

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; requiring school
18 districts or contracted private providers to provide
19 certain instruction; providing qualifications for
20 instructional personnel; requiring the State Board of
21 Education to adopt rules relating to quality assurance
22 standards and review; requiring the Department of
23 Education to monitor and report on the educational
24 performance of youth in juvenile justice programs;
25 requiring an individualized transition plan to be
26 developed for each student receiving services in a
27 juvenile justice education program; providing an
28 effective date.

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

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

985.632 Quality assurance and cost-effectiveness.—

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

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

(1) The department shall:

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

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

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

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

(e) Continue to improve service delivery.

(3) By March 1 each year, the department, in consultation with the Department of Education, shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding program costs and effectiveness. The report shall include uniform cost data for each program operated by the department or by providers under contract with the department. The Department of Education shall

57 provide the cost data on each education program operated by a
58 school district or a provider under contract with a school
59 district. Cost data shall be formatted and presented in a manner
60 approved by the Legislature. The report shall also include data
61 on student learning gains, as provided by the Department of
62 Education, for all juvenile justice education programs as
63 required under s. 1003.52(3)(b); information required under s.
64 1003.52(20); the cost-effectiveness of each program offered; and
65 recommendations for modification or elimination of programs or
66 program activities.

67 Section 2. Paragraph (b) of subsection (18) of section
68 1001.42, Florida Statutes, is amended to read:

69 1001.42 Powers and duties of district school board.—The
70 district school board, acting as a board, shall exercise all
71 powers and perform all duties listed below:

72 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
73 Maintain a state system of school improvement and education
74 accountability as provided by statute and State Board of
75 Education rule. This system of school improvement and education
76 accountability shall be consistent with, and implemented
77 through, the district's continuing system of planning and
78 budgeting required by this section and ss. 1008.385, 1010.01,
79 and 1011.01. This system of school improvement and education
80 accountability shall comply with the provisions of ss. 1008.33,
81 1008.34, 1008.345, and 1008.385 and include the following:

82 (b) Public disclosure.—The district school board shall
83 provide information regarding the performance of students and
84 educational programs as required pursuant to ss. 1008.22 and

85 1008.385 and implement a system of school reports as required by
 86 statute and State Board of Education rule which shall include
 87 schools operating for the purpose of providing educational
 88 services to youth in Department of Juvenile Justice programs,
 89 and for those schools, report on the elements specified in s.
 90 1003.52(20) ~~1003.52(19)~~. Annual public disclosure reports shall
 91 be in an easy-to-read report card format and shall include the
 92 school's grade, high school graduation rate calculated without
 93 GED tests, disaggregated by student ethnicity, and performance
 94 data as specified in state board rule.

95 Section 3. Paragraph (a) of subsection (3), subsection
 96 (10), and subsections (15) through (22) of section 1003.52,
 97 Florida Statutes, are amended, and a new subsection (16) is
 98 added to that section, to read:

99 1003.52 Educational services in Department of Juvenile
 100 Justice programs.—

101 (3) The district school board of the county in which the
 102 residential or nonresidential care facility or juvenile
 103 assessment facility is located shall provide appropriate
 104 educational assessments and an appropriate program of
 105 instruction and special education services.

106 (a) The district school board shall make provisions for
 107 each student to participate in basic, career education, and
 108 exceptional student programs as appropriate. School districts or
 109 private providers contracted to provide educational services to
 110 students within the Department of Juvenile Justice shall provide
 111 academic remediation, virtual instruction, and courses that lead
 112 to industry certification and occupational completion points.

113 Students served in Department of Juvenile Justice programs shall
114 have access to the appropriate courses and instruction to
115 prepare them for the GED test. Students participating in GED
116 preparation programs shall be funded at the basic program cost
117 factor for Department of Juvenile Justice programs in the
118 Florida Education Finance Program. Each program shall be
119 conducted according to applicable law providing for the
120 operation of public schools and rules of the State Board of
121 Education. School districts shall provide the GED exit option
122 for all juvenile justice programs.

