

1 A bill to be entitled
2 An act relating to juvenile justice education and
3 workforce programs; amending s. 985.632, F.S.;
4 requiring the Department of Juvenile Justice to
5 provide cost and effectiveness information on programs
6 and program activities and to implement an
7 accountability system; requiring the department, in
8 consultation with the Department of Education, to
9 submit a report to the Governor and Legislature
10 regarding program costs and effectiveness; requiring
11 the report to include uniform cost data for programs,
12 data on student learning gains, and recommendations
13 for modification and elimination of programs and
14 program activities; amending s. 1001.42, F.S.;
15 conforming a cross-reference; amending s. 1003.52,
16 F.S., relating to educational services in Department
17 of Juvenile Justice programs; providing qualifications
18 for instructional personnel; requiring the State Board
19 of Education to adopt rules relating to quality
20 assurance standards and review; requiring the
21 Department of Education to monitor and report on the
22 educational performance of youth in juvenile justice
23 programs; requiring an individualized transition plan
24 to be developed for each student receiving services in
25 a juvenile justice education program; creating the
26 Stephen R. Wise Commission for Juvenile Justice
27 Education and Workforce Programs; providing
28 membership, administrative support, and meeting

29 requirements; requiring the commission to submit a
 30 report and make legislative recommendations relating
 31 to juvenile justice education program accountability,
 32 performance standards and evaluation, increased
 33 opportunities for juveniles in education and
 34 employment, effective program practices, duplicative
 35 processes, and funding mechanisms; providing for the
 36 dissolution of the commission; providing an effective
 37 date.

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

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41 Section 1. Subsections (1) and (3) of section 985.632,
 42 Florida Statutes, are amended to read:

43 985.632 Quality assurance and cost-effectiveness.—

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

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

46 (1) The department shall:

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

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

53 (c) Provide information to the public concerning program
 54 and program activity cost and effectiveness.

55 (d) Implement a system of accountability in order to
 56 provide the best and most appropriate programs and activities to

57 | meet client needs.

58 | (e) Continue to improve service delivery.

59 | (3) By March 1 each year, the department, in consultation
 60 | with the Department of Education, shall submit a report to the
 61 | Governor, the President of the Senate, and the Speaker of the
 62 | House of Representatives regarding program costs and
 63 | effectiveness. The report shall include uniform cost data for
 64 | each program operated by the department or by providers under
 65 | contract with the department. The Department of Education shall
 66 | provide the cost data on each education program operated by a
 67 | school district or a provider under contract with a school
 68 | district. Cost data shall be formatted and presented in a manner
 69 | approved by the Legislature. The report shall also include data
 70 | on student learning gains, as provided by the Department of
 71 | Education, for all juvenile justice education programs as
 72 | required under s. 1003.52(3)(b); information required under s.
 73 | 1003.52(20); the cost-effectiveness of each program offered; and
 74 | recommendations for modification or elimination of programs or
 75 | program activities.

76 | Section 2. Paragraph (b) of subsection (18) of section
 77 | 1001.42, Florida Statutes, is amended to read:

78 | 1001.42 Powers and duties of district school board.—The
 79 | district school board, acting as a board, shall exercise all
 80 | powers and perform all duties listed below:

81 | (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 82 | Maintain a state system of school improvement and education
 83 | accountability as provided by statute and State Board of
 84 | Education rule. This system of school improvement and education

85 | accountability shall be consistent with, and implemented
 86 | through, the district's continuing system of planning and
 87 | budgeting required by this section and ss. 1008.385, 1010.01,
 88 | and 1011.01. This system of school improvement and education
 89 | accountability shall comply with the provisions of ss. 1008.33,
 90 | 1008.34, 1008.345, and 1008.385 and include the following:

91 | (b) Public disclosure.—The district school board shall
 92 | provide information regarding the performance of students and
 93 | educational programs as required pursuant to ss. 1008.22 and
 94 | 1008.385 and implement a system of school reports as required by
 95 | statute and State Board of Education rule which shall include
 96 | schools operating for the purpose of providing educational
 97 | services to youth in Department of Juvenile Justice programs,
 98 | and for those schools, report on the elements specified in s.
 99 | 1003.52(20) ~~1003.52(19)~~. Annual public disclosure reports shall
 100 | be in an easy-to-read report card format and shall include the
 101 | school's grade, high school graduation rate calculated without
 102 | GED tests, disaggregated by student ethnicity, and performance
 103 | data as specified in state board rule.

