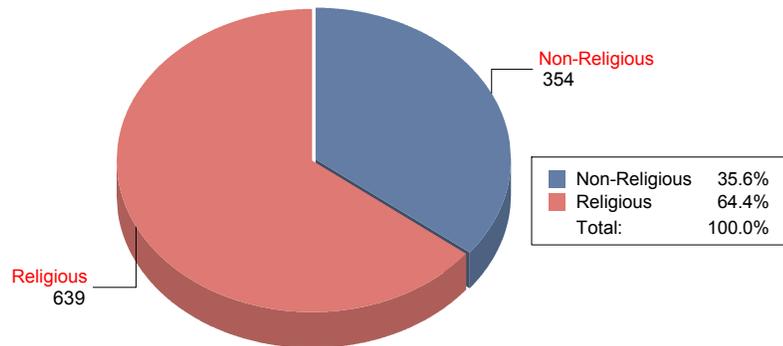
DISTRICT	DISTRICT NAME	STUDENTS	PERCENT	PAYMENT AMOUNT	PERCENT
1	ALACHUA	185	0.91%	\$272,043.00	0.78%
2	BAKER	25	0.12%	\$36,018.25	0.10%
3	BAY	130	0.64%	\$228,352.25	0.65%
4	BRADFORD	43	0.21%	\$64,727.00	0.19%
5	BREVARD	999	4.89%	\$1,588,908.87	4.54%
6	BROWARD	2,272	11.13%	\$4,048,781.12	11.58%
8	CHARLOTTE	66	0.32%	\$94,455.00	0.27%
9	CITRUS	40	0.20%	\$52,560.50	0.15%
10	CLAY	308	1.51%	\$453,317.09	1.30%
11	COLLIER	136	0.67%	\$285,889.75	0.82%
12	COLUMBIA	149	0.73%	\$216,551.00	0.62%
13	DADE	4,009	19.64%	\$7,793,486.00	22.29%
14	DESOTO	26	0.13%	\$36,866.25	0.11%
15	DIXIE	49	0.24%	\$69,589.50	0.20%
16	DUVAL	2,453	12.01%	\$3,947,137.84	11.29%
17	ESCAMBIA	251	1.23%	\$358,640.67	1.03%
18	FLAGLER	18	0.09%	\$30,912.75	0.09%
19	FRANKLIN				
20	GADSDEN	61	0.30%	\$75,441.25	0.22%
21	GILCHRIST	35	0.17%	\$50,854.50	0.15%
22	GLADES				
23	GULF	12	0.06%	\$30,371.50	0.09%
24	HAMILTON	14	0.07%	\$17,643.00	0.05%
25	HARDEE	15	0.07%	\$20,041.27	0.06%
26	HENDRY	12	0.06%	\$13,599.25	0.04%
27	HERNANDO	96	0.47%	\$146,319.75	0.42%
28	HIGHLANDS	47	0.23%	\$61,284.00	0.18%
29	HILLSBOROUGH	881	4.32%	\$1,478,595.43	4.23%
31	INDIAN RIVER	53	0.26%	\$72,587.75	0.21%
32	JACKSON	16	0.08%	\$20,767.50	0.06%
33	JEFFERSON				
34	LAFAYETTE				
35	LAKE	198	0.97%	\$264,948.75	0.76%
36	LEE	331	1.62%	\$620,842.79	1.78%
37	LEON	280	1.37%	\$488,473.71	1.40%
38	LEVY	81	0.40%	\$103,251.50	0.30%
39	LIBERTY				
40	MADISON	13	0.06%	\$18,093.75	0.05%
41	MANATEE	346	1.69%	\$692,129.75	1.98%
42	MARION	202	0.99%	\$277,492.00	0.79%
43	MARTIN	70	0.34%	\$113,204.50	0.32%
44	MONROE				
45	NASSAU	61	0.30%	\$86,903.44	0.25%
46	OKALOOSA	202	0.99%	\$375,417.25	1.07%
47	OKEECHOBEE	27	0.13%	\$32,294.25	0.09%
48	ORANGE	1,553	7.61%	\$2,753,484.50	7.88%
49	OSCEOLA	427	2.09%	\$645,821.50	1.85%
50	PALM BEACH	987	4.83%	\$1,614,296.75	4.62%
51	PASCO	445	2.18%	\$753,114.62	2.15%
52	PINELLAS	770	3.77%	\$1,243,775.25	3.56%
53	POLK	456	2.23%	\$684,783.25	1.96%
54	PUTNAM	26	0.13%	\$39,007.50	0.11%
55	ST. JOHNS	112	0.55%	\$212,185.96	0.61%
56	ST. LUCIE	141	0.69%	\$210,469.50	0.60%
57	SANTA ROSA	34	0.17%	\$48,535.75	0.14%
58	SARASOTA	298	1.46%	\$553,146.50	1.58%
59	SEMINOLE	464	2.27%	\$817,364.00	2.34%
60	SUMTER	19	0.09%	\$24,498.00	0.07%
61	SUWANNEE	51	0.25%	\$57,437.75	0.16%
62	TAYLOR				
63	UNION				
64	VOLUSIA	344	1.68%	\$556,825.00	1.59%
65	WAKULLA	19	0.09%	\$21,135.50	0.06%
66	WALTON	15	0.07%	\$23,113.00	0.07%
67	WASHINGTON				
72	FAU LAB SCHLS				
73	FSU LAB SCHLS				
TOTAL:	67	20,417	100%	\$34,962,714.31	100%

