

By the Committees on Budget Subcommittee on Criminal and Civil Justice Appropriations; Criminal Justice; Education Pre-K - 12; and Education Pre-K - 12

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1                   A bill to be entitled  
2           An act relating to juvenile justice education and  
3           workforce programs; amending s. 985.03, F.S.;  
4           providing a definition for the term "juvenile justice  
5           education programs" for purposes of the act; amending  
6           s. 985.46, F.S.; requiring that each juvenile  
7           committed to a juvenile justice commitment program  
8           have a transition plan upon release; requiring that  
9           the transition plan include an education transition  
10          plan component and information regarding delinquency  
11          treatment and intervention services that are  
12          accessible upon exiting the program; amending s.  
13          985.618, F.S.; providing legislative intent regarding  
14          juvenile justice education and workforce-related  
15          programs; requiring that the Department of Juvenile  
16          Justice, in collaboration with the Department of  
17          Education, annually verify that each juvenile justice  
18          education program meets specified minimum standards;  
19          requiring that the department collaborate with certain  
20          entities to adopt rules; amending s. 985.632, F.S.;  
21          conforming provisions to changes made by the act;  
22          requiring that the Department of Education rather than  
23          the Department of Juvenile Justice ensure that there  
24          is accurate cost accounting for certain education  
25          programs; requiring that the Department of Education  
26          submit annual cost data to the Department of Juvenile  
27          Justice; requiring that the effectiveness of juvenile  
28          justice education programs be determined by  
29          implementing systematic data collection, data

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30 analysis, and evaluations; requiring that the programs  
31 be evaluated based on student performance outcomes;  
32 requiring that the Department of Juvenile Justice, in  
33 collaboration with the Department of Education and in  
34 consultation with other entities, prepare and submit  
35 an annual report to the Governor and the Legislature  
36 by a specified date; amending s. 985.721, F.S.;

37 conforming a cross-reference; amending s. 1001.42,  
38 F.S.; conforming provisions to changes made by the  
39 act; conforming a cross-reference; amending ss.  
40 1002.20 and 1002.45, F.S.; conforming cross-  
41 references; amending s. 1003.01, F.S.; revising the  
42 term "juvenile justice education programs or schools"  
43 to conform to changes made by the act; creating s.  
44 1003.515, F.S.; providing a short title; providing a  
45 legislative finding; providing purposes of the Florida  
46 Juvenile Justice Education Act; providing a definition  
47 for the term "juvenile justice education programs";  
48 providing responsibilities for school districts and  
49 private providers contracted by school districts to  
50 offer education services to youth in juvenile justice  
51 education programs; requiring that each juvenile  
52 justice residential and nonresidential program involve  
53 the regional workforce board or economic development  
54 agency and local postsecondary institutions to  
55 determine the occupational areas for the education and  
56 workforce-related program; providing requirements for  
57 education and workforce-related services in juvenile  
58 justice programs; providing responsibilities for the

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59 Department of Education; requiring that the department  
60 identify each juvenile justice residential and  
61 nonresidential education program, excluding detention  
62 programs, by performance ratings; providing criteria  
63 for determining performance ratings; requiring that  
64 the department make available a common student pre-  
65 and post-assessment to measure the academic progress  
66 in reading and mathematics of youth in juvenile  
67 justice education programs; requiring that juvenile  
68 justice residential and nonresidential education  
69 programs, excluding detention centers, be held  
70 accountable for student performance outcomes for a  
71 specified period after youth are released from the  
72 programs; providing for program accountability;  
73 requiring that the department monitor the education  
74 performance of youth, prohibit certain school district  
75 or private providers, under specified circumstances,  
76 from delivering education services, and verify that a  
77 school district is operating or contracting to deliver  
78 education services; providing for a school district's  
79 responsibilities; requiring that a youth who exits the  
80 program attain an industry certification or  
81 occupational completion points, enroll in a program to  
82 complete the industry certification, be gainfully  
83 employed, or enroll in and continue his or her  
84 education based on a transition plan; requiring that  
85 an education transition plan component be incorporated  
86 in a youth's transition plan; requiring that each  
87 juvenile justice education program develop the

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88 education transition plan component during the course  
89 of the youth's stay in a juvenile justice residential  
90 or nonresidential program; prohibiting a district  
91 school board from being charged rent, maintenance,  
92 utilities, or overhead on facilities; requiring that  
93 the Department of Juvenile Justice provide  
94 maintenance, repairs, and remodeling of existing  
95 facilities; requiring that the State Board of  
96 Education collaborate with the Department of Juvenile  
97 Justice, the Department of Economic Opportunity,  
98 school districts, and private providers to adopt  
99 rules; amending s. 1003.52, F.S.; deleting provisions  
100 relating to educational services in Department of  
101 Juvenile Justice programs to conform to changes made  
102 by the act; amending s. 1009.25, F.S.; providing an  
103 exemption from the payment of postsecondary education  
104 fees and tuition for certain youth who are ordered by  
105 a court to participate in a juvenile justice  
106 residential program; amending s. 1010.20, F.S.;  
107 revising provisions relating to expenditure  
108 requirements for juvenile justice programs; amending  
109 s. 1011.62, F.S.; extending dates relating to the  
110 funding of students who are enrolled in juvenile  
111 justice education programs or in education programs  
112 for juveniles placed in secure facilities; conforming  
113 a cross-reference; providing an effective date.

114  
115 Be It Enacted by the Legislature of the State of Florida:  
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117 Section 1. Present subsections (30) through (57) of section  
118 985.03, Florida Statutes, are redesignated as subsections (31)  
119 through (58), respectively, and a new subsection (30) is added  
120 to that section, to read:

121 985.03 Definitions.—As used in this chapter, the term:  
122 (30) "Juvenile justice education programs" has the same  
123 meaning as provided in s. 1003.01(11)(a).

124 Section 2. Subsection (6) is added to section 985.46,  
125 Florida Statutes, to read:

126 985.46 Conditional release.—

127 (6) Each juvenile committed to a commitment program shall  
128 have a transition plan upon release. Transition planning shall  
129 begin for each juvenile upon placement in a commitment program  
130 and shall result in an individual transition plan for each youth  
131 before he or she is released. The transition plan shall be  
132 developed with the participation of the youth, representatives  
133 of the commitment program, school district personnel, and  
134 representatives of conditional release or postcommitment  
135 probation programs, if appropriate. The transition plan shall  
136 include an education transition plan component as provided in s.  
137 1003.515(10), as well as information regarding pertinent  
138 delinquency treatment and intervention services that are  
139 accessible upon exiting the program.

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

143 (b) For a juvenile who is not released on conditional  
144 release or postcommitment probation status, the transition plan  
145 shall be explained to the youth and provided upon release, with

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146 all necessary referrals having been made at least 30 days before  
147 the youth exits the program.

148 (c) For a juvenile who participates in a nonresidential  
149 program, the transition plan shall be explained to the youth and  
150 provided upon release. For a juvenile who participates in a  
151 nonresidential program and who is released on conditional  
152 release or postcommitment probation status, the transition plan  
153 shall be incorporated into the conditions of release.

154 Section 3. Section 985.618, Florida Statutes, is amended to  
155 read:

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

158 985.618 Education and workforce-related programs.—

159 (1) The Legislature intends for youth in juvenile justice  
160 programs to be provided a quality education that includes  
161 workforce-related skills that lead to continuing education or  
162 meaningful employment, or both, and that results in reduced  
163 rates of recidivism.

