

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; requiring  
27          that the effectiveness of juvenile justice education  
28          programs be determined by implementing systematic data

29 collection, data analysis, and evaluations; requiring  
30 that the programs be evaluated based on student  
31 performance outcomes; requiring that the Department of  
32 Juvenile Justice, in collaboration with the Department  
33 of Education and in consultation with other entities,  
34 prepare and submit an annual report to the Governor  
35 and the Legislature by a specified date; amending s.  
36 985.721, F.S.; conforming a cross-reference; amending  
37 s. 1001.42, F.S.; conforming provisions to changes  
38 made by the act; conforming a cross-reference;  
39 amending ss. 1002.20 and 1002.45, F.S.; conforming  
40 cross-references; amending s. 1003.01, F.S.; revising  
41 the term "juvenile justice education programs or  
42 schools" to conform to changes made by the act;  
43 creating s. 1003.515, F.S.; providing a short title;  
44 providing a legislative finding; providing purposes of  
45 the Florida Juvenile Justice Education Act; providing  
46 a definition for the term "juvenile justice education  
47 programs"; providing responsibilities for school  
48 districts and private providers contracted by school  
49 districts to offer education services to youth in  
50 juvenile justice education programs; requiring that  
51 each juvenile justice residential and nonresidential  
52 program involve the regional workforce board or  
53 economic development agency and local postsecondary  
54 institutions to determine the occupational areas for  
55 the education and workforce-related program; providing  
56 requirements for education and workforce-related

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

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

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

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115 Section 1. Present subsections (30) through (57) of  
116 section 985.03, Florida Statutes, are redesignated as  
117 subsections (31) through (58), respectively, and a new  
118 subsection (30) is added to that section, to read:

119 985.03 Definitions.—As used in this chapter, the term:

120 (30) "Juvenile justice education programs" has the same  
121 meaning as provided in s. 1003.01(11) (a).

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

124 985.46 Conditional release.—

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

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

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

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

152       Section 3. Section 985.618, Florida Statutes, is amended  
153 to read:

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

156       985.618 Education and workforce-related programs.—

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

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

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

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

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

172        (d) Ensures student access to instruction during evenings  
173 and weekends.

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

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

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

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

190        Section 4. Section 985.632, Florida Statutes, is amended  
191 to read:

192        985.632 Quality assurance and cost-effectiveness.—

193        (1) It is the intent of the Legislature that the  
194 department:

195        (a) Ensure that information be provided to decisionmakers  
196 in a timely manner so that resources are allocated to programs

197 of the department which achieve desired performance levels.

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

201 (c) Provide information to aid in developing related  
 202 policy issues and concerns.

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

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

209 (f) Improve service delivery to clients.

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

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

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

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

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

223 (3) The department shall annually collect and report cost  
 224 data for every program operated by the department or its



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

252 (4) (a) The department, in consultation with the Office of

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

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

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

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

281 and Government Accountability of any meetings to refine the  
 282 model.

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

286 1. Construct a profile of each commitment program that  
 287 uses the results of the quality assurance report required by  
 288 this section, the cost-effectiveness report required in this  
 289 subsection, and other reports available to the department.

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

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

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

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

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

306 (6) (5) The department shall:

307 (a) Establish a comprehensive quality assurance system for  
 308 each program operated by the department or its contracted

309 provider ~~operated by a provider under contract with the~~  
310 ~~department~~. Each contract entered into by the department must  
311 provide for quality assurance.

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

314 (c) Establish quality assurance goals and objectives for  
315 each specific program component.

