

By the Committee on Criminal Justice and Senators
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307-2030-99

1 A bill to be entitled
2 An act relating to juvenile justice education
3 and training programs; amending s. 985.315,
4 F.S.; revising the vocational work training
5 programs under the Department of Juvenile
6 Justice; providing for participation of certain
7 juveniles in educational/technical or
8 vocational work-related program 5 hours per
9 day, 5 days per week; requiring the Juvenile
10 Justice Accountability Board to conduct a study
11 of juvenile vocational and work programs;
12 requiring a report; requiring the department to
13 inventory programs in the state; providing an
14 effective date.

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

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18 Section 1. Section 985.315, Florida Statutes, 1998
19 Supplement, is amended to read:

20 985.315 Educational/technical and vocational
21 work-related ~~work training~~ programs.--

22 (1)(a) It is the finding of the Legislature that the
23 educational/technical and vocational work-related ~~work~~
24 programs of the Department of Juvenile Justice are uniquely
25 different from other programs operated or conducted by other
26 departments in that it is essential to the state that these
27 ~~the work~~ programs provide juveniles with useful information
28 and activities that can lead to meaningful employment after
29 release in order to assist in reducing the return of juveniles
30 to the system.

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1 (b) It is further the finding of the Legislature that
2 the mission of a juvenile educational/technical and vocational
3 work-related work program is, in order of priority:

4 1. To provide a joint effort between the department,
5 the juvenile work programs, and educational/technical and
6 ~~other~~ vocational training programs to reinforce relevant
7 education, training, and postrelease job placement, and help
8 reduce recommitment.

9 2. To serve the security goals of the state through
10 the reduction of idleness of juveniles and the provision of an
11 incentive for good behavior in residential commitment
12 facilities.

13 3. To teach youth in juvenile justice programs
14 relevant job skills and the fundamentals of a trade in order
15 to prepare them for placement in the workforce.

16 (c) It is further the finding of the Legislature that
17 a program which duplicates as closely as possible free-work
18 production and service operations in order to aid juveniles in
19 adjustment after release and to prepare juveniles for gainful
20 employment is in the best interest of the state, juveniles,
21 and the general public.

22 (2)(a) The department is strongly encouraged to ~~may~~
23 require juveniles placed in a high-risk residential,
24 maximum-risk residential, or a serious/habitual offender
25 program to participate in an educational/technical or a
26 vocational work-related work program 5 hours per day, 5 days
27 per week. All policies developed by the department relating
28 to this requirement must be consistent with applicable
29 federal, state, and local labor laws and standards, including
30 all laws relating to child labor.

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1 (b) Nothing in this subsection is intended to restore,
2 in whole or in part, the civil rights of any juvenile. No
3 juvenile compensated under this subsection shall be considered
4 as an employee of the state or the department, nor shall such
5 juvenile come within any other provision of the Workers'
6 Compensation Law.

7 (3) In adopting or modifying master plans for juvenile
8 work programs and educational/technical and vocational
9 training programs, and in the administration of the Department
10 of Juvenile Justice, it shall be the objective of the
11 department to develop:

12 (a) Attitudes favorable to work, the work situation,
13 and a law-abiding life in each juvenile employed in the
14 juvenile work program.

15 (b) Education and training opportunities that are
16 reasonably broad, but which develop specific work skills.

17 (c) Programs that motivate juveniles to use their
18 abilities. ~~Juveniles who do not adjust to these programs shall~~
19 ~~be reassigned.~~

20 (d) Education and training programs that will be of
21 mutual benefit to all governmental jurisdictions of the state
22 by reducing the costs of government to the taxpayers and which
23 integrate all instructional programs into a unified curriculum
24 suitable for all juveniles, but taking account of the
25 different abilities of each juvenile.

26 (e) A logical sequence of educational/technical or
27 vocational training, employment by the juvenile ~~vocational~~
28 work programs, and postrelease job placement for juveniles
29 participating in juvenile work programs.

