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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2013	.	
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The Committee on Criminal Justice (Bradley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 985.622, Florida Statutes, is amended to read:

985.622 Multiagency plan for career ~~vocational~~ education.-

(1) The Department of Juvenile Justice and the Department of Education shall, in consultation with the statewide Workforce Development Youth Council, school districts, providers, and others, jointly develop a multiagency plan for career ~~vocational~~ education that establishes the curriculum, goals, and outcome



742608

13 measures for career vocational programs in juvenile justice  
14 education programs ~~commitment facilities~~. The plan must include:

15 (a) Provisions for maximizing appropriate state and federal  
16 funding sources, including funds under the Workforce Investment  
17 Act and the Perkins Act.†

18 (b) Provisions for eliminating barriers to increasing  
19 occupation-specific job training and high school equivalency  
20 examination preparation opportunities.

21 (c)† ~~(b)~~ The responsibilities of both departments and all  
22 other appropriate entities.† and

23 (d)† ~~(c)~~ A detailed implementation schedule.

24 (2) The plan must define career vocational programming that  
25 is appropriate based upon:

26 (a) The age and assessed educational abilities and goals of  
27 the student youth to be served; and

28 (b) The typical length of stay and custody characteristics  
29 at the juvenile justice education ~~commitment~~ program to which  
30 each student youth is assigned.

31 (3) The plan must include a definition of career vocational  
32 programming that includes the following classifications of  
33 juvenile justice education programs ~~commitment facilities~~ that  
34 will offer career vocational programming by one of the following  
35 types:

36 (a) *Type A.*—Programs that teach personal accountability  
37 skills and behaviors that are appropriate for students youth in  
38 all age groups and ability levels and that lead to work habits  
39 that help maintain employment and living standards.

40 (b) *Type B.*—Programs that include Type A program content  
41 and an orientation to the broad scope of career choices, based



742608

42 upon personal abilities, aptitudes, and interests. Exploring and  
43 gaining knowledge of occupation options and the level of effort  
44 required to achieve them are essential prerequisites to skill  
45 training.

46 (c) *Type C.*—Programs that include Type A program content  
47 and the career ~~vocational~~ competencies or the prerequisites  
48 needed for entry into a specific occupation.

49 (4) The plan must also address strategies to facilitate  
50 involvement of business and industry in the design, delivery,  
51 and evaluation of career ~~vocational~~ programming in juvenile  
52 justice education ~~commitment~~ facilities and conditional release  
53 programs, including apprenticeship and work experience programs,  
54 mentoring and job shadowing, and other strategies that lead to  
55 postrelease employment. Incentives for business involvement,  
56 such as tax breaks, bonding, and liability limits should be  
57 investigated, implemented where appropriate, or recommended to  
58 the Legislature for consideration.

59 (5) The plan must also evaluate the effect of students'  
60 mobility between juvenile justice education programs and school  
61 districts on the students' educational outcomes and whether the  
62 continuity of the students' education can be better addressed  
63 through virtual education.

64 (6) ~~(5)~~ The Department of Juvenile Justice and the  
65 Department of Education shall each align its respective agency  
66 policies, practices, technical manuals, contracts, quality-  
67 assurance standards, performance-based-budgeting measures, and  
68 outcome measures with the plan in juvenile justice education  
69 programs ~~commitment~~ facilities by July 31, 2014 ~~2001~~. Each  
70 agency shall provide a report on the implementation of this



742608

71 section to the Governor, the President of the Senate, and the  
72 Speaker of the House of Representatives by August 31, 2014 ~~2001~~.

73 (7) ~~(6)~~ All provider contracts executed by the Department of  
74 Juvenile Justice or the school districts after January 1, 2015  
75 ~~2002~~, must be aligned with the plan.

76 (8) ~~(7)~~ The planning and execution of quality assurance  
77 reviews conducted by the Department of Education or the  
78 Department of Juvenile Justice after August 1, 2014 ~~2002~~, must  
79 be aligned with the plan.

80 (9) ~~(8)~~ Outcome measures reported by the Department of  
81 Juvenile Justice and the Department of Education for students  
82 ~~youth~~ released on or after January 1, 2015 ~~2002~~, should include  
83 outcome measures that conform to the plan.

84 Section 2. Subsections (1) and (3) of section 985.632,  
85 Florida Statutes, are amended to read:

86 985.632 Quality assurance and cost-effectiveness.—

87 (1) The department shall:

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

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

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

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

99 (e) Continue to improve service delivery. ~~It is the intent~~



742608

100 ~~of the Legislature that the department:~~

101 ~~(a) Ensure that information be provided to decisionmakers~~  
102 ~~in a timely manner so that resources are allocated to programs~~  
103 ~~of the department which achieve desired performance levels.~~

104 ~~(b) Provide information about the cost of such programs and~~  
105 ~~their differential effectiveness so that the quality of such~~  
106 ~~programs can be compared and improvements made continually.~~

107 ~~(c) Provide information to aid in developing related policy~~  
108 ~~issues and concerns.~~

109 ~~(d) Provide information to the public about the~~  
110 ~~effectiveness of such programs in meeting established goals and~~  
111 ~~objectives.~~

112 ~~(e) Provide a basis for a system of accountability so that~~  
113 ~~each client is afforded the best programs to meet his or her~~  
114 ~~needs.~~

115 ~~(f) Improve service delivery to clients.~~

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

117 (3) By March 1st of each year, the department, in  
118 consultation with the Department of Education, shall publish a  
119 report on program costs and effectiveness. The report shall  
120 include uniform cost data for each program operated by the  
121 department or by providers under contract with the department.  
122 The Department of Education shall provide the cost data on each  
123 education program operated by a school district or a provider  
124 under contract with a school district. Cost data shall be  
125 formatted and presented in a manner approved by the Legislature.  
126 The report shall also include data on student learning gains, as  
127 provided by the Department of Education, for all juvenile  
128 justice education programs as required under s. 1003.52(3)(b),



