

1 A bill to be entitled
2 An act relating to juvenile justice education
3 programs; amending s. 985.622, F.S.; revising
4 provisions to be included in the multiagency education
5 plan for students in juvenile justice education
6 programs, including virtual education as an option;
7 amending s. 985.632, F.S.; requiring the Department of
8 Juvenile Justice to provide cost and effectiveness
9 information for program and program activities to the
10 Legislature and the public; deleting legislative
11 intent language; requiring implementation of an
12 accountability system to ensure client needs are met;
13 requiring the department and Department of Education
14 to submit an annual report that includes data on
15 program costs and effectiveness and student
16 achievement and recommendations for elimination or
17 modification of programs; amending s. 1001.31, F.S.;
18 authorizing instructional personnel at all juvenile
19 justice facilities to access specific student records
20 at the district; amending s. 1003.51, F.S.; revising
21 terminology; revising requirements for rules to be
22 maintained by the State Board of Education; providing
23 expectations for effective education programs for
24 students in Department of Juvenile Justice programs;
25 revising requirements for contract and cooperative
26 agreements for the delivery of appropriate education
27 services to students in Department of Juvenile Justice
28 programs; requiring the Department of Education to

29 | ensure that juvenile justice students who are eligible
30 | have access to high school equivalency testing and
31 | assist juvenile justice education programs with
32 | becoming high school equivalency testing centers;
33 | revising requirements for an accountability system all
34 | juvenile justice education programs; revising
35 | requirements to district school boards; amending s.
36 | 1003.52, F.S.; revising requirements for activities to
37 | be coordinated by the coordinators for juvenile
38 | justice education programs; authorizing contracting
39 | for educational assessments; revising requirements for
40 | assessments; authorizing access to local virtual
41 | education courses; requiring that an education program
42 | shall be based on each student's transition plan and
43 | assessed educational needs; providing requirements for
44 | prevention and day treatment juvenile justice
45 | education programs; requiring progress monitoring
46 | plans for all students not classified as exceptional
47 | student education students; revising requirements for
48 | such plans; requiring that the Department of
49 | Education, in partnership with the Department of
50 | Juvenile Justice, ensure that school districts and
51 | juvenile justice education providers develop
52 | individualized transition plans; providing
53 | requirements for such plans; providing that the
54 | Secretary of Juvenile Justice or the director of a
55 | juvenile justice program may request that a school
56 | district teacher's performance be reviewed by the

57 district and that the teacher be reassigned in certain
 58 circumstances; correcting a cross-reference; requiring
 59 the Department of Education to establish by rule
 60 objective and measurable student performance measures
 61 and program performance ratings; providing
 62 requirements for such ratings; requiring a
 63 comprehensive accountability and program improvement
 64 process; providing requirements for such a process;
 65 deleting provisions for minimum thresholds for the
 66 standards and key indicators for education programs in
 67 juvenile justice facilities; deleting a requirement
 68 for an annual report; requiring data collection;
 69 deleting provisions concerning the Arthur Dozier
 70 School for Boys; requiring rulemaking; amending s.
 71 1001.42, F.S.; revising terminology; revising a cross-
 72 reference; providing a directive to the Division of
 73 Law Revision and Information; providing an effective
 74 date.

75
 76 Be It Enacted by the Legislature of the State of Florida:

77
 78 Section 1. Section 985.622, Florida Statutes, is amended
 79 to read:

80 985.622 Multiagency plan for career ~~vocational~~ education.—

81 (1) The Department of Juvenile Justice and the Department
 82 of Education shall, in consultation with the statewide Workforce
 83 Development Youth Council, school districts, providers, and
 84 others, jointly develop a multiagency plan for career ~~vocational~~

85 | education that establishes the curriculum, goals, and outcome
 86 | measures for career vocational programs in juvenile justice
 87 | education programs ~~commitment facilities~~. The plan must include:

88 | (a) Provisions for maximizing appropriate state and
 89 | federal funding sources, including funds under the Workforce
 90 | Investment Act and the Perkins Act.~~†~~

91 | **(b) Provisions for eliminating barriers to increasing**
 92 | **occupation-specific job training and high school equivalency**
 93 | **examination preparation opportunities.**

94 | **(c)**~~(b)~~ The responsibilities of both departments and all
 95 | other appropriate entities.~~†~~~~and~~

96 | **(d)**~~(e)~~ A detailed implementation schedule.

97 | (2) The plan must define career vocational programming
 98 | that is appropriate based upon:

99 | (a) The age and assessed educational abilities and goals
 100 | of the student youth to be served; and

101 | (b) The typical length of stay and custody characteristics
 102 | at the juvenile justice education ~~commitment~~ program to which
 103 | each student youth is assigned.

104 | (3) The plan must include a definition of career
 105 | ~~vocational~~ programming that includes the following
 106 | classifications of juvenile justice education programs
 107 | ~~commitment facilities~~ that will offer career vocational
 108 | programming by one of the following types:

109 | (a) Type A.—Programs that teach personal accountability
 110 | skills and behaviors that are appropriate for students youth in
 111 | all age groups and ability levels and that lead to work habits
 112 | that help maintain employment and living standards.

113 (b) Type B.—Programs that include Type A program content
114 and an orientation to the broad scope of career choices, based
115 upon personal abilities, aptitudes, and interests. Exploring and
116 gaining knowledge of occupation options and the level of effort
117 required to achieve them are essential prerequisites to skill
118 training.

119 (c) Type C.—Programs that include Type A program content
120 and the career ~~vocational~~ competencies or the prerequisites
121 needed for entry into a specific occupation.

122 (4) The plan must also address strategies to facilitate
123 involvement of business and industry in the design, delivery,
124 and evaluation of career ~~vocational~~ programming in juvenile
125 justice education ~~commitment facilities and conditional release~~
126 programs, including apprenticeship and work experience programs,
127 mentoring and job shadowing, and other strategies that lead to
128 postrelease employment. Incentives for business involvement,
129 such as tax breaks, bonding, and liability limits should be
130 investigated, implemented where appropriate, or recommended to
131 the Legislature for consideration.

132 (5) The plan must also evaluate the effect of students'
133 mobility between juvenile justice education programs and school
134 districts on the students' educational outcomes and whether the
135 continuity of the students' education can be better addressed
136 through virtual education.