164 (2) The department, in collaboration with the Department of  
165 Education, shall annually verify that each juvenile justice  
166 education program, at a minimum:

167 (a) Provides access to virtual course offerings that  
168 maximize learning opportunities for youth.

169 (b) Encourages access to virtual counseling to address the  
170 educational and workforce needs of adjudicated youth.

171 (c) Provides instruction from individuals who hold industry  
172 credentials in the occupational areas in which they teach.

173 (d) Ensures that students in juvenile justice residential  
174 education programs have access to virtual instruction or

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175 instruction offered by volunteers during evenings and weekends.

176 (e) Considers, before placement, the age, interests, prior  
177 education, training, work experience, emotional and mental  
178 abilities, treatment needs, and physical capabilities of the  
179 youth and the duration of the term of placement imposed.

180 (f) Provides specialized instruction, related services,  
181 accommodations, and modifications as are necessary to ensure the  
182 provision of a free, appropriate public education for students  
183 with disabilities.

184 (g) Expends funds in a manner that directly supports the  
185 attainment of successful student outcomes as specified in s.  
186 1003.515(7) and that allows youth to engage in real work  
187 situations whenever possible.

188 (3) The department shall collaborate with the Department of  
189 Education, the Department of Economic Opportunity, school  
190 districts, and private providers to adopt rules to administer  
191 this section.

192 Section 4. Section 985.632, Florida Statutes, is amended to  
193 read:

194 985.632 Quality assurance and cost-effectiveness.—

195 (1) It is the intent of the Legislature that the  
196 department:

197 (a) Ensure that information be provided to decisionmakers  
198 in a timely manner so that resources are allocated to programs  
199 of the department which achieve desired performance levels.

200 (b) Provide information about the cost of such programs and  
201 their differential effectiveness so that the quality of such  
202 programs can be compared and improvements made continually.

203 (c) Provide information to aid in developing related policy

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204 issues and concerns.

205 (d) Provide information to the public about the  
206 effectiveness of such programs in meeting established goals and  
207 objectives.

208 (e) Provide a basis for a system of accountability so that  
209 each client is afforded the best programs to meet his or her  
210 needs.

211 (f) Improve service delivery to clients.

212 (g) Modify or eliminate activities that are not effective.

213 (2) As used in this section, the term:

214 (a) "Client" means any person who is being provided  
215 treatment or services by the department or by a provider under  
216 contract with the department.

217 (b) "Program component" means an aggregation of generally  
218 related objectives which, because of their special character,  
219 related workload, and interrelated output, can logically be  
220 considered an entity for purposes of organization, management,  
221 accounting, reporting, and budgeting.

222 (c) "Program effectiveness" means the ability of the  
223 program to achieve desired client outcomes, goals, and  
224 objectives.

225 (3) The department shall annually collect and report cost  
226 data for every program operated by the department or its  
227 contracted provider ~~or contracted by the department~~. The cost  
228 data shall conform to a format approved by the department and  
229 the Legislature. Uniform cost data shall be reported and  
230 collected for each education program operated by a school  
231 district or private provider contracted by a school district  
232 ~~state-operated and contracted programs~~ so that comparisons can



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233 be made among programs. The Department of Education shall ensure  
234 that there is accurate cost accounting for education programs  
235 operated by school districts, including those programs operated  
236 by private providers under contract with school districts ~~state-~~  
237 ~~operated services including market-equivalent rent and other~~  
238 ~~shared cost. The cost of the educational program provided to a~~  
239 ~~residential facility shall be reported and included in the cost~~  
240 ~~of a program.~~ The Department of Education shall submit ~~an~~ annual  
241 cost data report to the department ~~President of the Senate, the~~  
242 ~~Speaker of the House of Representatives, the Minority Leader of~~  
243 ~~each house of the Legislature, the appropriate substantive and~~  
244 ~~fiscal committees of each house of the Legislature, and the~~  
245 ~~Governor, no later than December 1 of each year.~~ The annual cost  
246 data shall be included in the annual report required in  
247 subsection (7). Cost-benefit analysis for juvenile justice  
248 education ~~educational~~ programs shall ~~will~~ be developed and  
249 implemented in collaboration with and in cooperation with the  
250 Department of Education, local providers, and local school  
251 districts. ~~Cost data for the report shall include data collected~~  
252 ~~by the Department of Education for the purposes of preparing the~~  
253 ~~annual report required by s. 1003.52(19).~~

254 (4) (a) The department, in consultation with the Office of  
255 Economic and Demographic Research and contract service  
256 providers, shall develop a cost-effectiveness model and apply  
257 the model to each commitment program. Program recidivism rates  
258 shall be a component of the model. The cost-effectiveness model  
259 shall compare program costs to client outcomes and program  
260 outputs. It is the intent of the Legislature that continual  
261 development efforts take place to improve the validity and

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262 reliability of the cost-effectiveness model.

263 (b) The department shall rank commitment programs based on  
264 the cost-effectiveness model and shall submit a report to the  
265 appropriate substantive and fiscal committees of each house of  
266 the Legislature by December 31 of each year.

267 (c) Based on reports of the department on client outcomes  
268 and program outputs and on the department's most recent cost-  
269 effectiveness rankings, the department may terminate a program  
270 operated by the department or a provider if the program has  
271 failed to achieve a minimum threshold of program effectiveness.  
272 This paragraph does not preclude the department from terminating  
273 a contract as provided under this section or as otherwise  
274 provided by law or contract, and does not limit the department's  
275 authority to enter into or terminate a contract.

276 (d) In collaboration with the Office of Economic and  
277 Demographic Research, and contract service providers, the  
278 department shall develop a work plan to refine the cost-  
279 effectiveness model so that the model is consistent with the  
280 performance-based program budgeting measures approved by the  
281 Legislature to the extent the department deems appropriate. The  
282 department shall notify the Office of Program Policy Analysis  
283 and Government Accountability of any meetings to refine the  
284 model.

285 (e) Contingent upon specific appropriation, the department,  
286 in consultation with the Office of Economic and Demographic  
287 Research, and contract service providers, shall:

288 1. Construct a profile of each commitment program that uses  
289 the results of the quality assurance report required by this  
290 section, the cost-effectiveness report required in this

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291 subsection, and other reports available to the department.

292 2. Target, for a more comprehensive evaluation, any  
293 commitment program that has achieved consistently high, low, or  
294 disparate ratings in the reports required under subparagraph 1.

295 3. Identify the essential factors that contribute to the  
296 high, low, or disparate program ratings.

297 4. Use the results of these evaluations in developing or  
298 refining juvenile justice programs or program models, client  
299 outcomes and program outputs, provider contracts, quality  
300 assurance standards, and the cost-effectiveness model.

301 (5) (a) Program effectiveness shall be determined by  
302 implementing systematic data collection, data analysis, and  
303 education and workforce-related program evaluations pursuant to  
304 this section and s. 1003.515.

305 (b) The evaluation of juvenile justice education and  
306 workforce-related programs shall be based on the performance  
307 outcomes provided in s. 1003.515(7).

308 (6)~~(5)~~ The department shall:

309 (a) Establish a comprehensive quality assurance system for  
310 each program operated by the department or its contracted  
311 provider ~~operated by a provider under contract with the~~  
312 ~~department~~. Each contract entered into by the department must  
313 provide for quality assurance.

314 (b) Provide operational definitions of and criteria for  
315 quality assurance for each specific program component.

316 (c) Establish quality assurance goals and objectives for  
317 each specific program component.

318 (d) Establish the information and specific data elements  
319 required for the quality assurance program.