742608

129 information required under s. 1003.52(17) and (21), the cost-  
130 effectiveness of each program offered, and recommendations for  
131 modification or elimination of programs or program activities  
132 ~~The department shall annually collect and report cost data for~~  
133 ~~every program operated or contracted by the department. The cost~~  
134 ~~data shall conform to a format approved by the department and~~  
135 ~~the Legislature. Uniform cost data shall be reported and~~  
136 ~~collected for state-operated and contracted programs so that~~  
137 ~~comparisons can be made among programs. The department shall~~  
138 ~~ensure that there is accurate cost accounting for state-operated~~  
139 ~~services including market-equivalent rent and other shared cost.~~  
140 ~~The cost of the educational program provided to a residential~~  
141 ~~facility shall be reported and included in the cost of a~~  
142 ~~program. The department shall submit an annual cost report to~~  
143 ~~the President of the Senate, the Speaker of the House of~~  
144 ~~Representatives, the Minority Leader of each house of the~~  
145 ~~Legislature, the appropriate substantive and fiscal committees~~  
146 ~~of each house of the Legislature, and the Governor, no later~~  
147 ~~than December 1 of each year. Cost benefit analysis for~~  
148 ~~educational programs will be developed and implemented in~~  
149 ~~collaboration with and in cooperation with the Department of~~  
150 ~~Education, local providers, and local school districts. Cost~~  
151 ~~data for the report shall include data collected by the~~  
152 ~~Department of Education for the purposes of preparing the annual~~  
153 ~~report required by s. 1003.52(19).~~

154 Section 3. Section 1001.31, Florida Statutes, is amended to  
155 read:

156 1001.31 Scope of district system.—A district school system  
157 shall include all public schools, classes, and courses of



742608

158 instruction and all services and activities directly related to  
159 education in that district which are under the direction of the  
160 district school officials. A district school system may also  
161 include alternative site schools for disruptive or violent  
162 students youth. Such schools for disruptive or violent students  
163 ~~youth~~ may be funded by each district or provided through  
164 cooperative programs administered by a consortium of school  
165 districts, private providers, state and local law enforcement  
166 agencies, and the Department of Juvenile Justice. Pursuant to  
167 cooperative agreement, a district school system shall provide  
168 instructional personnel at juvenile justice facilities ~~of 50 or~~  
169 ~~more beds or slots~~ with access to the district school system  
170 database for the purpose of accessing student academic,  
171 immunization, and registration records for students assigned to  
172 the programs. Such access shall be in the same manner as  
173 provided to other schools in the district.

174 Section 4. Section 1003.51, Florida Statutes, is amended to  
175 read:

176 1003.51 Other public educational services.-

177 (1) The general control of other public educational  
178 services shall be vested in the State Board of Education except  
179 as provided in this section herein. The State Board of Education  
180 shall, at the request of the Department of Children and Families  
181 ~~Family Services~~ and the Department of Juvenile Justice, advise  
182 as to standards and requirements relating to education to be met  
183 in all state schools or institutions under their control which  
184 provide educational programs. The Department of Education shall  
185 provide supervisory services for the educational programs of all  
186 such schools or institutions. The direct control of any of these



742608

187 services provided as part of the district program of education  
188 shall rest with the district school board. These services shall  
189 be supported out of state, district, federal, or other ~~lawful~~  
190 funds, depending on the requirements of the services being  
191 supported.

192 (2) The State Board of Education shall adopt rules ~~and~~  
193 ~~maintain an administrative rule~~ articulating expectations for  
194 effective education programs for students ~~youth~~ in Department of  
195 Juvenile Justice programs, including, but not limited to,  
196 education programs in juvenile justice prevention, day  
197 treatment, residential, commitment and detention facilities. The  
198 rules ~~rule~~ shall establish ~~articulate~~ policies and standards for  
199 education programs for students ~~youth~~ in Department of Juvenile  
200 Justice programs and shall include the following:

201 (a) The interagency collaborative process needed to ensure  
202 effective programs with measurable results.

203 (b) The responsibilities of the Department of Education,  
204 the Department of Juvenile Justice, Workforce Florida, Inc.,  
205 district school boards, and providers of education services to  
206 students ~~youth~~ in Department of Juvenile Justice programs.

207 (c) Academic expectations.

208 (d) Career and technical expectations.

209 (e) Education transition planning and services.

210 (f) ~~(d)~~ Service delivery options available to district  
211 school boards, including direct service and contracting.

212 (g) ~~(e)~~ Assessment procedures, which:

213 1. Include appropriate academic and career assessments  
214 administered at program entry and exit that are selected by the  
215 Department of Education in partnership with representatives from





742608

216 the Department of Juvenile Justice, district school boards, and  
217 education providers.

218 ~~2. Require district school boards to be responsible for~~  
219 ~~ensuring the completion of the assessment process.~~

220 ~~3. Require assessments for students in detention who will~~  
221 ~~move on to commitment facilities, to be designed to create the~~  
222 ~~foundation for developing the student's education program in the~~  
223 ~~assigned commitment facility.~~

224 ~~2.4.~~ Require assessments of students in programs sent  
225 ~~directly to commitment facilities~~ to be completed within the  
226 first 10 school days after ~~of~~ the student's entry into the  
227 program commitment.

228  
229 The results of these assessments, together with a portfolio  
230 depicting the student's academic and career accomplishments,  
231 shall be included in the discharge packet ~~package~~ assembled for  
232 each student ~~youth~~.

233 ~~(h)(f)~~ Recommended instructional programs, including, but  
234 not limited to, secondary education, high school equivalency  
235 examination preparation, postsecondary education, career  
236 training, and job preparation.

237 ~~(i)(g)~~ Funding requirements, which shall include the  
238 requirement that at least 90 percent of the FEFP funds generated  
239 by students in Department of Juvenile Justice programs or in an  
240 education program for juveniles under s. 985.19 be spent on  
241 instructional costs for those students. One hundred percent of  
242 the formula-based categorical funds generated by students in  
243 Department of Juvenile Justice programs must be spent on  
244 appropriate categoricals such as instructional materials and



742608

245 public school technology for those students.

246 (j)~~(h)~~ Qualifications of instructional staff, procedures  
247 for the selection of instructional staff, and procedures for to  
248 ensure consistent instruction and qualified staff year round.  
249 Qualifications shall include those for career education  
250 instructors, standardized across the state, and shall be based  
251 on state certification, local school district approval, and  
252 industry-recognized credentials or industry training. Procedures  
253 for the use of noncertified instructional personnel who possess  
254 expert knowledge or experience in their fields of instruction  
255 shall be established.

