

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

---

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Baxley offered the following:

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

5 Remove everything after the enacting clause and insert:

6  
7 Section 1. Subsections (1) and (3) of section 985.632,  
8 Florida Statutes, are amended to read:

9 985.632 Quality assurance and cost-effectiveness.—

10 (Substantial rewording of subsections (1) and (3).

11 See s. 985.632(1) and (3), F.S., for present text.)

12 (1) The department shall:

13 (a) Provide cost and effectiveness information on programs  
14 and program activities in order to compare, improve, or  
15 eliminate a program or program activity if necessary.

16 (b) Provide program and program activity cost and  
17 effectiveness data to the Legislature in order for resources to  
18 be allocated for achieving desired performance outcomes.

Amendment No. 1

19 (c) Provide information to the public concerning program  
20 and program activity cost and effectiveness.

21 (d) Implement a system of accountability in order to  
22 provide the best and most appropriate programs and activities to  
23 meet client needs.

24 (e) Continue to improve service delivery.

25 (3) By March 1 each year, the department, in consultation  
26 with the Department of Education, shall submit a report to the  
27 Governor, the President of the Senate, and the Speaker of the  
28 House of Representatives regarding program costs and  
29 effectiveness. The report shall include uniform cost data for  
30 each program operated by the department or by providers under  
31 contract with the department. The Department of Education shall  
32 provide the cost data on each education program operated by a  
33 school district or provider under contract with the school  
34 district. Cost data shall be formatted and presented in a manner  
35 approved by the Legislature. The report shall also include data  
36 on student learning gains, as provided by the Department of  
37 Education, for all juvenile justice education programs as  
38 required under s. 1003.52(3)(b); information required under s.  
39 1003.52(20); the cost-effectiveness of each program offered; and  
40 recommendations for modification or elimination of programs or  
41 program activities.

42 Section 2. Paragraph (b) of subsection (18) of section  
43 1001.42, Florida Statutes, is amended to read:

44 1001.42 Powers and duties of district school board.—The  
45 district school board, acting as a board, shall exercise all  
46 powers and perform all duties listed below:

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

47 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—

48 Maintain a state system of school improvement and education  
49 accountability as provided by statute and State Board of  
50 Education rule. This system of school improvement and education  
51 accountability shall be consistent with, and implemented  
52 through, the district's continuing system of planning and  
53 budgeting required by this section and ss. 1008.385, 1010.01,  
54 and 1011.01. This system of school improvement and education  
55 accountability shall comply with the provisions of ss. 1008.33,  
56 1008.34, 1008.345, and 1008.385 and include the following:

57 (b) Public disclosure.—The district school board shall  
58 provide information regarding the performance of students and  
59 educational programs as required pursuant to ss. 1008.22 and  
60 1008.385 and implement a system of school reports as required by  
61 statute and State Board of Education rule which shall include  
62 schools operating for the purpose of providing educational  
63 services to youth in Department of Juvenile Justice programs,  
64 and for those schools, report on the elements specified in s.  
65 1003.52(20) ~~1003.52(19)~~. Annual public disclosure reports shall  
66 be in an easy-to-read report card format and shall include the  
67 school's grade, high school graduation rate calculated without  
68 GED tests, disaggregated by student ethnicity, and performance  
69 data as specified in state board rule.

70 Section 3. Present subsections (10) and (15) through (22)  
71 of section 1003.52, Florida Statutes, are amended, and a new  
72 subsection (16) is added to that section, to read:

73 1003.52 Educational services in Department of Juvenile  
74 Justice programs.—

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

75 (10) The district school board shall recruit and train  
76 teachers who are interested, qualified, or experienced in  
77 educating students in juvenile justice programs. Students in  
78 juvenile justice programs shall be provided a wide range of  
79 educational programs ~~and opportunities including textbooks,~~  
80 ~~technology,~~ instructional support, and ~~other~~ resources  
81 commensurate with resources provided available to students in  
82 public schools, including textbooks and access to technology. If  
83 the district school board operates a juvenile justice education  
84 program at a juvenile justice facility, the district school  
85 board, in consultation with the director of the juvenile justice  
86 facility, shall select the instructional personnel assigned to  
87 that program. Instructional personnel must be certified by the  
88 Department of Education; however, a nondegreed teacher of career  
89 and technical education courses, certified by a school district  
90 under s. 1012.39, may provide services as an out-of-field  
91 teacher. Teachers assigned to educational programs in juvenile  
92 justice settings in which the district school board operates the  
93 educational program shall be selected by the district school  
94 board in consultation with the director of the juvenile justice  
95 facility. Educational programs in juvenile justice facilities  
96 shall have access to The substitute teacher pool utilized by the  
97 district school board shall be made available to the director of  
98 the juvenile justice facility for the delivery of educational  
99 programs in juvenile justice facilities.