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320 (e) Develop a quality assurance manual of specific,  
321 standardized terminology and procedures to be followed by each  
322 program.

323 (f) Evaluate each program operated by the department or its  
324 contracted a provider ~~under a contract with the department~~ and  
325 establish minimum thresholds for each program component. If a  
326 provider fails to meet the established minimum thresholds, such  
327 failure shall cause the department to cancel the provider's  
328 contract unless the provider achieves compliance with minimum  
329 thresholds within 6 months or unless there are documented  
330 extenuating circumstances. In addition, the department may not  
331 contract with the same provider for the canceled service for a  
332 period of 12 months. If a department-operated program fails to  
333 meet the established minimum thresholds, the department must  
334 take necessary and sufficient steps to ensure and document  
335 program changes to achieve compliance with the established  
336 minimum thresholds. If the department-operated program fails to  
337 achieve compliance with the established minimum thresholds  
338 within 6 months and if there are no documented extenuating  
339 circumstances, the department must notify the Executive Office  
340 of the Governor and the Legislature of the corrective action  
341 taken. Appropriate corrective action may include, but is not  
342 limited to:

343 1. Contracting out for the services provided in the  
344 program;

345 2. Initiating appropriate disciplinary action against all  
346 employees whose conduct or performance is deemed to have  
347 materially contributed to the program's failure to meet  
348 established minimum thresholds;

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349 3. Redesigning the program; or

350 4. Realigning the program.

351  
352 The department shall submit an annual report to the President of  
353 the Senate, the Speaker of the House of Representatives, the  
354 Minority Leader of each house of the Legislature, the  
355 appropriate substantive and fiscal committees of each house of  
356 the Legislature, and the Governor, no later than February 1 of  
357 each year. The annual report must contain, at a minimum, for  
358 each specific program component: a comprehensive description of  
359 the population served by the program; a specific description of  
360 the services provided by the program; cost; a comparison of  
361 expenditures to federal and state funding; immediate and long-  
362 range concerns; and recommendations to maintain, expand,  
363 improve, modify, or eliminate each program component so that  
364 changes in services lead to enhancement in program quality. The  
365 department shall ensure the reliability and validity of the  
366 information contained in the report.

367 (7) The department, in collaboration with the Department of  
368 Education and in consultation with the school districts and  
369 private juvenile justice education program providers, shall  
370 prepare an annual report containing the education performance  
371 outcomes, based on the criteria in s. 1003.515(7), of youth in  
372 juvenile justice education programs. The report shall delineate  
373 the performance outcomes of youth in the state, in each school  
374 district's juvenile justice education program, and for each  
375 private provider's juvenile justice education program, including  
376 the performance outcomes of all major student populations and  
377 genders, as determined by the Department of Education. The

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378 report shall address the use and successful completion of  
379 virtual instruction courses and the successful implementation of  
380 transition and reintegration plans. The report must include an  
381 analysis of the performance of youth over time, including, but  
382 not limited to, additional education attainment, employment,  
383 earnings, industry certification, and rates of recidivism. The  
384 report must also include recommendations for improving  
385 performance outcomes and for additional cost savings and  
386 efficiencies. The report shall be submitted to the Governor, the  
387 President of the Senate, and the Speaker of the House of  
388 Representatives by February 15, 2014, and each year thereafter.

389 (8)~~(6)~~ The department shall collect and analyze available  
390 statistical data for the purpose of ongoing evaluation of all  
391 programs. The department shall provide the Legislature with  
392 necessary information and reports to enable the Legislature to  
393 make informed decisions regarding the effectiveness of, and any  
394 needed changes in, services, programs, policies, and laws.

395 Section 5. Section 985.721, Florida Statutes, is amended to  
396 read:

397 985.721 Escapes from secure detention or residential  
398 commitment facility.—An escape from:

399 (1) Any secure detention facility maintained for the  
400 temporary detention of children, pending adjudication,  
401 disposition, or placement;

402 (2) Any residential commitment facility described in s.  
403 985.03(46) ~~985.03(45)~~, maintained for the custody, treatment,  
404 punishment, or rehabilitation of children found to have  
405 committed delinquent acts or violations of law; or

406 (3) Lawful transportation to or from any such secure

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407 detention facility or residential commitment facility,

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409 constitutes escape within the intent and meaning of s. 944.40  
410 and is a felony of the third degree, punishable as provided in  
411 s. 775.082, s. 775.083, or s. 775.084.

412 Section 6. Paragraph (b) of subsection (18) of section  
413 1001.42, Florida Statutes, is amended to read:

414 1001.42 Powers and duties of district school board.—The  
415 district school board, acting as a board, shall exercise all  
416 powers and perform all duties listed below:

417 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
418 Maintain a state system of school improvement and education  
419 accountability as provided by statute and State Board of  
420 Education rule. This system of school improvement and education  
421 accountability shall be consistent with, and implemented  
422 through, the district's continuing system of planning and  
423 budgeting required by this section and ss. 1008.385, 1010.01,  
424 and 1011.01. This system of school improvement and education  
425 accountability shall comply with the provisions of ss. 1008.33,  
426 1008.34, 1008.345, and 1008.385 and include the following:

427 (b) *Public disclosure.*—The district school board shall  
428 provide information regarding the performance of students in ~~and~~  
429 education ~~educational~~ programs as required pursuant to ss.  
430 1008.22 and 1008.385 and implement a system of school reports as  
431 required by statute and State Board of Education rule which  
432 shall include schools operating for the purpose of providing  
433 education ~~educational~~ services to youth in Department of  
434 Juvenile Justice residential and nonresidential programs, and  
435 for those programs ~~schools~~, report on the data and education

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436 outcomes ~~elements~~ specified in s. 1003.515(7) ~~1003.52(19)~~.

437 Annual public disclosure reports shall be in an easy-to-read  
438 report card format and shall include the school's grade, high  
439 school graduation rate calculated without GED tests,  
440 disaggregated by student ethnicity, and performance data as  
441 specified in state board rule.

442 Section 7. Subsection (20) of section 1002.20, Florida  
443 Statutes, is amended to read:

444 1002.20 K-12 student and parent rights.—Parents of public  
445 school students must receive accurate and timely information  
446 regarding their child's academic progress and must be informed  
447 of ways they can help their child to succeed in school. K-12  
448 students and their parents are afforded numerous statutory  
449 rights including, but not limited to, the following:

450 (20) JUVENILE JUSTICE PROGRAMS.—Students who are in  
451 juvenile justice programs have the right to receive educational  
452 programs and services in accordance with the provisions of s.  
453 1003.515 ~~1003.52~~.

454 Section 8. Paragraph (b) of subsection (1) of section  
455 1002.45, Florida Statutes, is amended to read:

456 1002.45 Virtual instruction programs.—

457 (1) PROGRAM.—

458 (b) Each school district that is eligible for the sparsity  
459 supplement pursuant to s. 1011.62(7) shall provide all enrolled  
460 public school students within its boundaries the option of  
461 participating in part-time and full-time virtual instruction  
462 programs. Each school district that is not eligible for the  
463 sparsity supplement shall provide at least three options for  
464 part-time and full-time virtual instruction. All school



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465 districts must provide parents with timely written notification  
466 of an open enrollment period for full-time students of at least  
467 90 days that ends no later than 30 days before ~~prior to~~ the  
468 first day of the school year. The purpose of the program is to  
469 make quality virtual instruction available to students using  
470 online and distance learning technology in the nontraditional  
471 classroom. A school district virtual instruction program shall  
472 provide the following:

473 1. Full-time virtual instruction for students enrolled in  
474 kindergarten through grade 12.