256 (k)~~(i)~~ Transition services, including the roles and  
257 responsibilities of appropriate personnel in the juvenile  
258 justice education program, the school district where the student  
259 will reenter districts, provider organizations, and the  
260 Department of Juvenile Justice.

261 (l)~~(j)~~ Procedures and timeframe for transfer of education  
262 records when a student youth enters and leaves a Department of  
263 Juvenile Justice education program facility.

264 (m)~~(k)~~ The requirement that each district school board  
265 maintain an academic transcript for each student enrolled in a  
266 juvenile justice education program facility that delineates each  
267 course completed by the student as provided by the State Course  
268 Code Directory.

269 (n)~~(l)~~ The requirement that each district school board make  
270 available and transmit a copy of a student's transcript in the  
271 discharge packet when the student exits a juvenile justice  
272 education program facility.

273 (o)~~(m)~~ Contract requirements.



742608

274        (p)~~(n)~~ Performance expectations for providers and district  
275 school boards, including student performance measures by type of  
276 program, education program performance ratings, school  
277 improvement, and corrective action plans for low-performing  
278 programs ~~the provision of a progress monitoring plan as required~~  
279 ~~in s. 1008.25.~~

280        (q)~~(o)~~ The role and responsibility of the district school  
281 board in securing workforce development funds.

282        (r)~~(p)~~ A series of graduated sanctions for district school  
283 boards whose educational programs in Department of Juvenile  
284 Justice programs ~~facilities~~ are considered to be unsatisfactory  
285 and for instances in which district school boards fail to meet  
286 standards prescribed by law, rule, or State Board of Education  
287 policy. These sanctions shall include the option of requiring a  
288 district school board to contract with a provider or another  
289 district school board if the educational program at the  
290 Department of Juvenile Justice program is performing below  
291 minimum standards ~~facility has failed a quality assurance review~~  
292 and, after 6 months, is still performing below minimum  
293 standards.

294        (s) Curriculum, guidance counseling, transition, and  
295 education services expectations, including curriculum  
296 flexibility for detention centers operated by the Department of  
297 Juvenile Justice.

298        (t)~~(q)~~ Other aspects of program operations.

299        (3) The Department of Education in partnership with the  
300 Department of Juvenile Justice, the district school boards, and  
301 providers shall:

302        (a) Develop and implement requirements for contracts and



742608

303 cooperative agreements regarding ~~Maintain model contracts for~~  
304 the delivery of appropriate education services to students youth  
305 in Department of Juvenile Justice programs ~~to be used for the~~  
306 ~~development of future contracts.~~ The minimum contract  
307 requirements shall include, but are not limited to, payment  
308 structure and amounts; access to district services; contract  
309 management provisions; data reporting requirements, including  
310 reporting of full-time equivalent student membership;  
311 administration of federal programs such as Title I, exceptional  
312 student education, and the Carl D. Perkins Career and Technical  
313 Education Act of 2006; and ~~model contracts shall reflect the~~  
314 policy and standards included in subsection (2). ~~The Department~~  
315 ~~of Education shall ensure that appropriate district school board~~  
316 ~~personnel are trained and held accountable for the management~~  
317 ~~and monitoring of contracts for education programs for youth in~~  
318 ~~juvenile justice residential and nonresidential facilities.~~

319 (b) Develop and implement ~~Maintain model~~ procedures for  
320 transitioning students youth into and out of Department of  
321 Juvenile Justice education programs. These procedures shall  
322 reflect the policy and standards adopted pursuant to subsection  
323 (2).

324 (c) Maintain standardized required content of education  
325 records to be included as part of a student's youth's commitment  
326 record and procedures for securing the student's records. The  
327 education records ~~These requirements shall reflect the policy~~  
328 ~~and standards adopted pursuant to subsection (2) and shall~~  
329 include, but not be limited to, the following:

- 330 1. A copy of the student's individual educational plan.  
331 2. A copy of the student's individualized progress



742608

332 monitoring plan.

333 3. A copy of the student's individualized transition plan.

334 ~~4.2.~~ Assessment data, including grade level proficiency in  
335 reading, ~~writing,~~ and mathematics, and performance on tests  
336 taken according to s. 1008.22.

337 ~~5.3.~~ A copy of the student's permanent cumulative record.

338 ~~6.4.~~ A copy of the student's academic transcript.

339 ~~7.5.~~ A portfolio reflecting the student's youth's academic  
340 and career and technical accomplishments, when age appropriate,  
341 while in the Department of Juvenile Justice program.

342 (d) ~~Establish Maintain model procedures for securing the~~  
343 ~~education record and~~ the roles and responsibilities of the  
344 juvenile probation officer and others involved in the withdrawal  
345 of the student from school and assignment to a juvenile justice  
346 education program ~~commitment or detention facility.~~ District  
347 ~~school boards shall respond to requests for student education~~  
348 ~~records received from another district school board or a~~  
349 ~~juvenile justice facility within 5 working days after receiving~~  
350 ~~the request.~~

351 (4) ~~Each~~ The Department of Education shall ensure that  
352 district school board shall: ~~boards~~

353 (a) Notify students in juvenile justice education programs  
354 ~~residential or nonresidential facilities~~ who attain the age of  
355 16 years of the ~~provisions of~~ law regarding compulsory school  
356 attendance and make available the option of enrolling in a  
357 program to attain a Florida high school diploma by taking the  
358 high school equivalency examination before ~~General Educational~~  
359 ~~Development test prior to~~ release from the program facility.  
360 District school boards or Florida College System institutions,



742608

361 or both, shall ~~waive GED testing fees for youth in Department of~~  
362 ~~Juvenile Justice residential programs and shall~~, upon request,  
363 designate schools operating for the purpose of providing  
364 educational services to students ~~youth~~ in Department of Juvenile  
365 Justice programs. The Department of Education shall assist  
366 juvenile justice education programs with becoming high school  
367 equivalency examination centers as GED testing centers, subject  
368 ~~to GED testing center requirements. The administrative fees for~~  
369 ~~the General Educational Development test required by the~~  
370 ~~Department of Education are the responsibility of district~~  
371 ~~school boards and may be required of providers by contractual~~  
372 ~~agreement.~~

373 (b) Respond to requests for student education records  
374 received from another district school board or a juvenile  
375 justice education program within 5 working days after receiving  
376 the request.