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

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

103        (a) Objective and measurable quality assurance standards  
104        for the educational component of residential and nonresidential  
105        juvenile justice programs facilities. These standards shall rate  
106        the A district school board's performance both as a provider and  
107        contractor shall be rated based upon these standards. The  
108        quality assurance rating for the educational component shall be  
109        disaggregated from the overall quality assurance rating score  
110        and reported separately. As part of the quality assurance  
111        review, the department, in collaboration with the Department of  
112        Juvenile Justice, shall monitor and report on the educational  
113        performance of youth in commitment, day treatment, early  
114        delinquency intervention, and detention programs. The report  
115        must include, at a minimum, the number and percentage of  
116        students:

- 117        1. Returning to middle school or high school upon release.
- 118        2. Receiving a standard high school diploma or a general  
119        equivalency diploma.
- 120        3. Receiving industry certification.
- 121        4. Receiving occupational completion points.
- 122        5. Enrolling in a postsecondary educational institution.
- 123        6. Completing a juvenile justice education program without  
124        reoffending.
- 125        7. Reoffending within 1 year after completion of a  
126        juvenile justice education program.
- 127        8. Remaining employed 1 year after completion of a  
128        juvenile justice education program.

129        ~~(b) The Department of Education shall develop A~~  
130        comprehensive quality assurance review process and schedule for

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

131 the evaluation of the educational component in juvenile justice  
132 programs. The Department of Juvenile Justice quality assurance  
133 site visit and the education quality assurance site visit shall  
134 be conducted during the same visit.

135 ~~(c) The Department of Education, in consultation with~~  
136 ~~district school boards and providers, shall establish~~ Minimum  
137 thresholds for the standards used to evaluate the and key  
138 ~~indicators for~~ educational component of programs in juvenile  
139 justice programs facilities. If a district school board fails to  
140 meet the established minimum standards, it will be given 6  
141 months to achieve compliance with the standards. If after 6  
142 months, the district school board's performance is still below  
143 minimum standards, the Department of Education shall exercise  
144 sanctions as prescribed by rules adopted by the State Board of  
145 Education. If a provider, under contract with the district  
146 school board, fails to meet minimum standards, such failure  
147 shall cause the district school board to cancel the provider's  
148 contract unless the provider achieves compliance within 6 months  
149 or unless there are documented extenuating circumstances.

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

152 (16) An individualized transition plan shall be developed  
153 for each student receiving services in a juvenile justice  
154 education program. The individualized transition plan shall be  
155 developed upon the student's entry into the program with the  
156 participation of the student, parent, school district or  
157 contracted provider personnel or both, and Department of  
158 Juvenile Justice staff. Once the student exits a juvenile

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

159 | justice education program, a copy of the individualized  
160 | transition plan shall be provided to the student, the provider,  
161 | and the Department of Juvenile Justice. The individualized  
162 | transition plan becomes a part of the student's academic record.  
163 | The individualized transition plan shall include, at a minimum,  
164 | the student's:

165 |     (a) Results on district and statewide assessments;  
166 |     (b) Individual academic plan, 504 accommodation plan, or  
167 | individual education plan, as appropriate;  
168 |     (c) Academic transcripts;  
169 |     (d) Academic reentry goals;  
170 |     (e) Career and employment goals;  
171 |     (f) Recommended educational placement;  
172 |     (g) Industry certification completion information;  
173 |     (h) Occupational completion points; and  
174 |     (i) Treatment, intervention, and support services that are  
175 | accessible upon exiting the program.

176 |     ~~(17)-(16)~~ The district school board shall not be charged  
177 | any rent, maintenance, utilities, or overhead on residential or  
178 | nonresidential juvenile justice ~~such~~ facilities. Maintenance,  
179 | repairs, and remodeling of existing facilities shall be provided  
180 | by the Department of Juvenile Justice.