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

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

321 (f) Evaluate each program operated by the department or  
322 its contracted a provider ~~under a contract with the department~~  
323 and establish minimum thresholds for each program component. If  
324 a provider fails to meet the established minimum thresholds,  
325 such failure shall cause the department to cancel the provider's  
326 contract unless the provider achieves compliance with minimum  
327 thresholds within 6 months or unless there are documented  
328 extenuating circumstances. In addition, the department may not  
329 contract with the same provider for the canceled service for a  
330 period of 12 months. If a department-operated program fails to  
331 meet the established minimum thresholds, the department must  
332 take necessary and sufficient steps to ensure and document  
333 program changes to achieve compliance with the established  
334 minimum thresholds. If the department-operated program fails to  
335 achieve compliance with the established minimum thresholds  
336 within 6 months and if there are no documented extenuating

337 | circumstances, the department must notify the Executive Office  
338 | of the Governor and the Legislature of the corrective action  
339 | taken. Appropriate corrective action may include, but is not  
340 | limited to:

- 341 | 1. Contracting out for the services provided in the  
342 | program;
- 343 | 2. Initiating appropriate disciplinary action against all  
344 | employees whose conduct or performance is deemed to have  
345 | materially contributed to the program's failure to meet  
346 | established minimum thresholds;
- 347 | 3. Redesigning the program; or
- 348 | 4. Realigning the program.

349 |

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

365       (7) The department, in collaboration with the Department  
366 of Education and in consultation with the school districts and  
367 private juvenile justice education program providers, shall  
368 prepare an annual report containing the education performance  
369 outcomes, based on the criteria in s. 1003.515(7), of youth in  
370 juvenile justice education programs. The report shall delineate  
371 the performance outcomes of youth in the state, in each school  
372 district's juvenile justice education program, and for each  
373 private provider's juvenile justice education program, including  
374 the performance outcomes of all major student populations and  
375 genders, as determined by the Department of Education. The  
376 report shall address the use and successful completion of  
377 virtual instruction courses and the successful implementation of  
378 transition and reintegration plans. The report must include an  
379 analysis of the performance of youth over time, including, but  
380 not limited to, additional education attainment, employment,  
381 earnings, industry certification, and rates of recidivism. The  
382 report must also include recommendations for improving  
383 performance outcomes and for additional cost savings and  
384 efficiencies. The report shall be submitted to the Governor, the  
385 President of the Senate, and the Speaker of the House of  
386 Representatives by December 31, 2013, and each year thereafter.

387       ~~(8)-(6)~~ The department shall collect and analyze available  
388 statistical data for the purpose of ongoing evaluation of all  
389 programs. The department shall provide the Legislature with  
390 necessary information and reports to enable the Legislature to  
391 make informed decisions regarding the effectiveness of, and any  
392 needed changes in, services, programs, policies, and laws.

393 Section 5. Section 985.721, Florida Statutes, is amended  
 394 to read:

395 985.721 Escapes from secure detention or residential  
 396 commitment facility.—An escape from:

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

400 (2) Any residential commitment facility described in s.  
 401 985.03(46) ~~985.03(45)~~, maintained for the custody, treatment,  
 402 punishment, or rehabilitation of children found to have  
 403 committed delinquent acts or violations of law; or

404 (3) Lawful transportation to or from any such secure  
 405 detention facility or residential commitment facility,  
 406  
 407 constitutes escape within the intent and meaning of s. 944.40  
 408 and is a felony of the third degree, punishable as provided in  
 409 s. 775.082, s. 775.083, or s. 775.084.

410 Section 6. Paragraph (b) of subsection (18) of section  
 411 1001.42, Florida Statutes, is amended to read:

412 1001.42 Powers and duties of district school board.—The  
 413 district school board, acting as a board, shall exercise all  
 414 powers and perform all duties listed below:

415 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
 416 Maintain a state system of school improvement and education  
 417 accountability as provided by statute and State Board of  
 418 Education rule. This system of school improvement and education  
 419 accountability shall be consistent with, and implemented  
 420 through, the district's continuing system of planning and

421 budgeting required by this section and ss. 1008.385, 1010.01,  
 422 and 1011.01. This system of school improvement and education  
 423 accountability shall comply with the provisions of ss. 1008.33,  
 424 1008.34, 1008.345, and 1008.385 and include the following:

