

By Senator Bean

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1 A bill to be entitled
2 An act relating to juvenile justice education
3 programs; amending s. 985.632, F.S.; conforming a
4 cross-reference; amending s. 1001.42, F.S.; conforming
5 a cross-reference; amending s. 1003.51, F.S.; revising
6 the content of rules relating to expectations for
7 education programs for youth in certain Department of
8 Juvenile Justice programs; requiring that assessments
9 of students in all juvenile justice programs be
10 completed within a specified time period; specifying
11 recommended instructional programs in juvenile justice
12 education programs; increasing percentage of Florida
13 Education Finance Program (FEFP) funds required to be
14 spent on students in juvenile justice programs;
15 requiring a certain percentage of specified federal
16 funds to be spent on students in juvenile justice
17 programs; requiring standardization of qualifications
18 for juvenile justice education instructors across the
19 state and procedures for use of non-certified
20 instruction personnel; specifying minimum contract
21 requirements for juvenile justice education programs;
22 authorizing immediate sanctions for district school
23 boards whose juvenile justice education programs are
24 considered unsatisfactory; specifying minimum contract
25 requirements for the delivery of education services to
26 youth in juvenile justice programs; requiring the
27 Department of Juvenile Justice to ensure that school
28 district personnel are trained to manage and monitor
29 contracts for juvenile justice education programs;

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30 requiring the Department of Juvenile Justice, district
31 school boards, and education providers to maintain a
32 student's education transition plan and career and
33 technical accomplishments as part of a student's
34 education record; funding a program to pay GED testing
35 fees for youth in juvenile justice education programs
36 and ensuring that eligible youth have access to GED
37 testing; deleting provision requiring district school
38 boards or Florida College system institutions to waive
39 GED testing fees for youth in juvenile justice
40 programs, designate schools as GED testing centers, or
41 pay administrative fees for the GED test; requiring
42 the Department of Education to establish an
43 accountability system that annually evaluates all
44 juvenile justice education programs using student
45 performance measures; requiring the Department of
46 Education to collaborate with certain entities to
47 develop annual recommendations for system and school
48 improvement; amending s. 1003.52, F.S.; providing
49 legislative intent relating to educational services in
50 juvenile justice programs; requiring the participation
51 of the Department of Education and the Department of
52 Juvenile Justice in certain activities related to
53 juvenile justice education programs by each
54 department's respective Coordinator of Juvenile
55 Justice Programs; requiring that the annual
56 cooperative agreement plan between the Department of
57 Education and the Department of Juvenile Justice
58 address each agency's role regarding educational

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59 program accountability, technical assistance,
60 training, and coordination of services; requiring
61 district schools in counties where juvenile justice
62 programs are located to provide or contract for
63 educational services and programs of instruction;
64 providing that students in juvenile justice education
65 programs that test for the GED remain enrolled in the
66 education program for the duration of the FTE period
67 in which they are tested; requiring juvenile justice
68 education providers to assist the Department of
69 Education in selecting student assessment instruments
70 for measuring student performance; requiring local
71 school districts to provide access to virtual
72 education courses for students in juvenile justice
73 education programs; prescribing fees chargeable to
74 juvenile justice education programs for virtual
75 courses accessed through local school districts;
76 prescribing the basis and content of a youth's
77 educational program within juvenile justice programs;
78 requiring minimum course offerings and services from
79 specified juvenile justice programs; requiring that a
80 progress monitoring plan be developed for certain
81 students; prescribing content of progress monitoring
82 plans; requiring that the Department of Education and
83 the Department of Juvenile Justice ensure the
84 development of education transition plans for youth in
85 juvenile justice programs; specifying criteria
86 regarding the development, content and implementation
87 of education transition plans; requiring local school

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88 districts to consider needs of students and education
89 transition plans when students reenter school
90 districts; prohibiting local school districts from
91 maintaining a general policy regarding youth returning
92 from juvenile justice programs; providing that the
93 Secretary of the Department of Juvenile Justice or the
94 director of a juvenile justice program can request
95 review of a teacher's performance or request teacher
96 reassignment for poor performance or inappropriate
97 behavior; specifying certain juvenile justice programs
98 to receive year-round FEFP funding; prescribing the
99 method and amount of funding for students in juvenile
100 justice programs; requiring the Department of
101 Education to fund students in juvenile justice
102 education programs who have graduated or received
103 their GEDs; requiring that the effectiveness of
104 juvenile justice education programs be determined by
105 information gathered through systematic data
106 collection, data analysis, evaluations, and
107 accountability system; requiring that the programs be
108 evaluated based on student performance outcomes;
109 specifying student performance outcomes; establishing
110 a program rating system based upon student performance
111 measures; deleting a provision allowing school
112 districts or education providers who fail to meet
113 minimum standards a 6-month period to achieve
114 compliance before being subject to sanctions adopted
115 by board rules; deleting provisions requiring the
116 Department of Education to operate an educational

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117 program at the Arthur Dozier School for Boys;
118 requiring additional areas to be addressed in the
119 Department of Juvenile Justice and the Department of
120 Education annual report to the Legislature on
121 effective educational programs for juvenile
122 delinquents; requiring the State Board of Education to
123 adopt rules; amending s. 1011.62, F.S.; revising
124 calculation for the allocation of funds to juvenile
125 justice education programs from the FEFP; providing an
126 effective date.