Note: Blanks indicate less than 11 students per district and are not displayed but calculated in total in order to protect student confidentiality.

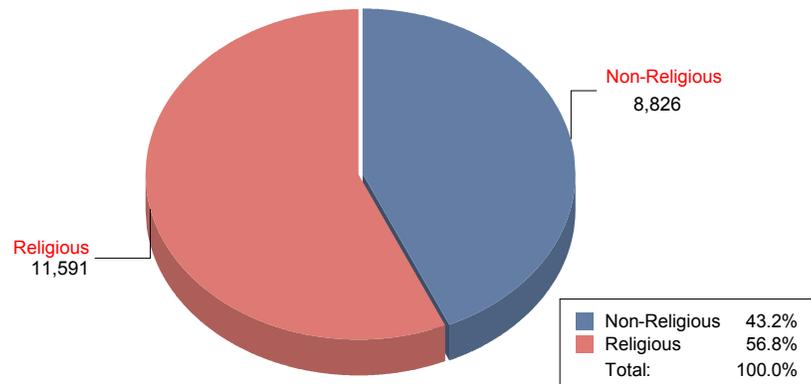
Private Schools by District Serving McKay Students

DISTRICT	DISTRICT NAME	SCHOOLS
1	ALACHUA	16
2	BAKER	1
3	BAY	4
4	BRADFORD	5
5	BREVARD	49
6	BROWARD	88
8	CHARLOTTE	8
9	CITRUS	4
10	CLAY	14
11	COLLIER	12
12	COLUMBIA	4
13	DADE	151
14	DESOTO	1
15	DIXIE	1
16	DUVAL	81
17	ESCAMBIA	13
20	GADSDEN	4
21	GILCHRIST	2
23	GULF	1
24	HAMILTON	2
25	HARDEE	1
26	HENDRY	2
27	HERNANDO	7
28	HIGHLANDS	6
29	HILLSBOROUGH	57
31	INDIAN RIVER	6
32	JACKSON	1
33	JEFFERSON	1
34	LAFAYETTE	1
35	LAKE	17
36	LEE	25
37	LEON	17
38	LEVY	3
40	MADISON	1
41	MANATEE	13
42	MARION	13
43	MARTIN	4
45	NASSAU	4
46	OKALOOSA	5
47	OKEECHOBEE	1
48	ORANGE	73
49	OSCEOLA	19
50	PALM BEACH	49
51	PASCO	19
52	PINELLAS	56
53	POLK	30
54	PUTNAM	1
55	ST. JOHNS	4
56	ST. LUCIE	5
57	SANTA ROSA	2
58	SARASOTA	23
59	SEMINOLE	32
60	SUMTER	1
61	SUWANNEE	2
62	TAYLOR	1
63	UNION	1
64	VOLUSIA	24
65	WAKULLA	2
66	WALTON	2
67	WASHINGTON	1
TOTAL:	60	993