425 (b) Public disclosure.—The district school board shall  
 426 provide information regarding the performance of students in ~~and~~  
 427 education ~~educational~~ programs as required pursuant to ss.  
 428 1008.22 and 1008.385 and implement a system of school reports as  
 429 required by statute and State Board of Education rule which  
 430 shall include schools operating for the purpose of providing  
 431 education ~~educational~~ services to youth in Department of  
 432 Juvenile Justice residential and nonresidential programs, and  
 433 for those programs ~~schools~~, report on the data and education  
 434 outcomes ~~elements~~ specified in s. 1003.515(7) ~~1003.52(19)~~.  
 435 Annual public disclosure reports shall be in an easy-to-read  
 436 report card format and shall include the school's grade, high  
 437 school graduation rate calculated without GED tests,  
 438 disaggregated by student ethnicity, and performance data as  
 439 specified in state board rule.

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

442 1002.20 K-12 student and parent rights.—Parents of public  
 443 school students must receive accurate and timely information  
 444 regarding their child's academic progress and must be informed  
 445 of ways they can help their child to succeed in school. K-12  
 446 students and their parents are afforded numerous statutory  
 447 rights including, but not limited to, the following:

448 (20) JUVENILE JUSTICE PROGRAMS.—Students who are in



449 juvenile justice programs have the right to receive educational  
 450 programs and services in accordance with the provisions of s.  
 451 1003.515 ~~1003.52~~.

452 Section 8. Paragraph (b) of subsection (1) of section  
 453 1002.45, Florida Statutes, is amended to read:

454 1002.45 Virtual instruction programs.—

455 (1) PROGRAM.—

456 (b) Each school district that is eligible for the sparsity  
 457 supplement pursuant to s. 1011.62(7) shall provide all enrolled  
 458 public school students within its boundaries the option of  
 459 participating in part-time and full-time virtual instruction  
 460 programs. Each school district that is not eligible for the  
 461 sparsity supplement shall provide at least three options for  
 462 part-time and full-time virtual instruction. All school  
 463 districts must provide parents with timely written notification  
 464 of an open enrollment period for full-time students of at least  
 465 90 days that ends no later than 30 days before ~~prior to~~ the  
 466 first day of the school year. The purpose of the program is to  
 467 make quality virtual instruction available to students using  
 468 online and distance learning technology in the nontraditional  
 469 classroom. A school district virtual instruction program shall  
 470 provide the following:

471 1. Full-time virtual instruction for students enrolled in  
 472 kindergarten through grade 12.

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

476 3. Full-time or part-time virtual instruction for students

477 enrolled in dropout prevention and academic intervention  
 478 programs under s. 1003.53, Department of Juvenile Justice  
 479 education programs under s. 1003.515 ~~1003.52~~, core-curricula  
 480 courses to meet class size requirements under s. 1003.03, or  
 481 Florida College System institutions under this section.

482 Section 9. Paragraph (a) of subsection (11) of section  
 483 1003.01, Florida Statutes, is amended to read:

484 1003.01 Definitions.—As used in this chapter, the term:

485 (11) (a) "Juvenile justice education programs ~~or schools~~"  
 486 means programs ~~or schools~~ operating for the purpose of providing  
 487 educational services to youth in Department of Juvenile Justice  
 488 programs, for a school year comprised of 250 days of instruction  
 489 distributed over 12 months. At the request of the provider, a  
 490 district school board may decrease the minimum number of days of  
 491 instruction by up to 10 days for teacher planning for  
 492 residential programs and up to 20 days for teacher planning for  
 493 nonresidential programs, subject to the approval of the  
 494 Department of Juvenile Justice and the Department of Education.

495 Section 10. Section 1003.515, Florida Statutes, is created  
 496 to read:

497 1003.515 The Florida Juvenile Justice Education Act.—

498 (1) SHORT TITLE.—This section may be cited as the "Florida  
 499 Juvenile Justice Education Act."

