

By the Committee on Juvenile Justice and Representatives
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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.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
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:

31

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.
- 19
- 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
28 generated by students in Department of Juvenile Justice
29 Programs be spent on instructional costs for those students.
30 One hundred percent of the formula-based categorial funds
31 generated by students in Department of Juvenile Justice

- 1 Programs must be spent on appropriate categoricals such as
2 instructional materials and public school technology for those
3 students.
- 4 (h) Qualifications of instructional staff and
5 procedures for the selection of instructional staff.
- 6 (i) Transition services, including the roles and
7 responsibilities of appropriate personnel in school districts,
8 provider organizations, and the Department of Juvenile
9 Justice.
- 10 (j) Procedures and timeframe for transfer of education
11 records when a youth enters and leaves a facility.
- 12 (k) The requirement that each school district maintain
13 an academic transcript for each student enrolled in a juvenile
14 justice facility which delineates each course completed by the
15 student as provided by the State Course Code Directory.
- 16 (l) The requirement that each school district make
17 available and transmit a copy of a student's transcript in the
18 discharge packet when the student exits a facility.
- 19 (m) Contract requirements.
- 20 (n) Performance expectations for providers and school
21 districts, including the provision of academic improvement
22 plan as required in s. 232.245.
- 23 (o) The role and responsibility of the school district
24 in securing workforce development funds.
- 25 (p) A series of graduated sanctions for school
26 districts whose educational programs in Department of Juvenile
27 Justice facilities are considered to be unsatisfactory and for
28 instances in which school districts fail to meet standards
29 prescribed by law, rule, or State Board of Education policy.
30 These sanctions shall include the option of requiring a school
31 district to contract with a provider or another school

1 district if the educational program at the Department of
2 Juvenile Justice facility has failed a quality assurance
3 review and after 6 months, is still performing below minimum
4 standards.

5 (q) Other aspects of program operations.

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

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

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

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

27 1. A copy of the student's individualized education
28 plan;

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

1 3. A copy of the student's permanent cumulative
2 record; and

3 4. A copy of the student's academic transcript.

4 5. A portfolio reflecting the youth's academic
5 accomplishments while in the Department of Juvenile Justice
6 program.

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

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

30 (5) The Department of Education shall establish and
31 operate, either directly or indirectly through a contract, a

1 mechanism to provide quality assurance reviews of all juvenile
2 justice education programs and shall provide technical
3 assistance and related research to school districts and
4 providers on how to establish, develop, and operate
5 educational programs that exceed the minimum quality assurance
6 standards.

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

9 229.57 Student assessment program.--

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

21 (a) Submit to the state board a list that specifies
22 student skills and competencies to which the goals for
23 education specified in the state plan apply, including, but
24 not limited to, reading, writing, and mathematics. The skills
25 and competencies must include problem-solving and higher-order
26 skills as appropriate. The commissioner shall select such
27 skills and competencies after receiving recommendations from
28 educators, citizens, and members of the business community.
29 The commissioner shall submit to the state board revisions to
30 the list of student skills and competencies in order to
31

1 maintain continuous progress toward improvements in student
2 proficiency.

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

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

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

29 2. The tests are criterion-referenced and include, to
30 the extent determined by the commissioner, items that require
31 the student to produce information or perform tasks in such a

1 way that the skills and competencies he or she uses can be
2 measured.

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

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

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

30 6. Participation in the testing program is mandatory
31 for all students, including students served in Department of

1 Juvenile Justice programs, except as otherwise prescribed by
2 the commissioner. The commissioner shall recommend rules to
3 the state board for the provision of test adaptations and
4 modifications of procedures as necessary for students in
5 exceptional education programs and for students who have
6 limited English proficiency.

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

10 8. By January 1, 2000, the Department of Education
11 must develop, or select, and implement a common battery of
12 assessment tools which will be used in all juvenile justice
13 programs in the state. These tools must accurately reflect
14 criteria established in the Florida Sunshine State Standards.