Private School by Type Participating in McKay Scholarship Program

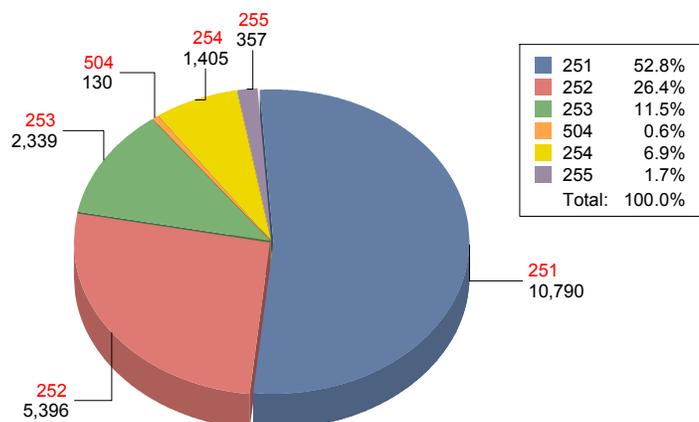


McKay Student Enrollment by Type of Private School



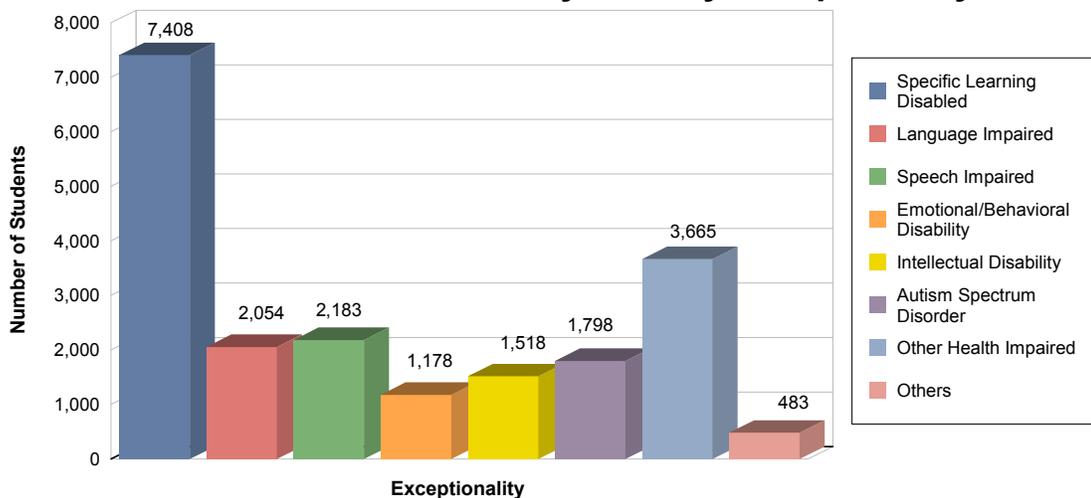
<u>SCHOOL TYPE</u>	<u>SCHOOLS</u>	<u>%</u>	<u>STUDENTS</u>	<u>%</u>
Non-Religious	354	35.6%	8,826	43.2%
Religious	639	64.4%	11,591	56.8%
Total:	993	100.0%	20,417	100.0%

McKay Student Enrollment by Type



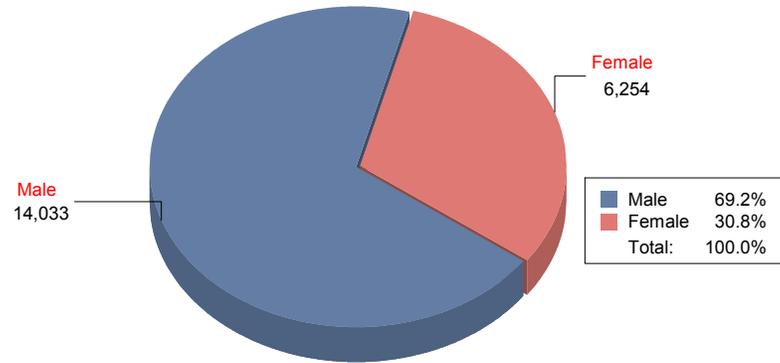
<u>TYPE</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
251	10,790	52.8%
252	5,396	26.4%
253	2,339	11.5%
504	130	0.6%
254	1,405	6.9%
255	357	1.7%
Total:	20,417	100.0%

IEP Student Enrollment by Primary Exceptionality



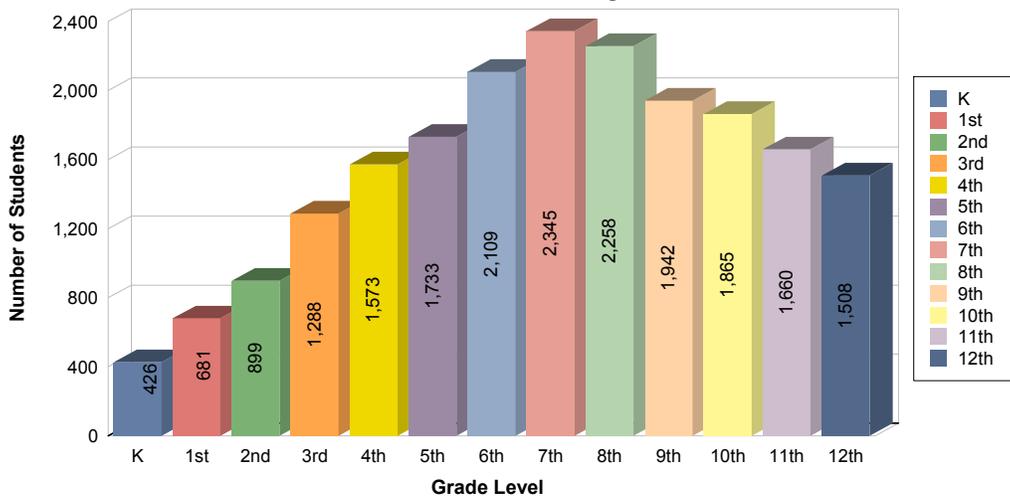
<u>PRIMARY EXCEPTIONALITY</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
Specific Learning Disabled	7,408	36.5%
Language Impaired	2,054	10.1%
Speech Impaired	2,183	10.8%
Emotional/Behavioral Disability	1,178	5.8%
Intellectual Disability	1,518	7.5%
Autism Spectrum Disorder	1,798	8.9%
Other Health Impaired	3,665	18.1%
Others	483	2.4%
Total:	20,287	100.0%