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

107 | 1003.52 Educational services in Department of Juvenile
 108 | Justice programs.—

109 | (10) The district school board shall recruit and train
 110 | teachers who are interested, qualified, or experienced in
 111 | educating students in juvenile justice programs. Students in
 112 | juvenile justice programs shall be provided a wide range of

113 educational programs ~~and opportunities including textbooks,~~
 114 ~~technology,~~ instructional support, and ~~other~~ resources
 115 commensurate with resources provided available to students in
 116 public schools, including textbooks and access to technology. If
 117 the district school board operates a juvenile justice education
 118 program at a juvenile justice facility, the district school
 119 board, in consultation with the director of the juvenile justice
 120 facility, shall select the instructional personnel assigned to
 121 that program. Instructional personnel must be certified by the
 122 Department of Education; however, a nondegreed teacher of career
 123 and technical education courses, certified by a school district
 124 under s. 1012.39, may provide services as an out-of-field
 125 teacher. Teachers assigned to educational programs in juvenile
 126 ~~justice settings in which the district school board operates the~~
 127 ~~educational program shall be selected by the district school~~
 128 ~~board in consultation with the director of the juvenile justice~~
 129 ~~facility. Educational programs in juvenile justice facilities~~
 130 ~~shall have access to~~ The substitute teacher pool utilized by the
 131 district school board shall be made available to the director of
 132 the juvenile justice facility for the delivery of educational
 133 programs in juvenile justice facilities.

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

137 (a) Objective and measurable quality assurance standards
 138 for the educational component of residential and nonresidential
 139 juvenile justice programs facilities. ~~A~~ ~~These standards shall~~
 140 ~~rate the~~ district school board's performance both as a provider

141 and contractor shall be rated based upon these standards. The
142 quality assurance rating for the educational component shall be
143 disaggregated from the overall quality assurance rating score
144 and reported separately. As part of the quality assurance
145 review, the department, in collaboration with the Department of
146 Juvenile Justice, shall monitor and report on the educational
147 performance of youth in commitment, day treatment, early
148 delinquency intervention, and detention programs. The report
149 must include, at a minimum, the number and percentage of
150 students:

- 151 1. Returning to middle school or high school upon release.
- 152 2. Receiving a standard high school diploma or a general
153 equivalency diploma.
- 154 3. Receiving industry certification.
- 155 4. Receiving occupational completion points.
- 156 5. Enrolling in a postsecondary educational institution.
- 157 6. Completing a juvenile justice education program without
158 reoffending.
- 159 7. Reoffending within 1 year after completion of a
160 juvenile justice education program.
- 161 8. Remaining employed 1 year after completion of a
162 juvenile justice education program.

163 (b) ~~The Department of Education shall develop~~ A
164 comprehensive quality assurance review process and schedule for
165 the evaluation of the educational component in juvenile justice
166 programs. The Department of Juvenile Justice quality assurance
167 site visit and the education quality assurance site visit shall
168 be conducted during the same visit.

CS/CS/HB 949

2012

169 (c) ~~The Department of Education, in consultation with~~
170 ~~district school boards and providers, shall establish~~ Minimum
171 thresholds for the standards used to evaluate the ~~and key~~
172 ~~indicators for~~ educational component of ~~programs in~~ juvenile
173 justice programs ~~facilities~~. If a district school board fails to
174 meet the established minimum standards, it will be given 6
175 months to achieve compliance with the standards. If after 6
176 months, the district school board's performance is still below
177 minimum standards, the Department of Education shall exercise
178 sanctions as prescribed by rules adopted by the State Board of
179 Education. If a provider, under contract with the district
180 school board, fails to meet minimum standards, such failure
181 shall cause the district school board to cancel the provider's
182 contract unless the provider achieves compliance within 6 months
183 or unless there are documented extenuating circumstances.