127

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

129

130 Section 1. Subsection (3) of section 985.632, Florida
131 Statutes, is amended to read:

132 985.632 Quality assurance and cost-effectiveness.—

133 (3) The department shall annually collect and report cost
134 data for every program operated or contracted by the department.
135 The cost data shall conform to a format approved by the
136 department and the Legislature. Uniform cost data shall be
137 reported and collected for state-operated and contracted
138 programs so that comparisons can be made among programs. The
139 department shall ensure that there is accurate cost accounting
140 for state-operated services including market-equivalent rent and
141 other shared cost. The cost of the educational program provided
142 to a residential facility shall be reported and included in the
143 cost of a program. The department shall submit an annual cost
144 report to the President of the Senate, the Speaker of the House
145 of Representatives, the Minority Leader of each house of the

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146 Legislature, the appropriate substantive and fiscal committees
147 of each house of the Legislature, and the Governor, no later
148 than December 1 of each year. Cost-benefit analysis for
149 educational programs will be developed and implemented in
150 collaboration with and in cooperation with the Department of
151 Education, local providers, and local school districts. Cost
152 data for the report shall include data collected by the
153 Department of Education for the purposes of preparing the annual
154 report required by s. 1003.52(20) ~~1003.52(19)~~.

155 Section 2. Paragraph (b) of subsection (18) of section
156 1001.42, Florida Statutes, is amended to read:

157 1001.42 Powers and duties of district school board.—The
158 district school board, acting as a board, shall exercise all
159 powers and perform all duties listed below:

160 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
161 Maintain a state system of school improvement and education
162 accountability as provided by statute and State Board of
163 Education rule. This system of school improvement and education
164 accountability shall be consistent with, and implemented
165 through, the district's continuing system of planning and
166 budgeting required by this section and ss. 1008.385, 1010.01,
167 and 1011.01. This system of school improvement and education
168 accountability shall comply with the provisions of ss. 1008.33,
169 1008.34, 1008.345, and 1008.385 and include the following:

170 (b) *Public disclosure*.—The district school board shall
171 provide information regarding the performance of students and
172 educational programs as required pursuant to ss. 1008.22 and
173 1008.385 and implement a system of school reports as required by
174 statute and State Board of Education rule which shall include

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175 schools operating for the purpose of providing educational
176 services to youth in Department of Juvenile Justice programs,
177 and for those schools, report on the elements specified in s.
178 1003.52(20) ~~1003.52(19)~~. Annual public disclosure reports shall
179 be in an easy-to-read report card format and shall include the
180 school's grade, high school graduation rate calculated without
181 GED tests, disaggregated by student ethnicity, and performance
182 data as specified in state board rule.

183 Section 3. Subsections (2) through (5) of section 1003.51,
184 Florida Statutes, are amended to read:

185 1003.51 Other public educational services.—

186 (2) The State Board of Education shall adopt rules ~~and~~
187 ~~maintain an administrative rule~~ articulating expectations for
188 effective education programs for youth in Department of Juvenile
189 Justice programs, including, but not limited to, education
190 programs in juvenile justice prevention, day treatment,
191 residential, ~~commitment~~ and detention facilities. The rules must
192 ~~rule shall~~ articulate the following policies and standards for
193 education programs ~~for youth in Department of Juvenile Justice~~
194 ~~programs and shall include the following:~~

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

197 (b) The responsibilities of the Department of Education,
198 the Department of Juvenile Justice, Workforce Florida, Inc.,
199 district school boards, and providers of education services to
200 youth in Department of Juvenile Justice programs.

201 (c) Academic expectations.

202 (d) Career and technical expectations.

203 (e) Education transition planning and services.

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

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

207 1. Include appropriate academic and career assessments
208 administered at program entry and exit which ~~that~~ are selected
209 by the Department of Education in partnership with
210 representatives from the Department of Juvenile Justice,
211 district school boards, and education providers.

212 2. Require district school boards to be responsible for
213 ensuring the completion of the assessment process.

214 ~~3. Require assessments for students in detention who will
215 move on to commitment facilities, to be designed to create the
216 foundation for developing the student's education program in the
217 assigned commitment facility.~~

218 3.4. Require assessments of students in juvenile justice
219 education programs ~~sent directly to commitment facilities~~ to be
220 completed within the first 10 school days after ~~of~~ the student's
221 entry into the program ~~commitment~~. The results of these
222 assessments, together with a portfolio depicting the student's
223 academic and career accomplishments, must ~~shall~~ be included in
224 the discharge package assembled for each youth.

225 (h)~~(f)~~ Recommended instructional programs, including, but
226 not limited to, programs in secondary education, GED
227 preparation, postsecondary education, career training, and job
228 preparation.

229 (i)~~(g)~~ Funding requirements, which must ~~shall~~ include the
230 requirement that:

231 1. At least 95 ~~90~~ percent of the FEFP funds generated by
232 students in Department of Juvenile Justice programs or in an

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233 education program for juveniles under s. 985.19 be spent on
234 instructional costs for those students;~~;~~

235 2. One hundred percent of the formula-based categorical
236 funds generated by students in Department of Juvenile Justice
237 programs ~~must~~ be spent on appropriate categoricals such as
238 instructional materials and public school technology for those
239 students; and

240 3. Ninety percent of federal Title I, Part D funds
241 generated by students in Department of Juvenile Justice programs
242 be spent directly on educational and transition services for
243 those students.