137 (6)~~(5)~~ The Department of Juvenile Justice and the
138 Department of Education shall each align its respective agency
139 policies, practices, technical manuals, contracts, quality-
140 assurance standards, performance-based-budgeting measures, and

141 outcome measures with the plan in juvenile justice education
 142 programs ~~commitment facilities~~ by July 31, 2014 ~~2001~~. Each
 143 agency shall provide a report on the implementation of this
 144 section to the Governor, the President of the Senate, and the
 145 Speaker of the House of Representatives by August 31, 2014 ~~2001~~.

146 (7) ~~(6)~~ All provider contracts executed by the Department
 147 of Juvenile Justice or the school districts after January 1,
 148 2015 ~~2002~~, must be aligned with the plan.

149 (8) ~~(7)~~ The planning and execution of quality assurance
 150 reviews conducted by the Department of Education or the
 151 Department of Juvenile Justice after August 1, 2014 ~~2002~~, must
 152 be aligned with the plan.

153 (9) ~~(8)~~ Outcome measures reported by the Department of
 154 Juvenile Justice and the Department of Education for students
 155 ~~youth~~ released on or after January 1, 2015 ~~2002~~, should include
 156 outcome measures that conform to the plan.

157 Section 2. Subsections (1) and (3) of section 985.632,
 158 Florida Statutes, are amended to read:

159 985.632 Quality assurance and cost-effectiveness.—

160 (1) The department shall:

161 (a) Provide cost and effectiveness information on programs
 162 and program activities in order to compare, improve, or
 163 eliminate a program or program activity if necessary.

164 (b) Provide program and program activity cost and
 165 effectiveness data to the Legislature in order for resources to
 166 be allocated for achieving desired performance outcomes.

167 (c) Provide information to the public concerning program
 168 and program activity cost and effectiveness.

169 (d) Implement a system of accountability in order to
 170 provide the best and most appropriate programs and activities to
 171 meet client needs.

172 (e) Continue to improve service delivery. ~~It is the intent~~
 173 ~~of the Legislature that the department:~~

174 ~~(a) Ensure that information be provided to decisionmakers~~
 175 ~~in a timely manner so that resources are allocated to programs~~
 176 ~~of the department which achieve desired performance levels.~~

177 ~~(b) Provide information about the cost of such programs~~
 178 ~~and their differential effectiveness so that the quality of such~~
 179 ~~programs can be compared and improvements made continually.~~

180 ~~(c) Provide information to aid in developing related~~
 181 ~~policy issues and concerns.~~

182 ~~(d) Provide information to the public about the~~
 183 ~~effectiveness of such programs in meeting established goals and~~
 184 ~~objectives.~~

185 ~~(e) Provide a basis for a system of accountability so that~~
 186 ~~each client is afforded the best programs to meet his or her~~
 187 ~~needs.~~

188 ~~(f) Improve service delivery to clients.~~

189 ~~(g) Modify or eliminate activities that are not effective.~~

190 (3) By March 1st of each year, the department, in
 191 consultation with the Department of Education, shall publish a
 192 report on program costs and effectiveness. The report shall
 193 include uniform cost data for each program operated by the
 194 department or by providers under contract with the department.
 195 The Department of Education shall provide the cost data on each
 196 education program operated by a school district or a provider

197 under contract with a school district. Cost data shall be
198 formatted and presented in a manner approved by the Legislature.
199 The report shall also include data on student learning gains, as
200 provided by the Department of Education, for all juvenile
201 justice education programs as required under s. 1003.52(3)(b),
202 information required under ss. 1003.52(17) and (21), the cost-
203 effectiveness of each program offered, and recommendations for
204 modification or elimination of programs or program activities
205 ~~The department shall annually collect and report cost data for~~
206 ~~every program operated or contracted by the department. The cost~~
207 ~~data shall conform to a format approved by the department and~~
208 ~~the Legislature. Uniform cost data shall be reported and~~
209 ~~collected for state-operated and contracted programs so that~~
210 ~~comparisons can be made among programs. The department shall~~
211 ~~ensure that there is accurate cost accounting for state-operated~~
212 ~~services including market-equivalent rent and other shared cost.~~
213 ~~The cost of the educational program provided to a residential~~
214 ~~facility shall be reported and included in the cost of a~~
215 ~~program. The department shall submit an annual cost report to~~
216 ~~the President of the Senate, the Speaker of the House of~~
217 ~~Representatives, the Minority Leader of each house of the~~
218 ~~Legislature, the appropriate substantive and fiscal committees~~
219 ~~of each house of the Legislature, and the Governor, no later~~
220 ~~than December 1 of each year. Cost-benefit analysis for~~
221 ~~educational programs will be developed and implemented in~~
222 ~~collaboration with and in cooperation with the Department of~~
223 ~~Education, local providers, and local school districts. Cost~~
224 ~~data for the report shall include data collected by the~~

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225 ~~Department of Education for the purposes of preparing the annual~~
 226 ~~report required by s. 1003.52(19).~~

227 Section 3. Section 1001.31, Florida Statutes, is amended
 228 to read:

229 1001.31 Scope of district system.—A district school system
 230 shall include all public schools, classes, and courses of
 231 instruction and all services and activities directly related to
 232 education in that district which are under the direction of the
 233 district school officials. A district school system may also
 234 include alternative site schools for disruptive or violent
 235 students ~~youth~~. Such schools for disruptive or violent students
 236 ~~youth~~ may be funded by each district or provided through
 237 cooperative programs administered by a consortium of school
 238 districts, private providers, state and local law enforcement
 239 agencies, and the Department of Juvenile Justice. Pursuant to
 240 cooperative agreement, a district school system shall provide
 241 instructional personnel at juvenile justice facilities ~~of 50 or~~
 242 ~~more beds or slots~~ with access to the district school system
 243 database for the purpose of accessing student academic,
 244 immunization, and registration records for students assigned to
 245 the programs. Such access shall be in the same manner as
 246 provided to other schools in the district.