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

186 (16) An individualized transition plan shall be developed
187 for each student receiving services in a juvenile justice
188 education program. The individualized transition plan shall be
189 developed upon the student's entry into the program with the
190 participation of the student, parent, school district or
191 contracted provider personnel or both, and Department of
192 Juvenile Justice staff. Once the student exits a juvenile
193 justice education program, a copy of the individualized
194 transition plan shall be provided to the student, the parent,
195 the provider, and the Department of Juvenile Justice. The
196 individualized transition plan becomes a part of the student's

197 academic record. The individualized transition plan shall
 198 include, at a minimum, the student's:
 199 (a) Results on district and statewide assessments;
 200 (b) Individual academic plan, 504 accommodation plan, or
 201 individual education plan, as appropriate;
 202 (c) Academic transcripts;
 203 (d) Academic reentry goals;
 204 (e) Career and employment goals;
 205 (f) Recommended educational placement;
 206 (g) Industry certification completion information;
 207 (h) Occupational completion points; and
 208 (i) Treatment, intervention, and support services that are
 209 accessible upon exiting the program.

210 ~~(17)~~~~(16)~~ The district school board shall not be charged
 211 any rent, maintenance, utilities, or overhead on residential or
 212 nonresidential juvenile justice ~~such~~ facilities. Maintenance,
 213 repairs, and remodeling of existing facilities shall be provided
 214 by the Department of Juvenile Justice.

215 ~~(18)~~~~(17)~~ When additional facilities are required, the
 216 district school board and the Department of Juvenile Justice
 217 shall agree on the appropriate site based on the instructional
 218 needs of the students. When the most appropriate site for
 219 instruction is on district school board property, a special
 220 capital outlay request shall be made by the commissioner in
 221 accordance with s. 1013.60. When the most appropriate site is on
 222 state property, state capital outlay funds shall be requested by
 223 the Department of Juvenile Justice provided by s. 216.043 and
 224 shall be submitted as specified by s. 216.023. Any instructional

225 facility to be built on state property shall have educational
 226 specifications jointly developed by the district school board
 227 and the Department of Juvenile Justice and approved by the
 228 Department of Education. The size of space and occupant design
 229 capacity criteria as provided by State Board of Education rules
 230 shall be used for remodeling or new construction whether
 231 facilities are provided on state property or district school
 232 board property.

233 (19)~~(18)~~ The parent of an exceptional student shall have
 234 the due process rights provided for in this chapter.

235 (20)~~(19)~~ The Department of Education and the Department of
 236 Juvenile Justice, after consultation with and assistance from
 237 ~~local~~ providers and district school boards, shall report
 238 annually to the Legislature by March ~~February~~ 1 on the progress
 239 toward developing effective educational programs for juvenile
 240 delinquents, including the amount of funding provided by
 241 district school boards to juvenile justice programs, the amount
 242 retained for administration including documenting the purposes
 243 for such expenses, the status of the development of cooperative
 244 agreements, the results of the quality assurance reviews
 245 including specific legislative recommendations for system
 246 improvement, and information on the identification of, and
 247 services provided to, exceptional students in juvenile justice
 248 commitment facilities to determine whether these students are
 249 properly reported for funding and are appropriately served. This
 250 report shall be incorporated in, or provided in concert with,
 251 the report required under s. 985.632(3).

252 (21)~~(20)~~ The educational programs at the Arthur Dozier

253 School for Boys in Jackson County and the Florida School for
 254 Boys in Okeechobee shall be operated by the Department of
 255 Education, either directly or through grants or contractual
 256 agreements with other public or duly accredited education
 257 agencies approved by the Department of Education.

258 (22)~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
 259 rules necessary to implement the provisions of this section,
 260 ~~including uniform curriculum, funding, and second chance~~
 261 ~~schools~~. Such rules must require the minimum amount of paperwork
 262 and reporting.

