

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1550

SPONSOR: Criminal Justice Committee and Senator Dawson-White

SUBJECT: Juvenile Justice Education and Training

DATE: April 20, 1999                      REVISED: 4/21/99                      \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>Cannon</u>	<u>CJ</u>	<u>Favorable/CS</u>
2.	<u>Mannelli</u>	<u>Hadi</u>	<u>FP</u>	<u>Fav /1 amendment</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## I. Summary:

Under current law, the Department of Education (DOE) is statutorily required to provide 25 hours of educational programs to juveniles placed in the custody of the Department of Juvenile Justice (DJJ). These programs include basic education, vocational, and exceptional student programs. Section 985.315, F.S. (Supp. 1998), specifically addresses vocational work training programs, and provides that the DJJ *may require* juveniles placed in high or maximum risk commitments or classified as serious/habitual offenders to participate in these programs.

The committee substitute (CS) for SB 1550 would amend s. 985.315, F.S. (Supp. 1998), by changing its use of the phrase, “vocational work training programs” to “educational/technical and vocational work-related programs,” for the purpose of broadening the types of programs which could be offered to juveniles. Furthermore, the CS would *strongly encourage the DJJ to require* that juveniles placed in high or maximum risk commitments or classified as serious/habitual offenders to participate in an educational/technical or vocational work-related program for 25 hours per week. Finally, the CS would require the Juvenile Justice Accountability Board (JJAB) to conduct a nationwide study of juvenile vocational programs, and would require the DJJ to gather certain information concerning its Florida vocational programs.

This CS substantially amends s. 985.315 of the Florida Statutes.

## II. Present Situation:

### Overview of educational programming for juvenile delinquents

Under current law, a juvenile delinquent, who has been placed in a Chapter 985 detention, commitment, or rehabilitation program, must receive educational programming. s. 230.23161, F.S. (Supp. 1998). Depending on the delinquent’s needs, this programming should include basic (those programs offered to students in regular school), vocational, and/or exceptional student programs. The DOE through its local district school boards is statutorily responsible for providing

these programs for at least five hours per day, five days per week with funding from the Florida Education Finance Program (FEFP). s. 228.041(13), F.S. Furthermore, each school district is required to enter into an agreement with the DJJ which specifies the responsibilities of the DOE and the DJJ in implementing the programming.

The vocational component of the educational programs is specifically addressed in s. 985.315, F.S. (Supp. 1998). In this section, the Legislature recognizes that vocational work programs, which provide job skills training, actual work experience, and assistance in postrelease job placement, are essential to reducing recidivism, and provides that the DJJ *may require* delinquents placed in high or maximum risk commitments or classified as serious/habitual offenders to participate in these programs.

Although the local school district boards are responsible for providing the vocational programs, the DJJ is statutorily responsible for developing procedures which:

- ▶ encourage attitudes favorable to work and a law-abiding life for each juvenile in the work program;
- ▶ expand training opportunities which develop specific work skills;
- ▶ motivate juveniles to utilize their abilities;
- ▶ create training programs that will benefit government and reduce taxpayer government costs; and
- ▶ provide a logical sequence of vocational training, employment in a juvenile vocational work program, and postrelease job placement.

Furthermore, the section provides that the DJJ must establish guidelines for the operation of vocational work programs, which include:

- ▶ an assessment of the delinquent's education, work experience, and emotional, mental, and physical abilities prior to the assignment of the delinquent to a vocational program;
- ▶ an attempt by the DJJ to obtain training credit for a delinquent seeking apprenticeship status or a high school diploma;
- ▶ the transfer of a delinquent from a general work skills program to a specific work skills program, if the delinquent's ability, desire, and work record warrant the transfer; and
- ▶ the modernization and upgrade of vocational equipment facilities and equipment, so that delinquents are exposed to the latest technology.

Finally, the section provides that the DJJ must evaluate the effectiveness of vocational work programs pursuant to the DJJ's quality assurance procedures set forth in s. 985.412(1), F.S.

### **OPPAGA study of educational programming**

In 1998, the Office of Program Policy Analysis and Government Accountability (OPPAGA) studied the educational programs offered in Florida's 150 residential commitment facilities. OPPAGA determined that the basic programs in reading and math are beneficial to a majority of students. The study found that 80 percent of students entering residential commitment facilities scored one or more years under the grade level appropriate for their age in English, and 90 percent scored one or more years under the grade level appropriate for their age in math. However, after an average 6 month stay in the facility, 70 percent of students improved their reading and math skills by at least one grade level, and 25 percent of students improved by three grade levels.