IEP Student Enrollment by Gender



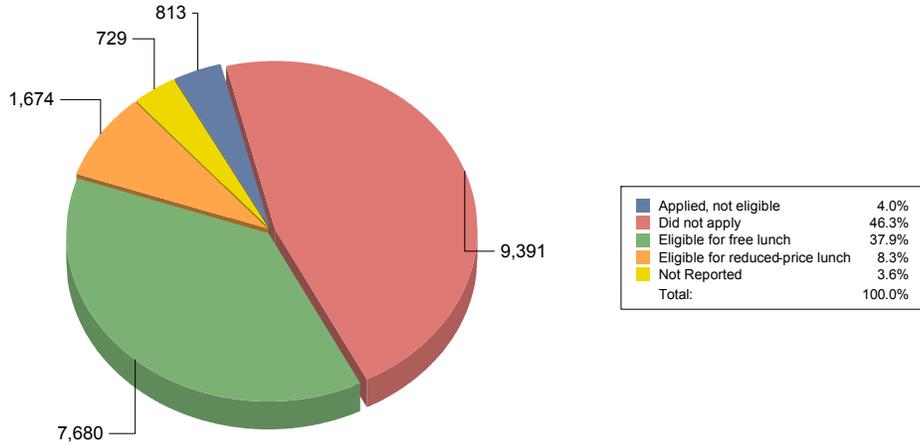
<u>GENDER</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
Male	14,033	69.2%
Female	6,254	30.8%
Total:	20,287	100.0%

IEP Student Enrollment by Grade Level



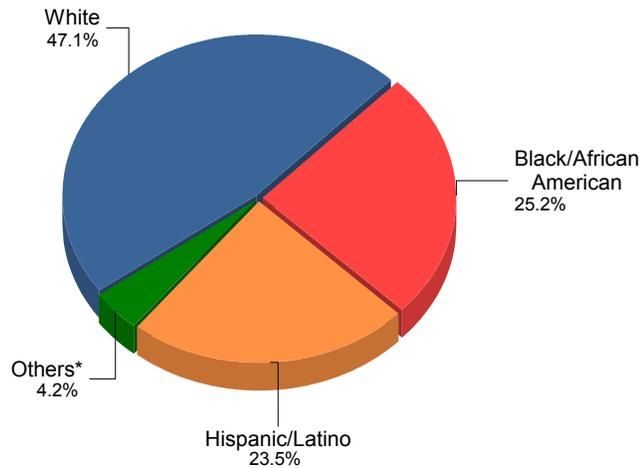
<u>GRADE LEVEL</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
K	426	2.1%
1st	681	3.4%
2nd	899	4.4%
3rd	1,288	6.3%
4th	1,573	7.8%
5th	1,733	8.5%
6th	2,109	10.4%
7th	2,345	11.6%
8th	2,258	11.1%
9th	1,942	9.6%
10th	1,865	9.2%
11th	1,660	8.2%
12th	1,508	7.4%
Total:	20,287	100.0%

IEP Student Eligibility for Free/Reduced-Price Lunch



<u>LUNCH PROGRAMS</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
Applied, not eligible	813	4.0%
Did not apply	9,391	46.3%
Eligible for free lunch	7,680	37.9%
Eligible for reduced-price lunch	1,674	8.3%
Not Reported	729	3.6%
Total:	20,287	100.0%