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

20 (d) Obtain or develop a career planning assessment to
21 be administered to students, at their option, in grades 7 and
22 10 to assist them in preparing for further education or
23 entering the workforce. The statewide student assessment
24 program must include career planning assessment.

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

31

1 (f) Conduct ongoing research and analysis of student
2 achievement data, including, without limitation, monitoring
3 trends in student achievement, identifying school programs
4 that are successful, and analyzing correlates of school
5 achievement.

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

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

11 229.58 District and school advisory councils.--

12 (1) ESTABLISHMENT.--

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

20 Section 6. Subsections (1), (3), and (4) of section
21 229.592, Florida Statutes, 1998 Supplement, are amended to
22 read:

23 229.592 Implementation of state system of school
24 improvement and education accountability.--

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

1 239.229 shall be incorporated into the school improvement plan
2 for each area technical center operated by a school board by
3 the 1994-1995 school year, and area technical centers shall
4 prepare school report cards incorporating such standards,
5 pursuant to s. 230.23(16), for the 1995-1996 school year. In
6 order to accomplish this, the Florida Commission on Education
7 Reform and Accountability and the school districts and schools
8 shall carry out the duties assigned to them by ss. 229.594 and
9 230.23(16), respectively.

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

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

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

29 2. A program of school improvement that will analyze
30 information to identify schools, including schools operating
31 for the purpose of providing educational services to youth in

1 Department of Juvenile Justice programs, educational programs,
2 or educational activities in need of improvement.

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

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

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

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

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

28 (e) As co-chair of the Florida Commission on Education
29 Reform and Accountability, the commissioner shall appear
30 before the appropriate committees of the Legislature annually
31 in October to report and recommend changes in state policy

1 necessary to foster school improvement and education
2 accountability. The report shall reflect the recommendations
3 of the Florida Commission on Education Reform and
4 Accountability. Included in the report shall be a list of the
5 schools, including schools operating for the purpose of
6 providing educational services to youth in Department of
7 Juvenile Justice programs, for which school boards have
8 developed assistance and intervention plans and an analysis of
9 the various strategies used by the school boards. School
10 reports shall be distributed pursuant to this paragraph and s.
11 230.23(16)(e) according to guidelines adopted by the State
12 Board of Education.

13 (4) DEPARTMENT.--

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

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

31

1 (c) Pursuant to s. 24.121(5)(d), the department shall
2 not release funds from the Educational Enhancement Trust Fund
3 to any district in which a school, including schools operating
4 for the purpose of providing educational services to youth in
5 Department of Juvenile Justice programs, does not have an
6 approved school improvement plan, pursuant to s. 230.23(16),
7 after 1 full school year of planning and development, or does
8 not comply with school advisory council membership composition
9 requirements pursuant to s. 229.58(1). The department shall
10 send a technical assistance team to each school without an
11 approved plan to develop such school improvement plan or to
12 each school without appropriate school advisory council
13 membership composition to develop a strategy for corrective
14 action. The department shall release the funds upon approval
15 of the plan or upon establishment of a plan of corrective
16 action. Notice shall be given to the public of the
17 department's intervention and shall identify each school
18 without a plan or without appropriate school advisory council
19 membership composition.

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

23 230.23 Powers and duties of school board.--The school
24 board, acting as a board, shall exercise all powers and
25 perform all duties listed below:

26 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
27 ACCOUNTABILITY.--Maintain a system of school improvement and
28 education accountability as provided by statute and State
29 Board of Education rule. This system of school improvement and
30 education accountability shall be consistent with, and
31 implemented through, the district's continuing system of

1 planning and budgeting required by this section and ss.
2 229.555 and 237.041. This system of school improvement and
3 education accountability shall include, but not be limited to,
4 the following:

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

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

27 Section 8. Paragraph (c) of subsection (3) of section
28 230.2316, Florida Statutes, 1998 Supplement, is amended to
29 read:

30 230.2316 Dropout prevention.--

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

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

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

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

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

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

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

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

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

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

12 Section 9. Section 230.23161, Florida Statutes, 1998
13 Supplement, is amended to read.

14 230.23161 Educational services in Department of
15 Juvenile Justice programs.--

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

30 (a) Training, collaborating, and coordinating with the
31 Department of Juvenile Justice, local school districts,

1 educational contract providers, and juvenile justice
2 providers, whether state operated or contracted.