377 (c) Provide access to courses offered pursuant to ss.  
378 1002.37, 1002.45, and 1003.498. School districts and providers  
379 may enter into cooperative agreements for the provision of  
380 curriculum associated with courses offered pursuant to s.  
381 1003.498 to enable providers to offer such courses.

382 (d) Complete the assessment process required by subsection  
383 (2).

384 (e) Monitor compliance with contracts for education  
385 programs for students in juvenile justice prevention, day  
386 treatment, residential, and detention programs.

387 (5) The Department of Education shall establish and  
388 operate, either directly or indirectly through a contract, a  
389 mechanism to provide accountability measures that annually



742608

390 assesses and evaluates all juvenile justice education programs  
391 using student performance data and program performance ratings  
392 by type of program quality assurance reviews of all juvenile  
393 justice education programs and shall provide technical  
394 assistance and related research to district school boards and  
395 juvenile justice education providers ~~on how to establish,~~  
396 ~~develop, and operate educational programs that exceed the~~  
397 ~~minimum quality assurance standards.~~ The Department of  
398 Education, with input from the Department of Juvenile Justice,  
399 school districts, and education providers, shall develop annual  
400 recommendations for system and school improvement.

401 Section 5. Section 1003.52, Florida Statutes, is amended to  
402 read:

403 1003.52 Educational services in Department of Juvenile  
404 Justice programs.—

405 (1) ~~The Legislature finds that education is the single most~~  
406 ~~important factor in the rehabilitation of adjudicated delinquent~~  
407 ~~youth in the custody of Department of Juvenile Justice programs.~~  
408 ~~It is the goal of the Legislature that youth in the juvenile~~  
409 ~~justice system continue to be allowed the opportunity to obtain~~  
410 ~~a high quality education.~~ The Department of Education shall  
411 serve as the lead agency for juvenile justice education  
412 programs, curriculum, support services, and resources. To this  
413 end, the Department of Education and the Department of Juvenile  
414 Justice shall each designate a Coordinator for Juvenile Justice  
415 Education Programs to serve as the point of contact for  
416 resolving issues not addressed by district school boards and to  
417 provide each department's participation in the following  
418 activities:



742608

419 (a) Training, collaborating, and coordinating with ~~the~~  
420 ~~Department of Juvenile Justice,~~ district school boards, local  
421 workforce boards and youth councils, educational contract  
422 providers, and juvenile justice providers, whether state  
423 operated or contracted.

424 (b) Collecting information on the academic, career  
425 education, and transition performance of students in juvenile  
426 justice programs and reporting on the results.

427 (c) Developing academic and career education protocols that  
428 provide guidance to district school boards and juvenile justice  
429 education providers in all aspects of education programming,  
430 including records transfer and transition.

431 (d) Implementing a joint accountability, program  
432 performance, and program improvement process ~~Prescribing the~~  
433 ~~roles of program personnel and interdepartmental district school~~  
434 ~~board or provider collaboration strategies.~~

435  
436 Annually, a cooperative agreement and plan for juvenile justice  
437 education service enhancement shall be developed between the  
438 Department of Juvenile Justice and the Department of Education  
439 and submitted to the Secretary of Juvenile Justice and the  
440 Commissioner of Education by June 30. The plan shall include, at  
441 a minimum, each agency's role regarding educational program  
442 accountability, technical assistance, training, and coordination  
443 of services.

444 (2) Students participating in Department of Juvenile  
445 Justice programs pursuant to chapter 985 which are sponsored by  
446 a community-based agency or are operated or contracted for by  
447 the Department of Juvenile Justice shall receive education





742608

448 ~~educational~~ programs according to rules of the State Board of  
449 Education. These students shall be eligible for services  
450 afforded to students enrolled in programs pursuant to s. 1003.53  
451 and all corresponding State Board of Education rules.

452 (3) The district school board of the county in which the  
453 juvenile justice education prevention, day treatment,  
454 residential, or detention program ~~residential or nonresidential~~  
455 ~~care facility or juvenile assessment facility~~ is located shall  
456 provide or contract for appropriate educational assessments and  
457 an appropriate program of instruction and special education  
458 services.

459 (a) The district school board shall make provisions for  
460 each student to participate in basic, career education, and  
461 exceptional student programs as appropriate. Students served in  
462 Department of Juvenile Justice programs shall have access to the  
463 appropriate courses and instruction to prepare them for the high  
464 school equivalency examination ~~GED test~~. Students participating  
465 in high school equivalency examination ~~GED~~ preparation programs  
466 shall be funded at the basic program cost factor for Department  
467 of Juvenile Justice programs in the Florida Education Finance  
468 Program. Each program shall be conducted according to applicable  
469 law providing for the operation of public schools and rules of  
470 the State Board of Education. School districts shall provide the  
471 high school equivalency examination ~~GED~~ exit option for all  
472 juvenile justice programs.

473 (b) ~~By October 1, 2004,~~ The Department of Education, with  
474 the assistance of the school districts and juvenile justice  
475 education providers, shall select a common student assessment  
476 instrument and protocol for measuring student learning gains and



742608

477 student progression while a student is in a juvenile justice  
478 education program. ~~The assessment instrument and protocol must~~  
479 ~~be implemented in all juvenile justice education programs in~~  
480 ~~this state by January 1, 2005.~~

481 (4) Educational services shall be provided at times of the  
482 day most appropriate for the juvenile justice program. School  
483 programming in juvenile justice detention, prevention, day  
484 treatment, and residential commitment, and rehabilitation  
485 programs shall be made available by the local school district  
486 during the juvenile justice school year, as provided ~~defined~~ in  
487 s. 1003.01(11). In addition, students in juvenile justice  
488 education programs shall have access to courses offered pursuant  
489 to ss. 1002.37, 1002.45, and 1003.498 Florida Virtual School  
490 ~~courses~~. The Department of Education and the school districts  
491 shall adopt policies necessary to provide ~~ensure~~ such access.