244 (j)~~(h)~~ Qualifications of instructional staff, procedures
245 for the selection of instructional staff, and procedures to
246 ensure consistent instruction and qualified staff year round.
247 The qualifications for career and technical education
248 instructors must be standardized across the state and based on
249 state certification, local school district approval, industry-
250 recognized credentials or industry training, and procedures for
251 the use of noncertified instruction personnel who possess expert
252 knowledge or experience in their field of instruction.

253 (k)~~(i)~~ Transition services, including the roles and
254 responsibilities of appropriate personnel in the juvenile
255 justice education program, the school district in which the
256 youth will reenter districts, provider organizations, and the
257 Department of Juvenile Justice.

258 (l)~~(j)~~ Procedures and timeframe for transfer of education
259 records when a youth enters and leaves a Department of Juvenile
260 Justice education program facility.

261 (m)~~(k)~~ The requirement that each district school board

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262 maintain an academic transcript for each student enrolled in a
263 juvenile justice education program facility that delineates each
264 course completed by the student as provided by the State Course
265 Code Directory.

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

270 (o)~~(m)~~ Minimum contract requirements, including, but not
271 limited to, payments, contract management, data reporting, FTE
272 reporting, and access to district services such as ESE, virtual
273 education and career technical education.

274 (p)~~(n)~~ Performance expectations for providers and district
275 school boards, including student performance measures that are
276 appropriate to the student population being served, educational
277 program performance ratings, school improvement plans, and
278 corrective action plans for low-performing programs ~~the~~
279 ~~provision of a progress monitoring plan as required in s.~~
280 ~~1008.25.~~

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

283 (r)~~(p)~~ A series of graduated sanctions for district school
284 boards whose educational programs in Department of Juvenile
285 Justice programs facilities are considered to be unsatisfactory
286 and for instances in which district school boards fail to meet
287 standards prescribed by law, rule, or State Board of Education
288 policy. These sanctions must ~~shall~~ include the option of
289 requiring a district school board to contract with a provider or
290 another district school board to provide education programs in

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291 Department of Juvenile Justice programs ~~if the educational~~
 292 ~~program at the Department of Juvenile Justice facility has~~
 293 ~~failed a quality assurance review and, after 6 months, is still~~
 294 ~~performing below minimum standards.~~

295 (s) ~~(q)~~ Curriculum, guidance counseling, transition, and
 296 education services expectations, including curriculum
 297 flexibility for detention centers operated by the Department of
 298 Juvenile Justice ~~Other aspects of program operations.~~

299 (t) Other aspects of program operations.

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

303 (a) Develop and maintain contract and cooperative agreement
 304 requirements ~~Maintain model contracts~~ for the delivery of
 305 appropriate education services to youth in Department of
 306 Juvenile Justice programs ~~to be used for the development of~~
 307 ~~future contracts.~~ The minimum contract requirements must include
 308 payments, access to district services, contract management, data
 309 reporting, FTE reporting, the administration of federal programs
 310 such as Title I of the Elementary and Secondary Education Act of
 311 1965, 20 U.S.C. s. 6301 et seq., exceptional student education,
 312 and the Carl D. Perkins Career and Technical Education Act of
 313 2006, 20 U.S.C. s. 2301 et seq., and ~~model contracts shall~~
 314 ~~reflect~~ the policy and standards included in subsection (2). The
 315 Department of Education, in partnership with the Department of
 316 Juvenile Justice, shall ensure that appropriate district school
 317 board personnel are trained and held accountable for the
 318 management and monitoring of contracts for education programs
 319 for youth in juvenile justice prevention, day treatment,

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320 residential, and detention programs ~~nonresidential facilities~~.

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

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

330 1. A copy of the student's education transition ~~individual~~
331 ~~educational~~ plan.

332 2. Assessment data, including grade level proficiency in
333 reading, ~~writing~~, and mathematics, and performance on tests
334 taken pursuant ~~according~~ to s. 1008.22.

335 3. A copy of the student's permanent cumulative record.

336 4. A copy of the student's academic transcript.

337 5. A portfolio reflecting the youth's academic, career, and
338 technical accomplishments, if age appropriate, while in the
339 Department of Juvenile Justice program.

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

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349 (4) The Department of Education shall ensure that district
350 school boards notify students in juvenile justice education
351 programs residential or nonresidential facilities who attain the
352 ~~age of~~ 16 years of age of the provisions of law regarding
353 compulsory school attendance and make available the option of
354 enrolling in a program to attain a Florida high school diploma
355 by taking the General Educational Development (GED) test as
356 authorized by s. 1003.435 before ~~prior to~~ release from the
357 program. Juvenile justice programs shall receive funds through
358 the FEFP to pay the facility. District school boards or Florida
359 College System institutions, or both, shall waive GED testing
360 fees for youth who pass the GED in whole or in part while in a
361 Department of Juvenile Justice education program residential
362 ~~programs and shall, upon request, designate schools operating~~
363 ~~for the purpose of providing educational services to youth in~~
364 ~~Department of Juvenile Justice programs as GED testing centers,~~
365 ~~subject to GED testing center requirements. The administrative~~
366 ~~fees for the General Educational Development test required by~~
367 ~~the Department of Education are the responsibility of district~~
368 ~~school boards and may be required of providers by contractual~~
369 ~~agreement.~~