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

478 3. Full-time or part-time virtual instruction for students  
479 enrolled in dropout prevention and academic intervention  
480 programs under s. 1003.53, Department of Juvenile Justice  
481 education programs under s. 1003.515 ~~1003.52~~, core-curricula  
482 courses to meet class size requirements under s. 1003.03, or  
483 Florida College System institutions under this section.

484 Section 9. Paragraph (a) of subsection (11) of section  
485 1003.01, Florida Statutes, is amended to read:

486 1003.01 Definitions.—As used in this chapter, the term:

487 (11)(a) "Juvenile justice education programs ~~or schools~~"  
488 means programs ~~or schools~~ operating for the purpose of providing  
489 educational services to youth in Department of Juvenile Justice  
490 programs, for a school year comprised of 250 days of instruction  
491 distributed over 12 months. At the request of the provider, a  
492 district school board may decrease the minimum number of days of  
493 instruction by up to 10 days for teacher planning for

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494 residential programs and up to 20 days for teacher planning for  
495 nonresidential programs, subject to the approval of the  
496 Department of Juvenile Justice and the Department of Education.

497 Section 10. Section 1003.515, Florida Statutes, is created  
498 to read:

499 1003.515 The Florida Juvenile Justice Education Act.—

500 (1) SHORT TITLE.—This section may be cited as the “Florida  
501 Juvenile Justice Education Act.”

502 (2) LEGISLATIVE FINDING.—The Legislature finds that an  
503 education is the single most important factor in the  
504 rehabilitation of adjudicated youth who are in Department of  
505 Juvenile Justice residential and nonresidential programs.

506 (3) PURPOSES.—The purposes of this section are to:

507 (a) Provide performance-based outcome measures and  
508 accountability for juvenile justice education programs; and

509 (b) Improve academic and workforce-related outcomes so that  
510 adjudicated and at-risk youth may successfully complete the  
511 transition to and reenter the academic and workforce  
512 environments.

513 (4) DEFINITION.—For purposes of this section, the term  
514 “juvenile justice education programs” has the same meaning as in  
515 s. 1003.01(11)(a).

516 (5) SCHOOL DISTRICT AND CONTRACTED EDUCATION PROVIDER  
517 RESPONSIBILITIES.—

518 (a) A school district or private provider contracted by a  
519 school district to offer education services to youth in a  
520 juvenile justice education program shall:

521 1. Provide rigorous and relevant academic and workforce-  
522 related curricula that will lead to industry certifications or

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523 occupational completion points in an occupational area  
524 identified in the Industry Certification Funding list adopted by  
525 the State Board of Education, or articulate to secondary or  
526 postsecondary-level coursework, as appropriate.

527 2. Support state, local, and regional economic development  
528 demands.

529 3. Make high-wage and high-demand careers more accessible  
530 to adjudicated and at-risk youth.

531 4. Reduce rates of recidivism for adjudicated youth.

532 5. Provide access to the appropriate courses and  
533 instruction to prepare youth for a standard high school diploma,  
534 a special diploma, or a high school equivalency diploma, as  
535 appropriate.

536 6. Provide access to virtual education courses that are  
537 appropriate to meet the requirements of academic or workforce-  
538 related programs and the requirements for continuing education  
539 specified in the youth's transition and postrelease plans.

540 7. Provide opportunities for earning credits toward high  
541 school graduation or credits that articulate to postsecondary  
542 education institutions while the youth are in residential and  
543 nonresidential juvenile justice facilities.

544 8. Ensure that the credits and partial credits earned by  
545 the youth are transferred and included in the youth's records as  
546 part of the transition plan.

547 9. Ensure that the education program consists of the  
548 appropriate academic, workforce-related, or exceptional  
549 education curricula and related services that directly support  
550 performance outcomes, which must be specified in each youth's  
551 education transition plan component as required by subsection

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552 (10).

553 10. If the duration of a youth's stay in a program is less  
554 than 40 days, ensure that the youth receives employability, life  
555 skills, and academic remediation, as appropriate. In addition,  
556 counseling and transition services must be provided which  
557 mitigate the youth's identified risk factors and prepare the  
558 youth for a successful reintegration into the school, community,  
559 and home settings.

560 11. Maintain an academic record for each youth who is  
561 enrolled in a juvenile justice facility, as required by s.  
562 1003.51, and ensure that the coursework, credits, partial  
563 credits, occupational completion points, and industry  
564 certifications earned by the youth are transferred and included  
565 in the youth's transition plan pursuant to s. 985.46.

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

568 1. Youth who are of compulsory school attendance age  
569 pursuant to s. 1003.21.

570 2. Youth who are not of compulsory school attendance age  
571 and who have not received a high school diploma or its  
572 equivalent, if the youth is in a residential or nonresidential  
573 juvenile justice program. Such youth must participate in the  
574 education program and participate in a workforce-related  
575 education program that leads to industry certification or  
576 occupational completion points in an occupational area  
577 identified in the Industry Certification Funding list adopted by  
578 the State Board of Education. This subparagraph does not limit  
579 the rights of students with disabilities, as defined under the  
580 Individuals with Disabilities Education Act, who are not of

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581 compulsory school attendance age and who have not received a  
582 high school diploma to receive a free, appropriate public  
583 education in accordance with their individualized needs.

584 3. Youth who have attained a high school diploma or its  
585 equivalent and who are not employed. Such youth must participate  
586 in a workforce-related education program that leads to  
587 employment in an occupational area identified in the Industry  
588 Certification Funding list adopted by the State Board of  
589 Education. Such youth may enroll in a state postsecondary  
590 institution to complete the workforce-related education program  
591 and are exempt from the payment of tuition and fees pursuant to  
592 s. 1009.25(1)(g).

593 (6) PROGRAM REQUIREMENTS.—In compliance with the strategic  
594 5-year plan under s. 1003.491, each juvenile justice residential  
595 and nonresidential education program shall, in collaboration  
596 with the regional workforce board or economic development agency  
597 and local postsecondary institutions, determine the appropriate  
598 occupational areas for the program. Juvenile justice education  
599 programs must:

600 (a) Ensure that rigorous academic and workforce-related  
601 coursework is offered and meets or exceeds appropriate state-  
602 approved subject area standards, and results in the attainment  
603 of industry certification and postsecondary credit, when  
604 appropriate;

605 (b) Ensure instruction from individuals who hold state  
606 certifications, school district certifications pursuant to ss.  
607 1012.39 and 1012.55(1), or industry credentials in the  
608 occupational areas in which they teach;

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

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610 (d) Use strategies to maximize the delivery of virtual  
611 instruction;

612 (e) Maximize instructional efficiency for youth in juvenile  
613 justice facilities;

614 (f) Provide opportunities for youth to earn weighted or  
615 dual enrollment credit for higher-level courses, when  
616 appropriate;

617 (g) Promote credit recovery; and

618 (h) Provide instruction that results in competency,  
619 certification, or credentials in workplace skills, including,  
620 but not limited to, communication skills, interpersonal skills,  
621 decisionmaking skills, work ethic, and the importance of  
622 attendance and timeliness in the work environment.

623 (7) DEPARTMENT RESPONSIBILITIES.-

624 (a) The department shall identify each residential and  
625 nonresidential juvenile justice education program, excluding  
626 detention programs, as having one of the following performance  
627 ratings as defined by State Board of Education rule:

628 1. High performance.

629 2. Adequate performance.

630 3. Failing performance.