492 (5) The educational program shall provide instruction based  
493 on each student's individualized transition plan, assessed  
494 educational needs, and the education programs available in the  
495 school district to which the student will return. Depending on  
496 the student's needs, educational programming may consist of  
497 remedial courses, consist of appropriate basic academic courses  
498 required for grade advancement, career education courses, high  
499 school equivalency examination preparation, or exceptional  
500 student education curricula and related services which support  
501 the transition ~~treatment~~ goals and reentry and which may lead to  
502 completion of the requirements for receipt of a high school  
503 diploma or its equivalent. Prevention and day treatment juvenile  
504 justice education programs, at a minimum, shall provide career  
505 readiness and exploration opportunities as well as truancy and



742608

506 dropout prevention intervention services. Residential juvenile  
507 justice education programs with a contracted minimum length of  
508 stay of 9 months shall provide career education courses that  
509 lead to preapprentice certifications, industry certifications,  
510 occupational completion points, or work-related certifications.  
511 Residential programs with contracted lengths of stay of less  
512 than 9 months may provide career education courses that lead to  
513 preapprentice certifications, industry certifications,  
514 occupational completion points, or work-related certifications.  
515 If the duration of a program is less than 40 days, the  
516 educational component may be limited to tutorial remediation  
517 activities, and career employability skills instruction,  
518 education counseling, and transition services that prepare  
519 students for a return to school, the community, and their home  
520 settings based on the students' needs.

521 (6) Participation in the program by students of compulsory  
522 school-attendance age as provided for in s. 1003.21 shall be  
523 mandatory. All students of noncompulsory school-attendance age  
524 who have not received a high school diploma or its equivalent  
525 shall participate in the educational program, unless the student  
526 files a formal declaration of his or her intent to terminate  
527 school enrollment as described in s. 1003.21 and is afforded the  
528 opportunity to take the general educational development test and  
529 attain a Florida high school diploma before ~~prior to~~ release  
530 from a juvenile justice education program facility. A student  
531 ~~youth~~ who has received a high school diploma or its equivalent  
532 and is not employed shall participate in workforce development  
533 or other career ~~or technical~~ education or Florida College System  
534 institution or university courses while in the program, subject



742608

535 to available funding.

536 (7) An individualized A progress monitoring plan shall be  
537 developed for all students not classified as exceptional  
538 education students upon entry into a juvenile justice education  
539 program and upon reentry into the school district ~~who score~~  
540 ~~below the level specified in district school board policy in~~  
541 ~~reading, writing, and mathematics or below the level specified~~  
542 ~~by the Commissioner of Education on statewide assessments as~~  
543 ~~required by s. 1008.25.~~ These plans shall address academic,  
544 literacy, and career and technical ~~life~~ skills and shall include  
545 provisions for intensive remedial instruction in the areas of  
546 weakness.

547 (8) Each district school board shall maintain an academic  
548 record for each student enrolled in a juvenile justice program  
549 facility as prescribed by s. 1003.51. Such record shall  
550 delineate each course completed by the student according to  
551 procedures in the State Course Code Directory. The district  
552 school board shall include a copy of a student's academic record  
553 in the discharge packet when the student exits the program  
554 facility.

555 (9) ~~Each~~ ~~The Department of Education shall ensure that all~~  
556 district school board shall ~~boards~~ make provisions for high  
557 school level students ~~youth~~ to earn credits toward high school  
558 graduation while in residential and nonresidential juvenile  
559 justice programs ~~facilities~~. Provisions must be made for the  
560 transfer of credits and partial credits earned.

561 (10) School districts and juvenile justice education  
562 providers shall develop individualized transition plans during  
563 the course of a student's stay in a juvenile justice education



742608

564 program to coordinate academic, career and technical, and  
565 secondary and postsecondary services that assist the student in  
566 successful community reintegration upon release. Development of  
567 the transition plan shall be a collaboration of the personnel in  
568 the juvenile justice education program, reentry personnel,  
569 personnel from the school district to which the student will  
570 return, the student, the student's family, and the Department of  
571 Juvenile Justice personnel for committed students.

572 (a) Transition planning must begin upon a student's  
573 placement in the program. The transition plan must include, at a  
574 minimum:

575 1. Services and interventions that address the student's  
576 assessed educational needs and postrelease education plans.

577 2. Services to be provided during the program stay and  
578 services to be implemented upon release, including, but not  
579 limited to, continuing education in secondary school, career and  
580 technical programs, postsecondary education, or employment,  
581 based on the student's needs.

582 3. Specific monitoring responsibilities of individuals who  
583 are responsible for reintegration to determine whether the  
584 individualized transition plan is being implemented and if the  
585 student is being provided access to support services that will  
586 sustain the student's success. Individuals who are responsible  
587 for reintegration shall coordinate such activities.

588 (b) For the purpose of transition planning and reentry  
589 services, representatives from the school district and the one  
590 stop center where the student will return shall participate as  
591 members of the local Department of Juvenile Justice reentry  
592 teams. The school district, upon return of a student from a



742608

593 juvenile justice education program, must consider the individual  
594 needs and circumstances of the student and the transition plan  
595 recommendations when reenrolling a student in a public school. A  
596 local school district may not maintain a standardized policy for  
597 all students returning from a juvenile justice program but shall  
598 place students based on their needs and their performance in the  
599 program.

600 (c) The Department of Education and the Department of  
601 Juvenile Justice shall provide oversight and guidance to school  
602 districts, education providers, and reentry personnel on how to  
603 implement effective educational transition planning and  
604 services.

605 (11)~~(10)~~ The district school board shall recruit and train  
606 teachers who are interested, qualified, or experienced in  
607 educating students in juvenile justice programs. Students in  
608 juvenile justice programs shall be provided a wide range of  
609 education ~~educational~~ programs and opportunities, including  
610 textbooks, access to technology, instructional support, and  
611 ~~other~~ resources commensurate with resources provided available  
612 to students in public schools If the district school board  
613 operates a juvenile justice education program at a juvenile  
614 justice facility, the district school board, in consultation  
615 with the director of the juvenile justice facility, shall select  
616 the instructional personnel assigned to that program. The  
617 Secretary of Juvenile Justice or the director of a juvenile  
618 justice program may request that the performance of a teacher  
619 assigned by the district to a juvenile justice education program  
620 be reviewed by the district and that the teacher be reassigned  
621 based upon an evaluation conducted pursuant to s. 1012.34 or for



742608

622 inappropriate behavior ~~Teachers assigned to educational programs~~  
623 ~~in juvenile justice settings in which the district school board~~  
624 ~~operates the educational program shall be selected by the~~  
625 ~~district school board in consultation with the director of the~~  
626 ~~juvenile justice facility. Educational programs in Juvenile~~  
627 ~~justice education programs ~~facilities~~ shall have access to the~~  
628 ~~substitute teacher pool used ~~utilized~~ by the district school~~  
629 ~~board.~~

630 (12) ~~(11)~~ District school boards may contract with a private  
631 provider for the provision of education ~~educational~~ programs to  
632 students ~~youths~~ placed with the Department of Juvenile Justice  
633 and shall generate local, state, and federal funding, including  
634 funding through the Florida Education Finance Program for such  
635 students. The district school board's planning and budgeting  
636 process shall include the needs of Department of Juvenile  
637 Justice programs in the district school board's plan for  
638 expenditures for state categorical and federal funds.