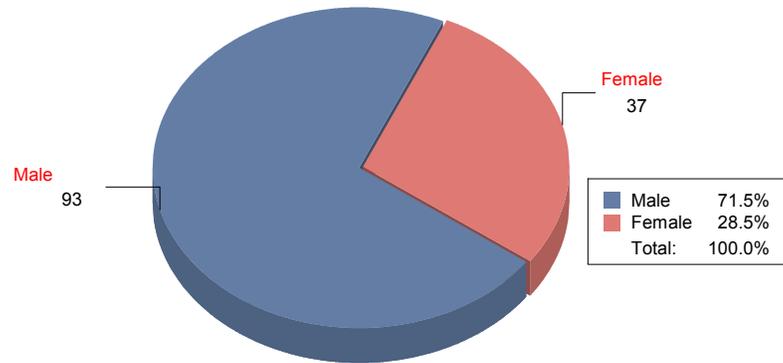
IEP Student Race/Ethnicity



<u>RACE</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
White	9,561	47.1%
Black/African American	5,105	25.2%
Hispanic/Latino	4,776	23.5%
Others*	845	4.2%
Total:	20,287	100.0%

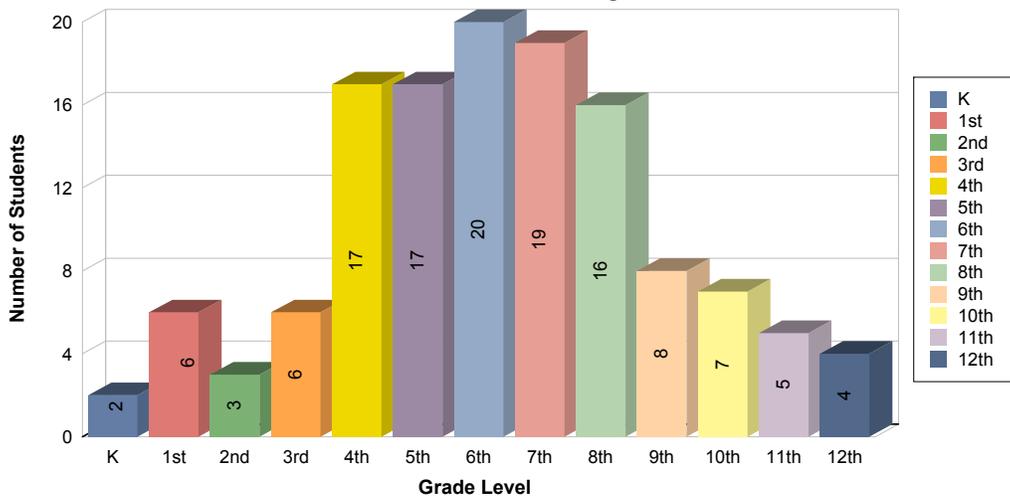
**Others* include students who are Asian, American Indian or Alaskan Native, Native Hawaiian or Other Pacific Islander, and Multiracial.

504 Student Enrollment by Gender



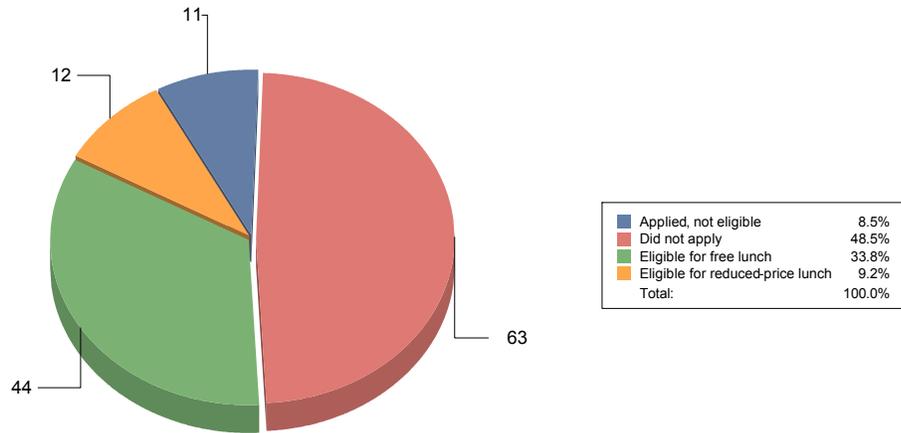
<u>GENDER</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
Male	93	71.5%
Female	37	28.5%
Total:	130	100.0%

504 Student Enrollment by Grade Level



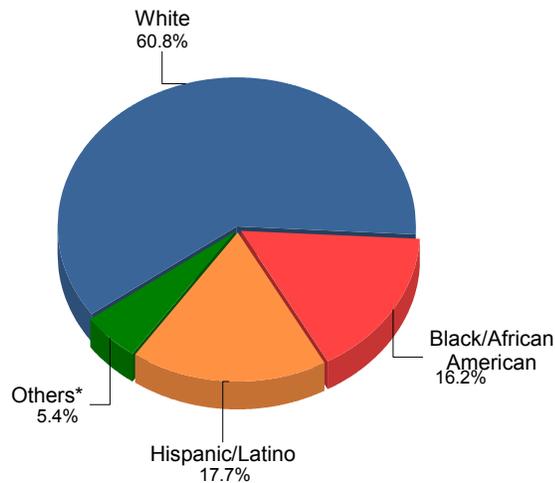
<u>GRADE LEVEL</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
K	2	1.5%
1st	6	4.6%
2nd	3	2.3%
3rd	6	4.6%
4th	17	13.1%
5th	17	13.1%
6th	20	15.4%
7th	19	14.6%
8th	16	12.3%
9th	8	6.2%
10th	7	5.4%
11th	5	3.8%
12th	4	3.1%
Total:	130	100.0%

