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Proposed Committee Substitute by the Committee on Education Pre-
K - 12

1 A bill to be entitled

2 An act relating to juvenile justice education and
3 workforce programs; amending s. 985.46, F.S.;
4 requiring that each juvenile committed to a juvenile
5 justice commitment program have a transition plan upon
6 release; requiring that the transition plan include an
7 education transition plan component and information
8 regarding delinquency treatment and intervention
9 services that are accessible upon exiting the program;
10 amending s. 985.618, F.S.; providing legislative
11 intent regarding juvenile justice education and
12 workforce-related programs; requiring that the
13 Department of Juvenile Justice verify that each
14 juvenile justice education program meets specified
15 minimum standards; requiring that the effectiveness of
16 the programs be determined by implementing systematic
17 data collection, data analysis, and evaluations;
18 requiring that the programs be evaluated based on
19 student performance outcomes; providing duties for the
20 department; requiring that an annual report be
21 submitted to the Governor and the Legislature by a
22 specified date; requiring that the department
23 collaborate with certain entities to adopt rules;
24 amending ss. 985.632 and 1001.42, F.S.; conforming
25 provisions to changes made by the act; conforming
26 cross-references; amending ss. 1002.20 and 1002.45,
27 F.S.; conforming cross-references; creating s.



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28 1003.515, F.S.; providing a short title; providing
29 purposes of the Florida Juvenile Justice Education
30 Act; providing responsibilities for school districts
31 and private providers contracted by school districts
32 to offer education services to youth in juvenile
33 justice education programs; requiring that each
34 juvenile justice education program involve the
35 regional workforce board or economic development
36 agency and local postsecondary institutions to
37 determine the occupational areas for the education and
38 workforce-related program; providing requirements for
39 education and workforce-related services in juvenile
40 justice programs; providing responsibilities for the
41 Department of Education; requiring that the department
42 identify school districts and private providers by
43 performance ratings; providing criteria for
44 determining performance ratings; requiring that the
45 department make available a common student assessment
46 to measure the academic progress in reading and
47 mathematics of youth in juvenile justice education
48 programs; requiring that school districts and private
49 providers be held accountable for student performance
50 outcomes; providing for program accountability;
51 requiring that a youth who exits the program attain an
52 industry certification, enroll in a program to
53 complete the industry certification, or enroll in and
54 continue his or her education based on a transition
55 plan; requiring that an education transition plan
56 component be incorporated in a youth's transition



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57 plan; requiring that each school district and private
58 provider develop the education transition plan
59 component during the course of the youth's stay in a
60 juvenile justice program; providing funding
61 requirements for the juvenile justice education
62 programs; prohibiting a district school board from
63 being charged rent, maintenance, utilities, or
64 overhead on facilities; requiring that the Department
65 of Juvenile Justice provide maintenance, repairs, and
66 remodeling of existing facilities; requiring that the
67 State Board of Education collaborate with the
68 Department of Juvenile Justice, the Department of
69 Economic Opportunity, school districts, and private
70 providers to adopt rules; repealing s. 1003.52, F.S.,
71 relating to educational services in Department of
72 Juvenile Justice programs; amending s. 1011.62, F.S.;
73 conforming a cross-reference; providing an effective
74 date.

75

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

77

78 Section 1. Subsection (6) is added to section 985.46,
79 Florida Statutes, to read:

80 985.46 Conditional release.—

81 (6) Each juvenile committed to a commitment program shall
82 have a transition plan upon release. Transition planning shall
83 begin for each juvenile upon placement in a commitment program
84 and shall result in an individual transition plan for each youth
85 before he or she is released. The transition plan shall be



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86 developed with the participation of the youth, representatives
87 of the commitment program, school district personnel, and
88 representatives of conditional release or postcommitment
89 probation programs, if appropriate. The transition plan shall
90 include an education transition plan component as provided in s.
91 1003.515(9), as well as information regarding pertinent
92 delinquency treatment and intervention services that are
93 accessible upon exiting the program.

94 (a) For a juvenile who is released on conditional release
95 or postcommitment probation status, the transition plan shall be
96 incorporated into the conditions of release.

97 (b) For a juvenile who is not released on conditional
98 release or postcommitment probation status, the transition plan
99 shall be explained to the youth and provided upon release, with
100 all necessary referrals having been made at least 30 days before
101 the youth exits the program.