639 (13) ~~(12)~~ (a) Funding for eligible students enrolled in  
640 juvenile justice education programs shall be provided through  
641 the Florida Education Finance Program as provided in s. 1011.62  
642 and the General Appropriations Act. Funding shall include, at a  
643 minimum:

644 1. Weighted program funding or the basic amount for current  
645 operation multiplied by the district cost differential as  
646 provided in s. 1011.62(1)(s) ~~1011.62(1)(r)~~ and (2);

647 2. The supplemental allocation for juvenile justice  
648 education as provided in s. 1011.62(10);

649 3. A proportionate share of the district's exceptional  
650 student education guaranteed allocation, the supplemental



742608

651 academic instruction allocation, and the instructional materials  
652 allocation;

653 4. An amount equivalent to the proportionate share of the  
654 state average potential discretionary local effort for  
655 operations, which shall be determined as follows:

656 a. If the district levies the maximum discretionary local  
657 effort and the district's discretionary local effort per FTE is  
658 less than the state average potential discretionary local effort  
659 per FTE, the proportionate share shall include both the  
660 discretionary local effort and the compression supplement per  
661 FTE. If the district's discretionary local effort per FTE is  
662 greater than the state average per FTE, the proportionate share  
663 shall be equal to the state average; or

664 b. If the district does not levy the maximum discretionary  
665 local effort and the district's actual discretionary local  
666 effort per FTE is less than the state average potential  
667 discretionary local effort per FTE, the proportionate share  
668 shall be equal to the district's actual discretionary local  
669 effort per FTE. If the district's actual discretionary local  
670 effort per FTE is greater than the state average per FTE, the  
671 proportionate share shall be equal to the state average  
672 potential local effort per FTE; and

673 5. A proportionate share of the district's proration to  
674 funds available, if necessary.

675 (b) Juvenile justice education ~~educational~~ programs to  
676 receive the appropriate FEFP funding for Department of Juvenile  
677 Justice programs shall include those operated through a contract  
678 with the Department of Juvenile Justice ~~and which are under~~  
679 ~~purview of the Department of Juvenile Justice quality assurance~~





742608

680 ~~standards for education.~~

681 (c) Consistent with the rules of the State Board of  
682 Education, district school boards are required to request an  
683 alternative FTE survey for Department of Juvenile Justice  
684 programs experiencing fluctuations in student enrollment.

685 (d) FTE count periods shall be prescribed in rules of the  
686 State Board of Education and shall be the same for programs of  
687 the Department of Juvenile Justice as for other public school  
688 programs. The summer school period for students in Department of  
689 Juvenile Justice programs shall begin on the day immediately  
690 following the end of the regular school year and end on the day  
691 immediately preceding the subsequent regular school year.  
692 Students shall be funded for no more than 25 hours per week of  
693 direct instruction.

694 (e) Each juvenile justice education program must receive  
695 all federal funds for which the program is eligible.

696 (14)~~(13)~~ Each district school board shall negotiate a  
697 cooperative agreement with the Department of Juvenile Justice on  
698 the delivery of educational services to students ~~youths~~ under  
699 the jurisdiction of the Department of Juvenile Justice. Such  
700 agreement must include, but is not limited to:

701 (a) Roles and responsibilities of each agency, including  
702 the roles and responsibilities of contract providers.

703 (b) Administrative issues including procedures for sharing  
704 information.

705 (c) Allocation of resources including maximization of  
706 local, state, and federal funding.

707 (d) Procedures for educational evaluation for educational  
708 exceptionalities and special needs.



742608

- 709 (e) Curriculum and delivery of instruction.
- 710 (f) Classroom management procedures and attendance  
711 policies.
- 712 (g) Procedures for provision of qualified instructional  
713 personnel, whether supplied by the district school board or  
714 provided under contract by the provider, and for performance of  
715 duties while in a juvenile justice setting.
- 716 (h) Provisions for improving skills in teaching and working  
717 with students referred to juvenile justice programs ~~delinquents~~.
- 718 (i) Transition plans for students moving into and out of  
719 juvenile programs ~~facilities~~.
- 720 (j) Procedures and timelines for the timely documentation  
721 of credits earned and transfer of student records.
- 722 (k) Methods and procedures for dispute resolution.
- 723 (l) Provisions for ensuring the safety of education  
724 personnel and support for the agreed-upon education program.
- 725 (m) Strategies for correcting any deficiencies found  
726 through the accountability and evaluation system and student  
727 performance measures ~~quality assurance process~~.
- 728 ~~(15)-(14)~~ Nothing in this section or in a cooperative  
729 agreement requires ~~shall be construed to require~~ the district  
730 school board to provide more services than can be supported by  
731 the funds generated by students in the juvenile justice  
732 programs.
- 733 ~~(16)-(15)-(a)~~ The Department of Education, in consultation  
734 with the Department of Juvenile Justice, district school boards,  
735 and providers, shall adopt rules establishing: ~~establish~~
- 736 (a) Objective and measurable student performance measures  
737 to evaluate a student's educational progress while participating



742608

738 in a prevention, day treatment, or residential program. The  
739 student performance measures must be based on appropriate  
740 outcomes for all students in juvenile justice education  
741 programs, taking into consideration the student's length of stay  
742 in the program. Performance measures shall include outcomes that  
743 relate to student achievement of career education goals,  
744 acquisition of employability skills, receipt of a high school  
745 diploma, and grade advancement.

