

By Representative Bainter

1 A bill to be entitled
2 An act relating to education; amending s.
3 228.041, F.S.; defining "juvenile justice
4 provider" and "school year for juvenile justice
5 programs"; amending s. 228.051, F.S., relating
6 to the organization and funding of required
7 public schools; requiring the public schools of
8 the state to provide instruction for youth in
9 Department of Juvenile Justice programs;
10 amending s. 228.081, F.S.; requiring the
11 development and adoption of a rule articulating
12 expectations for education programs for youth
13 in Department of Juvenile Justice programs;
14 requiring the development of model contracts
15 for the delivery of educational services to
16 youth in Department of Juvenile Justice
17 programs; requiring the Department of Education
18 to provide training and technical assistance;
19 requiring the development of model procedures
20 for transitioning youth into and out of
21 Department of Juvenile Justice programs;
22 requiring the development of model procedures
23 regarding education records; requiring the
24 Department of Education to provide, or contract
25 for the provision of, quality assurance reviews
26 of all juvenile justice education programs;
27 amending s. 229.57, F.S.; revising provisions
28 relating to the statewide assessment program to
29 include schools operating for the purpose of
30 providing educational services to youth in
31 Department of Juvenile Justice programs;

1 requiring the Department of Education to
2 develop and implement assessment tools to be
3 used in juvenile justice programs; amending s.
4 229.58, F.S.; authorizing the establishment of
5 district advisory councils for juvenile justice
6 education programs; amending s. 229.592, F.S.;
7 revising provisions relating to the
8 implementation of the state system of school
9 improvement and education accountability to
10 include schools operating for the purpose of
11 providing educational services to youth in
12 Department of Juvenile Justice programs;
13 deleting obsolete language; amending s. 230.23,
14 F.S., relating to powers and duties of the
15 school board; revising provisions relating to
16 school improvement plans and public disclosure
17 to include schools operating for the purpose of
18 providing educational services to youth in
19 Department of Juvenile Justice programs;
20 amending s. 230.2316, F.S., relating to program
21 criteria for dropout prevention programs;
22 requiring common education assessments for all
23 students assigned to residential or
24 nonresidential commitment or detention
25 facilities; amending s. 230.23161, F.S.,
26 relating to educational services in Department
27 of Juvenile Justice programs; providing
28 legislative intent; requiring the Department of
29 Education to serve as the lead agency;
30 requiring the Department of Education and the
31 Department of Juvenile Justice to designate a

1 coordinator to ensure department participation
2 in certain activities; requiring student access
3 to GED programs; requiring certain funding;
4 revising provisions relating to compulsory
5 school attendance; requiring the development of
6 an academic improvement plan for certain
7 students; providing requirements regarding
8 academic records; requiring provisions for the
9 earning and transfer of credits; providing
10 funding requirements; revising provisions
11 relating to quality assurance standards;
12 requiring the Department of Juvenile Justice
13 site visit and the education quality assurance
14 site visit to take place during the same visit;
15 requiring the establishment of minimum
16 standards; requiring the State Board of
17 Education to adopt rules establishing sanctions
18 for performance below minimum standards;
19 revising requirements regarding an annual
20 report; amending s. 235.194, F.S.; requiring
21 the submission of the district's general
22 educational facilities report to each juvenile
23 justice district manager within the school
24 board's jurisdiction; requiring the inclusion
25 of educational facilities serving youth in
26 Department of Juvenile Justice programs in the
27 educational facilities report; creating s.
28 235.1975, F.S., relating to cooperative
29 development of educational facilities in
30 juvenile justice programs; requiring a review
31 and analysis of existing facilities; requiring

1 the development and submission of a plan;
2 requiring the Department of Juvenile Justice to
3 provide certain information to school districts
4 and the Department of Education regarding new
5 juvenile justice facilities; providing an
6 appropriation; providing requirements regarding
7 planning and budgeting; amending s. 237.34,
8 F.S.; requiring each district to expend at
9 least 90 percent of the funds generated by
10 juvenile justice programs on the aggregate
11 total school costs for such programs; amending
12 s. 985.401, F.S.; requiring the Juvenile
13 Justice Accountability Board to study the
14 extent and nature of education programs for
15 juvenile offenders; amending s. 985.413, F.S.;
16 revising the duties of district juvenile
17 justice boards; requiring the development and
18 submission of a plan for education programs in
19 detention centers; amending s. 985.404, F.S.,
20 relating to the administration of the juvenile
21 justice continuum; correcting a cross
22 reference; providing an effective date.

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

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26 Section 1. Subsections (43) and (44) are added to
27 section 228.041, Florida Statutes, 1998 Supplement, to read:
28 228.041 Definitions.--Specific definitions shall be as
29 follows, and wherever such defined words or terms are used in
30 the Florida School Code, they shall be used as follows:

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1 (43) SCHOOL YEAR FOR JUVENILE JUSTICE PROGRAMS.--For
2 schools operating for the purpose of providing educational
3 services to youth in Department of Juvenile Justice programs,
4 the school year shall be comprised of 260 days of instruction
5 distributed over 12 months. A district school board may
6 decrease the minimum number of days of instruction by up to 10
7 days for teacher planning.

8 (44) JUVENILE JUSTICE PROVIDER.--"Juvenile justice
9 provider" means the Department of Juvenile Justice or a
10 private, public, or other governmental organization under
11 contract with the Department of Juvenile Justice which
12 provides treatment, care and custody, or educational programs
13 for youth in juvenile justice intervention, detention, or
14 commitment programs.

15 Section 2. Section 228.051, Florida Statutes, is
16 amended to read:

17 228.051 Organization and funding of required public
18 schools.--The public schools of the state shall provide 13
19 consecutive years of instruction, beginning with kindergarten,
20 and shall also provide such instruction for exceptional
21 children and youth in Department of Juvenile Justice programs
22 as may be required by law. The funds for support and
23 maintenance of such schools shall be derived from state,
24 district, federal, or other lawful sources or combinations of
25 sources and shall include any tuition fees charged
26 nonresidents as provided by law. Public schools,
27 institutions, and agencies providing this instruction shall
28 constitute the uniform system of free public schools
29 prescribed by Art. IX of the State Constitution.

30 Section 3. Section 228.081, Florida Statutes, is
31 amended to read:

1 228.081 Other public educational services.--
2 (1) The general control of other public educational
3 services shall be vested in the state board except as provided
4 herein. The state board shall, at the request of the
5 Department of Children and Family Services and the Department
6 of Juvenile Justice, advise as to standards and requirements
7 relating to education to be met in all state schools or
8 institutions under their control which provide educational
9 programs. The Department of Education shall provide
10 supervisory services for the educational programs of all such
11 schools or institutions. The direct control of any of these
12 services provided as part of the district program of education
13 shall rest with the school board. These services shall be
14 supported out of state, district, federal, or other lawful
15 funds, depending on the requirements of the services being
16 supported.