263 (23)~~(22)~~ The Department of Juvenile Justice and the
 264 Department of Education, in consultation with Workforce Florida,
 265 Inc., the statewide Workforce Development Youth Council,
 266 district school boards, Florida College System institutions,
 267 providers, and others, shall jointly develop a multiagency plan
 268 for career education which describes the funding, curriculum,
 269 transfer of credits, goals, and outcome measures for career
 270 education programming in juvenile commitment facilities,
 271 pursuant to s. 985.622. The plan must be reviewed annually.

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

274 (1) The Stephen R. Wise Commission for Juvenile Justice
 275 Education and Workforce Programs is created to study federal and
 276 state law and best practices regarding the delivery of quality
 277 juvenile justice education programs, review governance and
 278 quality assurance structures and evaluation methodologies,
 279 evaluate existing educational program delivery successes and
 280 failures, identify all funding mechanisms, identify duplicative

281 or unnecessary reporting requirements, and make specific
282 recommendations to the Legislature regarding streamlined and
283 accountable juvenile justice education programs that reduce
284 rates of recidivism through increased educational attainment and
285 acquisition of workforce-related skills that lead to continuing
286 education or meaningful employment, or both.

287 (2) The commission shall consist of the following six
288 members:

289 (a) The Commissioner of Education or a designee of the
290 commissioner who is highly qualified in the areas of providing
291 educational services to youth in Department of Juvenile Justice
292 programs.

293 (b) The Secretary of Juvenile Justice or a designee of the
294 secretary who is highly qualified in the area of providing
295 educational services to youth in Department of Juvenile Justice
296 programs.

297 (c) Two representatives of the business community who are
298 committed to developing and enhancing the workforce-related
299 skills of youth within and exiting a juvenile justice education
300 program and reducing recidivism. One member shall be appointed
301 by the Commissioner of Education and one member shall be
302 appointed by the Secretary of Juvenile Justice.

303 (d) One school district provider of juvenile justice
304 education programs appointed by the Commissioner of Education.
305 This appointee must be committed to developing and enhancing the
306 education of youth within and exiting a juvenile justice
307 education program and reducing recidivism.

308 (e) One contract provider of juvenile justice education

309 programs appointed by the Secretary of Juvenile Justice. This
310 appointee must be committed to developing and enhancing the
311 education of youth within a juvenile justice education program
312 and reducing recidivism.

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

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

321 (5) The Department of Education and the Department of
322 Juvenile Justice shall provide administrative support for the
323 commission.

324 (6) The commission shall submit a report to the Governor,
325 the President of the Senate, the Speaker of the House of
326 Representatives, the Board of Governors of the State University
327 System, the State Board of Education, and the Department of
328 Juvenile Justice by December 31, 2012.

329 (a) The report shall include a state-of-the-state overview
330 of juvenile justice education programs in Florida, including
331 identification of effective and ineffective programs, delivery
332 systems, governance structures, funding support, and quality
333 assurance structures and evaluation methodologies.

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

336 1. A juvenile justice education program accountability

337 system that identifies and rewards high-performing providers,
338 identifies low-performing providers, specifies mandatory
339 performance improvement standards, and establishes termination
340 requirements.

341 2. Student performance standards and a system for
342 evaluating whether school districts and providers of juvenile
343 justice education programs meet those standards. Student
344 performance expectations must be based upon the length of a
345 student's stay in the juvenile justice program and the level of
346 institutional supervision.

347 3. Requirements for educational services provided by
348 school districts and providers that will increase opportunities
349 for juveniles to continue their education and gain employment.

350 4. The identification of effective program practices and
351 resources for students in need of academic remediation, credit
352 recovery, and workforce training.

353 5. The elimination of duplicative processes and reporting
354 requirements.

355 6. Funding mechanisms for local, state, and federal
356 funding related to juvenile justice education and workforce
357 programs.

358 (7) The commission shall be dissolved upon submission of
359 its report.

360 Section 5. This act shall take effect upon becoming a law.