102 (c) For a juvenile who participates in a day treatment
103 program, the transition plan shall be explained to the youth and
104 provided upon release. For a juvenile who participates in a day
105 treatment program and who is released on conditional release or
106 postcommitment probation status, the transition plan shall be
107 incorporated into the conditions of release.

108 Section 2. Section 985.618, Florida Statutes, is amended to
109 read:

110 (Substantial rewording of section. See
111 s. 985.618, F.S., for present text.)

112 985.618 Education and workforce-related programs.—

113 (1) The Legislature intends for youth in juvenile justice
114 programs to be provided a quality education that includes



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115 workforce-related skills that lead to continuing education or
116 meaningful employment, or both, and that results in reduced
117 rates of recidivism.

118 (2) The department shall verify that each juvenile justice
119 education program, at a minimum:

120 (a) Uses virtual course offerings that maximize learning
121 opportunities for adjudicated youth.

122 (b) Uses virtual counseling to address the educational and
123 workforce needs of adjudicated youth.

124 (c) Provides instruction from individuals who hold industry
125 credentials in the occupational area in which they teach.

126 (d) Provides instruction during evenings and weekends.

127 (e) Considers, before placement, the age, interests, prior
128 education, training, work experience, emotional and mental
129 abilities, and physical capabilities of the youth and the
130 duration of the term of placement imposed.

131 (f) Expends funds in a manner that directly supports the
132 attainment of successful student outcomes as specified in s.
133 1003.515(6) and that allows youth to engage in real work
134 situations whenever possible.

135 (3) (a) Program effectiveness shall be determined by
136 implementing systematic data collection, data analysis, and
137 education and workforce-related program evaluations pursuant to
138 ss. 985.632 and 1003.515.

139 (b) The evaluation of juvenile justice education and
140 workforce-related programs shall be based on the performance
141 outcomes provided in s. 1003.515(6).

142 (4) The department shall:

143 (a) Monitor the education performance of youth in juvenile



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144 justice facilities.

145 (b) Prohibit school districts or private providers that
146 have failing performance ratings from delivering the education
147 services as provided in s. 1003.515(7).

148 (c) Verify that a school district enters into a contract
149 with a high-performing school district or provider pursuant to
150 s. 1003.515(7) to deliver education services.

151 (5) The department, in collaboration with the Department of
152 Education and in consultation with the school districts and
153 private juvenile justice education program providers, shall
154 prepare an annual report containing the education performance
155 outcomes, based on the criteria in s. 1003.515(6), of youth in
156 juvenile justice education programs. The report shall delineate
157 the performance outcomes of youth in the state, in each school
158 district, and by each private provider, including the
159 performance outcomes of all major student populations and
160 genders, as determined by the Department of Juvenile Justice.
161 The report shall address the use and successful completion of
162 virtual instruction courses and the successful implementation of
163 transition and reintegration plans. The report must include an
164 analysis of the performance of youth over time, including, but
165 not limited to, additional education attainment, employment,
166 earnings, industry certification, and rates of recidivism. The
167 report must also include recommendations for improving
168 performance outcomes and for additional cost savings and
169 efficiencies. The report shall be submitted to the Governor, the
170 President of the Senate, and the Speaker of the House of
171 Representatives by December 31, 2013, and each year thereafter.

172 (6) The department shall collaborate with the Department of



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173 Education, the Department of Economic Opportunity, school
174 districts, and private providers to adopt rules to administer
175 this section.

176 Section 3. Subsection (3) of section 985.632, Florida
177 Statutes, is amended to read:

178 985.632 Quality assurance and cost-effectiveness.—

179 (3) The department shall annually collect and report cost
180 data for every program operated by the department or its
181 contracted provider ~~or contracted by the department~~. The cost
182 data shall conform to a format approved by the department and
183 the Legislature. Uniform cost data shall be reported and
184 collected for each education program operated by a school
185 district or private provider contracted by a school district
186 ~~state-operated and contracted programs~~ so that comparisons can
187 be made among programs. The Department of Education shall ensure
188 that there is accurate cost accounting for education programs
189 operated by school districts and private providers, state-
190 ~~operated services~~ including market-equivalent rent and other
191 shared costs ~~cost~~. The cost of the education ~~educational~~ program
192 ~~provided to a residential facility~~ shall be reported and
193 included in the cost of a program. The Department of Education
194 shall submit ~~an~~ annual cost data ~~report~~ to the department
195 ~~President of the Senate, the Speaker of the House of~~
196 ~~Representatives, the Minority Leader of each house of the~~
197 ~~Legislature, the appropriate substantive and fiscal committees~~
198 ~~of each house of the Legislature, and the Governor, no later~~
199 ~~than December 1 of each year.~~ The annual cost data shall be
200 included in the annual report required under s. 985.618(5).
201 Cost-benefit analysis for juvenile justice education ~~educational~~



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202 programs shall ~~will~~ be developed and implemented in
203 collaboration with and in cooperation with the Department of
204 Education, local providers, and local school districts. ~~Cost~~
205 ~~data for the report shall include data collected by the~~
206 ~~Department of Education for the purposes of preparing the annual~~
207 ~~report required by s. 1003.52(19).~~

208 Section 4. Paragraph (b) of subsection (18) of section
209 1001.42, Florida Statutes, is amended to read:

210 1001.42 Powers and duties of district school board.—The
211 district school board, acting as a board, shall exercise all
212 powers and perform all duties listed below:

213 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
214 Maintain a state system of school improvement and education
215 accountability as provided by statute and State Board of
216 Education rule. This system of school improvement and education
217 accountability shall be consistent with, and implemented
218 through, the district's continuing system of planning and
219 budgeting required by this section and ss. 1008.385, 1010.01,
220 and 1011.01. This system of school improvement and education
221 accountability shall comply with the provisions of ss. 1008.33,
222 1008.34, 1008.345, and 1008.385 and include the following:

223 (b) *Public disclosure.*—The district school board shall
224 provide information regarding the performance of students in ~~and~~
225 education ~~educational~~ programs as required pursuant to ss.
226 1008.22 and 1008.385 and implement a system of school reports as
227 required by statute and State Board of Education rule which
228 shall include schools operating for the purpose of providing
229 education ~~educational~~ services to youth in juvenile justice
230 education ~~Department of Juvenile Justice~~ programs, and for those



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231 programs ~~schools~~, report on the data and education outcomes
232 ~~elements~~ specified in s. 1003.515(6) ~~1003.52(19)~~. Annual public
233 disclosure reports shall be in an easy-to-read report card
234 format and shall include the school's grade, high school
235 graduation rate calculated without GED tests, disaggregated by
236 student ethnicity, and performance data as specified in state
237 board rule.

238 Section 5. Subsection (20) of section 1002.20, Florida
239 Statutes, is amended to read:

240 1002.20 K-12 student and parent rights.—Parents of public
241 school students must receive accurate and timely information
242 regarding their child's academic progress and must be informed
243 of ways they can help their child to succeed in school. K-12
244 students and their parents are afforded numerous statutory
245 rights including, but not limited to, the following:

246 (20) JUVENILE JUSTICE PROGRAMS.—Students who are in
247 juvenile justice programs have the right to receive educational
248 programs and services in accordance with the provisions of s.
249 1003.515 ~~1003.52~~.

250 Section 6. Paragraph (b) of subsection (1) of section
251 1002.45, Florida Statutes, is amended to read:

252 1002.45 Virtual instruction programs.—

253 (1) PROGRAM.—

254 (b) Each school district that is eligible for the sparsity
255 supplement pursuant to s. 1011.62(7) shall provide all enrolled
256 public school students within its boundaries the option of
257 participating in part-time and full-time virtual instruction
258 programs. Each school district that is not eligible for the
259 sparsity supplement shall provide at least three options for



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260 part-time and full-time virtual instruction. All school
261 districts must provide parents with timely written notification
262 of an open enrollment period for full-time students of at least
263 90 days that ends no later than 30 days prior to the first day
264 of the school year. The purpose of the program is to make
265 quality virtual instruction available to students using online
266 and distance learning technology in the nontraditional
267 classroom. A school district virtual instruction program shall
268 provide the following:

269 1. Full-time virtual instruction for students enrolled in
270 kindergarten through grade 12.

271 2. Part-time virtual instruction for students enrolled in
272 grades 9 through 12 courses that are measured pursuant to
273 subparagraph (8)(a)2.

274 3. Full-time or part-time virtual instruction for students
275 enrolled in dropout prevention and academic intervention
276 programs under s. 1003.53, Department of Juvenile Justice
277 education programs under s. 1003.515 ~~1003.52~~, core-curricula
278 courses to meet class size requirements under s. 1003.03, or
279 Florida College System institutions under this section.

280 Section 7. Section 1003.515, Florida Statutes, is created
281 to read:

282 1003.515 The Florida Juvenile Justice Education Act.-

283 (1) SHORT TITLE.-This section may be cited as the "Florida
284 Juvenile Justice Education Act."

285 (2) LEGISLATIVE FINDING.-The Legislature finds that an
286 education is the single most important factor in the
287 rehabilitation of adjudicated youth who are in Department of
288 Juvenile Justice programs.



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- 289 (3) PURPOSES.—The purposes of this section are to:
290 (a) Provide performance-based outcome measures and
291 accountability for juvenile justice education programs; and
292 (b) Improve academic and workforce-related outcomes so that
293 adjudicated and at-risk youth may successfully complete the
294 transition to and reenter the academic and workforce
295 environments.
- 296 (4) SCHOOL DISTRICT AND CONTRACTED EDUCATION PROVIDER
297 RESPONSIBILITIES.—
- 298 (a) A school district or private provider contracted by a
299 school district to offer education services to youth in a
300 juvenile justice education program shall:
- 301 1. Provide rigorous and relevant academic and workforce-
302 related curricula that will lead to industry certifications in
303 an occupational area of high demand identified in the Industry
304 Certification Funding list adopted by the State Board of
305 Education, or articulate to secondary or postsecondary-level
306 coursework, as appropriate.
- 307 2. Support state, local, and regional economic development
308 demands.
- 309 3. Make high-wage and high-demand careers more accessible
310 to adjudicated and at-risk youth.
- 311 4. Reduce rates of recidivism for adjudicated youth.
- 312 5. Provide access to the appropriate courses and
313 instruction to prepare youth for a standard high school diploma
314 or the GED examination, as appropriate.
- 315 6. Provide access to virtual education courses that are
316 appropriate to meet the requirements of academic or workforce-
317 related programs and the requirements for continuing education



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318 specified in the youth's transition and postrelease plans.

319 7. Provide opportunities for earning credits toward high
320 school graduation or credits that articulate to postsecondary
321 education institutions while the youth are in residential and
322 nonresidential juvenile justice facilities.

323 8. Ensure that the credits and partial credits earned by
324 youth are transferred and included in the youth's records as
325 part of the transition plan.

326 9. Ensure that the education program consists of the
327 appropriate academic, workforce-related, or exceptional
328 education curricula and related services that directly support
329 performance outcomes, which must be specified in each youth's
330 transition plan as required by subsection (9).

331 10. If the duration of a youth's stay in a program is less
332 than 40 days, ensure that the youth continues his or her
333 education or workforce-related training that leads to industry
334 certification in an occupational area of high demand.

335 11. Maintain an academic record for each youth who is
336 enrolled in a juvenile justice facility, as required by s.
337 1003.51, and ensure that the coursework, credits, partial
338 credits, occupational completion points, and industry
339 certifications earned by the youth are transferred and included
340 in the youth's transition plan pursuant to s. 985.46.

341 (b) Each school district and private provider shall ensure
342 that the following youth participate in the program:

343 1. Youth who are of compulsory school attendance age
344 pursuant to s. 1003.21.

345 2. Youth who are not of compulsory school attendance age
346 and who have not received a high school diploma or its



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347 equivalent, if the youth is in a juvenile justice facility. Such
348 youth must participate in a workforce-related education program
349 that leads to industry certification in an occupational area of
350 high demand or job placement earning full-time wages.

351 3. Youth who have attained a high school diploma or its
352 equivalent and who are not employed. Such youth must participate
353 in a workforce-related education program that leads to industry
354 certification in an occupational area of high demand or gainful
355 employment earning full-time wages.

356 (5) PROGRAM REQUIREMENTS.—In compliance with the strategic
357 5-year plan under s. 1003.491, each juvenile justice education
358 program shall, in collaboration with the regional workforce
359 board or economic development agency and local postsecondary
360 institutions, determine the appropriate occupational areas for
361 the program. Juvenile justice education programs must:

362 (a) Ensure that rigorous academic and workforce-related
363 coursework is offered and meets or exceeds appropriate state-
364 approved subject area standards, and results in the attainment
365 of industry certification and postsecondary credit, when
366 appropriate;

367 (b) Ensure workforce-related instruction by industry-
368 certified faculty;

369 (c) Maximize the use of private sector personnel;

370 (d) Use strategies to maximize the delivery of virtual
371 instruction;

372 (e) Maximize instructional efficiency for youth in juvenile
373 justice facilities;

374 (f) Provide opportunities for youth to earn weighted or
375 dual enrollment credit for higher-level courses, when



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376 appropriate;

377 (g) Promote credit recovery; and

378 (h) Provide instruction that results in competency,
379 certification, or credentials in workplace skills, including,
380 but not limited to, communication skills, interpersonal skills,
381 decisionmaking skills, work ethic, and the importance of
382 attendance and timeliness in the work environment.

383 (6) DEPARTMENT RESPONSIBILITIES.—

384 (a) The Department of Education shall identify school
385 districts and private providers as having one of the following
386 performance ratings as defined by State Board of Education rule:

387 1. High performance.

388 2. Adequate performance.

389 3. Failing performance.

390 (b) The department shall consider the level of rigor
391 associated with the attainment of a particular outcome when
392 assigning weight to the outcome. The department shall use the
393 following criteria in determining a school district's or private
394 provider's performance rating:

395 1. One or more of the following outcomes for a youth who is
396 middle school age or younger:

397 a. Attaining an industry certification in an occupational
398 area of high demand identified in the Industry Certification
399 Funding list adopted by the State Board of Education, if
400 available and appropriate, and participating in continuing
401 education upon release from a juvenile justice facility.

402 b. Attaining occupational completion points in an
403 occupational area of high demand identified in the Industry
404 Certification Funding list adopted by the State Board of



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405 Education and participating in continuing education upon release
406 from a juvenile justice facility.

407 c. Completing secondary coursework and participating in
408 continuing education upon release from a juvenile justice
409 facility.

410 d. Achieving academic progress in reading and mathematics,
411 as measured by the statewide common assessment adopted by the
412 department for use in juvenile justice education programs, and
413 participating in continuing education upon release from a
414 juvenile justice facility.

415 2. One or more of the following outcomes for a youth who is
416 high school age:

417 a. Achieving academic progress in reading and mathematics,
418 as measured by the statewide common assessment adopted by the
419 department for use in juvenile justice education programs, and
420 participating in continuing education upon release from a
421 juvenile justice facility.

422 b. Earning secondary or postsecondary credit upon release
423 from a juvenile justice facility and participating in continuing
424 education upon release from a juvenile justice facility.

425 c. Attaining a high school diploma or its equivalent and
426 participating in continuing education at the postsecondary level
427 upon release from a juvenile justice facility.

428 d. Attaining a high school diploma or its equivalent and
429 obtaining job placement or self-employment in a position earning
430 full-time wages.

431 e. Attaining an industry certification in an occupational
432 area of high demand identified in the Industry Certification
433 Funding list adopted by the State Board of Education and



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434 attaining job placement or self-employment earning full-time
435 wages in a position for which the student attained an industry
436 certification.

437 f. Attaining occupational completion points in an
438 occupational area of high demand identified in the Industry
439 Certification Funding list adopted by the State Board of
440 Education and job placement or self-employment in a position
441 earning full-time wages.

442 g. Attaining occupational completion points in an
443 occupational area of high demand identified in the Industry
444 Certification Funding list adopted by the State Board of
445 Education and participation in continuing education in order to
446 complete the industry certification in that occupation.

447 (c) By September 1, 2012, the department shall make
448 available a common student assessment to measure the academic
449 progress in reading and mathematics of youth who are assigned to
450 juvenile justice education programs.

451
452 For purposes of performance ratings, school districts and
453 private providers shall be held accountable for the performance
454 outcomes of youth until they are released from supervision by
455 the Department of Juvenile Justice. This subsection does not
456 abrogate the provisions of s. 1002.22 which relate to education
457 records or the requirements of 20 U.S.C. s. 1232g, the Family
458 Educational Rights and Privacy Act.

459 (7) PROGRAM ACCOUNTABILITY.—

460 (a) If a school district or private provider earns two
461 consecutive failing performance ratings or two failing
462 performance ratings in any 3-year period, as provided in



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463 subsection (6), the school district shall enter into a contract
464 with a school district or private provider that has a high-
465 performance rating to deliver the education services to the
466 youth in the program. The Department of Juvenile Justice may use
467 its statutory authority to sanction or prohibit a private
468 provider from delivering education services to youth under the
469 department's supervision due to noneducation reasons.

470 (b) Except as provided in paragraph (a), the school
471 district of the county in which the residential or
472 nonresidential care facility or juvenile assessment facility is
473 located shall deliver education services to youth in Department
474 of Juvenile Justice programs. A school district may enter into a
475 contract with a private provider to deliver the education
476 services in lieu of directly providing the education services.
477 The contract shall include performance criteria as provided in
478 subsection (6).

479 (c) When determining educational placement for youth who
480 enroll in a school district upon release, the school district
481 must consult with the lead educator of the juvenile justice
482 program to which the youth was last assigned and adhere to the
483 transition plan established under s. 985.46(6).

484 (d) If a private provider under contract with a school
485 district maintains a high-performance rating pursuant to
486 subsection (6), the school district may not require a private
487 provider to use the school district's personnel or require
488 qualifications of private provider personnel beyond those that
489 are necessary to protect the health, safety, and welfare of the
490 students, as determined by the Department of Juvenile Justice.

491 (e) Each school district must provide juvenile justice



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492 education programs access to substitute classroom teachers used
493 by the school district.

494 (8) EXITING PROGRAM.—Upon exiting a program, a youth must:

495 (a) Attain an industry certification in an occupational
496 area of high demand identified in the Industry Certification
497 Funding list adopted by the State Board of Education;

498 (b) Enroll in a program to complete the industry
499 certification;

500 (c) Be gainfully employed and earning full-time wages; or

501 (d) Enroll in and continue his or her education based on
502 the transition and postrelease plan provided in s. 958.46.

503 (9) EDUCATION TRANSITION PLAN COMPONENT.—

504 (a) The education transition plan component shall be
505 incorporated in the transition plan pursuant to s. 985.46(6).

506 (b) Each school district and private provider must develop
507 an education transition plan component during the course of a
508 youth's stay in a juvenile justice program which coordinates
509 academic and workforce services and assists the youth in
510 successful community reintegration upon the youth's release.

511 (c) The development of the education transition plan
512 component shall begin upon a youth's placement in the program.
513 The education transition plan component must include the
514 academic and workforce services to be provided during the
515 program stay and the establishment of services to be implemented
516 upon release. The appropriate personnel in the juvenile justice
517 education program, members of the community, the youth, and the
518 youth's family, when appropriate, shall collaborate to develop
519 the education transition plan component.

520 (d) Education planning for reintegration shall begin when



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521 placement decisions are made and continue throughout the youth's
522 stay in order to provide for continuing education, job
523 placement, and other necessary services. Individuals who are
524 responsible for reintegration shall coordinate activities to
525 ensure that the education transition plan component is
526 successfully implemented and a youth is provided access to
527 support services that will sustain the youth's success once he
528 or she is no longer under the supervision of the Department of
529 Juvenile Justice. The education transition plan component must
530 provide for continuing education, workforce development, or
531 meaningful job placement pursuant to the performance outcomes in
532 subsection (6). For purposes of this section, the term
533 "reintegration" means the process by which a youth returns to
534 the community following release from a juvenile justice program.

535 (10) FUNDING.—

536 (a) Youth who are participating in GED preparation programs
537 while under the supervision of the Department of Juvenile
538 Justice shall be funded at the basic program cost factor for
539 juvenile justice programs in the Florida Education Finance
540 Program (FEFP). Juvenile justice education programs shall be
541 funded in the appropriate FEFP program based on the education
542 services needed by the students in the programs pursuant to s.
543 1011.62.

544 (b) Juvenile justice education programs operated through a
545 contract with the Department of Juvenile Justice and under the
546 purview of the department's quality assurance standards and
547 performance outcomes shall receive the appropriate FEFP funding
548 for juvenile justice programs.

549 (c) A district school board shall fund the education



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550 program in a juvenile justice facility at the same or higher
551 level of funding for equivalent students in the district school
552 system based on the funds generated through the FEFP and funds
553 allocated from federal programs.

554 (d) Consistent with the rules of the State Board of
555 Education, district school boards shall request an alternative
556 full-time equivalent (FTE) survey for juvenile justice programs
557 experiencing fluctuations in student enrollment.

558 (e) The State Board of Education shall prescribe rules
559 relating to FTE count periods which must be the same for
560 juvenile justice programs and other public school programs. The
561 summer school period for students in juvenile justice programs
562 shall begin on the day immediately preceding the subsequent
563 regular school year. Students may be funded for no more than 25
564 hours per week of direct instruction; however, students shall be
565 provided access to virtual instruction in order to maximize the
566 most efficient use of time.

567 (11) FACILITIES.—The district school board may not be
568 charged any rent, maintenance, utilities, or overhead on the
569 facilities. Maintenance, repairs, and remodeling of existing
570 facilities shall be provided by the Department of Juvenile
571 Justice.

572 (12) RULEMAKING.—The State Board of Education shall
573 collaborate with the Department of Juvenile Justice, the
574 Department of Economic Opportunity, school districts, and
575 private providers to adopt rules pursuant to ss. 120.536(1) and
576 120.54 to administer this section.

577 Section 8. Section 1003.52, Florida Statutes, is repealed.

578 Section 9. Paragraph (f) of subsection (1) of section



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579 1011.62, Florida Statutes, is amended to read:

580 1011.62 Funds for operation of schools.—If the annual
581 allocation from the Florida Education Finance Program to each
582 district for operation of schools is not determined in the
583 annual appropriations act or the substantive bill implementing
584 the annual appropriations act, it shall be determined as
585 follows:

586 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
587 OPERATION.—The following procedure shall be followed in
588 determining the annual allocation to each district for
589 operation:

590 (f) *Supplemental academic instruction; categorical fund.*—

591 1. There is created a categorical fund to provide
592 supplemental academic instruction to students in kindergarten
593 through grade 12. This paragraph may be cited as the
594 “Supplemental Academic Instruction Categorical Fund.”

595 2. Categorical funds for supplemental academic instruction
596 shall be allocated annually to each school district in the
597 amount provided in the General Appropriations Act. These funds
598 shall be in addition to the funds appropriated on the basis of
599 FTE student membership in the Florida Education Finance Program
600 and shall be included in the total potential funds of each
601 district. These funds shall be used to provide supplemental
602 academic instruction to students enrolled in the K-12 program.
603 Supplemental instruction strategies may include, but are not
604 limited to: modified curriculum, reading instruction, after-
605 school instruction, tutoring, mentoring, class size reduction,
606 extended school year, intensive skills development in summer
607 school, and other methods for improving student achievement.



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608 Supplemental instruction may be provided to a student in any
609 manner and at any time during or beyond the regular 180-day term
610 identified by the school as being the most effective and
611 efficient way to best help that student progress from grade to
612 grade and to graduate.

613 3. Effective with the 1999-2000 fiscal year, funding on the
614 basis of FTE membership beyond the 180-day regular term shall be
615 provided in the FEFP only for students enrolled in juvenile
616 justice education programs or in education programs for
617 juveniles placed in secure facilities or programs under s.
618 985.19. Funding for instruction beyond the regular 180-day
619 school year for all other K-12 students shall be provided
620 through the supplemental academic instruction categorical fund
621 and other state, federal, and local fund sources with ample
622 flexibility for schools to provide supplemental instruction to
623 assist students in progressing from grade to grade and
624 graduating.

625 4. The Florida State University School, as a lab school, is
626 authorized to expend from its FEFP or Lottery Enhancement Trust
627 Fund allocation the cost to the student of remediation in
628 reading, writing, or mathematics for any graduate who requires
629 remediation at a postsecondary educational institution.

630 5. ~~Beginning in the 1999-2000 school year,~~ Dropout
631 prevention programs as defined in ss. 1003.515 ~~1003.52,~~
632 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in
633 group 1 programs under subparagraph (d)3.

634 Section 10. This act shall take effect upon becoming a law.