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

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

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

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

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

514 (5) SCHOOL DISTRICT AND CONTRACTED EDUCATION PROVIDER  
515 RESPONSIBILITIES.—

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

519 1. Provide rigorous and relevant academic and workforce-  
520 related curricula that will lead to industry certifications in  
521 an occupational area of high demand identified in the Industry  
522 Certification Funding list adopted by the State Board of  
523 Education, or articulate to secondary or postsecondary-level  
524 coursework, as appropriate.

525 2. Support state, local, and regional economic development  
526 demands.

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

529 4. Reduce rates of recidivism for adjudicated youth.

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

533 appropriate.

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

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

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

545 9. Ensure that the education program consists of the  
546 appropriate academic, workforce-related, or exceptional  
547 education curricula and related services that directly support  
548 performance outcomes, which must be specified in each youth's  
549 education transition plan component as required by subsection  
550 (10).

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

558 11. Maintain an academic record for each youth who is  
559 enrolled in a juvenile justice facility, as required by s.  
560 1003.51, and ensure that the coursework, credits, partial

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561 credits, occupational completion points, and industry  
562 certifications earned by the youth are transferred and included  
563 in the youth's transition plan pursuant to s. 985.46.

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

566 1. Youth who are of compulsory school attendance age  
567 pursuant to s. 1003.21.

568 2. Youth who are not of compulsory school attendance age  
569 and who have not received a high school diploma or its  
570 equivalent, if the youth is in a residential or nonresidential  
571 juvenile justice program. Such youth must participate in the  
572 education program and participate in a workforce-related  
573 education program that leads to industry certification in an  
574 occupational area of high demand. This subparagraph does not  
575 limit the rights of students with disabilities, as defined under  
576 the Individuals with Disabilities Education Act, who are not of  
577 compulsory school attendance age and who have not received a  
578 high school diploma to receive a free, appropriate public  
579 education in accordance with their individualized needs.

580 3. Youth who have attained a high school diploma or its  
581 equivalent and who are not employed. Such youth must participate  
582 in a workforce-related education program that leads to  
583 employment in an occupational area of high demand. Such youth  
584 may enroll in a state postsecondary institution to complete the  
585 workforce-related education program and are exempt from the  
586 payment of tuition and fees pursuant to s. 1009.25(1)(g).

587 (6) PROGRAM REQUIREMENTS.—In compliance with the strategic  
588 5-year plan under s. 1003.491, each juvenile justice residential

589 and nonresidential education program shall, in collaboration  
590 with the regional workforce board or economic development agency  
591 and local postsecondary institutions, determine the appropriate  
592 occupational areas for the program. Juvenile justice education  
593 programs must:

594 (a) Ensure that rigorous academic and workforce-related  
595 coursework is offered and meets or exceeds appropriate state-  
596 approved subject area standards, and results in the attainment  
597 of industry certification and postsecondary credit, when  
598 appropriate;

599 (b) Ensure instruction from individuals who hold industry  
600 credentials in the occupational areas in which they teach;

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

602 (d) Use strategies to maximize the delivery of virtual  
603 instruction;

604 (e) Maximize instructional efficiency for youth in  
605 juvenile justice facilities;

606 (f) Provide opportunities for youth to earn weighted or  
607 dual enrollment credit for higher-level courses, when  
608 appropriate;

609 (g) Promote credit recovery; and

610 (h) Provide instruction that results in competency,  
611 certification, or credentials in workplace skills, including,  
612 but not limited to, communication skills, interpersonal skills,  
613 decisionmaking skills, work ethic, and the importance of  
614 attendance and timeliness in the work environment.

615 (7) DEPARTMENT RESPONSIBILITIES.—

616 (a) The department shall identify each residential and

617 nonresidential juvenile justice education program, excluding  
618 detention programs, as having one of the following performance  
619 ratings as defined by State Board of Education rule:

- 620 1. High performance.
- 621 2. Adequate performance.
- 622 3. Failing performance.

623 (b) The department shall consider the level of rigor  
624 associated with the attainment of a particular outcome when  
625 assigning weight to the outcome. The department shall evaluate  
626 the following elements in determining a juvenile justice  
627 education program's performance rating:

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

630 a. Achieving academic progress in reading and mathematics,  
631 as measured by the statewide common pre- and post-assessment  
632 adopted by the department for use in juvenile justice education  
633 programs, and participating in continuing education upon release  
634 from a juvenile justice residential or nonresidential program.