30 (4)(a) The Department of Juvenile Justice shall
31 establish guidelines for the operation of juvenile

1 educational/technical and vocational work-related work
2 programs, which shall include the following procedures:
3 1. Participation in the educational/technical and
4 vocational work-related programs shall be on a 5-day-per-week,
5 5-hour-per-day basis.
6 ~~2.1.~~ The education, training, work experience,
7 emotional and mental abilities, and physical capabilities of
8 the juvenile and the duration of the term of placement imposed
9 on the juvenile are to be analyzed before assignment of the
10 juvenile inmate into the various processes best suited for
11 educational/technical or vocational training.
12 ~~3.2.~~ When feasible, the department shall attempt to
13 obtain education or training credit for a juvenile seeking
14 apprenticeship status or a high school diploma or its
15 equivalent.
16 ~~4.3.~~ The juvenile may begin in a general education and
17 work skills program and progress to a specific work skills
18 training program, depending upon the ability, desire, and
19 education and work record of the juvenile.
20 ~~5.4.~~ Modernization and upgrading of equipment and
21 facilities should include greater automation and improved
22 production techniques to expose juveniles to the latest
23 technological procedures to facilitate their adjustment to
24 real work situations.
25 (b) Evaluations of juvenile educational/technical and
26 vocational work-related work programs shall be conducted
27 according to the following guidelines:
28 1. Systematic evaluations and quality assurance
29 monitoring shall be implemented, in accordance with ss.
30 985.401(4) and 985.412(1), to determine whether the juvenile
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1 ~~vocational work~~ programs are related to successful postrelease
2 adjustments.

3 2. Operations and policies of the work programs shall
4 be reevaluated to determine if they are consistent with their
5 primary objectives.

6 (c) The department shall seek the advice of private
7 labor and management to:

8 1. Assist its work programs in the development of
9 statewide policies aimed at innovation and organizational
10 change.

11 2. Obtain technical and practical assistance,
12 information, and guidance.

13 3. Encourage the cooperation and involvement of the
14 private sector.

15 4. Assist in the placement of youth into meaningful
16 jobs upon release from the residential program.

17 (d) The department and providers are strongly
18 encouraged to work in partnership with local businesses and
19 trade groups in the development and operation of
20 educational/technical and vocational programs.

21 (5)(a) The Department of Juvenile Justice may adopt
22 and put into effect an agricultural and industrial production
23 and marketing program to provide training facilities for
24 persons placed in serious/habitual offender, high-risk
25 residential, and maximum-risk residential programs and
26 facilities under the control and supervision of the
27 department. The emphasis of this program shall be to provide
28 juveniles with useful work experience and appropriate job
29 skills that will facilitate their reentry into society and
30 provide an economic benefit to the public and the department
31 through effective utilization of juveniles.

1 (b) The department is authorized to contract with the
2 private sector for substantial involvement in a juvenile
3 industry program which includes the operation of a direct
4 private sector business within a juvenile facility and the
5 hiring of juvenile workers. The purposes and objectives of
6 this program shall be to:

7 1. Increase benefits to the general public by
8 reimbursement to the state for a portion of the costs of
9 juvenile residential care.

10 2. Provide purposeful work for juveniles as a means of
11 reducing tensions caused by confinement.

12 3. Increase job skills.

13 4. Provide additional opportunities for rehabilitation
14 of juveniles who are otherwise ineligible to work outside the
15 facilities, such as maximum security juveniles.

16 5. Develop and establish new models for juvenile
17 facility-based businesses which create jobs approximating
18 conditions of private sector employment.

19 6. Draw upon the economic base of operations for
20 disposition to the Crimes Compensation Trust Fund.

21 7. Substantially involve the private sector with its
22 capital, management skills, and expertise in the design,
23 development, and operation of businesses.

24 (c) Notwithstanding any other law to the contrary,
25 including s. 440.15(9), private sector employers shall provide
26 juveniles participating in juvenile work programs under
27 paragraph (b) with workers' compensation coverage, and
28 juveniles shall be entitled to the benefits of such coverage.
29 Nothing in this subsection shall be construed to allow
30 juveniles to participate in unemployment compensation
31 benefits.