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

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

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

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

30 (4)~~(3)~~ The district school board of the county in
31 which the residential or nonresidential care facility or

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

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

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

31

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

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

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

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

1 (11)~~(7)~~ The school district shall recruit and train
2 teachers who are interested, qualified, or experienced in
3 educating students in juvenile justice programs. Students in
4 juvenile justice programs shall be provided a wide range of
5 educational programs and opportunities including textbooks,
6 technology, instructional support, and other resources
7 available to students in public schools. Teachers assigned to
8 educational programs in juvenile justice settings in which the
9 school district operates the educational program shall be
10 selected by the school district in consultation with the
11 director of the juvenile justice facility. Educational
12 programs in juvenile justice facilities shall have access to
13 the substitute teacher pool utilized by the school district.

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

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

1 (a) Juvenile justice education programs shall be
2 funded through the FEFP with a weighted cost factor for
3 Department of Juvenile Justice programs in accordance with s.
4 236.081, except that students with disabilities shall be
5 funded at the higher of the weights for which the student
6 qualifies. Funding for students in Department of Juvenile
7 Justice programs beyond the 180 day school year and summer
8 school shall be specified in the General Appropriations Act.

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

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

20 (d) FTE count periods shall be prescribed in rules of
21 the State Board of Education. The summer school period for
22 students in Department of Juvenile Justice programs shall
23 begin on the day immediately following the end of the regular
24 school year and end on the day immediately preceding the
25 subsequent regular school year. Students shall be funded for
26 no more than 25 hours per week of direct instruction. The
27 Department of Education shall develop a method which captures
28 all direct instructional time provided to such students during
29 the summer school period.

30 (14)~~(10)~~ Each school district shall negotiate a
31 cooperative agreement with the Department of Juvenile Justice

1 on the delivery of educational services to youths under the
2 jurisdiction of the department. Such agreement must include,
3 but is not limited to:

4 (a) Roles and responsibilities of each agency,
5 including the roles and responsibilities of contract
6 providers.

7 (b) Administrative issues including procedures for
8 sharing information.

9 (c) Allocation of resources including maximization of
10 local, state, and federal funding.

11 (d) Procedures for educational evaluation for
12 educational exceptionalities and special needs.

13 (e) Curriculum and delivery of instruction.

14 (f) Classroom management procedures and attendance
15 policies.

16 (g) Procedures for provision of qualified
17 instructional personnel, whether supplied by the school
18 district or provided under contract by the provider, and for
19 performance of duties while in a juvenile justice setting.

20 (h) Provisions for improving skills in teaching and
21 working with juvenile delinquents.

22 (i) Transition plans for students moving into and out
23 of juvenile facilities.

24 (j) Procedures and timelines for the timely
25 documentation of credits earned and transfer of student
26 records.

27 (k) Methods and procedures for dispute resolution.

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

30 (m) Strategies for correcting any deficiencies found
31 through the quality assurance process.

1 ~~(15)(11)~~ The cooperative agreement pursuant to
2 subsection~~(14)(10)~~ does not preclude the development of an
3 operating agreement or contract between the school district
4 and the provider for each juvenile justice program in the
5 school district where educational programs are to be provided.
6 Any of the matters which must be included in the agreement
7 pursuant to subsection~~(14)(10)~~ may be defined in the
8 operational agreements or operating contracts rather than in
9 the cooperative agreement if agreed to by the Department of
10 Juvenile Justice. Nothing in this section or in a cooperative
11 agreement shall be construed to require the school board to
12 provide more services than can be supported by the funds
13 generated by students in the juvenile justice programs.

