

Amendment No.

+CHAMBER ACTION

Senate

House

.

1 Representative Proctor offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 104-359 and insert:

5 Section 3. Paragraph (a) of subsection (3), subsection
6 (10), and subsections (15) through (22) of section 1003.52,
7 Florida Statutes, are amended, and a new subsection (16) is
8 added to that section, to read:

9 1003.52 Educational services in Department of Juvenile
10 Justice programs.—

11 (3) The district school board of the county in which the
12 residential or nonresidential care facility or juvenile
13 assessment facility is located shall provide appropriate
14 educational assessments and an appropriate program of
15 instruction and special education services.

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

16 (a) The district school board shall make provisions for
17 each student to participate in basic, career education, and
18 exceptional student programs as appropriate. School districts or
19 private providers contracted to provide educational services to
20 students within the Department of Juvenile Justice shall provide
21 academic remediation, virtual instruction, and courses that lead
22 to industry certification and occupational completion points.

23 Students served in Department of Juvenile Justice programs shall
24 have access to the appropriate courses and instruction to
25 prepare them for the GED test. Students participating in GED
26 preparation programs shall be funded at the basic program cost
27 factor for Department of Juvenile Justice programs in the
28 Florida Education Finance Program. Each program shall be
29 conducted according to applicable law providing for the
30 operation of public schools and rules of the State Board of
31 Education. School districts shall provide the GED exit option
32 for all juvenile justice programs.

33 (10) The district school board shall recruit and train
34 teachers who are interested, qualified, or experienced in
35 educating students in juvenile justice programs. Students in
36 juvenile justice programs shall be provided a wide range of
37 educational programs ~~and opportunities including textbooks,~~
38 ~~technology,~~ instructional support, and ~~other~~ resources
39 commensurate with resources provided available to students in
40 public schools, including textbooks and access to technology. If
41 the district school board operates a juvenile justice education
42 program at a juvenile justice facility, the district school
43 board, in consultation with the director of the juvenile justice

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

44 facility, shall select the instructional personnel assigned to
45 that program. Instructional personnel must be certified by the
46 Department of Education; however, a nondegreed teacher of career
47 and technical education courses, certified by a school district
48 under s. 1012.39, may provide services as an out-of-field
49 teacher. ~~Teachers assigned to educational programs in juvenile~~
50 ~~justice settings in which the district school board operates the~~
51 ~~educational program shall be selected by the district school~~
52 ~~board in consultation with the director of the juvenile justice~~
53 ~~facility. Educational programs in juvenile justice facilities~~
54 ~~shall have access to~~ The substitute teacher pool utilized by the
55 district school board shall be made available to the director of
56 the juvenile justice facility for the delivery of educational
57 programs in juvenile justice facilities.

58 (15) ~~(a)~~ The State Board ~~Department~~ of Education, in
59 consultation with the Department of Juvenile Justice, district
60 school boards, and providers, shall adopt by rule: establish

61 (a) Objective and measurable quality assurance standards
62 for the educational component of residential and nonresidential
63 juvenile justice programs facilities. A ~~These standards shall~~
64 ~~rate the~~ district school board's performance both as a provider
65 and contractor shall be rated based upon these standards. The
66 quality assurance rating for the educational component shall be
67 disaggregated from the overall quality assurance rating score
68 and reported separately. As part of the quality assurance
69 review, the department, in collaboration with the Department of
70 Juvenile Justice, shall monitor and report on the educational
71 performance of youth in commitment, day treatment, early

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

72 delinquency intervention, and detention programs. The report
73 must include, at a minimum, the number and percentage of
74 students:

75 1. Returning to middle school or high school upon release.

76 2. Receiving a standard high school diploma or a general
77 equivalency diploma.

78 3. Receiving industry certification.

79 4. Receiving occupational completion points.

80 5. Enrolling in a postsecondary educational institution.

81 6. Completing a juvenile justice education program without
82 reoffending.

83 7. Reoffending within 1 year after completion of a
84 juvenile justice education program.

85 8. Remaining employed 1 year after completion of a
86 juvenile justice education program.

87 ~~(b) The Department of Education shall develop A~~
88 comprehensive quality assurance review process and schedule for
89 the evaluation of the educational component in juvenile justice
90 programs. The Department of Juvenile Justice quality assurance
91 site visit and the education quality assurance site visit shall
92 be conducted during the same visit.

93 ~~(c) The Department of Education, in consultation with~~
94 ~~district school boards and providers, shall establish~~ Minimum
95 thresholds for the standards used to evaluate the ~~and key~~
96 ~~indicators for~~ educational component of ~~programs in~~ juvenile
97 justice programs ~~facilities~~. If a district school board fails to
98 meet the established minimum standards, it will be given 6
99 months to achieve compliance with the standards. If after 6

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

100 months, the district school board's performance is still below
101 minimum standards, the Department of Education shall exercise
102 sanctions as prescribed by rules adopted by the State Board of
103 Education. If a provider, under contract with the district
104 school board, fails to meet minimum standards, such failure
105 shall cause the district school board to cancel the provider's
106 contract unless the provider achieves compliance within 6 months
107 or unless there are documented extenuating circumstances.