504 Student Eligibility for Free/Reduced-Price Lunch



<u>LUNCH PROGRAMS</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
Applied, not eligible	11	8.5%
Did not apply	63	48.5%
Eligible for free lunch	44	33.8%
Eligible for reduced-price lunch	12	9.2%
Total:	130	100.0%

504 Student Race/Ethnicity



<u>RACE</u>	<u>STUDENTS</u>	<u>PERCENTAGE</u>
White	79	60.8%
Black/African American	21	16.2%
Hispanic/Latino	23	17.7%
Others*	7	5.4%
Total:	130	100.0%

**Others* include students who are Asian, American Indian or Alaskan Native, Native Hawaiian or Other Pacific Islander, and Multiracial.

Private Schools by District Serving 504 Students

DISTRICT	DISTRICT NAME	SCHOOLS
1	ALACHUA	2
4	BRADFORD	1
5	BREVARD	4
8	CHARLOTTE	1
9	CITRUS	1
10	CLAY	5
11	COLLIER	1
13	DADE	2
16	DUVAL	11
17	ESCAMBIA	1
21	GILCHRIST	2
25	HARDEE	1
26	HENDRY	1
29	HILLSBOROUGH	17
37	LEON	1
42	MARION	2
46	OKALOOSA	1
48	ORANGE	4
49	OSCEOLA	7
50	PALM BEACH	5
51	PASCO	8
52	PINELLAS	8
53	POLK	3
58	SARASOTA	2
59	SEMINOLE	3
61	SUWANNEE	1
64	VOLUSIA	1
TOTAL:	27	96

Private School	Code	Topic of Investigating	School year/s
Academy High School	2305	students not in attendance	06/07, 07/08, 08/09
Academy of Dreams	4454	school eligibility re owner	06/07, 07/08, 08/09
Agape Christian Academy	3305	services not provided	07/08
Aukela Christian Military Academy	1367	student not in attendance	05/06
Capital City Preparatory School	3680	restrictive endorsement procedures	03/04
Center of Life Academy (Choice Lrng Academy North)	4860	students not in attendance	07/08
Choice Preparatory School	5168	students not in attendance students not meeting required	07/08
Christian Homeschool Co-op	3604	instructional hours	06/07
Community Learning Institute	4288	students not in attendance	04/05, 05/06, 06/07
Cornerstone Academy	3302	students not in regular attendance	10/11
Dre's Playhouse Exceptional Academy	3890	student not in attendance, school not operating in approved location	04/05, 07/08
Elite Behavioral Health Center	4004	students not in regular attendance	10/11
Florida Christian Institute For Academic Excellence	3670	student not in attendance	05/06
Harvest Christian Academy	3470	students not in attendance, school operating in un-approved location	02/03, 03/04, 04/05
Heritage Christian Academy	3602	services not provided students not meeting required	06/07
Hope Academy	3982	instructional hours, employees with disqualifying offenses school not operating in approved location, employees with disqualifying	09/10
Leadership Academy	5159	offenses	07/08
Leadership Academy	5159	students not in attendance	07/08, 08/09
Muskateer's Academy	4132	students not in attendance	06/07
Paladin Academy	349	restrictive endorsement procedures	05/06
Palm Harbor Preparatory	2523	student not in attendance	05/06
Solid Rock Community School	4393	restrictive endorsement procedures	05/06

Success Academy	2442 students not in attendance	01/02, 02/03, 03/04, 04/05
Wesley Chapel Christian School	3503 students not in attendance	03/04, 04/05, 05/06
Cyber Tech	4315	
Alfie's Center For Performing Arts	2650	
New Jerusalem Christian Academy	3308	
Academic High School Inc.	3457	
Heritage Academy	3644	