631 (b) The department shall consider the level of rigor  
632 associated with the attainment of a particular outcome when  
633 assigning weight to the outcome. The department shall evaluate  
634 the following elements in determining a juvenile justice  
635 education program's performance rating:

636 1. One or more of the following outcomes for a youth who is  
637 14 years of age or younger:

638 a. Achieving academic progress in reading and mathematics,

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639 as measured by the statewide common pre- and post-assessment  
640 adopted by the department for use in juvenile justice education  
641 programs.

642 b. Participating in continuing education upon release from  
643 a juvenile justice residential or nonresidential program.

644 c. Completing secondary coursework upon release from a  
645 juvenile justice residential or nonresidential program.

646 d. Attaining occupational completion points in an  
647 occupational area identified in the Industry Certification  
648 Funding list adopted by the State Board of Education.

649 e. Attaining an industry certification in an occupational  
650 area identified in the Industry Certification Funding list  
651 adopted by the State Board of Education, if available and  
652 appropriate.

653 2. One or more of the following outcomes for a youth who is  
654 15 years of age or older:

655 a. Achieving academic progress in reading and mathematics,  
656 as measured by the statewide common pre- and post-assessment  
657 adopted by the department for use in juvenile justice education  
658 programs.

659 b. Participating in continuing education upon release from  
660 a juvenile justice residential or nonresidential program.

661 c. Earning secondary or postsecondary credit upon release  
662 from a juvenile justice residential or nonresidential program.

663 d. Attaining a high school diploma or its equivalent upon  
664 release from a juvenile justice residential or nonresidential  
665 program.

666 e. Obtaining employment upon release from a juvenile  
667 justice residential or nonresidential program.

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668 f. Attaining an industry certification in an occupational  
669 area identified in the Industry Certification Funding list  
670 adopted by the State Board of Education.

671 g. Attaining occupational completion points in an  
672 occupational area identified in the Industry Certification  
673 Funding list adopted by the State Board of Education.

674 h. Participating in continuing education upon release from  
675 a juvenile justice residential or nonresidential program in  
676 order to complete the industry certification identified in the  
677 Industry Certification Funding list adopted by the State Board  
678 of Education.

679 (c) By September 1, 2012, the department shall make  
680 available a common student pre- and post-assessment to measure  
681 the academic progress in reading and mathematics of youth who  
682 are assigned to juvenile justice education programs.

683  
684 For purposes of performance ratings, juvenile justice  
685 residential and nonresidential education programs, excluding  
686 detention centers, shall be held accountable for the performance  
687 outcomes of youth for no more than 6 months after the release of  
688 youth from the residential or nonresidential program. This  
689 subsection does not abrogate the provisions of s. 1002.22 which  
690 relate to education records or the requirements of 20 U.S.C. s.  
691 1232g, the Family Educational Rights and Privacy Act.

692 (8) PROGRAM ACCOUNTABILITY.—

693 (a) The department shall, in collaboration with the  
694 Department of Juvenile Justice:

695 1. Monitor the education performance of youth in juvenile  
696 justice facilities.



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697       2. Prohibit school districts or private providers that have  
698 failing performance ratings from delivering the education  
699 services.

700       3. Verify that a school district is operating or  
701 contracting with a private provider to deliver education  
702 services.

703       (b) If a school district's juvenile justice residential or  
704 nonresidential education program earns two failing performance  
705 ratings in any 3-year period, as provided in subsection (7), the  
706 school district shall contract with a private provider that has  
707 an adequate or higher performance rating or enter into an  
708 agreement with a school district that has an adequate or higher  
709 performance rating to deliver the education services to the  
710 youth in the program.

711       (c) Except as provided in paragraph (b), the school  
712 district of the county in which the residential or  
713 nonresidential facility is located shall deliver education  
714 services to youth in Department of Juvenile Justice programs. A  
715 school district may contract with a private provider to deliver  
716 the education services in lieu of directly providing the  
717 education services. The contract shall include performance  
718 criteria as provided in subsection (7).

719       (d) When determining educational placement for youth who  
720 enroll in a school district upon release, the school district  
721 must adhere to the transition plan established under s.  
722 985.46(6).

723       (e) If a private provider under contract with a school  
724 district maintains an adequate or high-performance rating  
725 pursuant to subsection (7), the school district may not require

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726 a private provider to use the school district's personnel.

727 (f) Academic instructional personnel must be certified by  
728 the Department of Education; however, a nondegreed teacher of  
729 career education may be certified by a local school district  
730 under s. 1012.39 and may be designated as teaching out-of-field.  
731 An instructor who is deemed to be an expert in a specific field  
732 may be employed under s. 1012.55(1).

733 (g) Each school district must provide juvenile justice  
734 education programs access to substitute classroom teachers used  
735 by the school district.

736 (9) EXITING PROGRAM.—Upon exiting a program, a youth must:

737 (a) Attain an industry certification or occupational  
738 completion points in an occupational area identified in the  
739 Industry Certification Funding list adopted by the State Board  
740 of Education;

741 (b) Enroll in a program to complete the industry  
742 certification;

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

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

746 (10) EDUCATION TRANSITION PLAN COMPONENT.—

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

749 (b) Each juvenile justice education program must develop an  
750 education transition plan component during the course of a  
751 youth's stay in a juvenile justice residential or nonresidential  
752 program which coordinates academic and workforce services and  
753 assists the youth in successful community reintegration upon the  
754 youth's release.

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755       (c) The development of the education transition plan  
756 component shall begin upon a youth's placement in the program.  
757 The education transition plan component must include the  
758 academic and workforce services to be provided during the  
759 program stay and the establishment of services to be implemented  
760 upon release. The appropriate personnel in the juvenile justice  
761 residential and nonresidential program, the members of the  
762 community, the youth, and the youth's family, when appropriate,  
763 shall collaborate to develop the education transition plan  
764 component.

765       (d) Education planning for reintegration shall begin when  
766 placement decisions are made and continue throughout the youth's  
767 stay in order to provide for continuing education, job  
768 placement, and other necessary services. Individuals who are  
769 responsible for reintegration shall coordinate activities to  
770 ensure that the education transition plan component is  
771 successfully implemented and a youth is provided access to  
772 support services that will sustain the youth's success once he  
773 or she is no longer under the supervision of the Department of  
774 Juvenile Justice. The education transition plan component must  
775 provide for continuing education, workforce development, or  
776 meaningful job placement pursuant to the performance outcomes in  
777 subsection (7). For purposes of this section, the term  
778 "reintegration" means the process by which a youth returns to  
779 the community following release from a juvenile justice program.

780       (11) FACILITIES.—The district school board may not be  
781 charged any rent, maintenance, utilities, or overhead on the  
782 facilities. Maintenance, repairs, and remodeling of existing  
783 facilities shall be provided by the Department of Juvenile

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784 Justice.

785 (12) RULEMAKING.—The State Board of Education shall  
786 collaborate with the Department of Juvenile Justice, the  
787 Department of Economic Opportunity, school districts, and  
788 private providers to adopt rules pursuant to ss. 120.536(1) and  
789 120.54 to administer this section which must include provisions  
790 for uniform contracts and contract requirements between school  
791 districts and private providers.