123 (10) The district school board shall recruit and train
124 teachers who are interested, qualified, or experienced in
125 educating students in juvenile justice programs. Students in
126 juvenile justice programs shall be provided a wide range of
127 educational programs ~~and opportunities including textbooks,~~
128 ~~technology,~~ instructional support, and ~~other~~ resources
129 commensurate with resources provided available to students in
130 public schools, including textbooks and access to technology. If
131 the district school board operates a juvenile justice education
132 program at a juvenile justice facility, the district school
133 board, in consultation with the director of the juvenile justice
134 facility, shall select the instructional personnel assigned to
135 that program. Instructional personnel must be certified by the
136 Department of Education; however, a nondegreed teacher of career
137 and technical education courses, certified by a school district
138 under s. 1012.39, may provide services as an out-of-field
139 teacher. ~~Teachers assigned to educational programs in juvenile~~
140 ~~justice settings in which the district school board operates the~~

141 ~~educational program shall be selected by the district school~~
 142 ~~board in consultation with the director of the juvenile justice~~
 143 ~~facility. Educational programs in juvenile justice facilities~~
 144 ~~shall have access to~~ The substitute teacher pool utilized by the
 145 district school board shall be made available to the director of
 146 the juvenile justice facility for the delivery of educational
 147 programs in juvenile justice facilities.

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

151 (a) Objective and measurable quality assurance standards
 152 for the educational component of residential and nonresidential
 153 juvenile justice programs facilities. ~~A~~ ~~These standards shall~~
 154 ~~rate the~~ district school board's performance both as a provider
 155 and contractor shall be rated based upon these standards. The
 156 quality assurance rating for the educational component shall be
 157 disaggregated from the overall quality assurance rating score
 158 and reported separately. As part of the quality assurance
 159 review, the department, in collaboration with the Department of
 160 Juvenile Justice, shall monitor and report on the educational
 161 performance of youth in commitment, day treatment, early
 162 delinquency intervention, and detention programs. The report
 163 must include, at a minimum, the number and percentage of
 164 students:

- 165 1. Returning to middle school or high school upon release.
- 166 2. Receiving a standard high school diploma or a general
 167 equivalency diploma.
- 168 3. Receiving industry certification.

- 169 4. Receiving occupational completion points.
- 170 5. Enrolling in a postsecondary educational institution.
- 171 6. Completing a juvenile justice education program without
- 172 reoffending.

173 7. Reoffending within 1 year after completion of a
 174 juvenile justice education program.

175 8. Remaining employed 1 year after completion of a
 176 juvenile justice education program.

177 (b) ~~The Department of Education shall develop~~ A
 178 comprehensive quality assurance review process and schedule for
 179 the evaluation of the educational component in juvenile justice
 180 programs. The Department of Juvenile Justice quality assurance
 181 site visit and the education quality assurance site visit shall
 182 be conducted during the same visit.

183 (c) ~~The Department of Education, in consultation with~~
 184 ~~district school boards and providers, shall establish~~ Minimum
 185 thresholds for the standards used to evaluate the and key
 186 ~~indicators for~~ educational component of programs in juvenile
 187 justice programs facilities. If a district school board fails to
 188 meet the established minimum standards, it will be given 6
 189 months to achieve compliance with the standards. If after 6
 190 months, the district school board's performance is still below
 191 minimum standards, the Department of Education shall exercise
 192 sanctions as prescribed by rules adopted by the State Board of
 193 Education. If a provider, under contract with the district
 194 school board, fails to meet minimum standards, such failure
 195 shall cause the district school board to cancel the provider's
 196 contract unless the provider achieves compliance within 6 months

197 or unless there are documented extenuating circumstances.

198 (d) The content of, and a standardized uniform format for,
 199 an agreement between school districts and private providers for
 200 the delivery of educational services. The agreement entered into
 201 between a school district and a provider must be in substantial
 202 conformance with the agreement adopted in rule.