635 b. Completing secondary coursework and participating in  
636 continuing education upon release from a juvenile justice  
637 residential or nonresidential program.

638 c. Attaining occupational completion points in an  
639 occupational area of high demand identified in the Industry  
640 Certification Funding list adopted by the State Board of  
641 Education and participating in continuing education upon release  
642 from a juvenile justice residential or nonresidential program.

643 d. Attaining an industry certification in an occupational  
644 area of high demand identified in the Industry Certification

645 Funding list adopted by the State Board of Education, if  
646 available and appropriate, and participating in continuing  
647 education upon release from a juvenile justice residential or  
648 nonresidential program.

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

651 a. Achieving academic progress in reading and mathematics,  
652 as measured by the statewide common pre- and post-assessment  
653 adopted by the department for use in juvenile justice education  
654 programs, and participating in continuing education upon release  
655 from a juvenile justice residential or nonresidential program.

656 b. Earning secondary or postsecondary credit upon release  
657 from a juvenile justice facility and participating in continuing  
658 education upon release from a juvenile justice residential or  
659 nonresidential program.

660 c. Attaining a high school diploma or its equivalent and  
661 participating in continuing education at the postsecondary level  
662 upon release from a juvenile justice residential or  
663 nonresidential program.

664 d. Attaining a high school diploma or its equivalent and  
665 obtaining employment.

666 e. Attaining an industry certification in an occupational  
667 area of high demand identified in the Industry Certification  
668 Funding list adopted by the State Board of Education and  
669 obtaining employment.

670 f. Attaining occupational completion points in an  
671 occupational area of high demand and obtaining employment.

672 g. Attaining occupational completion points in an



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673 occupational area of high demand identified in the Industry  
674 Certification Funding list adopted by the State Board of  
675 Education and, upon release from a juvenile justice residential  
676 or nonresidential program, participating in continuing education  
677 in order to complete the industry certification in that  
678 occupation.

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.

697 2. Prohibit school districts or private providers that  
698 have 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 a high-performance rating pursuant to  
725 subsection (7), the school district may not require a private  
726 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 in an occupational  
 738 area of high demand identified in the Industry Certification  
 739 Funding list adopted by the State Board of Education;

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

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

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

745 (10) EDUCATION TRANSITION PLAN COMPONENT.—

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

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

754 (c) The development of the education transition plan  
 755 component shall begin upon a youth's placement in the program.  
 756 The education transition plan component must include the

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757 academic and workforce services to be provided during the  
758 program stay and the establishment of services to be implemented  
759 upon release. The appropriate personnel in the juvenile justice  
760 residential and nonresidential program, the members of the  
761 community, the youth, and the youth's family, when appropriate,  
762 shall collaborate to develop the education transition plan  
763 component.

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

779 (11) FUNDING.—

780 (a) Youth who are participating in GED preparation  
781 programs while under the supervision of the Department of  
782 Juvenile Justice shall be funded at the basic program cost  
783 factor for juvenile justice programs in the Florida Education  
784 Finance Program (FEFP). Juvenile justice education programs

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785 shall be funded in the appropriate FEFP program based on the  
786 education services needed by the students in the programs  
787 pursuant to s. 1011.62.

788 (b) Juvenile justice education programs operated through a  
789 contract with the Department of Juvenile Justice and under the  
790 purview of the department's quality assurance standards and  
791 performance outcomes shall receive the appropriate FEFP funding  
792 for juvenile justice programs.

793 (c) A district school board shall fund the education  
794 program in a juvenile justice facility at the same or higher  
795 level of funding for equivalent students in the district school  
796 system based on the funds generated through the FEFP and funds  
797 allocated from federal programs.