14 ~~(16)(a)(12)~~ The Department of Education in
15 consultation with the Department of Juvenile Justice and
16 providers shall establish objective and measurable quality
17 assurance standards for the educational component of
18 residential and nonresidential juvenile justice facilities.
19 These standards shall rate the school district's performance
20 both as a provider and contractor. The quality assurance
21 rating for the education component shall be disaggregated from
22 the overall quality assurance score and reported separately.

23 (b) The Department of Education shall develop and a
24 comprehensive quality assurance review process and schedule
25 for the evaluation of the educational component in juvenile
26 justice programs. The Department of Juvenile Justice quality
27 assurance site visit and the education quality assurance site
28 visit shall be conducted during the same visit.

29 (c) The Department of Education, in consultation with
30 school districts and providers, shall establish minimum
31 thresholds for the standards and key indicators for education

1 programs in juvenile justice facilities. If a school district
2 fails to meet the established minimum standards, the district
3 will be given 6 months to achieve compliance with the
4 standards. If after 6 months, the school district's
5 performance is still below minimum standards, the Department
6 of Education shall exercise sanctions as prescribed by rules
7 adopted by the State Board of Education. If a provider, under
8 contract with the school district, fails to meet minimum
9 standards, such failure shall cause the school district to
10 cancel the provider's contract unless the provider achieves
11 compliance within 6 months or unless there are documented
12 extenuating circumstances.

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

18 (18)~~(14)~~ When additional facilities are required, the
19 district school board and the Department of Juvenile Justice
20 shall agree on the appropriate site based on the instructional
21 needs of the students. When the most appropriate site for
22 instruction is on district school board property, a special
23 capital outlay request shall be made by the commissioner in
24 accordance with s. 235.41. When the most appropriate site is
25 on state property, state capital outlay funds shall be
26 requested by the Department of Juvenile Justice provided by s.
27 216.043 and shall be submitted as specified by s. 216.023.
28 Any instructional facility to be built on state property shall
29 have educational specifications jointly developed by the
30 school district and the Department of Juvenile Justice and
31 approved by the Department of Education. The size of space

1 and occupant design capacity criteria as provided by state
2 board rules shall be used for remodeling or new construction
3 whether facilities are provided on state property or district
4 school board property.

5 (19)~~(15)~~ The parent or guardian of exceptional
6 students shall have the due process rights provided for in
7 chapter 232.

8 (20)~~(16)~~ Department of Juvenile Justice detention and
9 commitment programs may be designated as second chance schools
10 pursuant to s. 230.2316(3)(d). Admission to such programs
11 shall be governed by chapter 985.

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

27 (22)~~(18)~~ The educational programs at the Arthur Dozier
28 School for Boys in Jackson County and the Florida School for
29 Boys in Okeechobee shall be operated by the Department of
30 Education, either directly or through grants or contractual
31

1 agreements with other public or duly accredited education
2 agencies approved by the Department of Education.

3 (23)~~(19)~~ The Department of Education shall have the
4 authority to adopt any rules necessary to implement the
5 provisions of this section, including uniform curriculum,
6 funding, and second chance schools. Such rules shall require
7 the minimum amount of paperwork and reporting necessary to
8 comply with this act.

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

11 235.194 General educational facilities report.--

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

27 Section 11. Section 235.1975, Florida Statutes, is
28 created to read:

29 235.1975 Cooperative Development of Educational
30 Facilities in Juvenile Justice Programs.--
31

1 (1) The Department of Management Services, in
2 consultation with the Department of Education and the
3 Department of Juvenile Justice, shall conduct a review and
4 analysis of existing education facilities in Department of
5 Juvenile Justice facilities to determine the adequacy of the
6 facilities for educational use. This information shall be used
7 to generate a 3-year plan for the provision of adequate space,
8 equipment, furnishings, and technology, including
9 retrofitting. The Department of Education shall submit this
10 plan to the Governor, the President the Senate, the Speaker of
11 the House of Representatives, and the Secretary of the
12 Department of Juvenile Justice by November 1, 1999. The plan
13 shall contain sufficient detail for the development of a fixed
14 capital outlay budget request. The amount of \$100,000 in
15 nonrecurring general revenue is hereby appropriated to the
16 Department of Education for the purpose of conducting this
17 study.