370 (5) The Department of Education shall establish and
371 operate, ~~either~~ directly or indirectly through a contract, an
372 accountability system that annually assesses and evaluates all
373 juvenile justice education programs using student performance
374 measures that are appropriate for the student population served
375 and program performance ratings, a mechanism to provide quality
376 ~~assurance reviews of all juvenile justice education programs~~ and
377 shall provide technical assistance, and related research to

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378 district school boards and education providers. The Department
379 of Education, with input from the Department of Juvenile
380 Justice, school districts, and education providers, shall
381 develop annual recommendations for the accountability system and
382 the improvement of the education programs ~~on how to establish,~~
383 ~~develop, and operate educational programs that exceed the~~
384 ~~minimum quality assurance standards.~~

385 Section 4. Section 1003.52, Florida Statutes, is amended to
386 read:

387 1003.52 Educational services in Department of Juvenile
388 Justice programs.—

389 (1) The Legislature finds that education is the single most
390 important factor in the rehabilitation of adjudicated delinquent
391 youth in the custody of Department of Juvenile Justice programs.
392 It is the goal of the Legislature that youth in the juvenile
393 justice system continue to have ~~be allowed~~ the opportunity to
394 obtain a high quality education that includes academic, career,
395 and technical education and that results in educational gains
396 and outcomes leading to continuing education or meaningful
397 employment after release. The Department of Education shall
398 serve as the lead agency for juvenile justice education
399 programs, curriculum, support services, and resources. To this
400 end, the Department of Education and the Department of Juvenile
401 Justice shall each designate a Coordinator for Juvenile Justice
402 Education Programs to serve as the point of contact for
403 resolving issues not addressed by district school boards and to
404 provide each department's participation in the following
405 activities:

406 (a) Training, collaborating, and coordinating with ~~the~~

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407 ~~Department of Juvenile Justice,~~ district school boards, local
408 work force boards, youth councils, educational contract
409 providers, and juvenile justice providers, whether state
410 operated or contracted.

411 (b) Collecting information on the academic, career and
412 technical education, and transition performance of students in
413 juvenile justice programs and reporting on the results.

414 (c) Developing academic, ~~and~~ career, and technical
415 education protocols that provide guidance to district school
416 boards and juvenile justice education providers in all aspects
417 of education programming, including records transfer and
418 transition.

419 (d) Implementing a joint accountability, program
420 performance and school improvement system. ~~Prescribing the roles~~
421 ~~of program personnel and interdepartmental district school board~~
422 ~~or provider collaboration strategies.~~

423
424 Annually, a cooperative agreement and plan for juvenile justice
425 education service enhancement shall be developed between the
426 Department of Juvenile Justice and the Department of Education
427 and submitted to the Secretary of Juvenile Justice and the
428 Commissioner of Education by June 30. The plan must, at a
429 minimum, include each agency's role regarding educational
430 program accountability, technical assistance, training, and
431 coordination of services.

432 (2) Students participating in Department of Juvenile
433 Justice programs pursuant to chapter 985 which are sponsored by
434 a community-based agency or are operated or contracted for by
435 the Department of Juvenile Justice shall receive educational

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436 programs according to rules of the State Board of Education.
437 These students are ~~shall be~~ eligible for services afforded to
438 students enrolled in programs pursuant to s. 1003.53 and all
439 corresponding State Board of Education rules.

440 (3) The district school board of the county in which the
441 juvenile justice education prevention, day treatment,
442 residential, or detention program ~~residential or nonresidential~~
443 ~~care facility or juvenile assessment facility~~ is located shall
444 provide, or contract for, appropriate educational assessments
445 and an appropriate program of instruction and special education
446 services.

447 (a) The district school board shall make provisions for
448 each student to participate in basic, career education, and
449 exceptional student programs as appropriate. Students served in
450 Department of Juvenile Justice programs must ~~shall~~ have access
451 to the appropriate courses and instruction to prepare them for
452 the GED test. Students participating in GED preparation programs
453 must ~~shall~~ be funded at the basic program cost factor for
454 Department of Juvenile Justice programs in the Florida Education
455 Finance Program. Students in juvenile justice education programs
456 who test for the GED shall remain eligible for FEFP funds for
457 the duration of the FTE period in which they are tested. Each
458 program must ~~shall~~ be conducted according to applicable law
459 providing for the operation of public schools and rules of the
460 State Board of Education. School districts shall provide the GED
461 exit option for all juvenile justice programs.