17 (2) The Department of Education shall recommend and by
18 August 1, 1999, the state board shall adopt an administrative
19 rule articulating expectations for high-quality, effective
20 education programs for youth in Department of Juvenile Justice
21 programs, including, but not limited to, education programs in
22 juvenile justice commitment and detention facilities. The rule
23 shall articulate policies and standards for education programs
24 for youth in Department of Juvenile Justice programs and shall
25 include the following:

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

28 (b) The responsibilities of the Department of
29 Education, the Department of Juvenile Justice, school
30 districts, and providers of education services to youth in
31 Department of Juvenile Justice programs.

- 1 (c) Academic expectations.
- 2 (d) Service delivery options available to school
3 districts, including direct service and contracting.
- 4 (e) Assessment procedures, which:
- 5 1. Include appropriate academic and vocational
6 assessments administered at program entry and exit which are
7 selected by the Department of Education in partnership with
8 representatives from the Department of Juvenile Justice,
9 school districts, and providers.
- 10 2. Require school districts to be responsible for
11 ensuring the completion of the assessment process.
- 12 3. Require assessments for students in detention who
13 will move on to commitment facilities, to be designed to
14 create the foundation for developing the student's education
15 program in the assigned commitment facility.
- 16 4. Require assessments of students sent directly to
17 commitment facilities to be completed within the first week of
18 the student's commitment.
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- 20 The results of these assessments, together with a portfolio
21 depicting the student's academic and vocational
22 accomplishments, shall be included in the discharge package
23 assembled for each youth.
- 24 (f) Recommended instructional programs including, but
25 not limited to, vocational training and job preparation.
- 26 (g) Funding requirements, which shall include the
27 requirement that at least 90 percent of the FEFP funds and 100
28 percent of the formula-based categorical funds generated by
29 students in Department of Juvenile Justice programs be spent
30 on instruction costs for those students.
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1 (h) Qualifications of instructional staff and
2 procedures for the selection of instructional staff.

3 (i) Transition services, including the roles and
4 responsibilities of appropriate personnel in school districts,
5 provider organizations, and the Department of Juvenile
6 Justice.

7 (j) Procedures and timeframe for transfer of education
8 records when a youth enters and leaves a facility.

9 (k) The requirement that each school district maintain
10 an academic transcript for each student enrolled in a juvenile
11 justice facility which delineates each course completed by the
12 student as provided by the State Course Code Directory.

13 (l) The requirement that each school district make
14 available and transmit a copy of a student's transcript in the
15 discharge packet when the student exits a facility.

16 (m) Contract requirements.

17 (n) Performance expectations for providers and school
18 districts, including the provision of academic improvement
19 plan as required in s. 232.245.

20 (o) The role and responsibility of the school district
21 in securing workforce development funds.

22 (p) A series of graduated sanctions for school
23 districts whose educational programs in Department of Juvenile
24 Justice facilities are considered to be unsatisfactory and for
25 instances in which school districts fail to meet standards
26 prescribed by law, rule, or State Board of Education policy.
27 These sanctions shall include the option of requiring a school
28 district to contract with a provider or another school
29 district if the educational program at the Department of
30 Juvenile Justice facility has failed a quality assurance
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1 review and after 6 months, is still performing below minimum
2 standards.

3 (q) Other aspects of program operations.

4 (3) By January 1, 2000, the Department of Education in
5 partnership with the Department of Juvenile Justice, school
6 districts, and providers shall:

7 (a) Develop model contracts for the delivery of
8 appropriate education services to youth in Department of
9 Juvenile Justice programs to be used for the development of
10 future contracts. The model contracts shall reflect the policy
11 and standards included in subsection (2). The Department of
12 Education shall ensure that appropriate school district
13 personnel are trained and held accountable for the management
14 and monitoring of contracts for education programs for youth
15 in juvenile justice residential and nonresidential facilities.

16 (b) Develop model procedures for transitioning youth
17 into and out of Department of Juvenile Justice programs. These
18 procedures shall reflect the policy and standards adopted
19 pursuant to subsection (2).

20 (c) Develop standardized required content of education
21 records to be included as part of a youth's commitment record.
22 These requirements shall reflect the policy and standards
23 adopted pursuant to subsection (2) and shall include, but not
24 be limited to, the following:

25 1. A copy of the student's individualized education
26 plan;

27 2. Assessment data, including grade level proficiency
28 in reading, writing, and mathematics, and performance on tests
29 taken according to s. 229.57;

30 3. A copy of the student's permanent cumulative
31 record; and

1 4. A copy of the student's academic transcript.
2 5. A portfolio reflecting the youth's academic
3 accomplishments while in the Department of Juvenile Justice
4 program.

5 (d) Develop model procedures for securing the
6 education record and the roles and responsibilities of the
7 juvenile probation officer and others involved in the
8 withdrawal of the student from school and assignment to a
9 commitment or detention facility. Effective for the 2000-2001
10 school year and thereafter, school districts shall be required
11 to respond to requests for student education records received
12 from another school district or a juvenile justice facility
13 within 3 working days of receiving the request.

14 (4) The Department of Education shall ensure that
15 school districts notify students in juvenile justice
16 residential or nonresidential facilities who attain the age of
17 16 years of the provisions of s. 232.01(1)(c) regarding
18 compulsory school attendance and make available the option of
19 enrolling in a program to attain a general education
20 development diploma prior to release from the facility. School
21 districts or community colleges, or both, shall waive GED
22 testing fees for youth in Department of Juvenile Justice
23 residential programs and shall, upon request, designate
24 schools operating for the purpose of providing educational
25 services to youth in Department of Juvenile Justice programs
26 as GED testing centers, subject to GED testing center
27 requirements.

28 (5) The Department of Education shall establish and
29 operate, either directly or indirectly through a contract, a
30 mechanism to provide quality assurance reviews of all juvenile
31 justice education programs and shall provide technical

1 assistance and related research to school districts and
2 providers on how to establish, develop, and operate
3 educational programs that exceed the minimum quality assurance
4 standards.

5 Section 4. Subsection (3) of section 229.57, Florida
6 Statutes, 1998 Supplement, is amended to read.

7 229.57 Student assessment program.--

8 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner is
9 directed to design and implement a statewide program of
10 educational assessment that provides information for the
11 improvement of the operation and management of the public
12 schools including schools operating for the purpose of
13 providing educational services to youth in Department of
14 Juvenile Justice programs. The program must be designed, as
15 far as possible, so as not to conflict with ongoing district
16 assessment programs and so as to use information obtained from
17 district programs. Pursuant to the statewide assessment
18 program, the commissioner shall:

19 (a) Submit to the state board a list that specifies
20 student skills and competencies to which the goals for
21 education specified in the state plan apply, including, but
22 not limited to, reading, writing, and mathematics. The skills
23 and competencies must include problem-solving and higher-order
24 skills as appropriate. The commissioner shall select such
25 skills and competencies after receiving recommendations from
26 educators, citizens, and members of the business community.
27 The commissioner shall submit to the state board revisions to
28 the list of student skills and competencies in order to
29 maintain continuous progress toward improvements in student
30 proficiency.

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1 (b) Develop and implement a uniform system of
2 indicators to describe the performance of public school
3 students and the characteristics of the public school
4 districts and the public schools. These indicators must
5 include, without limitation, information gathered by the
6 comprehensive management information system created pursuant
7 to s. 229.555 and student achievement information obtained
8 pursuant to this section.

9 (c) Develop and implement a student achievement
10 testing program as part of the statewide assessment program,
11 to be administered at designated times at the elementary,
12 middle, and high school levels to measure reading, writing,
13 and mathematics. The testing program must be designed so
14 that:

15 1. The tests measure student skills and competencies
16 adopted by the state board as specified in paragraph (a). The
17 tests must measure and report student proficiency levels in
18 reading, writing, and mathematics. Other content areas may be
19 included as directed by the commissioner. The commissioner
20 shall provide for the tests to be developed or obtained, as
21 appropriate, through contracts and project agreements with
22 private vendors, public vendors, public agencies,
23 postsecondary institutions, or school districts. The
24 commissioner shall obtain input with respect to the design and
25 implementation of the testing program from state educators and
26 the public.

27 2. The tests are criterion-referenced and include, to
28 the extent determined by the commissioner, items that require
29 the student to produce information or perform tasks in such a
30 way that the skills and competencies he or she uses can be
31 measured.

1 3. Each testing program, whether at the elementary,
2 middle, or high school level, includes a test of writing in
3 which students are required to produce writings which are then
4 scored by appropriate methods.

5 4. A score is designated for each subject area tested,
6 below which score a student's performance is deemed
7 inadequate. The school districts shall provide appropriate
8 remedial instruction to students who score below these levels.

9 5. All 11th grade students take a high school
10 competency test developed by the state board to test minimum
11 student performance skills and competencies in reading,
12 writing, and mathematics. The test must be based on the skills
13 and competencies adopted by the state board pursuant to
14 paragraph (a). Upon recommendation of the commissioner, the
15 state board shall designate a passing score for each part of
16 the high school competency test. In establishing passing
17 scores, the state board shall consider any possible negative
18 impact of the test on minority students. The commissioner may
19 establish criteria whereby a student who successfully
20 demonstrates proficiency in either reading or mathematics or
21 both may be exempted from taking the corresponding section of
22 the high school competency test or the college placement test.
23 A student must earn a passing score or have been exempted from
24 each part of the high school competency test in order to
25 qualify for a regular high school diploma. The school
26 districts shall provide appropriate remedial instruction to
27 students who do not pass part of the competency test.

28 6. Participation in the testing program is mandatory
29 for all students, including students served in Department of
30 Juvenile Justice programs, except as otherwise prescribed by
31 the commissioner. The commissioner shall recommend rules to

1 the state board for the provision of test adaptations and
2 modifications of procedures as necessary for students in
3 exceptional education programs and for students who have
4 limited English proficiency.

5 7. A student seeking an adult high school diploma must
6 meet the same testing requirements that a regular high school
7 student must meet.

8 8. By January 1, 2000, the Department of Education
9 must develop, or select, and implement a common battery of
10 assessment tools which will be used in all juvenile justice
11 programs in the state.

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13 The commissioner may design and implement student testing
14 programs for any grade level and subject area, based on
15 procedures designated by the commissioner to monitor
16 educational achievement in the state.

17 (d) Obtain or develop a career planning assessment to
18 be administered to students, at their option, in grades 7 and
19 10 to assist them in preparing for further education or
20 entering the workforce. The statewide student assessment
21 program must include career planning assessment.

22 (e) Conduct ongoing research to develop improved
23 methods of assessing student performance, including, without
24 limitation, the use of technology to administer tests, the use
25 of electronic transfer of data, the development of
26 work-product assessments, and the development of process
27 assessments.

28 (f) Conduct ongoing research and analysis of student
29 achievement data, including, without limitation, monitoring
30 trends in student achievement, identifying school programs

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1 that are successful, and analyzing correlates of school
2 achievement.

3 (g) Provide technical assistance to school districts
4 in the implementation of state and district testing programs
5 and the use of the data produced pursuant to such programs.

6 Section 5. Paragraph (c) is added to subsection (1) of
7 section 229.58, Florida Statutes, 1998 Supplement, to read:

8 229.58 District and school advisory councils.--

9 (1) ESTABLISHMENT.--

10 (c) For those schools operating for the purpose of
11 providing educational services to youth in Department of
12 Juvenile Justice programs, school boards may establish a
13 district advisory council with appropriate representatives for
14 the purpose of developing and monitoring a district school
15 improvement plan which encompasses all such schools in the
16 district, pursuant to s. 230.23(16)(a).

17 Section 6. Subsections (1), (3), and (4) of section
18 229.592, Florida Statutes, 1998 Supplement, are amended to
19 read:

20 229.592 Implementation of state system of school
21 improvement and education accountability.--

22 (1) DEVELOPMENT.--It is the intent of the Legislature
23 that every public school in the state, including schools
24 operating for the purpose of providing educational services to
25 youth in Department of Juvenile Justice programs, shall have a
26 school improvement plan, as required by s. 230.23(16), ~~fully~~
27 ~~implemented and operational by the beginning of the 1993-1994~~
28 ~~school year.~~ Vocational standards considered pursuant to s.
29 239.229 shall be incorporated into the school improvement plan
30 for each area technical center operated by a school board by
31 the 1994-1995 school year, and area technical centers shall

1 prepare school report cards incorporating such standards,
2 pursuant to s. 230.23(16), for the 1995-1996 school year. In
3 order to accomplish this, the Florida Commission on Education
4 Reform and Accountability and the school districts and schools
5 shall carry out the duties assigned to them by ss. 229.594 and
6 230.23(16), respectively.

7 (3) COMMISSIONER.--The commissioner shall be
8 responsible for implementing and maintaining a system of
9 intensive school improvement and stringent education
10 accountability.

11 (a) Based on the recommendations of the Florida
12 Commission on Education Reform and Accountability, the
13 commissioner shall develop and implement the following
14 programs and procedures:

15 1. A system of data collection and analysis that will
16 improve information about the educational success of
17 individual students and schools, including schools operating
18 for the purpose of providing educational services to youth in
19 Department of Juvenile Justice programs. The information and
20 analyses must be capable of identifying educational programs
21 or activities in need of improvement, and reports prepared
22 pursuant to this subparagraph shall be distributed to the
23 appropriate school boards prior to distribution to the general
24 public. This provision shall not preclude access to public
25 records as provided in chapter 119.

26 2. A program of school improvement that will analyze
27 information to identify schools, including schools operating
28 for the purpose of providing educational services to youth in
29 Department of Juvenile Justice programs, educational programs,
30 or educational activities in need of improvement.

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1 3. A method of delivering services to assist school
2 districts and schools to improve, including schools operating
3 for the purpose of providing educational services to youth in
4 Department of Juvenile Justice programs.

5 4. A method of coordinating with the state educational
6 goals and school improvement plans any other state program
7 that creates incentives for school improvement.

8 (b) The commissioner shall be held responsible for the
9 implementation and maintenance of the system of school
10 improvement and education accountability outlined in this
11 subsection. There shall be an annual determination of whether
12 adequate progress is being made toward implementing and
13 maintaining a system of school improvement and education
14 accountability.

15 (c) The annual feedback report shall be developed by
16 the commission and the Department of Education.

17 (d) The commissioner and the commission shall review
18 each school board's feedback report and submit its findings to
19 the State Board of Education. If adequate progress is not
20 being made toward implementing and maintaining a system of
21 school improvement and education accountability, the State
22 Board of Education shall direct the commissioner to prepare
23 and implement a corrective action plan. The commissioner and
24 State Board of Education shall monitor the development and
25 implementation of the corrective action plan.

26 (e) As co-chair of the Florida Commission on Education
27 Reform and Accountability, the commissioner shall appear
28 before the appropriate committees of the Legislature annually
29 in October to report and recommend changes in state policy
30 necessary to foster school improvement and education
31 accountability. The report shall reflect the recommendations

1 of the Florida Commission on Education Reform and
2 Accountability. Included in the report shall be a list of the
3 schools, including schools operating for the purpose of
4 providing educational services to youth in Department of
5 Juvenile Justice programs,for which school boards have
6 developed assistance and intervention plans and an analysis of
7 the various strategies used by the school boards. School
8 reports shall be distributed pursuant to this paragraph and s.
9 230.23(16)(e) according to guidelines adopted by the State
10 Board of Education.

11 (4) DEPARTMENT.--

12 (a) The Department of Education shall implement a
13 training program to develop among state and district educators
14 a cadre of facilitators of school improvement. These
15 facilitators shall assist schools and districts to conduct
16 needs assessments and develop and implement school improvement
17 plans to meet state goals.

18 (b) Upon request, the department shall provide
19 technical assistance and training to any school, including any
20 school operating for the purpose of providing educational
21 services to youth in Department of Juvenile Justice programs,
22 school advisory council, district, or school board for
23 conducting needs assessments, developing and implementing
24 school improvement plans, developing and implementing
25 assistance and intervention plans, or implementing other
26 components of school improvement and accountability. Priority
27 for these services shall be given to school districts in rural
28 and sparsely populated areas of the state.

29 (c) Pursuant to s. 24.121(5)(d), the department shall
30 not release funds from the Educational Enhancement Trust Fund
31 to any district in which a school, including schools operating

1 for the purpose of providing educational services to youth in
2 Department of Juvenile Justice programs, does not have an
3 approved school improvement plan, pursuant to s. 230.23(16),
4 after 1 full school year of planning and development, or does
5 not comply with school advisory council membership composition
6 requirements pursuant to s. 229.58(1). The department shall
7 send a technical assistance team to each school without an
8 approved plan to develop such school improvement plan or to
9 each school without appropriate school advisory council
10 membership composition to develop a strategy for corrective
11 action. The department shall release the funds upon approval
12 of the plan or upon establishment of a plan of corrective
13 action. Notice shall be given to the public of the
14 department's intervention and shall identify each school
15 without a plan or without appropriate school advisory council
16 membership composition.

17 Section 7. Paragraphs (a) and (e) of subsection (16)
18 of section 230.23, Florida Statutes, 1998 Supplement, are
19 amended to read:

20 230.23 Powers and duties of school board.--The school
21 board, acting as a board, shall exercise all powers and
22 perform all duties listed below:

23 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
24 ACCOUNTABILITY.--Maintain a system of school improvement and
25 education accountability as provided by statute and State
26 Board of Education rule. This system of school improvement and
27 education accountability shall be consistent with, and
28 implemented through, the district's continuing system of
29 planning and budgeting required by this section and ss.
30 229.555 and 237.041. This system of school improvement and
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1 education accountability shall include, but not be limited to,
2 the following:

3 (a) School improvement plans.--Annually approve and
4 require implementation of a new, amended, or continuation
5 school improvement plan for each school in the district,
6 except that a school board may establish a district school
7 improvement plan which includes all schools in the district
8 operating for the purpose of providing educational services to
9 youth in Department of Juvenile Justice programs. Such plan
10 shall be designed to achieve the state education goals and
11 student performance standards pursuant to ss. 229.591(3) and
12 229.592. Beginning in 1999-2000, each plan shall also address
13 issues relative to budget, training, instructional materials,
14 technology, staffing, student support services, and other
15 matters of resource allocation, as determined by school board
16 policy.

17 (e) Public disclosure.--Provide information regarding
18 performance of students and educational programs as required
19 pursuant to s. 229.555 and implement a system of school
20 reports as required by statute and State Board of Education
21 rule which shall include schools operating for the purpose of
22 providing educational services to youth in Department of
23 Juvenile Justice programs, and for those schools, report on
24 the elements specified in s. 230.23161(21).

25 Section 8. Paragraph (c) of subsection (3) of section
26 230.2316, Florida Statutes, 1998 Supplement, is amended to
27 read:

28 230.2316 Dropout prevention.--

29 (3) STUDENT ELIGIBILITY AND PROGRAM CRITERIA.--

30 (c) A student shall be identified as being a potential
31 dropout based upon one of the following criteria:

1 1. The student has shown a lack of motivation in
2 school through grades which are not commensurate with
3 documented ability levels or high absenteeism or habitual
4 truancy as defined in s. 228.041(28).

5 2. The student has not been successful in school as
6 determined by retentions, failing grades, or low achievement
7 test scores and has needs and interests that cannot be met
8 through traditional programs.

9 3. The student has been identified as a potential
10 school dropout by student services personnel using district
11 criteria. District criteria that are used as a basis for
12 student referral to an educational alternatives program shall
13 identify specific student performance indicators that the
14 educational alternative program seeks to address.

15 4. The student has documented drug-related or
16 alcohol-related problems, or has immediate family members with
17 documented drug-related or alcohol-related problems that
18 adversely affect the student's performance in school.

19 5. The student has a history of disruptive behavior in
20 school or has committed an offense that warrants out-of-school
21 suspension or expulsion from school according to the district
22 code of student conduct. For the purposes of this program,
23 "disruptive behavior" is behavior that:

24 a. Interferes with the student's own learning or the
25 educational process of others and requires attention and
26 assistance beyond that which the traditional program can
27 provide or results in frequent conflicts of a disruptive
28 nature while the student is under the jurisdiction of the
29 school either in or out of the classroom; or

30 b. Severely threatens the general welfare of students
31 or others with whom the student comes into contact.

1 6. The student is assigned to a program provided
2 pursuant to chapter 39, chapter 984, or chapter 985 which is
3 sponsored by a state-based or community-based agency or is
4 operated or contracted for by the Department of Children and
5 Family Services or the Department of Juvenile Justice provided
6 that beginning with the 2000-2001 school year, common
7 education assessments are required for all students assigned
8 to residential or nonresidential commitment or detention
9 facilities, pursuant to s. 228.081.

10 Section 9. Section 230.23161, Florida Statutes, 1998
11 Supplement, is amended to read.

12 230.23161 Educational services in Department of
13 Juvenile Justice programs.--

14 (1) The Legislature finds that education is the single
15 most important factor in the rehabilitation of adjudicated
16 delinquent youth in the custody of the Department of Juvenile
17 Justice in detention or commitment facilities. The Department
18 of Education shall serve as the lead agency for juvenile
19 justice education programs to ensure that curriculum, support
20 services, and resources are provided to maximize the public's
21 investment in the custody and care of these youth. To this
22 end, the Department of Education and the Department of
23 Juvenile Justice shall each designate a Coordinator for
24 Juvenile Justice Education Programs to serve as the point of
25 contact for resolving issues not addressed by local district
26 school boards and to ensure each department's participation in
27 the following activities:

28 (a) Training, collaborating, and coordinating with the
29 Department of Juvenile Justice, local school districts,
30 educational contract providers, and juvenile justice
31 providers, whether state operated or contracted.

1 (b) Collecting information on the academic performance
2 of students in juvenile justice commitment and detention
3 programs and reporting on the results.

4 (c) Developing protocols that provide guidance to
5 school districts and providers in all aspects of education
6 programming, including records transfer and transition.

7 ~~(2)~~~~(1)~~ The Legislature finds that juvenile assessment
8 centers are an important source of information about youth who
9 are entering the juvenile justice system. Juvenile assessment
10 centers document the condition of youth entering the system,
11 thereby providing baseline data which is essential to evaluate
12 changes in the condition of youth as a result of treatment.
13 The cooperation and involvement of the local school system,
14 including the commitment of appropriate resources for
15 determining the educational status and special learning
16 problems and needs of youth, are essential if the full
17 potential benefits of juvenile assessment centers are to be
18 achieved.

19 ~~(3)~~~~(2)~~ Students participating in a detention,
20 commitment, or rehabilitation program pursuant to chapter 985
21 which is sponsored by a community-based agency or is operated
22 or contracted for by the Department of Juvenile Justice shall
23 receive educational programs according to rules of the State
24 Board of Education. These students shall be eligible for
25 services afforded to students enrolled in programs pursuant to
26 s. 230.2316 and all corresponding State Board of Education
27 rules.

28 ~~(4)~~~~(3)~~ The district school board of the county in
29 which the residential or nonresidential care facility or
30 juvenile assessment facility is located shall provide
31 appropriate educational assessments and an appropriate program

1 of instruction and special education services. The district
2 school board shall make provisions for each student to
3 participate in basic, vocational, and exceptional student
4 programs as appropriate. Students served in Department of
5 Juvenile Justice programs shall have access to the appropriate
6 courses and instruction to prepare them for the GED test.
7 Students participating in GED preparation programs shall be
8 funded at the weighted cost factor for Department of Juvenile
9 Justice programs in the Florida Education Finance Program.
10 Each program shall be conducted according to applicable law
11 providing for the operation of public schools and rules of the
12 state board.

13 (5)~~(4)~~ A school day for any student serviced in a
14 Department of Juvenile Justice program shall be the same as
15 specified in s. 228.041(13). Educational services shall be
16 provided at times of the day most appropriate for the program.
17 School programming in juvenile justice detention, commitment,
18 and rehabilitation programs shall be made available during the
19 regular school year and the summer school by the local school
20 district.

21 (6)~~(5)~~ The educational program shall consist of
22 appropriate basic academic, vocational, or exceptional
23 curricula and related services which support the treatment
24 goals and reentry and which may lead to completion of the
25 requirements for receipt of a high school diploma or its
26 equivalent. If the duration of a program is less than 40
27 days, the educational component may be limited to tutorial
28 activities and vocational employability skills.

29 (7)~~(6)~~ Participation in the program by students of
30 compulsory school attendance age as provided for in s. 232.01
31 shall be mandatory. All students of noncompulsory

1 school-attendance age who have not received a high school
2 diploma or its equivalent shall participate in the educational
3 program, unless the student files a formal declaration of his
4 or her intent to terminate school enrollment as described in
5 s. 232.01(1)(c) and is afforded the opportunity to attain a
6 general education development diploma prior to release from a
7 facility.

8 (8) An academic improvement plan shall be developed
9 for students who score below the level specified in local
10 school board policy in reading, writing, and mathematics or
11 below the level specified by the Commissioner of Education on
12 statewide assessments as required by s. 232.245. These plans
13 shall address academic, literacy, and life skills and shall
14 include provisions for intensive remedial instruction in the
15 areas of weakness.

16 (9) Each school district shall maintain an academic
17 record for each student enrolled in a juvenile justice
18 facility as prescribed by s. 228.081. Such record shall
19 delineate each course completed by the student according to
20 procedures in the State Course Code Directory. The school
21 district shall include a copy of a student's academic record
22 in the discharge packet when the student exits the facility.

23 (10) The Department of Education shall ensure that all
24 school districts make provisions for high school level
25 committed youth to earn credits toward high school graduation
26 while in residential and nonresidential juvenile justice
27 facilities. Provisions must be made for the transfer of
28 credits and partial credits earned.

29 (11)~~(7)~~ The school district shall recruit and train
30 teachers who are interested, qualified, or experienced in
31 educating students in juvenile justice programs. Students in

1 juvenile justice programs shall be provided a wide range of
2 educational programs and opportunities including textbooks,
3 technology, instructional support, and other resources
4 available to students in public schools. Teachers assigned to
5 educational programs in juvenile justice settings in which the
6 school district operates the educational program shall be
7 selected by the school district in consultation with the
8 director of the juvenile justice facility. Educational
9 programs in juvenile justice facilities shall have access to
10 the substitute teacher pool utilized by the school district.

11 (12)~~(8)~~ School districts are authorized and strongly
12 encouraged to contract with a private provider for the
13 provision of educational programs to youths placed with the
14 Department of Juvenile Justice and shall generate local,
15 state, and federal funding, including funding through the
16 Florida Education Finance Program for such students. The
17 school district's planning and budgeting process shall include
18 the needs of Department of Juvenile Justice programs in the
19 district's plan for expenditures for state categorical and
20 federal funds.

21 (13)~~(9)~~ The local school district shall fund the
22 education program in a Department of Juvenile Justice facility
23 at the same or higher level of funding for equivalent students
24 in the county school system based on the funds generated by
25 state funding through the Florida Education Finance Program
26 for such students. It is the intent of the Legislature that
27 the school district maximize its available local, state, and
28 federal funding to a juvenile justice program.

29 (a) Juvenile justice education programs shall be
30 funded through the FEFP with a weighted cost factor for
31 Department of Juvenile Justice programs in accordance with s.

1 236.081, except that students with disabilities shall be
2 funded at the higher of the weights for which the student
3 qualifies. Funding for students in Department of Juvenile
4 Justice programs beyond the 180 day school year and summer
5 school shall be specified in the General Appropriations Act.

6 (b) Juvenile justice education programs to receive the
7 weighted cost factor for Department of Juvenile Justice
8 programs shall include those operated through a contract with
9 the Department of Juvenile Justice and which are under purview
10 of the Department of Juvenile Justice quality assurance
11 standards for education.

12 (c) Consistent with the rules of the State Board of
13 Education, local school districts are authorized and required
14 to request an alternative FTE survey for Department of
15 Juvenile Justice programs experiencing fluctuations in student
16 enrollment.

17 (14)(10) Each school district shall negotiate a
18 cooperative agreement with the Department of Juvenile Justice
19 on the delivery of educational services to youths under the
20 jurisdiction of the department. Such agreement must include,
21 but is not limited to:

22 (a) Roles and responsibilities of each agency,
23 including the roles and responsibilities of contract
24 providers.

25 (b) Administrative issues including procedures for
26 sharing information.

27 (c) Allocation of resources including maximization of
28 local, state, and federal funding.

29 (d) Procedures for educational evaluation for
30 educational exceptionalities and special needs.

31 (e) Curriculum and delivery of instruction.

- 1 (f) Classroom management procedures and attendance
2 policies.
- 3 (g) Procedures for provision of qualified
4 instructional personnel, whether supplied by the school
5 district or provided under contract by the provider, and for
6 performance of duties while in a juvenile justice setting.
- 7 (h) Provisions for improving skills in teaching and
8 working with juvenile delinquents.
- 9 (i) Transition plans for students moving into and out
10 of juvenile facilities.
- 11 (j) Procedures and timelines for the timely
12 documentation of credits earned and transfer of student
13 records.
- 14 (k) Methods and procedures for dispute resolution.
- 15 (l) Provisions for ensuring the safety of education
16 personnel and support for the agreed-upon education program.
- 17 (m) Strategies for correcting any deficiencies found
18 through the quality assurance process.
- 19 (15)~~(11)~~ The cooperative agreement pursuant to
20 subsection(14)~~(10)~~ does not preclude the development of an
21 operating agreement or contract between the school district
22 and the provider for each juvenile justice program in the
23 school district where educational programs are to be provided.
24 Any of the matters which must be included in the agreement
25 pursuant to subsection(14)~~(10)~~ may be defined in the
26 operational agreements or operating contracts rather than in
27 the cooperative agreement if agreed to by the Department of
28 Juvenile Justice. Nothing in this section or in a cooperative
29 agreement shall be construed to require the school board to
30 provide more services than can be supported by the funds
31 generated by students in the juvenile justice programs.

1 ~~(16)(a)(12)~~ The Department of Education in
2 consultation with the Department of Juvenile Justice and
3 providers shall establish objective and measurable quality
4 assurance standards for the educational component of
5 residential and nonresidential juvenile justice facilities.
6 These standards shall rate the school district's performance
7 both as a provider and contractor. The quality assurance
8 rating for the education component shall be disaggregated from
9 the overall quality assurance score and reported separately.

10 (b) The Department of Education shall develop and a
11 comprehensive quality assurance review process and schedule
12 for the evaluation of the educational component in juvenile
13 justice programs. The Department of Juvenile Justice quality
14 assurance site visit and the education quality assurance site
15 visit shall be conducted during the same visit.

16 (c) The Department of Education, in consultation with
17 school districts and providers, shall establish minimum
18 thresholds for the standards and key indicators for education
19 programs in juvenile justice facilities. If a school district
20 fails to meet the established minimum standards, the district
21 will be given 6 months to achieve compliance with the
22 standards. If after 6 months, the school district's
23 performance is still below minimum standards, the Department
24 of Education shall exercise sanctions as prescribed by rules
25 adopted by the State Board of Education. If a provider, under
26 contract with the school district, fails to meet minimum
27 standards, such failure shall cause the school district to
28 cancel the provider's contract unless the provider achieves
29 compliance within 6 months or unless there are documented
30 extenuating circumstances.

1 (17)~~(13)~~ The district school board shall not be
2 charged any rent, maintenance, utilities, or overhead on such
3 facilities. Maintenance, repairs, and remodeling of existing
4 facilities shall be provided by the Department of Juvenile
5 Justice.

6 (18)~~(14)~~ When additional facilities are required, the
7 district school board and the Department of Juvenile Justice
8 shall agree on the appropriate site based on the instructional
9 needs of the students. When the most appropriate site for
10 instruction is on district school board property, a special
11 capital outlay request shall be made by the commissioner in
12 accordance with s. 235.41. When the most appropriate site is
13 on state property, state capital outlay funds shall be
14 requested by the Department of Juvenile Justice provided by s.
15 216.043 and shall be submitted as specified by s. 216.023.
16 Any instructional facility to be built on state property shall
17 have educational specifications jointly developed by the
18 school district and the Department of Juvenile Justice and
19 approved by the Department of Education. The size of space
20 and occupant design capacity criteria as provided by state
21 board rules shall be used for remodeling or new construction
22 whether facilities are provided on state property or district
23 school board property.

24 (19)~~(15)~~ The parent or guardian of exceptional
25 students shall have the due process rights provided for in
26 chapter 232.

27 (20)~~(16)~~ Department of Juvenile Justice detention and
28 commitment programs may be designated as second chance schools
29 pursuant to s. 230.2316(3)(d). Admission to such programs
30 shall be governed by chapter 985.

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1 ~~(21)(17)~~ The Department of Education and Department of
2 Juvenile Justice, after consultation with and assistance from
3 local providers and local school districts, shall report
4 annually to the Legislature by February ~~December~~ 1 on the
5 progress towards developing effective educational programs for
6 juvenile delinquents including the amount of funding provided
7 by local school districts to juvenile justice programs, the
8 amount retained for administration including documenting the
9 purposes for such expenses, the status of the development of
10 cooperative agreements, ~~and~~ the results of the quality
11 assurance reviews including recommendations for system
12 improvement, and information on the identification of, and
13 services provided to, exceptional students in juvenile justice
14 commitment facilities to determine whether these students are
15 properly reported for funding and are appropriately served.

16 ~~(22)(18)~~ The educational programs at the Arthur Dozier
17 School for Boys in Jackson County and the Florida School for
18 Boys in Okeechobee shall be operated by the Department of
19 Education, either directly or through grants or contractual
20 agreements with other public or duly accredited education
21 agencies approved by the Department of Education.

22 ~~(23)(19)~~ The Department of Education shall have the
23 authority to adopt any rules necessary to implement the
24 provisions of this section, including uniform curriculum,
25 funding, and second chance schools. Such rules shall require
26 the minimum amount of paperwork and reporting necessary to
27 comply with this act.

28 Section 10. Subsection (2) of section 235.194, Florida
29 Statutes, is amended to read:

30 235.194 General educational facilities report.--

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1 (2) ~~Beginning October 1, 1995,~~Each school board shall
2 submit annually on October 1 to each local government and to
3 each juvenile justice district manager within the school
4 board's jurisdiction a general educational facilities report.
5 The general educational facilities report must contain
6 information detailing existing educational facilities and
7 their locations, including those serving youth in Department
8 of Juvenile Justice programs,and projected needs. The report
9 must also contain the board's capital improvement plan,
10 including planned facilities with funding over the next 3
11 years, and the educational facilities representing the
12 district's unmet need. The school board shall also provide a
13 copy of its educational plan survey to each local government
14 and juvenile justice district manager at least once every 5
15 years.

16 Section 11. Section 235.1975, Florida Statutes, is
17 created to read:

18 235.1975 Cooperative Development of Educational
19 Facilities in Juvenile Justice Programs.--

20 (1) The Department of Management Services, in
21 consultation with the Department of Education and the
22 Department of Juvenile Justice, shall conduct a review and
23 analysis of existing education facilities in Department of
24 Juvenile Justice facilities to determine the adequacy of the
25 facilities for educational use. This information shall be used
26 to generate a 3-year plan for the provision of adequate space,
27 equipment, furnishings, and technology, including
28 retrofitting. The Department of Education shall submit this
29 plan to the Governor, the President the Senate, the Speaker of
30 the House of Representatives, and the Secretary of the
31 Department of Juvenile Justice by November 1, 1999. The plan

1 shall contain sufficient detail for the development of a fixed
2 capital outlay budget request. The amount of \$100,000 in
3 nonrecurring general revenue is hereby appropriated to the
4 Department of Education for the purpose of conducting this
5 study.

6 (2) The Department of Juvenile Justice shall provide
7 early notice to school districts regarding the siting of new
8 juvenile justice facilities. School districts shall include
9 the projected number of students in the districts' annual
10 estimates. School districts should be consulted regarding the
11 types of students expected to be assigned to commitment
12 facilities for education planning and budgeting purposes. The
13 Department of Juvenile Justice shall notify, in writing, the
14 Department of Education when a request for proposals is issued
15 for the construction or operation of a commitment or detention
16 facility anywhere in the state. The Department of Juvenile
17 Justice is also required to notify the district school
18 superintendent within 30 days of the award of a contract for
19 the construction or operation of a commitment or detention
20 facility within that school district.

21 Section 12. Paragraph (a) of subsection (3) of section
22 237.34, Florida Statutes, is amended to read.

23 237.34 Cost accounting and reporting.--

24 (3) PROGRAM EXPENDITURE REQUIREMENTS.--

25 (a) Each district shall expend at least the percent of
26 the funds generated by each of the programs listed herein on
27 the aggregate total school costs for such programs:

- 28 1. Kindergarten and grades 1, 2, and 3, 90 percent.
- 29 2. Grades 4, 5, 6, 7, and 8, 80 percent.
- 30 3. Grades 9, 10, 11, and 12, 80 percent.

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1 4. Programs for exceptional students, on an aggregate
2 program basis, 80 percent.

3 5. Grades 7 through 12 vocational education programs,
4 on an aggregate program basis, 80 percent.

5 6. Students-at-risk programs, on an aggregate program
6 basis, 80 percent.

7 7. Juvenile justice programs, on an aggregate program
8 basis, 90 percent.

9 ~~8.7.~~ Any new program established and funded under s.
10 236.081(1)(c), that is not included under subparagraphs 1.
11 through 6., on an aggregate basis as appropriate, 80 percent.

12 Section 13. Subsection (6) of section 985.401, Florida
13 Statutes, 1998 Supplement, is renumbered as subsection (7),
14 and a new subsection (6) is added to said section to read:

15 985.401 Juvenile Justice Accountability Board.--

16 (6) The board shall study the extent and nature of
17 education programs for juvenile offenders committed by the
18 court to the Department of Juvenile Justice and for juvenile
19 offenders under court supervision in the community. The board
20 shall utilize a subcommittee of interested board members and
21 may request other interested persons to participate and act as
22 a juvenile justice education task force for the study. The
23 task force shall address, at a minimum, the following issues:

24 (a) The impact of education services on students in
25 commitment programs;

26 (b) The barriers impeding the timely transfer of
27 education records;

28 (c) The development and implementation of vocational
29 programming in commitment programs;

30 (d) The implementation of provisions for earning high
31 school credits regardless of varied lengths of stay; and

1 (e) The accountability of school districts and
2 providers regarding the expenditure of education funds.

3 ~~(7)(6)~~ Each state agency shall provide assistance when
4 requested by the board. The board shall have access to all
5 records, files, and reports that are material to its duties
6 and that are in the custody of a school board, a law
7 enforcement agency, a state attorney, a public defender, the
8 court, the Department of Children and Family Services, and the
9 department.

10 Section 14. Paragraph (d) of subsection (3) of section
11 985.413, Florida Statutes, 1998 Supplement, is amended to
12 read:

13 985.413 District juvenile justice boards.--

14 (3) DISTRICT JUVENILE JUSTICE BOARDS.--

15 (d) A district juvenile justice board has the purpose,
16 power, and duty to:

17 1. Advise the district juvenile justice manager and
18 the district administrator on the need for and the
19 availability of juvenile justice programs and services in the
20 district, including the educational services in Department of
21 Juvenile Justice programs.

22 2. Develop a district juvenile justice plan that is
23 based upon the juvenile justice plans developed by each county
24 within the district, and that addresses the needs of each
25 county within the district.

26 3. Develop a district interagency cooperation and
27 information-sharing agreement that supplements county
28 agreements and expands the scope to include appropriate
29 circuit and district officials and groups.

30 4. Coordinate the efforts of the district juvenile
31 justice board with the activities of the Governor's Juvenile

1 Justice and Delinquency Prevention Advisory Committee and
2 other public and private entities.

3 5. Advise and assist the district juvenile justice
4 manager in the provision of optional, innovative delinquency
5 services in the district to meet the unique needs of
6 delinquent children and their families.

7 6. Develop, in consultation with the district juvenile
8 justice manager, funding sources external to the Department of
9 Juvenile Justice for the provision and maintenance of
10 additional delinquency programs and services. The board may,
11 either independently or in partnership with one or more county
12 juvenile justice councils or other public or private entities,
13 apply for and receive funds, under contract or other funding
14 arrangement, from federal, state, county, city, and other
15 public agencies, and from public and private foundations,
16 agencies, and charities for the purpose of funding optional
17 innovative prevention, diversion, or treatment services in the
18 district for delinquent children and children at risk of
19 delinquency, and their families. To aid in this process, the
20 department shall provide fiscal agency services for the
21 councils.

22 7. Educate the community about and assist in the
23 community juvenile justice partnership grant program
24 administered by the Department of Juvenile Justice.

25 8. Advise the district health and human services
26 board, the district juvenile justice manager, and the
27 Secretary of Juvenile Justice regarding the development of the
28 legislative budget request for juvenile justice programs and
29 services in the district and the commitment region, and, in
30 coordination with the district health and human services
31 board, make recommendations, develop programs, and provide

1 funding for prevention and early intervention programs and
2 services designed to serve children in need of services,
3 families in need of services, and children who are at risk of
4 delinquency within the district or region.

5 9. Assist the district juvenile justice manager in
6 collecting information and statistical data useful in
7 assessing the need for prevention programs and services within
8 the juvenile justice continuum program in the district.

9 10. Make recommendations with respect to, and monitor
10 the effectiveness of, the judicial administrative plan for
11 each circuit pursuant to Rule 2.050, Florida Rules of Judicial
12 Administration.

13 11. Provide periodic reports to the health and human
14 services board in the appropriate district of the Department
15 of Children and Family Services. These reports must contain,
16 at a minimum, data about the clients served by the juvenile
17 justice programs and services in the district, as well as data
18 concerning the unmet needs of juveniles within the district.

19 12. Provide a written annual report on the activities
20 of the board to the district administrator, the Secretary of
21 Juvenile Justice, and the Juvenile Justice Accountability
22 ~~Advisory~~ Board. The report should include an assessment of the
23 effectiveness of juvenile justice continuum programs and
24 services within the district, recommendations for elimination,
25 modification, or expansion of existing programs, and
26 suggestions for new programs or services in the juvenile
27 justice continuum that would meet identified needs of children
28 and families in the district.

29 Section 15. The Department of Education shall work in
30 consultation with the Department of Juvenile Justice and the
31 local school districts to develop a plan for education

1 programs in detention centers. The plan shall reflect the
2 unique needs, variability in lengths of stay, and diversity of
3 youth assigned to juvenile justice detention centers. The plan
4 shall anticipate the use of dropout prevention funding and
5 appropriate education funding categories available to juvenile
6 justice facilities and shall provide for appropriate benchmark
7 measures. The plan shall be submitted to the Governor, the
8 Speaker of the House of Representatives, and the President of
9 the Senate prior to January 1, 2000, and shall include
10 appropriate cost estimates.

11 Section 16. Subsection (10) of section 985.404,
12 Florida Statutes, 1998 Supplement, is amended to read:

13 985.404 Administering the juvenile justice
14 continuum.--

15 (10) The department shall annually collect and report
16 cost data for every program operated or contracted by the
17 department. The cost data shall conform to a format approved
18 by the department and the Legislature. Uniform cost data shall
19 be reported and collected for state-operated and contracted
20 programs so that comparisons can be made among programs. The
21 department shall ensure that there is accurate cost accounting
22 for state-operated services including market-equivalent rent
23 and other shared cost. The cost of the educational program
24 provided to a residential facility shall be reported and
25 included in the cost of a program. The department shall submit
26 an annual cost report to the President of the Senate, the
27 Speaker of the House of Representatives, the Minority Leader
28 of each house of the Legislature, the appropriate substantive
29 and appropriations committees of each house of the
30 Legislature, and the Governor, no later than December 1 of
31 each year. Cost-benefit analysis for educational programs will

1 be developed and implemented in collaboration with and
2 cooperation by the Department of Education, local providers,
3 and local school districts. Cost data for the report shall
4 include data collected by the Department of Education for the
5 purposes of preparing the annual report required by s.
6 230.23161(21)~~(17)~~.

7 Section 17. This act shall take effect upon becoming a
8 law.

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HOUSE SUMMARY

Defines "juvenile justice provider" and "school year for juvenile justice programs." Amends provisions relating to the organization and funding of required public schools to require the public schools of the state to provide instruction for youth in Department of Juvenile Justice programs. Requires the development and adoption of a rule articulating expectations for education programs for youth in Department of Juvenile Justice programs. Requires the development of model contracts for the delivery of educational services to youth in Department of Juvenile Justice programs. Requires the Department of Education to provide training and technical assistance. Requires the development of model procedures for transitioning youth into and out of Department of Juvenile Justice programs. Requires the development of model procedures regarding education records. Requires the Department of Education to provide, or contract for the provision of, quality assurance reviews of all juvenile justice education programs. Revises provisions relating to the statewide assessment program to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. Authorizes the establishment of district school advisory councils for juvenile justice education programs. Revises provisions relating to the implementation of the state system of school improvement and education accountability to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. Revises provisions relating to school improvement plans and public disclosure to include schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. Requires common education assessments for all students assigned to residential or nonresidential commitment or detention facilities. Provides legislative intent regarding educational services in Department of Juvenile Justice programs. Requires the Department of Education to serve as the lead agency. Requires the Department of Education and the Department of Juvenile Justice to designate a coordinator to ensure department participation in certain activities. Requires student access to GED programs. Requires certain funding. Revises provisions relating to compulsory school attendance. Requires the development of an academic improvement plan for certain students. Provides requirements regarding academic records. Requires provisions for the earning and transfer of credits. Provides funding requirements. Revises provisions relating to quality assurance standards. Requires the Department of Juvenile Justice site visit and the education quality assurance site visit to take place during the same visit. Requires the establishment of certain minimum standards and requires the State Board of Education to adopt sanctions for performance below minimum standards. Revises requirements regarding an annual report. Requires the submission of the district's general educational facilities report to each juvenile

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1 justice district manager within the school board's
2 jurisdiction. Requires the inclusion of educational
3 facilities serving youth in Department of Juvenile
4 Justice programs in the educational facilities report.
5 Creates a section of law relating to cooperative
6 development of educational facilities in juvenile justice
7 programs. Requires a review and analysis of existing
8 facilities. Requires the development and submission of a
9 plan. Requires the Department of Juvenile Justice to
10 provide certain information to school districts and the
11 Department of Education regarding new juvenile justice
12 facilities. Requires an appropriation. Provides
13 requirements regarding planning and budgeting. Requires
14 each district to expend at least 90 percent of the funds
15 generated by juvenile justice programs on the aggregate
16 total school costs for such programs. Requires the
17 Juvenile Justice Accountability Board to study the extent
18 and nature of education programs for juvenile offenders.
19 Revises the duties of district juvenile justice boards.
20 Requires the development and submission of a plan for
21 education programs in detention centers.
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