181 |     ~~(18)-(17)~~ When additional facilities are required, the  
182 | district school board and the Department of Juvenile Justice  
183 | shall agree on the appropriate site based on the instructional  
184 | needs of the students. When the most appropriate site for  
185 | instruction is on district school board property, a special  
186 | capital outlay request shall be made by the commissioner in

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 949 (2012)

Amendment No. 1

187 accordance with s. 1013.60. When the most appropriate site is on  
188 state property, state capital outlay funds shall be requested by  
189 the Department of Juvenile Justice provided by s. 216.043 and  
190 shall be submitted as specified by s. 216.023. Any instructional  
191 facility to be built on state property shall have educational  
192 specifications jointly developed by the district school board  
193 and the Department of Juvenile Justice and approved by the  
194 Department of Education. The size of space and occupant design  
195 capacity criteria as provided by State Board of Education rules  
196 shall be used for remodeling or new construction whether  
197 facilities are provided on state property or district school  
198 board property.

199 ~~(19)-(18)~~ The parent of an exceptional student shall have  
200 the due process rights provided for in this chapter.

201 ~~(20)-(19)~~ The Department of Education and the Department of  
202 Juvenile Justice, after consultation with and assistance from  
203 ~~local~~ providers and district school boards, shall report  
204 annually to the Legislature by March ~~February~~ 1 on the progress  
205 toward developing effective educational programs for juvenile  
206 delinquents, including the amount of funding provided by  
207 district school boards to juvenile justice programs, the amount  
208 retained for administration including documenting the purposes  
209 for such expenses, the status of the development of cooperative  
210 agreements, the results of the quality assurance reviews  
211 including specific legislative recommendations for system  
212 improvement, and information on the identification of, and  
213 services provided to, exceptional students in juvenile justice  
214 commitment facilities to determine whether these students are

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Page 8 of 14

h0949-strike



Amendment No. 1

215 properly reported for funding and are appropriately served. This  
216 report shall be incorporated in, or provided in concert with,  
217 the report required under s. 985.632(3).

218 ~~(21)-(20)~~ The educational programs at the Arthur Dozier  
219 School for Boys in Jackson County and the Florida School for  
220 Boys in Okeechobee shall be operated by the Department of  
221 Education, either directly or through grants or contractual  
222 agreements with other public or duly accredited education  
223 agencies approved by the Department of Education.

224 ~~(22)-(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~  
225 rules necessary to implement the provisions of this section,  
226 ~~including uniform curriculum, funding, and second chance~~  
227 ~~schools~~. Such rules must require the minimum amount of paperwork  
228 and reporting.

229 ~~(23)-(22)~~ The Department of Juvenile Justice and the  
230 Department of Education, in consultation with Workforce Florida,  
231 Inc., the statewide Workforce Development Youth Council,  
232 district school boards, Florida College System institutions,  
233 providers, and others, shall jointly develop a multiagency plan  
234 for career education which describes the funding, curriculum,  
235 transfer of credits, goals, and outcome measures for career  
236 education programming in juvenile commitment facilities,  
237 pursuant to s. 985.622. The plan must be reviewed annually.

238 Section 4. The Stephen R. Wise Commission for Juvenile  
239 Justice Education and Workforce Programs.-

240 (1) The Stephen R. Wise Commission for Juvenile Justice  
241 Education and Workforce Programs is created to study federal and  
242 state law and best practices regarding the delivery of quality

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

243 juvenile justice education programs, review governance and  
244 quality assurance structures and evaluation methodologies,  
245 evaluate existing educational program delivery successes and  
246 failures, identify all funding mechanisms, identify duplicative  
247 or unnecessary reporting requirements, and make specific  
248 recommendations to the Legislature regarding streamlined and  
249 accountable juvenile justice education programs that reduce  
250 rates of recidivism through increased educational attainment and  
251 acquisition of workforce-related skills that lead to continuing  
252 education or meaningful employment, or both.

253 (2) The commission shall consist of the following six  
254 members:

255 (a) The Commissioner of Education or a designee of the  
256 commissioner who is highly qualified in the areas of providing  
257 educational services to youth in Department of Juvenile Justice  
258 programs.

259 (b) The Secretary of Juvenile Justice or a designee of the  
260 secretary who is highly qualified in the area of providing  
261 educational services to youth in Department of Juvenile Justice  
262 programs.

263 (c) Two representatives of the business community who are  
264 committed to developing and enhancing the workforce-related  
265 skills of youth within and exiting a juvenile justice education  
266 program and reducing recidivism. One member shall be appointed  
267 by the Commissioner of Education and one member shall be  
268 appointed by the Secretary of Juvenile Justice.

269 (d) One school district provider of juvenile justice  
270 education programs appointed by the Commissioner of Education.