462 (b) The ~~By October 1, 2004, the~~ Department of Education,
463 with the assistance of the school districts and the juvenile
464 justice education providers, shall select a common student

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465 assessment instrument and protocol for measuring student
466 learning gains and student progression while a student is in a
467 juvenile justice education program. The assessment instrument
468 and protocol must be implemented in all state juvenile justice
469 education programs ~~in this state by January 1, 2005.~~

470 (4) Educational services must ~~shall~~ be provided at times of
471 the day most appropriate for the juvenile justice program.
472 School programming in juvenile justice detention, prevention,
473 day treatment, and residential commitment, and rehabilitation
474 programs must ~~shall~~ be made available by the local school
475 district during the juvenile justice school year, as described
476 ~~defined~~ in s. 1003.01(11). In addition, students in juvenile
477 justice education programs must ~~shall~~ have access to Florida
478 Virtual School courses and local virtual education courses
479 offered through the virtual schools that are operated by the
480 school district or through providers of virtual education.
481 Juvenile justice education programs may not be charged FTE for
482 virtual courses accessed through the school district which are
483 for credit recovery or are offered to youth beyond the 300-
484 minute daily requirement of instruction. The Department of
485 Education and the school districts shall adopt policies
486 necessary to ensure such access.

487 (5) The educational program must be based on each youth's
488 reentry plan and assessed educational needs. Depending on the
489 youth's needs, educational programming must ~~shall~~ consist of
490 remediation courses, appropriate basic academic courses required
491 for grade advancement, career and technical education, GED
492 preparation, or exceptional curricula and related services that
493 ~~which~~ support the transition ~~treatment~~ goals and reentry and

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494 that ~~which~~ may lead to completion of the requirements for
495 receipt of a high school diploma or its equivalent. Prevention
496 and day treatment education programs, at a minimum, must provide
497 career readiness and exploration as well as truancy and dropout
498 prevention intervention services. Residential juvenile justice
499 education programs that have a contracted minimum length of stay
500 of 9 months must provide career and technical course offerings
501 that lead to preapprentice certifications, industry
502 certifications, occupational completion points, or work-related
503 certifications. Residential programs with contracted lengths of
504 stay of less than 9 months may provide career and technical
505 course offerings that lead to preapprentice certifications,
506 industry certifications, occupational completion points, or
507 work-related certifications. If the duration of a program is
508 less than 40 days, the educational component may be limited to
509 tutorial remediation activities, ~~and~~ career employability
510 skills, educational counseling, and transition services that
511 prepare youth for a return to school, the community, and home
512 settings based on the youth's needs.

513 (6) Participation in the program by students of compulsory
514 school-attendance age as provided ~~for~~ in s. 1003.21 is ~~shall be~~
515 mandatory. All students of noncompulsory school-attendance age
516 who have not received a high school diploma or its equivalent
517 shall participate in the educational program, unless the student
518 files a formal declaration of his or her intent to terminate
519 school enrollment as described in s. 1003.21 and is afforded the
520 opportunity to take the general educational development test and
521 attain a Florida high school diploma before ~~prior to~~ release
522 from a juvenile justice education program ~~facility~~. A youth who

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523 has received a high school diploma or its equivalent and is not
524 employed shall participate in workforce development, ~~or~~ other
525 career or technical education, or Florida College System
526 institution or university courses while in the program, subject
527 to the availability of available funding.

528 (7) A progress monitoring plan must ~~shall~~ be developed for
529 all students who are not exceptional students ~~who score below~~
530 ~~the level specified in district school board policy in reading,~~
531 ~~writing, and mathematics or below the level specified by the~~
532 ~~Commissioner of Education on statewide assessments as required~~
533 ~~by s. 1008.25.~~ These plans must ~~shall~~ address academic,
534 literacy, and career and technical ~~life~~ skills and ~~shall~~ include
535 provisions for intensive remedial instruction in the areas of
536 weakness.

537 (8) Each district school board shall maintain an academic
538 record for each student enrolled in a juvenile justice program
539 ~~facility~~ as prescribed by s. 1003.51. Such record must ~~shall~~
540 delineate each course completed by the student according to
541 procedures in the State Course Code Directory. The district
542 school board shall include a copy of a student's academic record
543 in the discharge packet when the student exits the program
544 ~~facility~~.

545 (9) The Department of Education shall ensure that all
546 district school boards make provisions for high school level
547 youth to earn credits toward high school graduation while in
548 residential and nonresidential juvenile justice facilities.
549 Provisions must be made for the transfer of credits and partial
550 credits earned.

551 (10) The Department of Education, in partnership with the

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552 Department of Juvenile Justice, shall ensure that school
553 districts and juvenile justice education providers develop
554 educational transition plans during the course of a youth's stay
555 in a juvenile justice education program in order to coordinate
556 academic, career, technical, secondary, and postsecondary
557 services that assist the youth in successful community
558 reintegration upon release.

559 (a) Transition planning must begin upon a youth's placement
560 in the program. The transition plan must, at a minimum, include:

561 1. Services and interventions that address the youth's
562 assessed educational needs and postrelease educational plans.

563 2. Services to be provided during the program stay and
564 services to be implemented upon release, including, but not
565 limited to, continuing education in secondary school, career and
566 technical programs, postsecondary education, or employment,
567 based on the youth's needs.

568 (b) Personnel in the juvenile justice education program,
569 reentry personnel, personnel from the school district where the
570 youth will return, the youth, the youth's family, and the
571 Department of Juvenile Justice personnel for committed youth, if
572 possible, shall collaborate to develop the transition plan.

573 (c) Individuals who are responsible for reintegration shall
574 coordinate activities to ensure that the transition plan is
575 implemented and the youth is provided access to support services
576 that sustain the youth's success.