792 Section 11. Section 1003.52, Florida Statutes, is amended  
793 to read:

794 1003.52 Educational services in Department of Juvenile  
795 Justice programs.—

796 ~~(1) The Legislature finds that education is the single most~~  
797 ~~important factor in the rehabilitation of adjudicated delinquent~~  
798 ~~youth in the custody of Department of Juvenile Justice programs.~~  
799 ~~It is the goal of the Legislature that youth in the juvenile~~  
800 ~~justice system continue to be allowed the opportunity to obtain~~  
801 ~~a high quality education. The Department of Education shall~~  
802 ~~serve as the lead agency for juvenile justice education~~  
803 ~~programs, curriculum, support services, and resources. To this~~  
804 ~~end, the Department of Education and the Department of Juvenile~~  
805 ~~Justice shall each designate a Coordinator for Juvenile Justice~~  
806 ~~Education Programs to serve as the point of contact for~~  
807 ~~resolving issues not addressed by district school boards and to~~  
808 ~~provide each department's participation in the following~~  
809 ~~activities:~~

810 ~~(a) Training, collaborating, and coordinating with the~~  
811 ~~Department of Juvenile Justice, district school boards,~~  
812 ~~educational contract providers, and juvenile justice providers,~~

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813 ~~whether state operated or contracted.~~

814 ~~(b) Collecting information on the academic performance of~~  
815 ~~students in juvenile justice programs and reporting on the~~  
816 ~~results.~~

817 ~~(c) Developing academic and career protocols that provide~~  
818 ~~guidance to district school boards and providers in all aspects~~  
819 ~~of education programming, including records transfer and~~  
820 ~~transition.~~

821 ~~(d) Prescribing the roles of program personnel and~~  
822 ~~interdepartmental district school board or provider~~  
823 ~~collaboration strategies.~~

824

825 ~~Annually, a cooperative agreement and plan for juvenile justice~~  
826 ~~education service enhancement shall be developed between the~~  
827 ~~Department of Juvenile Justice and the Department of Education~~  
828 ~~and submitted to the Secretary of Juvenile Justice and the~~  
829 ~~Commissioner of Education by June 30.~~

830 ~~(2) Students participating in Department of Juvenile~~  
831 ~~Justice programs pursuant to chapter 985 which are sponsored by~~  
832 ~~a community-based agency or are operated or contracted for by~~  
833 ~~the Department of Juvenile Justice shall receive educational~~  
834 ~~programs according to rules of the State Board of Education.~~  
835 ~~These students shall be eligible for services afforded to~~  
836 ~~students enrolled in programs pursuant to s. 1003.53 and all~~  
837 ~~corresponding State Board of Education rules.~~

838 ~~(3) The district school board of the county in which the~~  
839 ~~residential or nonresidential care facility or juvenile~~  
840 ~~assessment facility is located shall provide appropriate~~  
841 ~~educational assessments and an appropriate program of~~

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842 ~~instruction and special education services.~~

843 ~~(a) The district school board shall make provisions for~~  
844 ~~each student to participate in basic, career education, and~~  
845 ~~exceptional student programs as appropriate. Students served in~~  
846 ~~Department of Juvenile Justice programs shall have access to the~~  
847 ~~appropriate courses and instruction to prepare them for the GED~~  
848 ~~test. Students participating in GED preparation programs shall~~  
849 ~~be funded at the basic program cost factor for Department of~~  
850 ~~Juvenile Justice programs in the Florida Education Finance~~  
851 ~~Program. Each program shall be conducted according to applicable~~  
852 ~~law providing for the operation of public schools and rules of~~  
853 ~~the State Board of Education. School districts shall provide the~~  
854 ~~GED exit option for all juvenile justice programs.~~

855 ~~(b) By October 1, 2004, the Department of Education, with~~  
856 ~~the assistance of the school districts, shall select a common~~  
857 ~~student assessment instrument and protocol for measuring student~~  
858 ~~learning gains and student progression while a student is in a~~  
859 ~~juvenile justice education program. The assessment instrument~~  
860 ~~and protocol must be implemented in all juvenile justice~~  
861 ~~education programs in this state by January 1, 2005.~~

862 ~~(4) Educational services shall be provided at times of the~~  
863 ~~day most appropriate for the juvenile justice program. School~~  
864 ~~programming in juvenile justice detention, commitment, and~~  
865 ~~rehabilitation programs shall be made available by the local~~  
866 ~~school district during the juvenile justice school year, as~~  
867 ~~defined in s. 1003.01(11). In addition, students in juvenile~~  
868 ~~justice education programs shall have access to Florida Virtual~~  
869 ~~School courses. The Department of Education and the school~~  
870 ~~districts shall adopt policies necessary to ensure such access.~~

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871           ~~(5) The educational program shall consist of appropriate~~  
872 ~~basic academic, career, or exceptional curricula and related~~  
873 ~~services which support the treatment goals and reentry and which~~  
874 ~~may lead to completion of the requirements for receipt of a high~~  
875 ~~school diploma or its equivalent. If the duration of a program~~  
876 ~~is less than 40 days, the educational component may be limited~~  
877 ~~to tutorial activities and career employability skills.~~

878           ~~(6) Participation in the program by students of compulsory~~  
879 ~~school-attendance age as provided for in s. 1003.21 shall be~~  
880 ~~mandatory. All students of noncompulsory school-attendance age~~  
881 ~~who have not received a high school diploma or its equivalent~~  
882 ~~shall participate in the educational program, unless the student~~  
883 ~~files a formal declaration of his or her intent to terminate~~  
884 ~~school enrollment as described in s. 1003.21 and is afforded the~~  
885 ~~opportunity to take the general educational development test and~~  
886 ~~attain a Florida high school diploma prior to release from a~~  
887 ~~facility. A youth who has received a high school diploma or its~~  
888 ~~equivalent and is not employed shall participate in workforce~~  
889 ~~development or other career or technical education or Florida~~  
890 ~~College System institution or university courses while in the~~  
891 ~~program, subject to available funding.~~

892           ~~(7) A progress monitoring plan shall be developed for~~  
893 ~~students who score below the level specified in district school~~  
894 ~~board policy in reading, writing, and mathematics or below the~~  
895 ~~level specified by the Commissioner of Education on statewide~~  
896 ~~assessments as required by s. 1008.25. These plans shall address~~  
897 ~~academic, literacy, and life skills and shall include provisions~~  
898 ~~for intensive remedial instruction in the areas of weakness.~~

899           ~~(8) Each district school board shall maintain an academic~~

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900 ~~record for each student enrolled in a juvenile justice facility~~  
901 ~~as prescribed by s. 1003.51. Such record shall delineate each~~  
902 ~~course completed by the student according to procedures in the~~  
903 ~~State Course Code Directory. The district school board shall~~  
904 ~~include a copy of a student's academic record in the discharge~~  
905 ~~packet when the student exits the facility.~~

906 ~~(9) The Department of Education shall ensure that all~~  
907 ~~district school boards make provisions for high school level~~  
908 ~~youth to earn credits toward high school graduation while in~~  
909 ~~residential and nonresidential juvenile justice facilities.~~  
910 ~~Provisions must be made for the transfer of credits and partial~~  
911 ~~credits earned.~~

912 ~~(10) The district school board shall recruit and train~~  
913 ~~teachers who are interested, qualified, or experienced in~~  
914 ~~educating students in juvenile justice programs. Students in~~  
915 ~~juvenile justice programs shall be provided a wide range of~~  
916 ~~educational programs and opportunities including textbooks,~~  
917 ~~technology, instructional support, and other resources available~~  
918 ~~to students in public schools. Teachers assigned to educational~~  
919 ~~programs in juvenile justice settings in which the district~~  
920 ~~school board operates the educational program shall be selected~~  
921 ~~by the district school board in consultation with the director~~  
922 ~~of the juvenile justice facility. Educational programs in~~  
923 ~~juvenile justice facilities shall have access to the substitute~~  
924 ~~teacher pool utilized by the district school board.~~

925 ~~(11) District school boards may contract with a private~~  
926 ~~provider for the provision of educational programs to youths~~  
927 ~~placed with the Department of Juvenile Justice and shall~~  
928 ~~generate local, state, and federal funding, including funding~~



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929 ~~through the Florida Education Finance Program for such students.~~  
930 ~~The district school board's planning and budgeting process shall~~  
931 ~~include the needs of Department of Juvenile Justice programs in~~  
932 ~~the district school board's plan for expenditures for state~~  
933 ~~categorical and federal funds.~~

934 ~~(12)~~ The district school board shall fund the educational  
935 program in a Department of Juvenile Justice facility at the same  
936 or higher level of funding for equivalent students in the  
937 district school system based on the funds generated by state  
938 funding through the Florida Education Finance Program for such  
939 students. It is the intent of the Legislature that the school  
940 district maximize its available local, state, and federal  
941 funding to a juvenile justice program.

942 (1) ~~(a)~~ Juvenile justice educational programs shall be  
943 funded in the appropriate FEFP program based on the educational  
944 services needed by the student for Department of Juvenile  
945 Justice programs in accordance with s. 1011.62.

946 (2) ~~(b)~~ Juvenile justice educational programs to receive the  
947 appropriate FEFP funding for Department of Juvenile Justice  
948 programs shall include those that are operated through a  
949 contract with the Department of Juvenile Justice and ~~which~~ are  
950 under purview of the Department of Juvenile Justice quality  
951 assurance standards for education.

952 (3) ~~(c)~~ Consistent with the rules of the State Board of  
953 Education, district school boards are required to request an  
954 alternative FTE survey for Department of Juvenile Justice  
955 programs experiencing fluctuations in student enrollment.

956 (4) ~~(d)~~ FTE count periods shall be prescribed in rules of  
957 the State Board of Education and shall be the same for programs

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958 of the Department of Juvenile Justice as for other public school  
959 programs. The summer school period for students in Department of  
960 Juvenile Justice programs shall begin on the day immediately  
961 following the end of the regular school year and end on the day  
962 immediately preceding the subsequent regular school year.  
963 Students shall be funded for no more than 25 hours per week of  
964 direct instruction.

965 (5)~~(e)~~ Each juvenile justice education program must receive  
966 all federal funds for which the program is eligible.

967 ~~(13) Each district school board shall negotiate a~~  
968 ~~cooperative agreement with the Department of Juvenile Justice on~~  
969 ~~the delivery of educational services to youths under the~~  
970 ~~jurisdiction of the Department of Juvenile Justice. Such~~  
971 ~~agreement must include, but is not limited to:~~

972 ~~(a) Roles and responsibilities of each agency, including~~  
973 ~~the roles and responsibilities of contract providers.~~

974 ~~(b) Administrative issues including procedures for sharing~~  
975 ~~information.~~

976 ~~(c) Allocation of resources including maximization of~~  
977 ~~local, state, and federal funding.~~

978 ~~(d) Procedures for educational evaluation for educational~~  
979 ~~exceptionalities and special needs.~~

980 ~~(e) Curriculum and delivery of instruction.~~

981 ~~(f) Classroom management procedures and attendance~~  
982 ~~policies.~~

983 ~~(g) Procedures for provision of qualified instructional~~  
984 ~~personnel, whether supplied by the district school board or~~  
985 ~~provided under contract by the provider, and for performance of~~  
986 ~~duties while in a juvenile justice setting.~~

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987 ~~(h) Provisions for improving skills in teaching and working~~  
988 ~~with juvenile delinquents.~~

989 ~~(i) Transition plans for students moving into and out of~~  
990 ~~juvenile facilities.~~

991 ~~(j) Procedures and timelines for the timely documentation~~  
992 ~~of credits earned and transfer of student records.~~

993 ~~(k) Methods and procedures for dispute resolution.~~

994 ~~(l) Provisions for ensuring the safety of education~~  
995 ~~personnel and support for the agreed-upon education program.~~

996 ~~(m) Strategies for correcting any deficiencies found~~  
997 ~~through the quality assurance process.~~

998 ~~(14) Nothing in this section or in a cooperative agreement~~  
999 ~~shall be construed to require the district school board to~~  
1000 ~~provide more services than can be supported by the funds~~  
1001 ~~generated by students in the juvenile justice programs.~~

1002 ~~(15) (a) The Department of Education in consultation with~~  
1003 ~~the Department of Juvenile Justice, district school boards, and~~  
1004 ~~providers shall establish objective and measurable quality~~  
1005 ~~assurance standards for the educational component of residential~~  
1006 ~~and nonresidential juvenile justice facilities. These standards~~  
1007 ~~shall rate the district school board's performance both as a~~  
1008 ~~provider and contractor. The quality assurance rating for the~~  
1009 ~~educational component shall be disaggregated from the overall~~  
1010 ~~quality assurance score and reported separately.~~

1011 ~~(b) The Department of Education shall develop a~~  
1012 ~~comprehensive quality assurance review process and schedule for~~  
1013 ~~the evaluation of the educational component in juvenile justice~~  
1014 ~~programs. The Department of Juvenile Justice quality assurance~~  
1015 ~~site visit and the education quality assurance site visit shall~~

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1016 ~~be conducted during the same visit.~~

1017 ~~(c) The Department of Education, in consultation with~~  
1018 ~~district school boards and providers, shall establish minimum~~  
1019 ~~thresholds for the standards and key indicators for educational~~  
1020 ~~programs in juvenile justice facilities. If a district school~~  
1021 ~~board fails to meet the established minimum standards, it will~~  
1022 ~~be given 6 months to achieve compliance with the standards. If~~  
1023 ~~after 6 months, the district school board's performance is still~~  
1024 ~~below minimum standards, the Department of Education shall~~  
1025 ~~exercise sanctions as prescribed by rules adopted by the State~~  
1026 ~~Board of Education. If a provider, under contract with the~~  
1027 ~~district school board, fails to meet minimum standards, such~~  
1028 ~~failure shall cause the district school board to cancel the~~  
1029 ~~provider's contract unless the provider achieves compliance~~  
1030 ~~within 6 months or unless there are documented extenuating~~  
1031 ~~circumstances.~~

1032 ~~(d) The requirements in paragraphs (a), (b), and (c) shall~~  
1033 ~~be implemented to the extent that funds are available.~~

1034 ~~(16) The district school board shall not be charged any~~  
1035 ~~rent, maintenance, utilities, or overhead on such facilities.~~  
1036 ~~Maintenance, repairs, and remodeling of existing facilities~~  
1037 ~~shall be provided by the Department of Juvenile Justice.~~

1038 ~~(17) When additional facilities are required, the district~~  
1039 ~~school board and the Department of Juvenile Justice shall agree~~  
1040 ~~on the appropriate site based on the instructional needs of the~~  
1041 ~~students. When the most appropriate site for instruction is on~~  
1042 ~~district school board property, a special capital outlay request~~  
1043 ~~shall be made by the commissioner in accordance with s. 1013.60.~~  
1044 ~~When the most appropriate site is on state property, state~~

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1045 ~~capital outlay funds shall be requested by the Department of~~  
1046 ~~Juvenile Justice provided by s. 216.043 and shall be submitted~~  
1047 ~~as specified by s. 216.023. Any instructional facility to be~~  
1048 ~~built on state property shall have educational specifications~~  
1049 ~~jointly developed by the district school board and the~~  
1050 ~~Department of Juvenile Justice and approved by the Department of~~  
1051 ~~Education. The size of space and occupant design capacity~~  
1052 ~~criteria as provided by State Board of Education rules shall be~~  
1053 ~~used for remodeling or new construction whether facilities are~~  
1054 ~~provided on state property or district school board property.~~