746 (b) A performance rating system to be used by the  
747 Department of Education to evaluate ~~quality assurance standards~~  
748 ~~for~~ the delivery of educational services within each of the  
749 juvenile justice programs. The performance rating shall be  
750 primarily based on data regarding student performance as  
751 described in paragraph (a) ~~component of residential and~~  
752 ~~nonresidential juvenile justice facilities.~~

753 (c) The timeframes, procedures, and resources to be used to  
754 improve a low-rated educational program or to terminate or  
755 reassign the program ~~These standards shall rate the district~~  
756 ~~school board's performance both as a provider and contractor.~~  
757 ~~The quality assurance rating for the educational component shall~~  
758 ~~be disaggregated from the overall quality assurance score and~~  
759 ~~reported separately.~~

760 ~~(d)(b) The Department of Education shall develop A~~  
761 comprehensive accountability and program improvement ~~quality~~  
762 ~~assurance review~~ process in partnership with the Department of  
763 Juvenile Justice. The accountability and program improvement  
764 process shall be based on student performance measures by type  
765 of program and shall rate education program performance. The  
766 accountability system shall identify and recognize high-



742608

767 performing education programs. The Department of Education, in  
768 partnership with the Department of Juvenile Justice, shall also  
769 identify low-performing programs. Low-performing education  
770 programs shall receive an onsite program evaluation from the  
771 Department of Juvenile Justice. School improvement, technical  
772 assistance, or the reassignment of the program shall be based,  
773 in part, on the results of the program evaluation. Through a  
774 corrective action process, low-performing programs must  
775 demonstrate improvement or reassign the program and schedule for  
776 the evaluation of the educational component in juvenile justice  
777 programs. The Department of Juvenile Justice quality assurance  
778 site visit and the education quality assurance site visit shall  
779 be conducted during the same visit.

780 ~~(c) The Department of Education, in consultation with~~  
781 ~~district school boards and providers, shall establish minimum~~  
782 ~~thresholds for the standards and key indicators for educational~~  
783 ~~programs in juvenile justice facilities. If a district school~~  
784 ~~board fails to meet the established minimum standards, it will~~  
785 ~~be given 6 months to achieve compliance with the standards. If~~  
786 ~~after 6 months, the district school board's performance is still~~  
787 ~~below minimum standards, the Department of Education shall~~  
788 ~~exercise sanctions as prescribed by rules adopted by the State~~  
789 ~~Board of Education. If a provider, under contract with the~~  
790 ~~district school board, fails to meet minimum standards, such~~  
791 ~~failure shall cause the district school board to cancel the~~  
792 ~~provider's contract unless the provider achieves compliance~~  
793 ~~within 6 months or unless there are documented extenuating~~  
794 ~~circumstances.~~

795 ~~(d) The requirements in paragraphs (a), (b), and (c) shall~~



742608

796 ~~be implemented to the extent that funds are available.~~

797 (17) The department, in collaboration with the Department  
798 of Juvenile Justice, shall monitor and report on the educational  
799 performance of students in commitment, day treatment,  
800 prevention, and detention programs. The report by the Department  
801 of Education must include, at a minimum, the number and  
802 percentage of students who:

803 (a) Return to an alternative school, middle school, or high  
804 school upon release and the attendance rate of such students  
805 before and after participation in juvenile justice education  
806 programs.

807 (b) Receive a standard high school diploma or a high school  
808 equivalency diploma.

809 (c) Receive industry certification.

810 (d) Receive occupational completion points.

811 (e) Enroll in a postsecondary educational institution.

812 (f) Complete a juvenile justice education program without  
813 reoffending.

814 (g) Reoffend within 1 year after completion of a day  
815 treatment or residential commitment program.

816 (h) Remain employed 1 year after completion of a day  
817 treatment or residential commitment program.

818  
819 The results of this report shall be included in the report  
820 required by s. 985.632.

821 (18) ~~(16)~~ The district school board may ~~shall~~ not be charged  
822 any rent, maintenance, utilities, or overhead on such  
823 facilities. Maintenance, repairs, and remodeling of existing  
824 facilities shall be provided by the Department of Juvenile



742608

825 Justice.

826 ~~(19)~~(17) When additional facilities are required, the  
827 district school board and the Department of Juvenile Justice  
828 shall agree on the appropriate site based on the instructional  
829 needs of the students. When the most appropriate site for  
830 instruction is on district school board property, a special  
831 capital outlay request shall be made by the commissioner in  
832 accordance with s. 1013.60. When the most appropriate site is on  
833 state property, state capital outlay funds shall be requested by  
834 the Department of Juvenile Justice provided by s. 216.043 and  
835 shall be submitted as specified by s. 216.023. Any instructional  
836 facility to be built on state property shall have educational  
837 specifications jointly developed by the district school board  
838 and the Department of Juvenile Justice and approved by the  
839 Department of Education. The size of space and occupant design  
840 capacity criteria as provided by State Board of Education rules  
841 shall be used for remodeling or new construction whether  
842 facilities are provided on state property or district school  
843 board property.

844 ~~(20)~~(18) The parent of an exceptional student shall have  
845 the due process rights provided for in this chapter.

846 ~~(21)~~(19) The Department of Education and the Department of  
847 Juvenile Justice, after consultation with and assistance from  
848 local providers and district school boards, shall collect data  
849 ~~report annually to the Legislature by February 1~~ on the progress  
850 toward developing effective education ~~educational~~ programs for  
851 juvenile delinquents, including the amount of funding provided  
852 by district school boards to juvenile justice programs; 7 the  
853 amount retained for administration, 7 including documenting the



742608

854 purposes for such expenses;~~;~~ the status of the development of  
855 cooperative agreements; education program performance, the  
856 results, including the identification of high- and low-  
857 performing programs and aggregate student performance results;  
858 ~~of the quality assurance reviews including~~ recommendations for  
859 system improvement;~~;~~ and information on the identification of,  
860 and services provided to, exceptional students in juvenile  
861 justice programs ~~commitment facilities~~ to determine whether  
862 these students are properly reported for funding and are  
863 appropriately served.

864 ~~(22)-(20)~~ The education ~~educational~~ programs at ~~the Arthur~~  
865 ~~Dezier School for Boys in Jackson County~~ and the Florida School  
866 for Boys in Okeechobee shall be operated by the Department of  
867 Education, either directly or through grants or contractual  
868 agreements with other public or duly accredited education  
869 agencies approved by the Department of Education.