247 Section 4. Section 1003.51, Florida Statutes, is amended
 248 to read:

249 1003.51 Other public educational services.—

250 (1) The general control of other public educational
 251 services shall be vested in the State Board of Education except
 252 as provided in this section ~~herein~~. The State Board of Education

253 shall, at the request of the Department of Children and Families
 254 ~~Family Services~~ and the Department of Juvenile Justice, advise
 255 as to standards and requirements relating to education to be met
 256 in all state schools or institutions under their control which
 257 provide educational programs. The Department of Education shall
 258 provide supervisory services for the educational programs of all
 259 such schools or institutions. The direct control of any of these
 260 services provided as part of the district program of education
 261 shall rest with the district school board. These services shall
 262 be supported out of state, district, federal, or other ~~lawful~~
 263 funds, depending on the requirements of the services being
 264 supported.

265 (2) The State Board of Education shall adopt rules ~~and~~
 266 ~~maintain an administrative rule~~ articulating expectations for
 267 effective education programs for students ~~youth~~ in Department of
 268 Juvenile Justice programs, including, but not limited to,
 269 education programs in juvenile justice prevention, day
 270 treatment, residential, commitment and detention facilities. The
 271 rule shall establish ~~articulate~~ policies and standards for
 272 education programs for students ~~youth~~ in Department of Juvenile
 273 Justice programs and shall include the following:

274 (a) The interagency collaborative process needed to ensure
 275 effective programs with measurable results.

276 (b) The responsibilities of the Department of Education,
 277 the Department of Juvenile Justice, Workforce Florida, Inc.,
 278 district school boards, and providers of education services to
 279 students ~~youth~~ in Department of Juvenile Justice programs.

280 (c) Academic expectations.

281 (d) Career and technical expectations.

282 (e) Education transition planning and services.

283 (f)-(d) Service delivery options available to district
284 school boards, including direct service and contracting.

285 (g)-(e) Assessment procedures, which:

286 1. Include appropriate academic and career assessments
287 administered at program entry and exit that are selected by the
288 Department of Education in partnership with representatives from
289 the Department of Juvenile Justice, district school boards, and
290 education providers.

291 ~~2. Require district school boards to be responsible for~~
292 ~~ensuring the completion of the assessment process.~~

293 ~~3. Require assessments for students in detention who will~~
294 ~~move on to commitment facilities, to be designed to create the~~
295 ~~foundation for developing the student's education program in the~~
296 ~~assigned commitment facility.~~

297 2.4. Require assessments of students in programs sent
298 ~~directly to commitment facilities~~ to be completed within the
299 first 10 school days after ~~of~~ the student's entry into the
300 program commitment.

301
302 The results of these assessments, together with a portfolio
303 depicting the student's academic and career accomplishments,
304 shall be included in the discharge packet ~~package~~ assembled for
305 each student ~~youth~~.

306 (h)-(f) Recommended instructional programs, including, but
307 not limited to, secondary education, high school equivalency
308 examination preparation, postsecondary education, career

309 training, and job preparation.

310 (i)~~(g)~~ Funding requirements, which shall include the
 311 requirement that at least 90 percent of the FEFP funds generated
 312 by students in Department of Juvenile Justice programs or in an
 313 education program for juveniles under s. 985.19 be spent on
 314 instructional costs for those students. One hundred percent of
 315 the formula-based categorical funds generated by students in
 316 Department of Juvenile Justice programs must be spent on
 317 appropriate categoricals such as instructional materials and
 318 public school technology for those students.

319 (j)~~(h)~~ Qualifications of instructional staff, procedures
 320 for the selection of instructional staff, and procedures for to~~to~~
 321 ~~ensure~~ consistent instruction and qualified staff year round.
 322 Qualifications shall include those for career education
 323 instructors, standardized across the state, and shall be based
 324 on state certification, local school district approval, and
 325 industry-recognized credentials or industry training. Procedures
 326 for the use of noncertified instructional personnel who possess
 327 expert knowledge or experience in their fields of instruction
 328 shall be established.

329 (k)~~(i)~~ Transition services, including the roles and
 330 responsibilities of appropriate personnel in the juvenile
 331 justice education program, the school district where the student
 332 will reenter districts, provider organizations, and the
 333 Department of Juvenile Justice.

334 (l)~~(j)~~ Procedures and timeframe for transfer of education
 335 records when a student youth enters and leaves a Department of
 336 Juvenile Justice education program facility.

337 (m)~~(k)~~ The requirement that each district school board
338 maintain an academic transcript for each student enrolled in a
339 juvenile justice education program ~~facility~~ that delineates each
340 course completed by the student as provided by the State Course
341 Code Directory.

342 (n)~~(l)~~ The requirement that each district school board
343 make available and transmit a copy of a student's transcript in
344 the discharge packet when the student exits a juvenile justice
345 education program ~~facility~~.

346 (o)~~(m)~~ contract requirements.

347 (p)~~(n)~~ Performance expectations for providers and district
348 school boards, including student performance measures by type of
349 program, education program performance ratings, school
350 improvement, and corrective action plans for low-performing
351 programs ~~the provision of a progress monitoring plan as required~~
352 ~~in s. 1008.25.~~

353 (q)~~(o)~~ The role and responsibility of the district school
354 board in securing workforce development funds.

355 (r)~~(p)~~ A series of graduated sanctions for district school
356 boards whose educational programs in Department of Juvenile
357 Justice programs ~~facilities~~ are considered to be unsatisfactory
358 and for instances in which district school boards fail to meet
359 standards prescribed by law, rule, or State Board of Education
360 policy. These sanctions shall include the option of requiring a
361 district school board to contract with a provider or another
362 district school board if the educational program at the
363 Department of Juvenile Justice program is performing below
364 minimum standards ~~facility has failed a quality assurance review~~

365 and, after 6 months, is still performing below minimum
 366 standards.

367 (s) Curriculum, guidance counseling, transition, and
 368 education services expectations, including curriculum
 369 flexibility for detention centers operated by the Department of
 370 Juvenile Justice.

371 (t)~~(q)~~ Other aspects of program operations.