108 (d) The content of, and a standardized uniform format for,
109 an agreement between school districts and private providers for
110 the delivery of educational services. The agreement entered into
111 between a school district and a provider must be in substantial
112 conformance with the agreement adopted in rule.

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

115 (16) An individualized transition plan shall be developed
116 for each student receiving services in a juvenile justice
117 education program. The individualized transition plan shall be
118 developed upon the student's entry into the program with the
119 participation of the student, parent, school district or
120 contracted provider personnel or both, and Department of
121 Juvenile Justice staff. Once the student exits a juvenile
122 justice education program, a copy of the individualized
123 transition plan shall be provided to the student, the parent,
124 the provider, and the juvenile probation officer if one is
125 assigned. The school district shall consider the individualized
126 transition plan when determining the appropriate placement of
127 the student. The individualized transition plan becomes a part

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

128 of the student's academic record. The individualized transition
129 plan shall include, at a minimum, the student's:

130 (a) Results on district and statewide assessments;

131 (b) Individual academic plan, 504 accommodation plan, or
132 individual education plan, as appropriate;

133 (c) Academic transcripts;

134 (d) Academic reentry goals;

135 (e) Career and employment goals;

136 (f) Recommended educational placement;

137 (g) Industry certification completion information;

138 (h) Occupational completion points; and

139 (i) Treatment, intervention, and support services that are
140 accessible upon exiting the program.

141 ~~(17)-(16)~~ The district school board shall not be charged
142 any rent, maintenance, utilities, or overhead on residential or
143 nonresidential juvenile justice ~~such~~ facilities. Maintenance,
144 repairs, and remodeling of existing facilities shall be provided
145 by the Department of Juvenile Justice.

146 ~~(18)-(17)~~ When additional facilities are required, the
147 district school board and the Department of Juvenile Justice
148 shall agree on the appropriate site based on the instructional
149 needs of the students. When the most appropriate site for
150 instruction is on district school board property, a special
151 capital outlay request shall be made by the commissioner in
152 accordance with s. 1013.60. When the most appropriate site is on
153 state property, state capital outlay funds shall be requested by
154 the Department of Juvenile Justice provided by s. 216.043 and
155 shall be submitted as specified by s. 216.023. Any instructional
370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

156 facility to be built on state property shall have educational
157 specifications jointly developed by the district school board
158 and the Department of Juvenile Justice and approved by the
159 Department of Education. The size of space and occupant design
160 capacity criteria as provided by State Board of Education rules
161 shall be used for remodeling or new construction whether
162 facilities are provided on state property or district school
163 board property.

164 ~~(19)~~ ~~(18)~~ The parent of an exceptional student shall have
165 the due process rights provided for in this chapter.

166 ~~(20)~~ ~~(19)~~ The Department of Education and the Department of
167 Juvenile Justice, after consultation with and assistance from
168 ~~local~~ providers and district school boards, shall report
169 annually to the Legislature by March ~~February~~ 1 on the progress
170 toward developing effective educational programs for juvenile
171 delinquents, including the amount of funding provided by
172 district school boards to juvenile justice programs, the amount
173 retained for administration including documenting the purposes
174 for such expenses, the status of the development of cooperative
175 agreements, the results of the quality assurance reviews
176 including specific legislative recommendations for system
177 improvement, and information on the identification of, and
178 services provided to, exceptional students in juvenile justice
179 commitment facilities to determine whether these students are
180 properly reported for funding and are appropriately served. This
181 report shall be incorporated in, or provided in concert with,
182 the report required under s. 985.632(3).

370645

Approved For Filing: 3/5/2012 8:59:24 AM

Amendment No.

183 ~~(21)~~(20) The educational programs at the Arthur Dozier
184 School for Boys in Jackson County and the Florida School for
185 Boys in Okeechobee shall be operated by the Department of
186 Education, either directly or through grants or contractual
187 agreements with other public or duly accredited education
188 agencies approved by the Department of Education.

189 ~~(22)~~(21) The State Board of Education shall ~~may~~ adopt ~~any~~
190 rules necessary to implement the provisions of this section,
191 ~~including uniform curriculum, funding, and second chance~~
192 ~~schools~~. Such rules must require the minimum amount of paperwork
193 and reporting.

194 ~~(23)~~(22) The Department of Juvenile Justice and the
195 Department of Education, in consultation with Workforce Florida,
196 Inc., the statewide Workforce Development Youth Council,
197 district school boards, Florida College System institutions,
198 providers, and others, shall jointly develop a multiagency plan
199 for career education which describes the funding, curriculum,
200 transfer of credits, goals, and outcome measures for career
201 education programming in juvenile commitment facilities,
202 pursuant to s. 985.622. The plan must be reviewed annually.

203
204
205 -----

T I T L E A M E N D M E N T

206 Remove lines 17-36 and insert:
207
208 of Juvenile Justice programs; requiring school districts or
209 contracted private providers to provide certain instruction;
210 providing qualifications for instructional personnel; requiring
370645

Amendment No.

211 the State Board of Education to adopt rules relating to quality
212 assurance standards and review; requiring the Department of
213 Education to monitor and report on the educational performance
214 of youth in juvenile justice programs; requiring an
215 individualized transition plan to be developed for each student
216 receiving services in a juvenile justice education program;
217 providing an effective
218