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

802 (e) The State Board of Education shall prescribe rules  
803 relating to FTE count periods which must be the same for  
804 juvenile justice programs and other public school programs. The  
805 summer school period for students in juvenile justice programs  
806 shall begin on the day immediately preceding the subsequent  
807 regular school year. Students may be funded for no more than 25  
808 hours per week of direct instruction; however, students shall be  
809 provided access to virtual instruction in order to maximize the  
810 most efficient use of time.

811 (12) FACILITIES.—The district school board may not be  
812 charged any rent, maintenance, utilities, or overhead on the

813 facilities. Maintenance, repairs, and remodeling of existing  
 814 facilities shall be provided by the Department of Juvenile  
 815 Justice.

816 (13) RULEMAKING.—The State Board of Education shall  
 817 collaborate with the Department of Juvenile Justice, the  
 818 Department of Economic Opportunity, school districts, and  
 819 private providers to adopt rules pursuant to ss. 120.536(1) and  
 820 120.54 to administer this section.

821 Section 11. Section 1003.52, Florida Statutes, is  
 822 repealed.

823 Section 12. Present paragraph (g) of subsection (1) of  
 824 section 1009.25, Florida Statutes, is redesignated as paragraph  
 825 (h), and a new paragraph (g) is added to that subsection, to  
 826 read:

827 1009.25 Fee exemptions.—

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

832 (g) For purposes of completing coursework initiated while  
 833 in the temporary custody of the state, youth who are eligible  
 834 under s. 1003.515(5)(b)3. and who are ordered by a court to  
 835 participate in a juvenile justice residential program.

836 Section 13. Paragraph (f) of subsection (1) of section  
 837 1011.62, Florida Statutes, is amended to read:

838 1011.62 Funds for operation of schools.—If the annual  
 839 allocation from the Florida Education Finance Program to each  
 840 district for operation of schools is not determined in the

841 annual appropriations act or the substantive bill implementing  
842 the annual appropriations act, it shall be determined as  
843 follows:

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

848 (f) Supplemental academic instruction; categorical fund.—

849 1. There is created a categorical fund to provide  
850 supplemental academic instruction to students in kindergarten  
851 through grade 12. This paragraph may be cited as the  
852 "Supplemental Academic Instruction Categorical Fund."

853 2. Categorical funds for supplemental academic instruction  
854 shall be allocated annually to each school district in the  
855 amount provided in the General Appropriations Act. These funds  
856 shall be in addition to the funds appropriated on the basis of  
857 FTE student membership in the Florida Education Finance Program  
858 and shall be included in the total potential funds of each  
859 district. These funds shall be used to provide supplemental  
860 academic instruction to students enrolled in the K-12 program.  
861 Supplemental instruction strategies may include, but are not  
862 limited to: modified curriculum, reading instruction, after-  
863 school instruction, tutoring, mentoring, class size reduction,  
864 extended school year, intensive skills development in summer  
865 school, and other methods for improving student achievement.  
866 Supplemental instruction may be provided to a student in any  
867 manner and at any time during or beyond the regular 180-day term  
868 identified by the school as being the most effective and

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869 efficient way to best help that student progress from grade to  
870 grade and to graduate.

871 3. Effective with the 2012-2013 ~~1999-2000~~ fiscal year,  
872 funding on the basis of FTE membership beyond the 180-day  
873 regular term shall be provided in the FEFP only for students  
874 enrolled in juvenile justice education programs or in education  
875 programs for juveniles placed in secure facilities or programs  
876 under s. 985.19. Funding for instruction beyond the regular 180-  
877 day school year for all other K-12 students shall be provided  
878 through the supplemental academic instruction categorical fund  
879 and other state, federal, and local fund sources with ample  
880 flexibility for schools to provide supplemental instruction to  
881 assist students in progressing from grade to grade and  
882 graduating.

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

888 5. ~~Beginning in the 1999-2000 school year,~~ Dropout  
889 prevention programs as defined in ss. 1003.515 ~~1003.52~~,  
890 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in  
891 group 1 programs under subparagraph (d)3.

892 Section 14. This act shall take effect upon becoming a  
893 law.