372 (3) The Department of Education in partnership with the
 373 Department of Juvenile Justice, the district school boards, and
 374 providers shall:

375 (a) Develop and implement requirements for contracts and
 376 cooperative agreements regarding ~~Maintain model contracts for~~
 377 the delivery of appropriate education services to students youth
 378 in Department of Juvenile Justice programs ~~to be used for the~~
 379 ~~development of future contracts.~~ The minimum contract
 380 requirements shall include, but are not limited to, payment
 381 structure and amounts; access to district services; contract
 382 management provisions; data reporting requirements, including
 383 reporting of full-time equivalent student membership;
 384 administration of federal programs such as Title I, exceptional
 385 student education, and the Carl D. Perkins Career and Technical
 386 Education Act of 2006; and ~~model contracts shall reflect the~~
 387 policy and standards included in subsection (2). ~~The Department~~
 388 ~~of Education shall ensure that appropriate district school board~~
 389 ~~personnel are trained and held accountable for the management~~
 390 ~~and monitoring of contracts for education programs for youth in~~
 391 ~~juvenile justice residential and nonresidential facilities.~~

392 (b) Develop and implement ~~Maintain model~~ procedures for

393 | transitioning students ~~youth~~ into and out of Department of
 394 | Juvenile Justice education programs. These procedures shall
 395 | reflect the policy and standards adopted pursuant to subsection
 396 | (2).

397 | (c) Maintain standardized required content of education
 398 | records to be included as part of a student's ~~youth's~~ commitment
 399 | record and procedures for securing the student's records. ~~The~~
 400 | education records ~~These requirements shall reflect the policy~~
 401 | ~~and standards adopted pursuant to subsection (2) and shall~~
 402 | include, but not be limited to, the following:

403 | 1. A copy of the student's individual educational plan.

404 | 2. A copy of the student's individualized progress
 405 | monitoring plan.

406 | 3. A copy of the student's individualized transition plan.

407 | ~~4.2.~~ Assessment data, including grade level proficiency in
 408 | reading, ~~writing,~~ and mathematics, and performance on tests
 409 | taken according to s. 1008.22.

410 | ~~5.3.~~ A copy of the student's permanent cumulative record.

411 | ~~6.4.~~ A copy of the student's academic transcript.

412 | ~~7.5.~~ A portfolio reflecting the student's ~~youth's~~ academic
 413 | and career and technical accomplishments, when age appropriate,
 414 | while in the Department of Juvenile Justice program.

415 | (d) Establish ~~Maintain model procedures for securing the~~
 416 | ~~education record~~ and the roles and responsibilities of the
 417 | juvenile probation officer and others involved in the withdrawal
 418 | of the student from school and assignment to a juvenile justice
 419 | education program ~~commitment or detention facility.~~ District
 420 | ~~school boards shall respond to requests for student education~~

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421 ~~records received from another district school board or a~~
422 ~~juvenile justice facility within 5 working days after receiving~~
423 ~~the request.~~

424 (4) ~~Each~~ The Department of Education shall ensure that
425 district school board shall: ~~boards~~

426 (a) Notify students in juvenile justice education programs
427 ~~residential or nonresidential facilities~~ who attain the age of
428 16 years of the ~~provisions of~~ law regarding compulsory school
429 attendance and make available the option of enrolling in a
430 program to attain a Florida high school diploma by taking the
431 high school equivalency examination before General Educational
432 Development test prior to release from the program facility.

433 District school boards or Florida College System institutions,
434 or both, shall ~~waive GED testing fees for youth in Department of~~
435 ~~Juvenile Justice residential programs and shall, upon request,~~
436 designate schools operating for the purpose of providing
437 educational services to students ~~youth~~ in Department of Juvenile
438 Justice programs. The Department of Education shall assist
439 juvenile justice education programs with becoming high school
440 equivalency examination centers as GED testing centers, subject
441 ~~to GED testing center requirements. The administrative fees for~~
442 ~~the General Educational Development test required by the~~
443 ~~Department of Education are the responsibility of district~~
444 ~~school boards and may be required of providers by contractual~~
445 ~~agreement.~~

446 (b) Respond to requests for student education records
447 received from another district school board or a juvenile
448 justice education program within 5 working days after receiving

449 the request.

450 (c) Provide access to courses offered pursuant to ss.
451 1002.37, 1002.45, and 1003.498. School districts and providers
452 may enter into cooperative agreements for the provision of
453 curriculum associated with courses offered pursuant to s.
454 1003.498 to enable providers to offer such courses.

455 (d) Complete the assessment process required by subsection
456 (2).

457 (e) Monitor compliance with contracts for education
458 programs for students in juvenile justice prevention, day
459 treatment, residential, and detention programs.

460 (5) The Department of Education shall establish and
461 operate, either directly or indirectly through a contract, a
462 mechanism to provide accountability measures that annually
463 assesses and evaluates all juvenile justice education programs
464 using student performance data and program performance ratings
465 by type of program ~~quality assurance reviews of all juvenile~~
466 ~~justice education programs~~ and shall provide technical
467 assistance and related research to district school boards and
468 juvenile justice education providers ~~on how to establish,~~
469 ~~develop, and operate educational programs that exceed the~~
470 ~~minimum quality assurance standards.~~ The Department of
471 Education, with input from the Department of Juvenile Justice,
472 school districts, and education providers shall develop annual
473 recommendations for system and school improvement.

474 Section 5. Section 1003.52, Florida Statutes, is amended
475 to read:

476 1003.52 Educational services in Department of Juvenile

477 Justice programs.—

478 (1) ~~The Legislature finds that education is the single~~
 479 ~~most important factor in the rehabilitation of adjudicated~~
 480 ~~delinquent youth in the custody of Department of Juvenile~~
 481 ~~Justice programs. It is the goal of the Legislature that youth~~
 482 ~~in the juvenile justice system continue to be allowed the~~
 483 ~~opportunity to obtain a high quality education.~~ The Department
 484 of Education shall serve as the lead agency for juvenile justice
 485 education programs, curriculum, support services, and resources.
 486 To this end, the Department of Education and the Department of
 487 Juvenile Justice shall each designate a Coordinator for Juvenile
 488 Justice Education Programs to serve as the point of contact for
 489 resolving issues not addressed by district school boards and to
 490 provide each department's participation in the following
 491 activities:

492 (a) Training, collaborating, and coordinating with ~~the~~
 493 ~~Department of Juvenile Justice,~~ district school boards, local
 494 workforce boards and youth councils, educational contract
 495 providers, and juvenile justice providers, whether state
 496 operated or contracted.

497 (b) Collecting information on the academic, career
 498 education, and transition performance of students in juvenile
 499 justice programs and reporting on the results.

500 (c) Developing academic and career education protocols
 501 that provide guidance to district school boards and juvenile
 502 justice education providers in all aspects of education
 503 programming, including records transfer and transition.

504 (d) Implementing a joint accountability, program

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505 performance, and program improvement process ~~Prescribing the~~
506 ~~roles of program personnel and interdepartmental district school~~
507 ~~board or provider collaboration strategies.~~

508
509 Annually, a cooperative agreement and plan for juvenile justice
510 education service enhancement shall be developed between the
511 Department of Juvenile Justice and the Department of Education
512 and submitted to the Secretary of Juvenile Justice and the
513 Commissioner of Education by June 30. The plan shall include, at
514 a minimum, each agency's role regarding educational program
515 accountability, technical assistance, training, and coordination
516 of services.

517 (2) Students participating in Department of Juvenile
518 Justice programs pursuant to chapter 985 which are sponsored by
519 a community-based agency or are operated or contracted for by
520 the Department of Juvenile Justice shall receive education
521 ~~educational~~ programs according to rules of the State Board of
522 Education. These students shall be eligible for services
523 afforded to students enrolled in programs pursuant to s. 1003.53
524 and all corresponding State Board of Education rules.

525 (3) The district school board of the county in which the
526 juvenile justice education prevention, day treatment,
527 residential, or detention program ~~residential or nonresidential~~
528 ~~care facility or juvenile assessment facility~~ is located shall
529 provide or contract for appropriate educational assessments and
530 an appropriate program of instruction and special education
531 services.

532 (a) The district school board shall make provisions for

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533 each student to participate in basic, career education, and
534 exceptional student programs as appropriate. Students served in
535 Department of Juvenile Justice programs shall have access to the
536 appropriate courses and instruction to prepare them for the high
537 school equivalency examination ~~GED test~~. Students participating
538 in high school equivalency examination ~~GED~~ preparation programs
539 shall be funded at the basic program cost factor for Department
540 of Juvenile Justice programs in the Florida Education Finance
541 Program. Each program shall be conducted according to applicable
542 law providing for the operation of public schools and rules of
543 the State Board of Education. School districts shall provide the
544 high school equivalency examination ~~GED~~ exit option for all
545 juvenile justice programs.

546 (b) ~~By October 1, 2004,~~ The Department of Education, with
547 the assistance of the school districts and juvenile justice
548 education providers, shall select a common student assessment
549 instrument and protocol for measuring student learning gains and
550 student progression while a student is in a juvenile justice
551 education program. ~~The assessment instrument and protocol must~~
552 ~~be implemented in all juvenile justice education programs in~~
553 ~~this state by January 1, 2005.~~

554 (4) Educational services shall be provided at times of the
555 day most appropriate for the juvenile justice program. School
556 programming in juvenile justice detention, prevention, day
557 treatment, and residential ~~commitment, and rehabilitation~~
558 programs shall be made available by the local school district
559 during the juvenile justice school year, as provided ~~defined~~ in
560 s. 1003.01(11). In addition, students in juvenile justice

561 education programs shall have access to courses offered pursuant
562 to ss. 1002.37, 1002.45, and 1003.498 Florida Virtual School
563 ~~courses~~. The Department of Education and the school districts
564 shall adopt policies necessary to provide ~~ensure~~ such access.

565 (5) The educational program shall provide instruction
566 based on each student's individualized transition plan, assessed
567 educational needs, and the education programs available in the
568 school district in which the student will return. Depending on
569 the student's needs, educational programming may consist of
570 remedial courses, ~~consist of appropriate basic~~ academic courses
571 required for grade advancement, career education courses, high
572 school equivalency examination preparation, or exceptional
573 student education curricula and related services which support
574 the transition ~~treatment~~ goals and reentry and which may lead to
575 completion of the requirements for receipt of a high school
576 diploma or its equivalent. Prevention and day treatment juvenile
577 justice education programs, at a minimum, shall provide career
578 readiness and exploration opportunities as well as truancy and
579 dropout prevention intervention services. Residential juvenile
580 justice education programs with a contracted minimum length of
581 stay of 9 months shall provide career education courses that
582 lead to preapprentice certifications, industry certifications,
583 occupational completion points, or work-related certifications.
584 Residential programs with contracted lengths of stay of less
585 than 9 months may provide career education courses that lead to
586 preapprentice certifications, industry certifications,
587 occupational completion points, or work-related certifications.
588 If the duration of a program is less than 40 days, the

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589 | educational component may be limited to tutorial remediation
590 | activities, ~~and~~ career employability skills instruction,
591 | education counseling, and transition services that prepare
592 | students for a return to school, the community, and their home
593 | settings based on the students' needs.

594 | (6) Participation in the program by students of compulsory
595 | school-attendance age as provided for in s. 1003.21 shall be
596 | mandatory. All students of noncompulsory school-attendance age
597 | who have not received a high school diploma or its equivalent
598 | shall participate in the educational program, unless the student
599 | files a formal declaration of his or her intent to terminate
600 | school enrollment as described in s. 1003.21 and is afforded the
601 | opportunity to take the general educational development test and
602 | attain a Florida high school diploma before ~~prior to~~ release
603 | from a juvenile justice education program facility. A student
604 | ~~youth~~ who has received a high school diploma or its equivalent
605 | and is not employed shall participate in workforce development
606 | or other career ~~or technical~~ education or Florida College System
607 | institution or university courses while in the program, subject
608 | to available funding.

609 | (7) An individualized ~~A~~ progress monitoring plan shall be
610 | developed for all students not classified as exceptional
611 | education students upon entry in a juvenile justice education
612 | program and upon reentry in the school district ~~who score below~~
613 | ~~the level specified in district school board policy in reading,~~
614 | ~~writing, and mathematics or below the level specified by the~~
615 | ~~Commissioner of Education on statewide assessments as required~~
616 | ~~by s. 1008.25.~~ These plans shall address academic, literacy, and

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617 career and technical ~~life~~ skills and shall include provisions
618 for intensive remedial instruction in the areas of weakness.

619 (8) Each district school board shall maintain an academic
620 record for each student enrolled in a juvenile justice program
621 ~~facility~~ as prescribed by s. 1003.51. Such record shall
622 delineate each course completed by the student according to
623 procedures in the State Course Code Directory. The district
624 school board shall include a copy of a student's academic record
625 in the discharge packet when the student exits the program
626 ~~facility~~.

627 (9) ~~Each The Department of Education shall ensure that all~~
628 district school board shall ~~boards~~ make provisions for high
629 school level students ~~youth~~ to earn credits toward high school
630 graduation while in residential and nonresidential juvenile
631 justice programs ~~facilities~~. Provisions must be made for the
632 transfer of credits and partial credits earned.

633 (10) School districts and juvenile justice education
634 providers shall develop individualized transition plans during
635 the course of a student's stay in a juvenile justice education
636 program to coordinate academic, career and technical, and
637 secondary and postsecondary services that assist the student in
638 successful community reintegration upon release. Development of
639 the transition plan shall be a collaboration of the personnel in
640 the juvenile justice education program, reentry personnel,
641 personnel from the school district where the student will
642 return, the student, the student's family, and Department of
643 Juvenile Justice personnel for committed students.

644 (a) Transition planning must begin upon a student's

645 placement in the program. The transition plan must include, at a
646 minimum:

647 1. Services and interventions that address the student's
648 assessed educational needs and postrelease education plans.

649 2. Services to be provided during the program stay and
650 services to be implemented upon release, including, but not
651 limited to, continuing education in secondary school, career and
652 technical programs, postsecondary education, or employment,
653 based on the student's needs.

654 3. Specific monitoring responsibilities to determine
655 whether the individualized transition plan is being implemented
656 and the student is provided access to support services that will
657 sustain the student's success by individuals who are responsible
658 for reintegration shall coordinate activities.

659 (b) For the purpose of transition planning and reentry
660 services, representatives from the school district and the one
661 stop center where the student will return shall participate as
662 members of the local Department of Juvenile Justice reentry
663 teams. The school district, upon return of a student from a
664 juvenile justice education program, must consider the individual
665 needs and circumstances of the student and the transition plan
666 recommendations when reenrolling a student in a public school. A
667 local school district may not maintain a standardized policy for
668 all students returning from a juvenile justice program but place
669 students based on their needs and their performance in the
670 program.

671 (c) The Department of Education and the Department of
672 Juvenile Justice shall provide oversight and guidance to school

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673 districts, education providers, and reentry personnel on how to
674 implement effective educational transition planning and
675 services.

676 (11)~~(10)~~ The district school board shall recruit and train
677 teachers who are interested, qualified, or experienced in
678 educating students in juvenile justice programs. Students in
679 juvenile justice programs shall be provided a wide range of
680 education ~~educational~~ programs and opportunities including
681 textbooks, technology, instructional support, and ~~other~~
682 resources commensurate with resources provided ~~available~~ to
683 students in public schools, including textbooks and access to
684 technology. If the district school board operates a juvenile
685 justice education program at a juvenile justice facility, the
686 district school board, in consultation with the director of the
687 juvenile justice facility, shall select the instructional
688 personnel assigned to that program. The Secretary of Juvenile
689 Justice or the director of a juvenile justice program may
690 request that the performance of a teacher assigned by the
691 district to a juvenile justice education program be reviewed by
692 the district and that the teacher be reassigned based upon an
693 evaluation conducted pursuant to s. 1012.34 or for inappropriate
694 behavior ~~Teachers assigned to educational programs in juvenile~~
695 ~~justice settings in which the district school board operates the~~
696 ~~educational program shall be selected by the district school~~
697 ~~board in consultation with the director of the juvenile justice~~
698 ~~facility. Educational programs in Juvenile justice~~ education
699 programs ~~facilities~~ shall have access to the substitute teacher
700 pool used ~~utilized~~ by the district school board.

701 (12)~~(11)~~ District school boards may contract with a
 702 private provider for the provision of education ~~educational~~
 703 programs to students ~~youths~~ placed with the Department of
 704 Juvenile Justice and shall generate local, state, and federal
 705 funding, including funding through the Florida Education Finance
 706 Program for such students. The district school board's planning
 707 and budgeting process shall include the needs of Department of
 708 Juvenile Justice programs in the district school board's plan
 709 for expenditures for state categorical and federal funds.

710 (13)~~(12)~~(a) Funding for eligible students enrolled in
 711 juvenile justice education programs shall be provided through
 712 the Florida Education Finance Program as provided in s. 1011.62
 713 and the General Appropriations Act. Funding shall include, at a
 714 minimum:

715 1. Weighted program funding or the basic amount for
 716 current operation multiplied by the district cost differential
 717 as provided in s. 1011.62(1)(s) ~~1011.62(1)(r)~~ and (2);

718 2. The supplemental allocation for juvenile justice
 719 education as provided in s. 1011.62(10);

720 3. A proportionate share of the district's exceptional
 721 student education guaranteed allocation, the supplemental
 722 academic instruction allocation, and the instructional materials
 723 allocation;

724 4. An amount equivalent to the proportionate share of the
 725 state average potential discretionary local effort for
 726 operations, which shall be determined as follows:

727 a. If the district levies the maximum discretionary local
 728 effort and the district's discretionary local effort per FTE is

729 | less than the state average potential discretionary local effort
 730 | per FTE, the proportionate share shall include both the
 731 | discretionary local effort and the compression supplement per
 732 | FTE. If the district's discretionary local effort per FTE is
 733 | greater than the state average per FTE, the proportionate share
 734 | shall be equal to the state average; or

735 | b. If the district does not levy the maximum discretionary
 736 | local effort and the district's actual discretionary local
 737 | effort per FTE is less than the state average potential
 738 | discretionary local effort per FTE, the proportionate share
 739 | shall be equal to the district's actual discretionary local
 740 | effort per FTE. If the district's actual discretionary local
 741 | effort per FTE is greater than the state average per FTE, the
 742 | proportionate share shall be equal to the state average
 743 | potential local effort per FTE; and

744 | 5. A proportionate share of the district's proration to
 745 | funds available, if necessary.

746 | (b) Juvenile justice education ~~educational~~ programs to
 747 | receive the appropriate FEFP funding for Department of Juvenile
 748 | Justice programs shall include those operated through a contract
 749 | with the Department of Juvenile Justice ~~and which are under~~
 750 | ~~purview of the Department of Juvenile Justice quality assurance~~
 751 | ~~standards for education.~~

752 | (c) Consistent with the rules of the State Board of
 753 | Education, district school boards are required to request an
 754 | alternative FTE survey for Department of Juvenile Justice
 755 | programs experiencing fluctuations in student enrollment.

756 | (d) FTE count periods shall be prescribed in rules of the

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757 State Board of Education and shall be the same for programs of
758 the Department of Juvenile Justice as for other public school
759 programs. The summer school period for students in Department of
760 Juvenile Justice programs shall begin on the day immediately
761 following the end of the regular school year and end on the day
762 immediately preceding the subsequent regular school year.
763 Students shall be funded for no more than 25 hours per week of
764 direct instruction.

765 (e) Each juvenile justice education program must receive
766 all federal funds for which the program is eligible.

767 (14)~~(13)~~ Each district school board shall negotiate a
768 cooperative agreement with the Department of Juvenile Justice on
769 the delivery of educational services to students ~~youths~~ under
770 the jurisdiction of the Department of Juvenile Justice. Such
771 agreement must include, but is not limited to:

772 (a) Roles and responsibilities of each agency, including
773 the roles and responsibilities of contract providers.

774 (b) Administrative issues including procedures for sharing
775 information.

776 (c) Allocation of resources including maximization of
777 local, state, and federal funding.

778 (d) Procedures for educational evaluation for educational
779 exceptionalities and special needs.

780 (e) Curriculum and delivery of instruction.

781 (f) Classroom management procedures and attendance
782 policies.

783 (g) Procedures for provision of qualified instructional
784 personnel, whether supplied by the district school board or

785 provided under contract by the provider, and for performance of
 786 duties while in a juvenile justice setting.

787 (h) Provisions for improving skills in teaching and
 788 working with students referred to juvenile justice programs
 789 delinquents.

790 (i) Transition plans for students moving into and out of
 791 juvenile programs facilities.

792 (j) Procedures and timelines for the timely documentation
 793 of credits earned and transfer of student records.

794 (k) Methods and procedures for dispute resolution.

795 (l) Provisions for ensuring the safety of education
 796 personnel and support for the agreed-upon education program.

797 (m) Strategies for correcting any deficiencies found
 798 through the accountability and evaluation system and student
 799 performance measures quality assurance process.

800 ~~(15)-(14)~~ Nothing in this section or in a cooperative
 801 agreement requires ~~shall be construed to require~~ the district
 802 school board to provide more services than can be supported by
 803 the funds generated by students in the juvenile justice
 804 programs.

805 ~~(16)-(15)(a)~~ The Department of Education, in consultation
 806 with the Department of Juvenile Justice, district school boards,
 807 and providers, shall adopt rules establishing ~~establish~~

808 (a) Objective and measurable student performance measures
 809 to evaluate a student's educational progress while participating
 810 in a prevention, day treatment, or residential program. The
 811 student performance measures must be based on appropriate
 812 outcomes for all students in juvenile justice education

813 programs, taking into consideration the student's length of stay
814 in the program. Performance measures shall include outcomes that
815 relate to student achievement of career education goals,
816 acquisition of employability skills, receipt of a high school
817 diploma, and grade advancement.

818 (b) A performance rating system to be used by the
819 Department of Education to evaluate ~~quality assurance standards~~
820 ~~for~~ the delivery of educational services within each of the
821 juvenile justice programs. The performance rating shall be
822 primarily based on data regarding student performance as
823 described in paragraph (a) ~~component of residential and~~
824 ~~nonresidential juvenile justice facilities.~~

825 (c) The timeframes, procedures, and resources to be used
826 to improve a low-rated educational program or to terminate or
827 reassign the program ~~These standards shall rate the district~~
828 ~~school board's performance both as a provider and contractor.~~
829 ~~The quality assurance rating for the educational component shall~~
830 ~~be disaggregated from the overall quality assurance score and~~
831 ~~reported separately.~~

832 (d) ~~(b)~~ The Department of Education, in partnership with
833 the Department of Juvenile Justice, shall develop a
834 comprehensive accountability and program improvement ~~quality~~
835 ~~assurance review~~ process. The accountability and program
836 improvement process shall be based on student performance
837 measures by type of program and shall rate education program
838 performance. The accountability system shall identify and
839 recognize high-performing education programs. The Department of
840 Education, in partnership with the Department of Juvenile

841 Justice, shall identify low-performing programs. Low-performing
842 education programs shall receive an onsite program evaluation
843 from the Department of Juvenile Justice. School improvement,
844 technical assistance, or the reassignment of the program shall
845 be based, in part, on the results of the program evaluation.
846 Through a corrective action process, low-performing programs
847 must demonstrate improvement or reassign the program and
848 ~~schedule for the evaluation of the educational component in~~
849 ~~juvenile justice programs. The Department of Juvenile Justice~~
850 ~~quality assurance site visit and the education quality assurance~~
851 ~~site visit shall be conducted during the same visit.~~

852 ~~(c) The Department of Education, in consultation with~~
853 ~~district school boards and providers, shall establish minimum~~
854 ~~thresholds for the standards and key indicators for educational~~
855 ~~programs in juvenile justice facilities. If a district school~~
856 ~~board fails to meet the established minimum standards, it will~~
857 ~~be given 6 months to achieve compliance with the standards. If~~
858 ~~after 6 months, the district school board's performance is still~~
859 ~~below minimum standards, the Department of Education shall~~
860 ~~exercise sanctions as prescribed by rules adopted by the State~~
861 ~~Board of Education. If a provider, under contract with the~~
862 ~~district school board, fails to meet minimum standards, such~~
863 ~~failure shall cause the district school board to cancel the~~
864 ~~provider's contract unless the provider achieves compliance~~
865 ~~within 6 months or unless there are documented extenuating~~
866 ~~circumstances.~~

867 ~~(d) The requirements in paragraphs (a), (b), and (c) shall~~
868 ~~be implemented to the extent that funds are available.~~

869 (17) The department, in collaboration with the Department
 870 of Juvenile Justice, shall monitor and report on the educational
 871 performance of students in commitment, day treatment,
 872 prevention, and detention programs. The report by the Department
 873 of Education must include, at a minimum, the number and
 874 percentage of students who:

875 (a) Return to an alternative school, middle school, or
 876 high school upon release and the attendance rate of such
 877 students before and after participation in juvenile justice
 878 education programs.