Referred	Amount \$	Request	Current Status
IEPC	52,575.25	y	closed
IEPC	312,461.00		non-responder
IEPC	5,000.00	y	participating
IEPC	3,846.50	y	participating
IEPC	NA	y	closed
IEPC	14,415.00	y	participating
IEPC	9,512.75	y	participating
IEPC	NA	y	closed
IEPC	14,062.50	y	participating
IEPC	NA		not participating 2011/12 withdrew from program Jan 08, non-responder
IEPC	7,023.00	2004/05 y	
IEPC			not participating 11/12
IEPC	5,393.00	y	participating
	Not in attendance-		
	44,481.75.		
	Unapproved location-		
IEPC	34,086.75	y	school closed 2004 withdrew from program 2007
IEPC	6,145.00	y	
IEPC	NA	y	participating
IEPC	NA	y	participating
IEPC	49,108.75	y	participating
IEPC	6,906.00	y	school closed 2006 no longer participating, non- responder
IEPC	NA	y	no longer participating
IEPC	11,031.75	y	
IEPC	NA	y	participating

IEPC	421,477.31 y	participated through 2010/11
IG	10,193.25 y	school closed 2006

Recommendation	Result
attempt collection	eligibility revoked 09
information only-school closed	School eligibility revoked June 09, criminal charges pending
funds already returned	NA
return of funds	
confirmed students in attendance, confirmed restrictive endorsement procedures not followed	NA
return of funds	settlement agreement
return of funds	
any action necessary	school eligibility revoked Jan 09
return of funds	
confirmed regular attendance	school eligibility suspended March 11-unapproved location
return of funds	
confirmed students in attendance	school did not achieve compliance by deadline for 2011/12 school year
information only	funds returned
confirmed students not in attendance, unapproved location. Action deemed appropriate	school owner indicted unrelated charges
confirmed services not provided	funds returned
confirmed students meeting required hours, 3 employees have disqualifying offenses	school released employees
information only	eligibility suspended until location approved, disqualified employees released
41784.00 returned, collect balance	settlement agreement between DOE and school
confirmed students not in attendance, action as appropriate	
some warrants lack parent endorsement, action as appropriate	
confirmed student not in attendance	director charged with grand theft
evidence of restrictive endorsement violation	action as appropriate re restrictive endorsement

noted that school district verification safeguards have been implemented, Former director and administrator of school charged with grand theft confirmed received funds for students not in attendance

attempt to collect funds-unsuccessful



School Name	Code	Compliance issue	School Year	Funds at issue	Resolution	Current status
Success Academy	2442	students not in attendance	01/02, 02/03, 03/04, 04/05	421,477.31	Under Settlement Agreement-violated due to failure to meet payment requirement. Eligibility revoked July 2011. Majority of funds reimbursed.	not participating
Alfie's Center For Performing Arts	2650	students not in attendance	02/03	19,592.67	School closed 2004. Funds returned 03/09.	Closed
Harvest Christian Academy	3470	students not in attendance, school operating in un-approved location	02/03, 03/04, 04/05	Not in attendance-44,481.75. Unapproved location-34,086.75	24 students. December 2004, HCA closed. The administrator was indicted and incarcerated on charges unrelated to this investigation	Closed
Capital City Preparatory School	3680	restrictive endorsement procedures	03/04	NA	Confirmed students in attendance, restrictive endorsement not followed. Eligibility revoked Dec 2003	Closed
Cyber Tech	4315		03/04			Closed
Wesley Chapel Christian School	3503	4 students not in attendance	03/04, 04/05, 05/06	10,193.25	IEPC referred to DFS for collection of \$10,193.25 McKay funds. 4-18-10 state prosecutor OSP advised OIG that lack of evidence indicating apparent criminal intent to defraud the state of FL no criminal prosecutions pursued.	Closed
Dre's Playhouse Exceptional Academy	3890	student not in attendance, school not operating in approved location	04/05	7,023.00	2004 warrants totaling \$7,023.00 when school not operating at approved location. Withdrew from McKay January 2008. Referred to DFS for collection.	Closed

School Name	Code	Compliance issue	School Year	Funds at issue	Resolution	Current status
Academic High School Inc.	3457	students in attendance at another location	04/05		Submitted to IG due to director's involvement with a charter school under investigation. Some students not in attendance at their registered school. Student attendance, payment confirmed	Academic High School for the Arts, same director, is participating school
Florida Christian Institute For Academic Excellence	3670	student not in attendance	05/06	5,393.00	funds returned	participating
Aukela Christian Military Academy	1367	one student not in attendance	05/06	3,846.50		participating
Solid Rock Community School	4393	restrictive endorsement procedures	05/06	NA	IG found no indication that school received funds by falsely representing attendance of any student.	participating
Paladin Academy	349	restrictive endorsement procedures	05/06	NA	Allegations unsubstantiated, case closed. School left program in 2006	Closed
Palm Harbor Preparatory	2523	one student not in attendance	05/06	11,031.75	Director charged with grand theft. Eligibility revoked 2007	not participating
Community Learning Institute	4288	2 students not in attendance	05/06, 06/07	7,812.50	Settlement Agreement-Payment received	participating
Christian Homeschool Co-op	3604	students not meeting required instructional hours	06/07	NA	School eligibility revoked Jan 09	not participating
Muskateer's Academy	4132	students not in attendance	06/07	6,906.00	School closed 2006. Directors are in repayment of this sum plus other amounts related to operating the school.	Closed
Heritage Christian Academy	3602	services not provided to one student	06/07	6,145.00	Reached agreement school to return fund of \$6,145. June 2007 school withdrew from McKay.	not participating