18 (2) The Department of Juvenile Justice shall provide
19 early notice to school districts regarding the siting of new
20 juvenile justice facilities. School districts shall include
21 the projected number of students in the districts' annual
22 estimates. School districts should be consulted regarding the
23 types of students expected to be assigned to commitment
24 facilities for education planning and budgeting purposes. The
25 Department of Juvenile Justice shall notify, in writing, the
26 Department of Education when a request for proposals is issued
27 for the construction or operation of a commitment or detention
28 facility anywhere in the state. The Department of Juvenile
29 Justice is also required to notify the district school
30 superintendent within 30 days of the award of a contract for
31

1 the construction or operation of a commitment or detention
2 facility within that school district.

3 Section 12. Paragraph (a) of subsection (3) of section
4 237.34, Florida Statutes, is amended to read.

5 237.34 Cost accounting and reporting.--

6 (3) PROGRAM EXPENDITURE REQUIREMENTS.--

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

10 1. Kindergarten and grades 1, 2, and 3, 90 percent.

11 2. Grades 4, 5, 6, 7, and 8, 80 percent.

12 3. Grades 9, 10, 11, and 12, 80 percent.

13 4. Programs for exceptional students, on an aggregate
14 program basis, 80 percent.

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

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

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

21 8.7. Any new program established and funded under s.
22 236.081(1)(c), that is not included under subparagraphs 1.
23 through 6., on an aggregate basis as appropriate, 80 percent.

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

27 985.401 Juvenile Justice Accountability Board.--

28 (6) The board shall study the extent and nature of
29 education programs for juvenile offenders committed by the
30 court to the Department of Juvenile Justice and for juvenile
31 offenders under court supervision in the community. The board

1 shall utilize a subcommittee of interested board members and
2 may request other interested persons to participate and act as
3 a juvenile justice education task force for the study. The
4 task force shall address, at a minimum, the following issues:

5 (a) The impact of education services on students in
6 commitment programs;

7 (b) The barriers impeding the timely transfer of
8 education records;

9 (c) The development and implementation of vocational
10 programming in commitment programs;

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

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

15 (7)(6) Each state agency shall provide assistance when
16 requested by the board. The board shall have access to all
17 records, files, and reports that are material to its duties
18 and that are in the custody of a school board, a law
19 enforcement agency, a state attorney, a public defender, the
20 court, the Department of Children and Family Services, and the
21 department.

22 Section 14. Paragraph (d) of subsection (3) of section
23 985.413, Florida Statutes, 1998 Supplement, is amended to
24 read:

25 985.413 District juvenile justice boards.--

26 (3) DISTRICT JUVENILE JUSTICE BOARDS.--

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

29 1. Advise the district juvenile justice manager and
30 the district administrator on the need for and the
31 availability of juvenile justice programs and services in the

1 district, including the educational services in Department of
2 Juvenile Justice programs.
3 2. Develop a district juvenile justice plan that is
4 based upon the juvenile justice plans developed by each county
5 within the district, and that addresses the needs of each
6 county within the district.
7 3. Develop a district interagency cooperation and
8 information-sharing agreement that supplements county
9 agreements and expands the scope to include appropriate
10 circuit and district officials and groups.
11 4. Coordinate the efforts of the district juvenile
12 justice board with the activities of the Governor's Juvenile
13 Justice and Delinquency Prevention Advisory Committee and
14 other public and private entities.
15 5. Advise and assist the district juvenile justice
16 manager in the provision of optional, innovative delinquency
17 services in the district to meet the unique needs of
18 delinquent children and their families.
19 6. Develop, in consultation with the district juvenile
20 justice manager, funding sources external to the Department of
21 Juvenile Justice for the provision and maintenance of
22 additional delinquency programs and services. The board may,
23 either independently or in partnership with one or more county
24 juvenile justice councils or other public or private entities,
25 apply for and receive funds, under contract or other funding
26 arrangement, from federal, state, county, city, and other
27 public agencies, and from public and private foundations,
28 agencies, and charities for the purpose of funding optional
29 innovative prevention, diversion, or treatment services in the
30 district for delinquent children and children at risk of
31 delinquency, and their families. To aid in this process, the

1 department shall provide fiscal agency services for the
2 councils.

3 7. Educate the community about and assist in the
4 community juvenile justice partnership grant program
5 administered by the Department of Juvenile Justice.

6 8. Advise the district health and human services
7 board, the district juvenile justice manager, and the
8 Secretary of Juvenile Justice regarding the development of the
9 legislative budget request for juvenile justice programs and
10 services in the district and the commitment region, and, in
11 coordination with the district health and human services
12 board, make recommendations, develop programs, and provide
13 funding for prevention and early intervention programs and
14 services designed to serve children in need of services,
15 families in need of services, and children who are at risk of
16 delinquency within the district or region.

17 9. Assist the district juvenile justice manager in
18 collecting information and statistical data useful in
19 assessing the need for prevention programs and services within
20 the juvenile justice continuum program in the district.

21 10. Make recommendations with respect to, and monitor
22 the effectiveness of, the judicial administrative plan for
23 each circuit pursuant to Rule 2.050, Florida Rules of Judicial
24 Administration.

25 11. Provide periodic reports to the health and human
26 services board in the appropriate district of the Department
27 of Children and Family Services. These reports must contain,
28 at a minimum, data about the clients served by the juvenile
29 justice programs and services in the district, as well as data
30 concerning the unmet needs of juveniles within the district.

31

1 12. Provide a written annual report on the activities
2 of the board to the district administrator, the Secretary of
3 Juvenile Justice, and the Juvenile Justice Accountability
4 ~~Advisory~~ Board. The report should include an assessment of the
5 effectiveness of juvenile justice continuum programs and
6 services within the district, recommendations for elimination,
7 modification, or expansion of existing programs, and
8 suggestions for new programs or services in the juvenile
9 justice continuum that would meet identified needs of children
10 and families in the district.

11 Section 15. The Department of Education shall work in
12 consultation with the Department of Juvenile Justice and the
13 local school districts to develop a plan for education
14 programs in detention centers. The plan shall reflect the
15 unique needs, variability in lengths of stay, and diversity of
16 youth assigned to juvenile justice detention centers. The plan
17 shall anticipate the use of dropout prevention funding and
18 appropriate education funding categories available to juvenile
19 justice facilities and shall provide for appropriate benchmark
20 measures. The plan shall be submitted to the Governor, the
21 Speaker of the House of Representatives, and the President of
22 the Senate prior to January 1, 2000, and shall include
23 appropriate cost estimates.

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

26 985.404 Administering the juvenile justice
27 continuum.--

28 (10) The department shall annually collect and report
29 cost data for every program operated or contracted by the
30 department. The cost data shall conform to a format approved
31 by the department and the Legislature. Uniform cost data shall

1 be reported and collected for state-operated and contracted
2 programs so that comparisons can be made among programs. The
3 department shall ensure that there is accurate cost accounting
4 for state-operated services including market-equivalent rent
5 and other shared cost. The cost of the educational program
6 provided to a residential facility shall be reported and
7 included in the cost of a program. The department shall submit
8 an annual cost report to the President of the Senate, the
9 Speaker of the House of Representatives, the Minority Leader
10 of each house of the Legislature, the appropriate substantive
11 and appropriations committees of each house of the
12 Legislature, and the Governor, no later than December 1 of
13 each year. Cost-benefit analysis for educational programs will
14 be developed and implemented in collaboration with and
15 cooperation by the Department of Education, local providers,
16 and local school districts. Cost data for the report shall
17 include data collected by the Department of Education for the
18 purposes of preparing the annual report required by s.
19 230.23161(21)~~(17)~~.

20 Section 17. This act shall take effect upon becoming a
21 law.

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