879 (b) Receive a standard high school diploma or a high
 880 school equivalency diploma.

881 (c) Receive industry certification.

882 (d) Receive occupational completion points.

883 (e) Enroll in a postsecondary educational institution.

884 (f) Complete a juvenile justice education program without
 885 reoffending.

886 (g) Reoffend within 1 year after completion of a day
 887 treatment or residential commitment program.

888 (h) Remain employed 1 year after completion of a day
 889 treatment or residential commitment program.

891 The results of this report shall be included in the report
 892 required by s. 985.632.

893 (18)~~(16)~~ The district school board shall not be charged
 894 any rent, maintenance, utilities, or overhead on such
 895 facilities. Maintenance, repairs, and remodeling of existing
 896 facilities shall be provided by the Department of Juvenile

897 Justice.

898 (19)~~(17)~~ When additional facilities are required, the
 899 district school board and the Department of Juvenile Justice
 900 shall agree on the appropriate site based on the instructional
 901 needs of the students. When the most appropriate site for
 902 instruction is on district school board property, a special
 903 capital outlay request shall be made by the commissioner in
 904 accordance with s. 1013.60. When the most appropriate site is on
 905 state property, state capital outlay funds shall be requested by
 906 the Department of Juvenile Justice provided by s. 216.043 and
 907 shall be submitted as specified by s. 216.023. Any instructional
 908 facility to be built on state property shall have educational
 909 specifications jointly developed by the district school board
 910 and the Department of Juvenile Justice and approved by the
 911 Department of Education. The size of space and occupant design
 912 capacity criteria as provided by State Board of Education rules
 913 shall be used for remodeling or new construction whether
 914 facilities are provided on state property or district school
 915 board property.

916 (20)~~(18)~~ The parent of an exceptional student shall have
 917 the due process rights provided for in this chapter.

918 (21)~~(19)~~ The Department of Education and the Department of
 919 Juvenile Justice, after consultation with and assistance from
 920 local providers and district school boards, shall collect data
 921 ~~report annually to the Legislature by February 1~~ on the progress
 922 toward developing effective education ~~educational~~ programs for
 923 juvenile delinquents, including the amount of funding provided
 924 by district school boards to juvenile justice programs;it the

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925 amount retained for administration, including documenting the
926 purposes for such expenses; the status of the development of
927 cooperative agreements; education program performance the
928 results, including the identification of high and low-performing
929 programs and aggregate student performance results; of the
930 quality assurance reviews including recommendations for system
931 improvement; and information on the identification of, and
932 services provided to, exceptional students in juvenile justice
933 programs ~~commitment facilities~~ to determine whether these
934 students are properly reported for funding and are appropriately
935 served.

936 ~~(22)(20)~~ The education ~~educational~~ programs at ~~the Arthur~~
937 ~~Dezier School for Boys in Jackson County~~ and the Florida School
938 for Boys in Okeechobee shall be operated by the Department of
939 Education, either directly or through grants or contractual
940 agreements with other public or duly accredited education
941 agencies approved by the Department of Education.

942 ~~(23)(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
943 rules necessary to implement ~~the provisions of this section,~~
944 ~~including uniform curriculum, funding, and second chance~~
945 ~~schools~~. Such rules must require the minimum amount of paperwork
946 and reporting.

947 ~~(24)(22)~~ The Department of Juvenile Justice and the
948 Department of Education, in consultation with Workforce Florida,
949 Inc., the statewide Workforce Development Youth Council,
950 district school boards, Florida College System institutions,
951 providers, and others, shall jointly develop a multiagency plan
952 for career education which describes the funding, curriculum,

953 transfer of credits, goals, and outcome measures for career
 954 education programming in juvenile commitment facilities,
 955 pursuant to s. 985.622. The plan must be reviewed annually.

956 Section 6. Paragraph (b) of subsection (18) of section
 957 1001.42, Florida Statutes, is amended to read:

958 1001.42 Powers and duties of district school board.—The
 959 district school board, acting as a board, shall exercise all
 960 powers and perform all duties listed below:

961 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 962 Maintain a state system of school improvement and education
 963 accountability as provided by statute and State Board of
 964 Education rule. This system of school improvement and education
 965 accountability shall be consistent with, and implemented
 966 through, the district's continuing system of planning and
 967 budgeting required by this section and ss. 1008.385, 1010.01,
 968 and 1011.01. This system of school improvement and education
 969 accountability shall comply with the provisions of ss. 1008.33,
 970 1008.34, 1008.345, and 1008.385 and include the following:

971 (b) Public disclosure.—The district school board shall
 972 provide information regarding the performance of students and
 973 educational programs as required pursuant to ss. 1008.22 and
 974 1008.385 and implement a system of school reports as required by
 975 statute and State Board of Education rule which shall include
 976 schools operating for the purpose of providing educational
 977 services to students ~~youth~~ in Department of Juvenile Justice
 978 programs, and for those schools, report on the elements
 979 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public
 980 disclosure reports shall be in an easy-to-read report card

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981 format and shall include the school's grade, high school
982 graduation rate calculated without high school equivalency
983 examinations ~~GED tests~~, disaggregated by student ethnicity, and
984 performance data as specified in state board rule.

985 Section 7. The Division of Law Revision and Information is
986 requested to prepare a reviser's bill for the 2014 Regular
987 Session of the Legislature to change the terms "General
988 Educational Development test" or "GED test" to "high school
989 equivalency examination" and the terms "general education
990 diploma," "graduate equivalency diploma," or "GED" to "high
991 school equivalency diploma" wherever those terms appear in the
992 Florida Statutes.

993 Section 8. This act shall take effect July 1, 2013.