School Name	Code	Compliance issue	School Year	Funds at issue	Resolution	Current status
Academy High School	2305	13 students not in attendance	06/07, 07/08, 08/09	52,575.25 was at issue, however February 2009 payments withheld	eligibility revoked 7/09 . referred to Coral Springs police, investigation closed due to no probable cause.	Closed
Academy of Dreams	4454	school eligibility re owner	06/07, 07/08, 08/09	312,461.00	School eligibility revoked June 09, criminal charges pending	Closed
Leadership Academy	5159	school not operating in approved location, employees with disqualifying offenses	07/08	NA	eligibility suspended until location approved, disqualified employees released	participating
Agape Christian Academy	3305	services not provided/could not provide proof of 3 students' attendance at summer school, 1 student's therapy log	07/08	5,000.00	funds returned	participating
Center of Life Academy (Choice Lrng Academy North)	4860	3 students not in attendance	07/08	14,415.00	Funds have been returned.	participating
Choice Preparatory School	5168	unable to produce attendance records for 2 Students	07/08	9,512.75	Funds in repayment	participating
Leadership Academy	5159	students not in attendance	07/08, 08/09	49,108.75	41,784.00 returned under Settlement Agreement	participating
Hope Academy	3982	employees with disqualifying offenses	09/10	NA	3 employees dismissed	participating
New Jerusalem Christian Academy	3308				school withdrew from program July 2008, closed	Closed

Spoke

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

12/1

Meeting Date

Topic M^s Kay Scholarship

Bill Number _____
(if applicable)

Name PATRICIA R HARDMAN

Amendment Barcode _____
(if applicable)

Job Title CEO Dyslexia Research Institute

Address 5346 Centerville Rd

Phone 850 893 2216

Street

Tallahassee, FL 32456

City

State

Zip

E-mail DRI@TABSTAR.COM

Speaking: For Against Information

Representing _____

Appearing at request of Chair: Yes No

Lobbyist registered with Legislature: Yes No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Budget, *Chair*
Rules, *Vice Chair*
Agriculture
Banking and Insurance
Budget - Subcommittee on Finance and Tax
Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations
Education Pre-K - 12
Rules - Subcommittee on Ethics and Elections

JOINT COMMITTEE:

Legislative Budget Commission, *Chair*

SENATOR JD ALEXANDER

17th District

December 6, 2011

Senator Stephen R. Wise, Chair
Committee on Education Pre-K-12
312 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Senator Wise,

I respectfully request permission to be absent from the Committee on Education Pre-K-12, today, December 6, 2011. I will not be able to attend this meeting.

Thank you for your approval in this request.

Sincerely,

A handwritten signature in black ink, appearing to read "JD Alexander".

JD Alexander
Senator, District 17

Xc: Lowell Matthews

A handwritten signature in black ink, appearing to read "Lowell Matthews".

REPLY TO:

- 201 Central Avenue West, Suite 115, City Hall Complex, Lake Wales, Florida 33853 (863) 679-4847
- 412 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5044

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Agriculture, *Vice Chair*
Education Pre-K - 12, *Vice Chair*
Budget - Subcommittee on General Government
Appropriations
Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations
Military Affairs, Space, and Domestic Security
Reapportionment
Rules
Transportation

SENATOR LARCENIA J. BULLARD

39th District

November 6, 2011

The Honorable Stephen Wise
Chair
Education Pre-K -12 Committee
415 Knott Building
404 South Monroe Street
Tallahassee, Florida 32399-1100

Dear Senator Wise:

I humbly request an excused absence for today's Education Pre-K -12 Committee meeting. However, I may arrive late, due to circumstances beyond my control.

Sincerely,

A handwritten signature in black ink, appearing to read "Larcenia Bullard".

Larcenia Bullard
39th District

LJB/al

Cc: Lowell Matthews, Staff Director
Elizabeth Wells, Committee Administrative Assistant

A handwritten signature in black ink, appearing to read "Stephen Wise".

REPLY TO:

8603 South Dixie Highway, Suite 304, Miami, Florida 33143 (305) 668-7344
 218 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5127

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore