

**STORAGE NAME:** h1033s1a.jj

**DATE:** March 23, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
JUVENILE JUSTICE  
ANALYSIS**

**BILL #:** CS/HB 1033

**RELATING TO:** Education

**SPONSOR(S):** Committee on Juvenile Justice and Representative Bainter

**COMPANION BILL(S):** SB 1290 (S)

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) JUVENILE JUSTICE YEAS 13 NAYS 0
- (2) EDUCATION INNOVATION
- (3) GOVERNMENTAL RULES AND REGULATIONS
- (4) EDUCATION APPROPRIATIONS
- (5)

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I. SUMMARY:

Youth committed to juvenile justice facilities would receive all of the educational and vocational training as youth in Florida public schools. Under CS/HB 1033 school districts would be required to operate schools on a 12 month basis, 260 days yearly with ten of those days being used for teacher planning. Summer school is described as the end of the day immediately preceding the subsequent regular school year. Students can be funded for no more than 25 hours per week of direct instruction.

Youth committed to DJJ facilities would also participate in all required statewide assessment testing. The state board must adopt by 8/1/99 administrative rules articulating expectations for high quality and effective education programs for youth committed to DJJ facilities. The DOE would be required to develop model contracts for the appropriate delivery of services. Youth in DJJ facilities would have school records and assessments included with them upon entering and exiting commitment programs to ensure proper educational training.

Committed youth would also be provided the opportunity to earn a GED prior to release. Any fees associated with the GED would be waived for the committed youth.

Funding for juvenile justice programs would be through the FEFP at a weighted cost factor. Students with disabilities would be funded at the higher of the weights for which the student qualifies. Any funding beyond 180 days would be specified in the General Appropriations Act. At least ninety percent of the FEFP funding and 100 percent of the formula-based categorical funds generated by students in DJJ programs must be spent on instruction materials and public school technology for those students.

The DOE would be required to develop and conduct quality assurance (QA) site visits in coordination with the DJJ QA site visits. Results from the DJJ site visits would be "disaggregated" from the entire QA report.

The Department of Management Services (DMS) is directed to review existing facilities to determine the adequacy of the facilities for educational use. This study will generate a three-year plan to be used by the departments when constructing or retrofitting DJJ educational facilities. One hundred thousand dollars is appropriated for the study.

The bill would require studies by the JJAB and the DOE in consultation with the DJJ. The JJAB would be commissioned to study the extent and nature of education programs for committed youth, and the DOE would work to develop a plan for education in detention centers.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Education for juvenile offenders is considered a cornerstone in the rehabilitative process. But many states, including Florida, have been slow in organizing and supplying the necessary educational programs for youth in juvenile justice educational facilities. To address this problem, the Legislature directed the Juvenile Justice Accountability Board (JJAB) and the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct independent reviews of education programs in juvenile justice facilities. The reports were conducted between July and December 1998 and provide numerous findings and recommendations for improving educational funding and services for committed youth.

**OPPAGA - Review of Education Services in Juvenile Justice Residential Facilities**

OPPAGA conducted a performance review of the education services offered to youth in the 150 juvenile justice residential facilities. The study found that in reading skills, 80% of youth were one or more years below the grade level appropriate for their age and in math skills, 90% of the youth scored one or more years below the grade level appropriate for their age. Even though the majority of youth improved by at least one grade level during their residential stay, most youth remained below their age-appropriate grade level when released.

In most cases the report found youth benefiting from the educational services offered at residential programs; however, the programs fail to assist youth in completing their high school education through alternative ways such as the General Equivalency Diploma (GED) or the General Equivalency Diploma/High School Competency Test (GED/HSCT). According to the OPPAGA report, 93% of youth leaving residential programs enter the workforce, and only 13 percent of youth earned a high school diploma during their commitment. One other hindrance for educational providers is the difficulty of obtaining educational records for the youth served. Records from previous schools describe skill levels, performance and course work. Without these records it is difficult to develop appropriate educational goals.

While reviewing the types of education programs offered, the report identified a lack of training in the area of vocational education. Most residential programs offered a range of subjects including math (87%), language (85%), life skills (69%), social studies (67%), science (64%), and vocational education (44%), with vocational education being the least offered training area. There are 24 programs that do not offer any vocational training.

Moreover, school districts are not held accountable for the educational services provided in residential commitment facilities. Many residential programs are not included in the Blueprint 2000 school improvement process nor are they subject to the Department of Education's critically low performing school list. The only standard reviews come from DJJ 's yearly Quality Assurance review of every juvenile justice program.

A last point of concern identified in the OPPAGA report is the lack of consistent, ongoing education classes. Thirty-one percent of the facilities surveyed reported that they were unable to provide instruction for extended periods of time due to school district calendars.

**General Findings and Recommendations from OPPAGA**

Findings in Student Performance

- 1) Most students enter residential facilities performing below their grade level in reading and math. Furthermore, over one-third are considered exceptional education students and two-thirds have a history of truancy.
- 2) Most youth remained below their age-appropriate grade level when released despite some gains in educational programs.
- 3) Funding and age requirements limit opportunities for youth to earn GEDs while in residential programs.

#### Findings in Classroom Conditions

- 1) Eighty-three percent of teachers in residential programs are certified, but more teachers certified in Exceptional Student Education are needed.
- 2) Educational planning is hindered by difficulty in obtaining records from out-of-county schools.
- 3) More vocational education is needed.
- 4) Student/teacher ratios met correctional standards and students/computer ratios were adequate in most education programs.
- 5) At over 25 percent of the facilities, the number of days that instruction is not available due to summer vacation and other breaks is a concern.

#### Findings in Accountability

- 1) The success of residential education programs is not determined by whether school districts provide education directly or hire contractors. Either model can achieve success with the right support and active participation of the school district and the juvenile justice facility.
- 2) School districts are not held accountable for the educational services provided in residential commitment facilities

#### **JJAB - Report of Findings on the Education of Juvenile Offenders**

The Legislature directed the JJAB "conduct a study to determine the extent and nature of education programs for juvenile offenders committed by the court to the DJJ and for juvenile offenders under court supervision . . . analyze existing juvenile justice education policy, statutes, programs, services and resources and identify new directions for juvenile justice education." Chapter 98-186 Laws of Florida. The JJAB report identified 30 findings including many of those identified by the OPPAGA study. To avoid repetition and highlight the findings and recommendations, only certain findings are listed in detail and a condensed version of the recommendations are provided here.

The JJAB report identified the lack of consistent funding for juvenile justice programs statewide. Generally, all school districts reported using the standard funding Florida Education Finance Program (FEFP) formula for calculating the budget allocations for juvenile justice facilities whether those services were contracted or provided by the school districts. The FEFP bases financial support upon the individual student participating in a particular education program. Students are counted in July, October, February and June. FEFP funds are primarily generated by multiplying the number of unweighted full-time equivalent students (UWFTEs) in each of the funded educational programs by cost factors to obtain weighted FTEs. Weighted FTEs are then multiplied by a base student allocation and by a district cost differential to determine the base funding from state and local FEFP funds. Program cost factors are determined by the Legislature and represent relative cost differences among the FEFP programs. If a student is not enrolled and present in an education program during the FTE count, no funds are generated to support that student's participation in the program.

The entry and exit of students in commitment and detention programs is not consistent with the FTE counting. The JJAB recommended that education programs in commitment and detention facilities should be funded by the Legislature based on the number of beds or programs slots contracted to each facility whether or not the bed or slot is filled at the time of reporting.

There were four total funding recommendations provided in the JJAB's report. The others were that education services be funded on a 12-month calendar with the extended service funded by a supplemental appropriation. At least 90 percent of the FEFP funds generated and a prorated share of state and federal categorical funds for education (based on unweighted FTE or other state and federal categorical funds for education) should be spent on direct services in juvenile justice education facilities. State and categorical funding includes discretionary lottery, technology, instructional materials, transportation, Title I and the Individuals With Disabilities Education Act (IDEA).

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Lastly, the JJAB recommended that students in juvenile justice residential and non-residential facilities should be funded at the Dropout Prevention weight or at an enhanced level justified by the Exceptional Students Education matrix (ESE).

In total the JJAB report identified 31 recommendations (26 of which appear in HB 1033) addressing funding, facilities, governance, contracts, QA, transition, records, assessment, accountability, education options and education programs in detention centers.

Section 230.23161, F.S., lists the statutory provisions for educational services in juvenile justice programs. Students participating in DJJ commitment or detention programs must receive educational programs according to the rules of the State Board of Education. These students are eligible for services offered to students enrolled in dropout prevention programs and all corresponding State Board of Education rules. The school board of the county in which the facility is located provides the basic, vocational and exceptional student programs appropriate for each student. School districts may contract for the services offered through private providers. Funding is based on the FEFP for all students in juvenile justice facilities.

Each school district is required to negotiate a cooperative agreement with the DJJ on the delivery of educational services for committed youth. The DOE, in consultation with the DJJ, must establish standards and a comprehensive quality assurance review process and schedule for evaluation of the educational component in juvenile justice programs. The district school boards are not charged rent, maintenance, utilities or overhead on facilities. Maintenance, repairs and remodeling of existing facilities is provided by the DJJ.

The DOE retains the authority to adopt rules necessary to implement the provisions of s. 230.23161, F.S.

#### B. EFFECT OF PROPOSED CHANGES:

Youth committed to juvenile justice facilities would receive all of the educational and vocational training as youth in Florida public schools. According to the DOE, many school districts with successful DJJ programs already provide these educational services.

School districts would be required to operate schools on a 12 month basis, 260 days yearly with ten of those days being used for teacher planning. There is an anticipated fiscal increase for the additional days youth would be in educational programs. (See fiscal section) FTE count periods must be included in the rules of the State Board of Education with summer school beginning on the day immediately following the end of the regular school year. It would end on the day immediately preceding the subsequent regular school year. Students would be funded for no more than 25 hours a week of direct instruction. The DOE would be required to develop a method capturing all direct instructional time provided to students during the summer school period.

Youth committed to DJJ facilities would also participate in all required statewide assessment testing. The state board must adopt by 8/1/99 administrative rules articulating expectations for high quality and effective education programs for youth committed to DJJ facilities. The DOE would be required to develop model contracts for the appropriate delivery of services. The commissioner is also required to design and implement student testing programs that use tools which accurately reflect criteria established in the Florida Sunshine State Standards. Youth in DJJ facilities will have all pertinent records and assessments included with them to commitment programs to ensure proper educational training. Committed youth would also be provided the opportunity to earn a GED prior to release. Any fees associated with the GED would be waived for the committed youth.

Both the DOE and the DJJ would each designate a Coordinator for Juvenile Justice Education Programs to serve as a contact person for resolving issues not addressed by local school board districts. These persons would also ensure the departments work together training and collaborating with providers and school districts; collecting information on the academic performance of committed youth and providing guidance to school districts and providers.

Funding for juvenile justice programs would be through the FEFP at a weighted cost factor; however, students with disabilities would be funded at the higher of the weights for which the student qualifies.

Any funding beyond 180 days would be specified in the General Appropriations Act. At least ninety percent of the FEFP funding and 100 percent of the formula-based categorical funds generated by students in DJJ programs must be spent on instruction costs for those students. FTE count periods would be prescribed in the rules of the State Board of Education. Summer school would commence on the day following the end of the regular school year and end on the day immediately preceding the subsequent regular school year. Students can be funded for no more than 25 hours per week of direct instruction. The DOE is required to develop a method which captures all direct instructional time provided to committed youth during the summer.

The DOE pointed out that the fiscal impact of this spending requirement may decrease the level of funding spent on juvenile justice programs currently. Districts must spend 80 percent of the funds generated by all the at-risk programs on those programs but on an aggregate basis. Districts are not responsible for facilities costs such as custodial and maintenance. (Section 230.2616, F.S.) Those facility costs are approximately 12 percent of the total costs for the programs. According to the 1997-98 Juvenile Justice Program Cost data collected by DOE, if school districts are required to spend a minimum of 80 percent on youth in juvenile justice programs, and districts report spending an average of 114.2 percent of their base funding on these students, there would be an anticipated decrease of 25 percent of funds being spent on committed youth.

The DOE would now be required to develop and conduct QA site visits in coordination with the DJJ QA site visits. Results from the DJJ site visits would be "disaggregated" from the entire QA report. The DOE has stated that site visits are funded through a discretionary project to Florida State University (FSU) with federal dollars. The funding is approximately \$1,389,210 for FY 1999.

The Department of Management Services (DMS) is directed to review existing facilities to determine the adequacy of the facilities for educational use. This study will generate a three-year plan to be used by the departments when constructing or retrofitting DJJ educational facilities. One hundred thousand dollars is appropriated for the study. This process will ensure that all facilities meet DOE specifications for adequate classroom design, space, equipment, furnishings and technology. The DJJ would also work with school districts when developing new facilities.

The bill would require studies by the JJAB and the DOE in consultation with the DJJ. The JJAB would be commissioned to study the extent and nature of education programs for committed youth, and the DOE would work to develop a plan for education in detention centers.

**C. APPLICATION OF PRINCIPLES:**

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

Yes, a detailed analysis of the any new rule making authority can be found in the Effects of Proposed Changes section and the Section-by-Section analysis.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, the DOE and the DJJ would have increased responsibilities to youth in juvenile justice educational facilities.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Section 228.041, F.S.; s.228.051, F.S.; s. 228.081, F.S.; s. 229.57, F.S.; s. 229.58, F.S.; s. 229.592, F.S.; s. 230.23, F.S.; s. 230.2316, F.S.; s. 230.23161, F.S.; s. 235.194, F.S.; s. 235.1975, F.S.; s. 237.34, F.S.; s. 985.401, F.S. s. 985.413, F.S.; s. 985.404, F.S.

E. SECTION-BY-SECTION ANALYSIS:

**Section 1** amends section 228.041, F.S., (Supplement) *Definitions*, adding subsections (43) and (44), defining school year for juvenile justice programs and juvenile justice providers. School year for juvenile justice programs is defined as a 12 month period consisting of 260 days of instruction with up to ten days available for use as teacher planning days. Juvenile justice providers are the DJJ and any contracted organizations providing treatment, care and custody, or educational programs for youth in juvenile justice intervention, detention or commitment programs.

**Section 2** amends section 228.051, F.S., *Organization and funding of required public schools*, adding provisions which specify that public schools shall provide 13 years of consecutive instruction for youth in the DJJ programs.

**Section 3** amends section 228.081, F.S., *Other public educational services*, requiring the DOE to adopt administrative rules listing expectations for educational programs for youth in DJJ facilities. The rule must articulate policies and standards of education programs which include the following: measurable results for programs, responsibilities of DOE, DJJ and juvenile justice providers, academic expectations, service delivery options for school districts, assessment procedures, recommended instructional programs, funding requirements, qualifications and selections procedures for instructional staff, transition services, procedures and time frames for transfer of education records upon exiting a DJJ facility, requirements for maintenance of academic transcripts for DJJ youth, contract requirements, performance expectations for providers and school districts, the role and responsibility of the school district in securing workforce development funds, a series of graduated sanctions for school districts with unsatisfactory educational programs in DJJ facilities; and other aspects of program operations. By 1/1/00, the DOE in partnership with DJJ, school districts and providers would develop model contracts for delivery of appropriate education services, develop model procedures for moving youth into and out of DJJ programs, develop standardized required content of education records as part of a youth's commitment record, and develop model procedures for securing the education record and the roles and responsibilities of the juvenile probation officers and others involved with the withdrawal of students from school and assigned to commitment or detention facilities. The DOE shall ensure that school districts notify juveniles in DJJ programs of the option to attain a general education development diploma prior to release. School districts and community colleges must waive GED testing fees for youth in DJJ facilities and shall upon request designate DJJ programs as GED testing centers. The DOE must establish and operate a mechanism to provide quality assurance reviews of all juvenile justice education programs and must provide technical assistance to school districts and providers on how to provide educational programs that exceed the minimum quality assurance standards.

**Section 4**, amends subsection (3) of section 229.57, F.S., (supplement), *Statewide Assessment Program*, The commissioner shall design and implement a program of educational assessment for the improvement of the operation of schools providing educational services to youth in DJJ programs. Youth in DJJ programs must participate in the student achievement testing program as part of the statewide assessment program. By 1/1/00, the DOE must and implement a common battery of assessment tools used in all juvenile justice programs in the state.

**Section 5**, amends section 229.58, F.S., (supplement), *District and school advisory councils*, school boards may establish a district advisory council to develop and monitor a district school improvement plan encompassing all such schools in the district pursuant to s. 230.23 (16) (a), F.S.

**Section 6**, amends section 229.592, F.S., (supplement), *Implementation of the state system of school improvement and education accountability*, and includes DJJ educational programs as a part of the statewide school improvement plan. The commissioner must implement a system for data collection and analysis that will improve information about the educational success of individual students and schools operating for the purpose of providing educational services to youth in DJJ programs; a school improvement program analyzing information to identify schools operating for the purpose of providing educational services to youth in DJJ programs; a method of delivering services to assist school districts and improve schools operating for the purpose of providing educational services to youth in DJJ programs. The commissioner must appear before the Legislature annually to make recommendations for school improvement and education accountability including school operating for the purpose of providing educational services for youth in DJJ programs. The DOE must provide technical assistance and training to schools providing educational services to youth in DJJ programs. NO school operating for the purpose of providing educational services to youth in DJJ programs may receive funds from the Educational Enhancement Trust Fund if it does not participate in the approved school improvement plan.

**Section 7**, amends subsection (16) of section 230.23, F.S., (supplement) *Powers and duties of school boards*, allowing school boards to establish a district school improvement plan for schools



operating educational facilities for DJJ programs. School boards must implement a system of school reports for youth in DJJ commitment facilities receiving educational services.

**Section 8**, amends 230.2316, F.S., (supplement), *Dropout Prevention*, beginning in the FY 2000-2001 school year, common education assessments are required for all students assigned to residential or nonresidential commitment or detention facilities pursuant to s. 228.081, F.S.

**Section 9**, amends section 230.23161, F.S., (supplement), *Educational services in Department of Juvenile Justice programs*, The DOE and the DJJ must designate a Coordinator for Juvenile Justice Education Programs to serve as a point of contact for resolving issues not addressed by local district school boards. The position will ensure each department's participation in training collaborating, and coordinating with DJJ, local school districts, educational contract providers and juvenile justice providers; collecting information on the academic performance of students in juvenile justice commitment and detention programs; and developing protocols providing guidance to school districts and providers in all aspects of education programming. Youth in DJJ facilities would have access to GED preparation programs. Students in GED preparation programs would be funded at the weighted cost factor for DJJ programs in the FEFP. Youth of noncompulsory school attendance age who do not receive a high school diploma must participate in the educational program unless the student files a formal declaration of his intent to terminate school enrollment and is given the opportunity to earn a GED prior to release from a DJJ facility. Academic improvement must be developed for students scoring below the level specified in local school board policy regarding basic school curriculum. Each school district must maintain academic records for each student enrolled in juvenile justice facilities. The DOE must ensure that all school districts make provisions for high- school level committed youth to earn credits toward graduation. School districts shall include the needs of DJJ programs in the district plan for expenditures for state categorical and federal funds. Juvenile Justice education programs would be funded through the FEFP with a weighted cost factor for DJJ programs pursuant to s. 236.081, F.S., except that students with disabilities would be funded at the higher of weights for which the student qualifies. Funding for students in the DJJ programs beyond the 180 day school year and summer school shall be specified in the General Appropriations Act. Local school districts would be required to request alternative FTE survey for DJJ programs experiencing fluctuations in student enrollment. FTE count periods would be prescribed in the rules of the State Board of Education. Summer school for D.J. programs would begin on the day immediately following the end of the regular school year and end on the day immediately preceding the subsequent regular school year. Students would be funded for no more than 25 hours per week for direct instruction. The DOE must develop a method which captures all direct instructional time provided to committed youth. The DOE would establish quality assurance standards (QA) for DJJ educational facilities. The QA rating for the education component would be desegregated from the overall QA score and reported separately. The DOE must develop and implement a QA review process. The DOE and DJJ QA site visits would be conducted at the same time. The DOE in consultation with school districts and providers must establish minimum thresholds for standards and key indicators for education programs in DJJ facilities. School districts are subject to sanctions for not complying with performance standards. The DOE and DJJ would be required to report to the Legislature by 2/1 of each year and provide information on the identification of and services provided to exceptional students in DJJ facilities to determine whether these students are properly reported for funding and are appropriately served.

**Section 10** amends section 235.194, F.S., *General educational facilities report*, Each school board would submit to its local government and each juvenile justice district manager a general educational facilities report. The school board would also provide a copy of its educational plan survey to each juvenile justice district managers.

**Section 11** creates section 235.1975, F.S., *Cooperative Development of Educational Facilities in Juvenile Justice Programs*, The Department of Management Services would be required to work with the DOE and the DJJ to review and analyze existing education facilities in DJJ facilities to determine the adequacy of the facilities for educational use. One hundred thousand dollars is appropriated for the study. The DJJ would be required to provide early notice to school districts for the siting of new juvenile justice facilities. Provides language for contracting, and planning and budgeting for new facilities.

**Section 12** amends section 237.34, F.S. *Cost accounting and reporting*, requiring school districts to expend at least 90 percent of the funds generated by juvenile justice programs on an aggregate basis.

**Section 13** creates subsection (6) of section 985.401, F.S., (supplement) *Juvenile Justice Accountability Board*, requiring the board to study the extent and nature of education programs for juvenile offenders committed to DJJ and for offenders under court supervision.

**Section 14** amends 985.413, F.S., (supplement) *District juvenile justice boards*, requiring the district juvenile justice boards to advise the district manager and administrator of the need for and the availability of juvenile justice programs and services including DJJ educational services.

**Section 15** would require the DOE to work with DJJ and local school districts to develop a plan for detention centers and submit the plan to the Legislature and Governor by 1/1/00.

**Section 16** amends subsection (10) of section 985.404, F.S., (supplement) *Administering the juvenile justice continuum*, renumbers section to correspond to changes in HB 1033.

**Section 17** provides an effective date.

### III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

#### A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

FY 1999-00 - \$100,000 for a DMS study on educational facilities

2. Recurring Effects:

The DOE anticipates the need for three FTEs to conduct the QA visits and to offer on-site technical assistance to school districts and their DJJ districts.

3 program specialists IV positions (10% above salary rate) \$54,998

Position benefits \$5,236

Operating Capital Outlay \$3,302

Travel \$8,000

Total per position \$71,563

Overall total \$214,689

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

**Local school district costs**

The DJJ anticipates insignificant fiscal impact by the provisions of the bill. School districts would carry the bulk of the fiscal impact estimated to be eight million dollars.

The DJJ calculated the additional funding for expanded summer school for youth in juvenile justice facilities using the following formula:

$8,613 \times .22 \text{ FTE (equivalent to an extra 40 days in addition to summer school days already funded)} \times 1.372 \text{ (1999-00 weighted cost factor for DOP)} \times 3142.33 \text{ (1999-00 Base Student Allocation)} = \$8,169,265.90 \text{ General Revenue.}$

DOE estimates for extended school days are provided below:

The following explanation by DOE is an approximate impact and does not reflect a deduction for any services currently funded though the FEFP for those districts whose DJJ programs exceed 180 days and the districts' traditional summer school. Furthermore there is no increase in WFTE for DJJ students eligible for ESE services and funded at a higher weighted cost factor. In 1997-98 school year, 34,368 students were served in DJJ programs by local school districts.

$8,600 \text{ students} \times .44 \text{ FTE (equivalent to an extra 80 days)} = 3,784 \text{ FTE}$   
 $3,784 \text{ FTE} \times 1.3999 \text{ (1998-99 weighted cost factor for DOP)} = 5,293 \text{ WFTE}$   
 $5,293 \text{ WFTE} \times 3,223.06 \text{ (1998-99 Base Student Allocation)} = \$17,062,299.49$

School districts would be required to waive the cost of GED testing fees. They are \$17 for a full test, \$5 for one test and \$4 for tests two through five. The DOE recommends local school districts work with their communities, and public-private partnerships to off-set GED costs.

3. Long Run Effects Other Than Normal Growth:

N/A

C. **DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. **FISCAL COMMENTS:**

The House of Representatives Education Fiscal Committee estimates that the increase for summer school will fall between three and six million dollars.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The Juvenile Justice Committee adopted three amendments at its March 18th meeting as follows:

Amendment (1) requires at least 90 percent of the FEFP funds generated by students in commitment programs to be spent on instructional costs for those students. One hundred percent of the formula-based categorical funds generated by students in commitment programs must be spent on appropriate categorical funds such as instructional materials and public school technology for those students.

Amendment (2) requires the DOE to develop and implement assessment tools which shall be used in all juvenile justice programs to accurately reflect criteria established in the Florida Sunshine State Standards.

Amendment (3) designates that FTE count periods be prescribed in the rules of the State Board of Education. Summer school for committed youth shall begin on the day immediately following the last day of the regular school year and end on the day immediately preceding the subsequent regular school year. Allows funding for no more that 25 hours per week of direct instructions. In addition, it directs the DOE to develop a method which captures all direct instructional time provided to committed youth during summer school.

VII. SIGNATURES:

COMMITTEE ON JUVENILE JUSTICE:

Prepared by:

Staff Director:

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Bridget Edmond

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David De La Paz