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

271 This appointee must be committed to developing and enhancing the  
272 education of youth within and exiting a juvenile justice  
273 education program and reducing recidivism.

274 (e) One contract provider of juvenile justice education  
275 programs appointed by the Secretary of Juvenile Justice. This  
276 appointee must be committed to developing and enhancing the  
277 education of youth within a juvenile justice education program  
278 and reducing recidivism.

279 (3) The Commissioner of Education, or his or her designee,  
280 and the Secretary of Juvenile Justice, or his or her designee,  
281 shall serve as co-chairs of the commission.

282 (4) The commission shall meet monthly or at the call of  
283 the co-chairs at a designated time and place. The meetings may  
284 be conducted by teleconference or other electronic means. The  
285 commission shall conduct at least three public hearings. All  
286 meetings shall be noticed and open to the public.

287 (5) The Department of Education and the Department of  
288 Juvenile Justice shall provide administrative support for the  
289 commission.

290 (6) The commission shall submit a report to the Governor,  
291 the President of the Senate, the Speaker of the House of  
292 Representatives, the Board of Governors of the State University  
293 System, the State Board of Education, and the Department of  
294 Juvenile Justice by December 31, 2012.

295 (a) The report shall include a state-of-the-state overview  
296 of juvenile justice education programs in Florida, including  
297 identification of effective and ineffective programs, delivery

Amendment No. 1

298 systems, governance structures, funding support, and quality  
299 assurance structures and evaluation methodologies.

300 (b) The report shall provide specific legislative  
301 recommendations, at a minimum, regarding:

302 1. A juvenile justice education program accountability  
303 system that identifies and rewards high-performing providers,  
304 identifies low-performing providers, specifies mandatory  
305 performance improvement standards, and establishes termination  
306 requirements.

307 2. Student performance standards and a system for  
308 evaluating whether school districts and providers of juvenile  
309 justice education programs meet those standards. Student  
310 performance expectations must be based upon the length of a  
311 student's stay in the juvenile justice program and the level of  
312 institutional supervision.

313 3. Requirements for educational services provided by  
314 school districts and providers that will increase opportunities  
315 for juveniles to continue their education and gain employment.

316 4. The identification of effective program practices and  
317 resources for students in need of academic remediation, credit  
318 recovery, and workforce training.

319 5. The elimination of duplicative processes and reporting  
320 requirements.

321 6. Funding mechanisms for local, state, and federal  
322 funding related to juvenile justice education and workforce  
323 programs.

324 (7) The commission shall be dissolved upon submission of  
325 its report.

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Amendment No. 1

326 Section 5. This act shall take effect upon becoming a law.  
327  
328

329 -----

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

331 Remove the entire title and insert:

332 A bill to be entitled

333 An act relating to juvenile justice education and  
334 workforce programs; amending s. 985.632, F.S.;  
335 requiring the Department of Juvenile Justice to  
336 provide cost and effectiveness information on programs  
337 and program activities and to implement an  
338 accountability system; requiring the department, in  
339 consultation with the Department of Education, to  
340 submit a report to the Governor and Legislature  
341 regarding program costs and effectiveness; requiring  
342 the report to include uniform cost data for programs,  
343 data on student learning gains, and recommendations  
344 for modification and elimination of programs and  
345 program activities; amending s. 1001.42, F.S.;  
346 conforming a cross-reference; amending s. 1003.52,  
347 F.S., relating to educational services in Department  
348 of Juvenile Justice programs; providing qualifications  
349 for instructional personnel; requiring the State Board  
350 of Education to adopt rules relating to quality  
351 assurance standards and review; requiring the  
352 Department of Education to monitor and report on the  
353 educational performance of youth in juvenile justice

573277 - h0949-strike.docx

Published On: 2/22/2012 4:51:53 PM

Page 13 of 14

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 949 (2012)

Amendment No. 1

354 programs; requiring an individualized transition plan  
355 to be developed for each student receiving services in  
356 a juvenile justice education program; conforming  
357 provisions to changes made by the act; creating the  
358 Stephen R. Wise Commission for Juvenile Justice  
359 Education and Workforce Programs; providing  
360 membership, administrative support, and meeting  
361 requirements; requiring the commission to make  
362 specific legislative recommendations and submit a  
363 report relating to overview of juvenile justice  
364 education programs, program accountability, program  
365 standards and evaluation, increasing opportunities for  
366 juveniles in education and employment, effective  
367 program practices, duplicative processes, and funding  
368 mechanisms; providing for the dissolution of the  
369 commission; providing an effective date.