577 (d) For the purpose of transition planning and reentry
578 services, local school district and workforce representatives
579 shall participate as members of the local Department of Juvenile
580 Justice reentry teams. A local school district must consider the

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581 individual needs and circumstances of the youth and the
582 transition plan recommendations when enrolling a youth back into
583 the school district. A local school district may not maintain a
584 blanket policy for all youth returning from a juvenile justice
585 program.

586 (e) The Department of Education and the Department of
587 Juvenile Justice shall provide oversight and guidance to school
588 districts, educational providers, and reentry personnel on how
589 to implement effective educational transition planning and
590 services.

591 (11)~~(10)~~ The district school board shall recruit and train
592 teachers who are interested, qualified, or experienced in
593 educating students in juvenile justice programs. Students in
594 juvenile justice programs must ~~shall~~ be provided a wide range of
595 educational programs and opportunities including textbooks,
596 technology, instructional support, and other resources available
597 to students in public schools. Teachers assigned to educational
598 programs in juvenile justice settings in which the district
599 school board operates the educational program must ~~shall~~ be
600 selected by the district school board in consultation with the
601 director of the juvenile justice program. The Secretary of the
602 Department of Juvenile Justice or the director of a juvenile
603 justice program may request that a school district teacher's
604 performance be reviewed by the district or that the teacher be
605 reassigned based on evidence of poor performance or
606 inappropriate behavior. Juvenile facility. Educational programs
607 ~~in juvenile~~ education programs must ~~facilities shall~~
608 have access to the substitute teacher pool used ~~utilized~~ by the
609 district school board.

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610 (12)~~(11)~~ District school boards may contract with a private
611 provider for the provision of educational programs to youths
612 placed with the Department of Juvenile Justice and shall
613 generate local, state, and federal funding, including funding
614 through the Florida Education Finance Program for such students.
615 The district school board's planning and budgeting process must
616 ~~shall~~ include the needs of Department of Juvenile Justice
617 programs in the district school board's plan for expenditures
618 for state categorical and federal funds.

619 (13)~~(12)~~~~(a)~~ Funding for eligible students enrolled in
620 juvenile justice education programs shall be provided through
621 the Florida Education Finance Program as provided in s. 1011.62
622 and the General Appropriations Act.

623 (a) ~~At Funding shall include,~~ at a minimum, funding must
624 include:

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

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

630 3. A proportionate share of the district's exceptional
631 student education guaranteed allocation, the supplemental
632 academic instruction allocation, and the instructional materials
633 allocation;

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

637 a. If the district levies the maximum discretionary local
638 effort and the district's discretionary local effort per FTE is

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639 less than the state average potential discretionary local effort
640 per FTE, the proportionate share shall include both the
641 discretionary local effort and the compression supplement per
642 FTE. If the district's discretionary local effort per FTE is
643 greater than the state average per FTE, the proportionate share
644 shall be equal to the state average; or

645 b. If the district does not levy the maximum discretionary
646 local effort and the district's actual discretionary local
647 effort per FTE is less than the state average potential
648 discretionary local effort per FTE, the proportionate share
649 shall be equal to the district's actual discretionary local
650 effort per FTE. If the district's actual discretionary local
651 effort per FTE is greater than the state average per FTE, the
652 proportionate share shall be equal to the state average
653 potential local effort per FTE; and

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

656 (b) To Juvenile justice educational programs to receive the
657 appropriate and year-round FEFP funding for Department of
658 Juvenile Justice programs, juvenile justice education programs
659 must shall include those prevention, day treatment, residential,
660 and detention programs that operate their own education program
661 and are operated through a contract with the Department of
662 Juvenile Justice and which are under purview of the Department
663 of Juvenile Justice quality assurance standards for education.

664 (c) Consistent with the rules of the State Board of
665 Education, district school boards shall ~~are required to~~ request
666 an alternative FTE survey for Department of Juvenile Justice
667 programs experiencing fluctuations in student enrollment.

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668 (d) FTE count periods must ~~shall~~ be prescribed in rules of
669 the State Board of Education and must ~~shall~~ be the same for
670 programs of the Department of Juvenile Justice as for other
671 public school programs. The summer school period for students in
672 Department of Juvenile Justice programs must ~~shall~~ begin on the
673 day immediately following the end of the regular school year and
674 end on the day immediately preceding the subsequent regular
675 school year. Students must ~~shall~~ be funded for up to no more
676 ~~than~~ 25 hours per week of direct instruction.

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

679 (f) Juvenile justice education programs shall receive
680 additional weighted funding equivalent to 0.1 FTE, as authorized
681 in s. 1011.62, to support equipment, specially designed
682 curricula, and industry credentialing testing fees for students
683 enrolled in career and technical courses that lead to
684 occupational completion points or industry-recognized
685 certifications.

686 (g) The Department of Education shall provide, directly or
687 through a program, funding that supports students in juvenile
688 justice education programs who have graduated high school or
689 received a GED. This funding must be made available for a youth
690 who enters a juvenile justice residential program and has
691 already received a high school diploma or its equivalent. For a
692 youth who earns a high school diploma or its equivalent while in
693 the residential program, the funding takes effect beginning with
694 the FTE period directly following the period in which the youth
695 earns a high school diploma or its equivalent. The rate of
696 funding per student must be equivalent to 0.5 of the base

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697 student allocation as authorized in s. 1011.62. Funding must be
698 used to support career and technical instruction offered by the
699 juvenile justice education program which leads to industry
700 certification, or tuition and fees for attending a postsecondary
701 or career and technical institution online while the youth
702 remains in the program. Youth who choose to pursue college
703 courses through the juvenile justice education program must
704 complete 10 volunteer hours per week while in the program. The
705 Department of Education may enter into an agreement with one or
706 more public postsecondary institutions in this state to offer
707 online courses to youth in juvenile justice education programs.