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

205 (16) An individualized transition plan shall be developed
 206 for each student receiving services in a juvenile justice
 207 education program. The individualized transition plan shall be
 208 developed upon the student's entry into the program with the
 209 participation of the student, parent, school district or
 210 contracted provider personnel or both, and Department of
 211 Juvenile Justice staff. Once the student exits a juvenile
 212 justice education program, a copy of the individualized
 213 transition plan shall be provided to the student, the parent,
 214 the provider, and the juvenile probation officer if one is
 215 assigned. The school district shall consider the individualized
 216 transition plan when determining the appropriate placement of
 217 the student. The individualized transition plan becomes a part
 218 of the student's academic record. The individualized transition
 219 plan shall include, at a minimum, the student's:

- 220 (a) Results on district and statewide assessments;
- 221 (b) Individual academic plan, 504 accommodation plan, or
 222 individual education plan, as appropriate;
- 223 (c) Academic transcripts;
- 224 (d) Academic reentry goals;

- 225 | (e) Career and employment goals;
- 226 | (f) Recommended educational placement;
- 227 | (g) Industry certification completion information;
- 228 | (h) Occupational completion points; and
- 229 | (i) Treatment, intervention, and support services that are
 230 | accessible upon exiting the program.

231 | ~~(17)-(16)~~ The district school board shall not be charged
 232 | any rent, maintenance, utilities, or overhead on residential or
 233 | nonresidential juvenile justice ~~such~~ facilities. Maintenance,
 234 | repairs, and remodeling of existing facilities shall be provided
 235 | by the Department of Juvenile Justice.

236 | ~~(18)-(17)~~ When additional facilities are required, the
 237 | district school board and the Department of Juvenile Justice
 238 | shall agree on the appropriate site based on the instructional
 239 | needs of the students. When the most appropriate site for
 240 | instruction is on district school board property, a special
 241 | capital outlay request shall be made by the commissioner in
 242 | accordance with s. 1013.60. When the most appropriate site is on
 243 | state property, state capital outlay funds shall be requested by
 244 | the Department of Juvenile Justice provided by s. 216.043 and
 245 | shall be submitted as specified by s. 216.023. Any instructional
 246 | facility to be built on state property shall have educational
 247 | specifications jointly developed by the district school board
 248 | and the Department of Juvenile Justice and approved by the
 249 | Department of Education. The size of space and occupant design
 250 | capacity criteria as provided by State Board of Education rules
 251 | shall be used for remodeling or new construction whether
 252 | facilities are provided on state property or district school

253 board property.

254 (19)~~(18)~~ The parent of an exceptional student shall have
 255 the due process rights provided for in this chapter.

256 (20)~~(19)~~ The Department of Education and the Department of
 257 Juvenile Justice, after consultation with and assistance from
 258 ~~local~~ providers and district school boards, shall report
 259 annually to the Legislature by March ~~February~~ 1 on the progress
 260 toward developing effective educational programs for juvenile
 261 delinquents, including the amount of funding provided by
 262 district school boards to juvenile justice programs, the amount
 263 retained for administration including documenting the purposes
 264 for such expenses, the status of the development of cooperative
 265 agreements, the results of the quality assurance reviews
 266 including specific legislative recommendations for system
 267 improvement, and information on the identification of, and
 268 services provided to, exceptional students in juvenile justice
 269 commitment facilities to determine whether these students are
 270 properly reported for funding and are appropriately served. This
 271 report shall be incorporated in, or provided in concert with,
 272 the report required under s. 985.632(3).

273 (21)~~(20)~~ The educational programs at the Arthur Dozier
 274 School for Boys in Jackson County and the Florida School for
 275 Boys in Okeechobee shall be operated by the Department of
 276 Education, either directly or through grants or contractual
 277 agreements with other public or duly accredited education
 278 agencies approved by the Department of Education.

279 (22)~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
 280 rules necessary to implement the provisions of this section.

281 ~~including uniform curriculum, funding, and second chance~~
282 ~~schools.~~ Such rules must require the minimum amount of paperwork
283 and reporting.

284 (23)~~(22)~~ The Department of Juvenile Justice and the
285 Department of Education, in consultation with Workforce Florida,
286 Inc., the statewide Workforce Development Youth Council,
287 district school boards, Florida College System institutions,
288 providers, and others, shall jointly develop a multiagency plan
289 for career education which describes the funding, curriculum,
290 transfer of credits, goals, and outcome measures for career
291 education programming in juvenile commitment facilities,
292 pursuant to s. 985.622. The plan must be reviewed annually.

293 Section 4. This act shall take effect upon becoming a law.