Although, the basic educational programs appear to be serving the remedial needs of students, OPPAGA found that overall the programs fail to adequately assist youth in completing their high school education. According to OPPAGA, only 13 percent of juveniles earn high school diplomas during commitment, while 93 percent of juveniles released from commitment enter the workforce and never return to school. Thus, in many cases, the juvenile never obtains a high school education, and resultingly, the juvenile's future job opportunities are lessened and the possibility of recidivism is increased. Accordingly, OPPAGA suggested that the state's residential commitment programs focus on providing juveniles with an opportunity to take the GED (General Equivalency Diploma) or GED/HSCT (High School Competency Test).

Furthermore, OPPAGA found that the vocational education offered during residential commitments is also inadequate. Presently, 22 percent of residential commitment facilities offer no vocational programs, and only 44 percent of residential commitment facilities offer vocational programs at least five times per week. Moreover, OPPAGA found that education staff in the facilities are unaware of the resources available for vocational education from the DOE. For instance, the DOE has developed a System for Applied Individualized Learning (SAIL), which is a curriculum designed to integrate vocational and academic skills; however, this program is not implemented in residential facilities. Consequently, given that the majority of juveniles enter the work force after release from commitment, OPPAGA suggested that the DOE clearly define vocational education programs, increase educator awareness of DOE resources, and provide specific information on how to obtain school credits for vocational training.

### **JJAB study of educational programming**

In December 1998, the JJAB also issued a report of its study of juvenile justice education programs. In this report, the JJAB indicated that the 1999 Legislature should require the JJAB to study the vocational programming offered in the juvenile justice system. Specifically, the JJAB indicated that the study should address the following questions:

- ▶ Which school districts and providers have good models for vocational programming within the Dropout Prevention Program?
- ▶ How should vocational programming be developed and implemented in juvenile justice educational facilities?

- ▶ What involvement should the business community have in these programs?

### **III. Effect of Proposed Changes:**

The CS amends s. 985.315, F.S. (Supp. 1998), the section concerning vocational work programs for delinquents, by changing the section's use of the phrase, "vocational work training programs" to "educational/technical and vocational work-related programs." This amendment should have the effect of broadening the types of programs which may be provided to delinquents. For example, the DOE's SAIL program, which integrates both vocational and academic skills into one curriculum, would be authorized.

The CS also specifies that the mission of the juvenile educational/technical and vocational work-related programs includes teaching job and trade skills to youth in juvenile justice programs. Moreover, the CS adds that the DJJ should assist juveniles in obtaining postrelease employment, should work in partnership with local businesses to develop the operation of educational/technical and vocational programs, and should attempt to obtain training credits for juveniles in apprenticeship programs.

Furthermore, the CS provides that the DJJ is "strongly encouraged" to require juveniles placed in high or maximum risk commitments or classified as serious/habitual offenders to participate in an educational/technical or vocational work-related program for five hours per day, five days per week.

Finally, as requested in the JJAB's 1998 report concerning educational programming, the CS adds that the JJAB shall conduct a study of effective juvenile vocational and work programs across the United States, and shall report its findings by January 31, 2000. Similarly, the CS provides that the DJJ should gather information on juvenile vocational and work training programs in Florida. This information should include the type of vocational or work program offered, the relevant job skills provided, and whether the program works with the trade industry to place youths in jobs upon release.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

As written, the CS does not require an increase in the number of education program hours currently required. Rather, it strongly encourages the DJJ to focus its efforts on developing relevant educational/technical and vocational work-related programs and to improve the quality and quantity of educational programming. These provisions should be achievable within current department resources.

According to the JJAB, the provision of the CS directing the board to study juvenile vocational and work programs across the nation will be achievable with existing resources.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

#1 by Fiscal Policy Committee:

Renames Maximum-Risk Residential Facilities; provides for interagency agreements between DJJ and State Attorneys for petition recommendation procedures; provides for transfer of pending felony charges to adult court when youth are transferred; adds conspiracy and attempts to the offenses eligible for direct files; adds burglary with assault or battery, home invasion robbery, and carjacking to the offenses eligible for discretionary direct files; creates offense of possession of a firearm for an adjudicated delinquent; adds carjacking, home invasion robbery, and burglary with assault or battery to the list of eligible offenses for maximum-risk residential placement.