708 (14)~~(13)~~ Each district school board shall negotiate a
709 cooperative agreement with the Department of Juvenile Justice on
710 the delivery of educational services to youths under the
711 jurisdiction of the Department of Juvenile Justice. Such
712 agreement must include, but is not limited to:

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

715 (b) Administrative issues, including procedures for sharing
716 information.

717 (c) Allocation of resources, including maximization of
718 local, state, and federal funding.

719 (d) Procedures for educational evaluation for educational
720 exceptionalities and special needs.

721 (e) Curriculum and delivery of instruction.

722 (f) Classroom management procedures and attendance
723 policies.

724 (g) Procedures for providing ~~provision of~~ qualified
725 instructional personnel, whether supplied by the district school

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726 board or provided under contract by the provider, and for
727 performance of duties while in a juvenile justice setting.

728 (h) Provisions for improving skills in teaching and working
729 with youth referred to juvenile justice programs ~~delinquents~~.

730 (i) Transition plans for students moving into and out of
731 juvenile justice programs ~~facilities~~.

732 (j) Procedures and timelines for the ~~timely~~ documentation
733 of credits earned and transfer of student records.

734 (k) Methods and procedures for dispute resolution.

735 (l) Provisions for ensuring the safety of education
736 personnel and support for the agreed-upon education program.

737 (m) Strategies for correcting any deficiencies found
738 through the accountability and evaluation system and student
739 performance measures ~~quality assurance process~~.

740 (15) ~~(14)~~ This Nothing in this section, or in a cooperative
741 agreement, does not shall be construed to require the district
742 school board to provide more services than can be supported by
743 the funds generated by students in the juvenile justice
744 programs.

745 (16) ~~(15)~~ (a) The Department of Education in consultation
746 with the Department of Juvenile Justice, district school boards,
747 and providers shall establish by rule objective and measurable
748 student performance measures and program performance ratings
749 ~~quality assurance standards~~ for the educational component of
750 prevention, day treatment, and residential programs. Program
751 effectiveness shall be determined by information gathered
752 through systematic data collection and data analysis. Onsite
753 program evaluations must occur as necessary to verify data
754 accuracy and to diagnose program strengths and weaknesses ~~and~~

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755 ~~nonresidential juvenile justice facilities. These standards~~
756 ~~shall rate the district school board's performance both as a~~
757 ~~provider and contractor. The quality assurance rating for the~~
758 ~~educational component shall be disaggregated from the overall~~
759 ~~quality assurance score and reported separately.~~

760 1. The Department of Education shall collect data on
761 juvenile justice education programs for the purpose of measuring
762 student performance and monitoring juvenile justice education
763 program performance.

764 2. Student performance measures shall be based on
765 appropriate outcomes for all youth throughout the continuum of
766 educational services within juvenile justice programs.

767 3. Program performance ratings and program accountability
768 shall be based, in part, upon a program's student performance
769 measure results and must consider the average length of stay in
770 a juvenile justice education program.

771 4. At a minimum, student performance measures must include
772 outcomes that address career and technical education,
773 employability skills, high school diploma or its equivalent,
774 grade advancement, or learning gains.

775 5. Timeframes and procedures shall be established for
776 improving low-performing educational programs and, if necessary,
777 the reassignment of the educational provider or school district.

778 (b) The Department of Education, in partnership with the
779 Department of Juvenile Justice, shall develop a comprehensive
780 accountability and school improvement ~~quality assurance review~~
781 process. The accountability and school improvement process must
782 be based on student performance measures that are appropriate
783 for the student population being served and must rate

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784 educational program performance. The accountability system must
785 identify and recognize high-performing educational programs.
786 Low-performing educational programs must receive an onsite
787 program evaluation. School improvement, technical assistance, or
788 the reassignment of the educational provider must be based, in
789 part, on the results of the program evaluation. Through a
790 corrective action process, low-performing programs shall
791 demonstrate improvement or reassign the educational provider and
792 ~~schedule for the evaluation of the educational component in~~
793 ~~juvenile justice programs. The Department of Juvenile Justice~~
794 ~~quality assurance site visit and the education quality assurance~~
795 ~~site visit shall be conducted during the same visit.~~

796 ~~(c) The Department of Education, in consultation with~~
797 ~~district school boards and providers, shall establish minimum~~
798 ~~thresholds for the standards and key indicators for educational~~
799 ~~programs in juvenile justice facilities. If a district school~~
800 ~~board fails to meet the established minimum standards, it will~~
801 ~~be given 6 months to achieve compliance with the standards. If~~
802 ~~after 6 months, the district school board's performance is still~~
803 ~~below minimum standards, the Department of Education shall~~
804 ~~exercise sanctions as prescribed by rules adopted by the State~~
805 ~~Board of Education. If a provider, under contract with the~~
806 ~~district school board, fails to meet minimum standards, such~~
807 ~~failure shall cause the district school board to cancel the~~
808 ~~provider's contract unless the provider achieves compliance~~
809 ~~within 6 months or unless there are documented extenuating~~
810 ~~circumstances.~~

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

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813 (17)~~(16)~~ The district school board may ~~shall~~ not be charged
814 any rent, maintenance, utilities, or overhead on such
815 facilities. Maintenance, repairs, and remodeling of existing
816 facilities shall be provided by the Department of Juvenile
817 Justice.