1055 ~~(18) The parent of an exceptional student shall have the~~  
1056 ~~due process rights provided for in this chapter.~~

1057 ~~(19) The Department of Education and the Department of~~  
1058 ~~Juvenile Justice, after consultation with and assistance from~~  
1059 ~~local providers and district school boards, shall report~~  
1060 ~~annually to the Legislature by February 1 on the progress toward~~  
1061 ~~developing effective educational programs for juvenile~~  
1062 ~~delinquents, including the amount of funding provided by~~  
1063 ~~district school boards to juvenile justice programs, the amount~~  
1064 ~~retained for administration including documenting the purposes~~  
1065 ~~for such expenses, the status of the development of cooperative~~  
1066 ~~agreements, the results of the quality assurance reviews~~  
1067 ~~including recommendations for system improvement, and~~  
1068 ~~information on the identification of, and services provided to,~~  
1069 ~~exceptional students in juvenile justice commitment facilities~~  
1070 ~~to determine whether these students are properly reported for~~  
1071 ~~funding and are appropriately served.~~

1072 ~~(20) The educational programs at the Arthur Dozier School~~  
1073 ~~for Boys in Jackson County and the Florida School for Boys in~~

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1074 ~~Okeechobee shall be operated by the Department of Education,~~  
1075 ~~either directly or through grants or contractual agreements with~~  
1076 ~~other public or duly accredited education agencies approved by~~  
1077 ~~the Department of Education.~~

1078 ~~(21) The State Board of Education may adopt any rules~~  
1079 ~~necessary to implement the provisions of this section, including~~  
1080 ~~uniform curriculum, funding, and second chance schools. Such~~  
1081 ~~rules must require the minimum amount of paperwork and~~  
1082 ~~reporting.~~

1083 ~~(22) The Department of Juvenile Justice and the Department~~  
1084 ~~of Education, in consultation with Workforce Florida, Inc., the~~  
1085 ~~statewide Workforce Development Youth Council, district school~~  
1086 ~~boards, Florida College System institutions, providers, and~~  
1087 ~~others, shall jointly develop a multiagency plan for career~~  
1088 ~~education which describes the funding, curriculum, transfer of~~  
1089 ~~credits, goals, and outcome measures for career education~~  
1090 ~~programming in juvenile commitment facilities, pursuant to s.~~  
1091 ~~985.622. The plan must be reviewed annually.~~

1092 Section 12. Present paragraph (g) of subsection (1) of  
1093 section 1009.25, Florida Statutes, is redesignated as paragraph  
1094 (h), and a new paragraph (g) is added to that subsection, to  
1095 read:

1096 1009.25 Fee exemptions.—

1097 (1) The following students are exempt from the payment of  
1098 tuition and fees, including lab fees, at a school district that  
1099 provides postsecondary career programs, Florida College System  
1100 institution, or state university:

1101 (g) For purposes of completing coursework initiated while  
1102 in the temporary custody of the state, youth who are eligible

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1103 under s. 1003.515(5)(b)3. and who are ordered by a court to  
1104 participate in a juvenile justice residential program.

1105 Section 13. Paragraph (a) of subsection (3) of section  
1106 1010.20, Florida Statutes, is amended to read:

1107 1010.20 Cost accounting and reporting for school  
1108 districts.—

1109 (3) PROGRAM EXPENDITURE REQUIREMENTS.—

1110 (a) Each district shall expend at least the percent of the  
1111 funds generated by each of the programs listed in this section  
1112 on the aggregate total school costs for such programs:

1113 1. Kindergarten and grades 1, 2, and 3, 90 percent.

1114 2. Grades 4, 5, 6, 7, and 8, 80 percent.

1115 3. Grades 9, 10, 11, and 12, 80 percent.

1116 4. Programs for exceptional students, on an aggregate  
1117 program basis, 90 percent.

1118 5. Grades 7 through 12 career education programs, on an  
1119 aggregate program basis, 80 percent.

1120 6. Students-at-risk programs, on an aggregate program  
1121 basis, 80 percent.

1122 7. Juvenile justice programs, on an aggregate program  
1123 basis, 95 ~~90~~ percent.

1124 8. Any new program established and funded under s.  
1125 1011.62(1)(c), that is not included under subparagraphs 1.-7.,  
1126 on an aggregate basis as appropriate, 80 percent.

1127 Section 14. Paragraph (f) of subsection (1) of section  
1128 1011.62, Florida Statutes, is amended to read:

1129 1011.62 Funds for operation of schools.—If the annual  
1130 allocation from the Florida Education Finance Program to each  
1131 district for operation of schools is not determined in the

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1132 annual appropriations act or the substantive bill implementing  
1133 the annual appropriations act, it shall be determined as  
1134 follows:

1135 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
1136 OPERATION.—The following procedure shall be followed in  
1137 determining the annual allocation to each district for  
1138 operation:

1139 (f) *Supplemental academic instruction; categorical fund.*—

1140 1. There is created a categorical fund to provide  
1141 supplemental academic instruction to students in kindergarten  
1142 through grade 12. This paragraph may be cited as the  
1143 “Supplemental Academic Instruction Categorical Fund.”

1144 2. Categorical funds for supplemental academic instruction  
1145 shall be allocated annually to each school district in the  
1146 amount provided in the General Appropriations Act. These funds  
1147 shall be in addition to the funds appropriated on the basis of  
1148 FTE student membership in the Florida Education Finance Program  
1149 and shall be included in the total potential funds of each  
1150 district. These funds shall be used to provide supplemental  
1151 academic instruction to students enrolled in the K-12 program.  
1152 Supplemental instruction strategies may include, but are not  
1153 limited to: modified curriculum, reading instruction, after-  
1154 school instruction, tutoring, mentoring, class size reduction,  
1155 extended school year, intensive skills development in summer  
1156 school, and other methods for improving student achievement.  
1157 Supplemental instruction may be provided to a student in any  
1158 manner and at any time during or beyond the regular 180-day term  
1159 identified by the school as being the most effective and  
1160 efficient way to best help that student progress from grade to



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1161 grade and to graduate.

1162 3. Effective with the 2012-2013 ~~1999-2000~~ fiscal year,  
1163 funding on the basis of FTE membership beyond the 180-day  
1164 regular term shall be provided in the FEFP only for students  
1165 enrolled in juvenile justice education programs or in education  
1166 programs for juveniles placed in secure facilities or programs  
1167 under s. 985.19. Funding for instruction beyond the regular 180-  
1168 day school year for all other K-12 students shall be provided  
1169 through the supplemental academic instruction categorical fund  
1170 and other state, federal, and local fund sources with ample  
1171 flexibility for schools to provide supplemental instruction to  
1172 assist students in progressing from grade to grade and  
1173 graduating.

1174 4. The Florida State University School, as a lab school, is  
1175 authorized to expend from its FEFP or Lottery Enhancement Trust  
1176 Fund allocation the cost to the student of remediation in  
1177 reading, writing, or mathematics for any graduate who requires  
1178 remediation at a postsecondary educational institution.

1179 5. ~~Beginning in the 1999-2000 school year,~~ Dropout  
1180 prevention programs as defined in ss. 1003.515 ~~1003.52~~,  
1181 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in  
1182 group 1 programs under subparagraph (d)3.

1183 Section 15. This act shall take effect upon becoming a law.