870 ~~(23)-(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~  
871 rules necessary to implement ~~the provisions of~~ this section,  
872 ~~including uniform curriculum, funding, and second chance~~  
873 ~~schools~~. Such rules must require the minimum amount of paperwork  
874 and reporting.

875 ~~(24)-(22)~~ The Department of Juvenile Justice and the  
876 Department of Education, in consultation with Workforce Florida,  
877 Inc., the statewide Workforce Development Youth Council,  
878 district school boards, Florida College System institutions,  
879 providers, and others, shall jointly develop a multiagency plan  
880 for career education which describes the funding, curriculum,  
881 transfer of credits, goals, and outcome measures for career  
882 education programming in juvenile commitment facilities,



742608

883 pursuant to s. 985.622. The plan must be reviewed annually.

884 Section 6. Paragraph (b) of subsection (18) of section  
885 1001.42, Florida Statutes, is amended to read:

886 1001.42 Powers and duties of district school board.—The  
887 district school board, acting as a board, shall exercise all  
888 powers and perform all duties listed below:

889 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
890 Maintain a state system of school improvement and education  
891 accountability as provided by statute and State Board of  
892 Education rule. This system of school improvement and education  
893 accountability shall be consistent with, and implemented  
894 through, the district's continuing system of planning and  
895 budgeting required by this section and ss. 1008.385, 1010.01,  
896 and 1011.01. This system of school improvement and education  
897 accountability shall comply with the provisions of ss. 1008.33,  
898 1008.34, 1008.345, and 1008.385 and include the following:

899 (b) *Public disclosure.*—The district school board shall  
900 provide information regarding the performance of students and  
901 educational programs as required pursuant to ss. 1008.22 and  
902 1008.385 and implement a system of school reports as required by  
903 statute and State Board of Education rule which shall include  
904 schools operating for the purpose of providing educational  
905 services to students ~~youth~~ in Department of Juvenile Justice  
906 programs, and for those schools, report on the elements  
907 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public  
908 disclosure reports shall be in an easy-to-read report card  
909 format and shall include the school's grade, high school  
910 graduation rate calculated without high school equivalency  
911 examinations ~~GED tests~~, disaggregated by student ethnicity, and





742608

912 performance data as specified in state board rule.

913       Section 7. The Division of Law Revision and Information is  
914 requested to prepare a reviser's bill for introduction at the  
915 next regular session of the Legislature to change the terms  
916 "General Educational Development test" or "GED test" to "high  
917 school equivalency examination" and the terms "general education  
918 diploma," "graduate equivalency diploma," or "GED" to "high  
919 school equivalency diploma" wherever those terms appear in the  
920 Florida Statutes.

921       Section 8. This act shall take effect July 1, 2013.

922  
923 ===== T I T L E   A M E N D M E N T =====

924 And the title is amended as follows:

925       Delete everything before the enacting clause  
926 and insert:

927                               A bill to be entitled  
928       An act relating to juvenile justice education  
929       programs; amending s. 985.622, F.S.; revising  
930       provisions to be included in the multiagency education  
931       plan for students in juvenile justice education  
932       programs, including virtual education as an option;  
933       amending s. 985.632, F.S.; requiring the Department of  
934       Juvenile Justice to provide cost and effectiveness  
935       information for program and program activities to the  
936       Legislature and the public; deleting legislative  
937       intent language; requiring implementation of an  
938       accountability system to ensure client needs are met;  
939       requiring the department and the Department of  
940       Education to submit an annual report that includes



742608

941 data on program costs and effectiveness and student  
942 achievement and recommendations for elimination or  
943 modification of programs; amending s. 1001.31, F.S.;  
944 authorizing instructional personnel at all juvenile  
945 justice facilities to access specific student records  
946 at the district; amending s. 1003.51, F.S.; revising  
947 terminology; revising requirements for rules to be  
948 maintained by the State Board of Education; providing  
949 expectations for effective education programs for  
950 students in Department of Juvenile Justice programs;  
951 revising requirements for contract and cooperative  
952 agreements for the delivery of appropriate education  
953 services to students in Department of Juvenile Justice  
954 programs; requiring the Department of Education to  
955 ensure that juvenile justice students who are eligible  
956 have access to high school equivalency testing;  
957 requiring the Department of Education to assist  
958 juvenile justice education programs with becoming high  
959 school equivalency testing centers; revising  
960 requirements for an accountability system that  
961 assesses and evaluates all juvenile justice education  
962 programs; revising requirements of district school  
963 boards; amending s. 1003.52, F.S.; revising  
964 requirements for activities to be coordinated by the  
965 coordinators for juvenile justice education programs;  
966 authorizing contracting for educational assessments;  
967 revising requirements for assessments; authorizing  
968 access to local virtual education courses; requiring  
969 that an education program be based on each student's



970 transition plan and assessed educational needs;  
971 providing requirements for prevention and day  
972 treatment juvenile justice education programs;  
973 requiring progress monitoring plans for all students  
974 not classified as exceptional student education  
975 students; revising requirements for such plans;  
976 requiring that the Department of Education, in  
977 partnership with the Department of Juvenile Justice,  
978 ensure that school districts and juvenile justice  
979 education providers develop individualized transition  
980 plans; providing requirements for such plans;  
981 providing that the Secretary of Juvenile Justice or  
982 the director of a juvenile justice program may request  
983 that a school district teacher's performance be  
984 reviewed by the district and that the teacher be  
985 reassigned in certain circumstances; correcting a  
986 cross-reference; requiring the Department of Education  
987 to establish by rule objective and measurable student  
988 performance measures and program performance ratings;  
989 providing requirements for such ratings; requiring a  
990 comprehensive accountability and program improvement  
991 process; providing requirements for such a process;  
992 deleting provisions for minimum thresholds for the  
993 standards and key indicators for education programs in  
994 juvenile justice facilities; deleting a requirement  
995 for an annual report; requiring data collection;  
996 deleting provisions concerning the Arthur Dozier  
997 School for Boys; requiring rulemaking; amending s.  
998 1001.42, F.S.; revising terminology; revising a cross-



742608

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1001

reference; providing a directive to the Division of  
Law Revision and Information; providing an effective  
date.