818 (18)~~(17)~~ If ~~When~~ additional facilities are required, the
819 district school board and the Department of Juvenile Justice
820 shall agree on the appropriate site based on the instructional
821 needs of the students. If ~~When~~ the most appropriate site for
822 instruction is on district school board property, a special
823 capital outlay request shall be made by the commissioner in
824 accordance with s. 1013.60. If ~~When~~ the most appropriate site is
825 on state property, state capital outlay funds shall be requested
826 by the Department of Juvenile Justice required by provided by s.
827 216.043 and ~~shall be~~ submitted as specified by s. 216.023. Any
828 instructional facility to be built on state property shall have
829 educational specifications jointly developed by the district
830 school board and the Department of Juvenile Justice and approved
831 by the Department of Education. The size of space and occupant
832 design capacity criteria as provided by State Board of Education
833 rules shall be used for remodeling or new construction whether
834 facilities are provided on state property or district school
835 board property.

836 (19)~~(18)~~ The parent of an exceptional student shall have
837 the due process rights provided for in this chapter.

838 (20)~~(19)~~ The Department of Education and the Department of
839 Juvenile Justice, after consultation with and assistance from
840 local providers and district school boards, shall report
841 annually to the Legislature by February 1 on the progress toward

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842 developing effective educational programs for juvenile
843 delinquents, including the amount of funding provided by
844 district school boards to juvenile justice programs ; the
845 amount retained for administration including documenting the
846 purposes for such expenses~~;~~ the status of the development of
847 cooperative agreements~~;~~ educational program performance the
848 results, including the identification of high- and low-
849 performing programs; aggregate student performance results; of
850 ~~the quality assurance reviews including~~ recommendations for
851 system improvement~~;~~ and information on the identification of,
852 and services provided to, exceptional students in juvenile
853 justice programs ~~commitment facilities~~ to determine whether
854 these students are properly reported for funding and are
855 appropriately served.

856 ~~(21)(20) The educational programs at the Arthur Dozier~~
857 ~~School for Boys in Jackson County and The Florida School for~~
858 ~~Boys in Okeechobee shall be operated by the Department of~~
859 ~~Education, either directly or through grants or contractual~~
860 ~~agreements with other public or duly accredited education~~
861 ~~agencies approved by the Department of Education.~~

862 ~~(22)(21) The State Board of Education shall~~ may adopt ~~any~~
863 rules necessary to implement the provisions of this section~~,~~
864 ~~including uniform curriculum, funding, and second chance~~
865 ~~schools~~. Such rules must require the minimum amount of paperwork
866 and reporting.

867 ~~(23)(22) The Department of Juvenile Justice and the~~
868 ~~Department of Education, in consultation with Workforce Florida,~~
869 ~~Inc., the statewide Workforce Development Youth Council,~~
870 ~~district school boards, Florida College System institutions,~~

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871 providers, and others, shall jointly develop a multiagency plan
872 for career education which describes the funding, curriculum,
873 transfer of credits, goals, and outcome measures for career
874 education programming in juvenile commitment facilities,
875 pursuant to s. 985.622. The plan must be reviewed annually.

876 Section 5. Subsection (10) of section 1011.62, Florida
877 Statutes, is amended to read:

878 1011.62 Funds for operation of schools.—If the annual
879 allocation from the Florida Education Finance Program to each
880 district for operation of schools is not determined in the
881 annual appropriations act or the substantive bill implementing
882 the annual appropriations act, it shall be determined as
883 follows:

884 (10) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE
885 JUSTICE EDUCATION PROGRAMS.—An amount equal to the sum of the
886 following calculations shall be allocated in the FEFP to each
887 school district to supplement other sources of funding for
888 students in juvenile justice education programs:

889 (a) The total K-12 weighted full-time equivalent student
890 membership in juvenile justice education programs in each school
891 district shall be multiplied by the amount of the state average
892 class-size-reduction factor multiplied by the district's cost
893 differential;

894 (b) Pursuant to s. 1003.51(4), the total of the GED testing
895 fees for youth who pass the GED in whole or in part while in a
896 Department of Juvenile Justice education program;

897 (c) An additional weighted funding equivalent to 0.1 FTE to
898 support equipment, specially designed curricula, and industry
899 credentialing testing fees for students enrolled in career and

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900 technical courses that lead to occupational completion points or
901 industry-recognized certifications; and

902 (d) An additional 0.5 of the base student allocation per
903 student for students in juvenile justice residential education
904 programs who have graduated high school or received a GED. An
905 amount equal to the sum of this calculation shall be allocated
906 in the FEFP to each school district to supplement other sources
907 of funding for students in juvenile justice education programs.

908 Section 6. This act shall take effect upon becoming a law.