

By the Committee on Criminal Justice; and Senator Bean

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1                   A bill to be entitled  
2           An act relating to juvenile justice education  
3           programs; amending s. 985.622, F.S.; revising  
4           provisions to be included in the multiagency education  
5           plan for students in juvenile justice education  
6           programs, including virtual education as an option;  
7           amending s. 985.632, F.S.; requiring the Department of  
8           Juvenile Justice to provide cost and effectiveness  
9           information for program and program activities to the  
10          Legislature and the public; deleting legislative  
11          intent language; requiring implementation of an  
12          accountability system to ensure client needs are met;  
13          requiring the department and the Department of  
14          Education to submit an annual report that includes  
15          data on program costs and effectiveness and student  
16          achievement and recommendations for elimination or  
17          modification of programs; amending s. 1001.31, F.S.;  
18          authorizing instructional personnel at all juvenile  
19          justice facilities to access specific student records  
20          at the district; amending s. 1003.51, F.S.; revising  
21          terminology; revising requirements for rules to be  
22          maintained by the State Board of Education; providing  
23          expectations for effective education programs for  
24          students in Department of Juvenile Justice programs;  
25          revising requirements for contract and cooperative  
26          agreements for the delivery of appropriate education  
27          services to students in Department of Juvenile Justice  
28          programs; requiring the Department of Education to  
29          ensure that juvenile justice students who are eligible

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30 have access to high school equivalency testing;  
31 requiring the Department of Education to assist  
32 juvenile justice education programs with becoming high  
33 school equivalency testing centers; revising  
34 requirements for an accountability system that  
35 assesses and evaluates all juvenile justice education  
36 programs; revising requirements of district school  
37 boards; amending s. 1003.52, F.S.; revising  
38 requirements for activities to be coordinated by the  
39 coordinators for juvenile justice education programs;  
40 authorizing contracting for educational assessments;  
41 revising requirements for assessments; authorizing  
42 access to local virtual education courses; requiring  
43 that an education program be based on each student's  
44 transition plan and assessed educational needs;  
45 providing requirements for prevention and day  
46 treatment juvenile justice education programs;  
47 requiring progress monitoring plans for all students  
48 not classified as exceptional student education  
49 students; revising requirements for such plans;  
50 requiring that the Department of Education, in  
51 partnership with the Department of Juvenile Justice,  
52 ensure that school districts and juvenile justice  
53 education providers develop individualized transition  
54 plans; providing requirements for such plans;  
55 providing that the Secretary of Juvenile Justice or  
56 the director of a juvenile justice program may request  
57 that a school district teacher's performance be  
58 reviewed by the district and that the teacher be

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59 reassigned in certain circumstances; correcting a  
60 cross-reference; requiring the Department of Education  
61 to establish by rule objective and measurable student  
62 performance measures and program performance ratings;  
63 providing requirements for such ratings; requiring a  
64 comprehensive accountability and program improvement  
65 process; providing requirements for such a process;  
66 deleting provisions for minimum thresholds for the  
67 standards and key indicators for education programs in  
68 juvenile justice facilities; deleting a requirement  
69 for an annual report; requiring data collection;  
70 deleting provisions concerning the Arthur Dozier  
71 School for Boys; requiring rulemaking; amending s.  
72 1001.42, F.S.; revising terminology; revising a cross-  
73 reference; providing a directive to the Division of  
74 Law Revision and Information; providing an effective  
75 date.

76  
77 Be It Enacted by the Legislature of the State of Florida:

78  
79 Section 1. Section 985.622, Florida Statutes, is amended to  
80 read:

81 985.622 Multiagency plan for career ~~vocational~~ education.—

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

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88 education programs ~~commitment facilities~~. The plan must include:

89 (a) Provisions for maximizing appropriate state and federal  
90 funding sources, including funds under the Workforce Investment  
91 Act and the Perkins Act.~~†~~

92 (b) Provisions for eliminating barriers to increasing  
93 occupation-specific job training and high school equivalency  
94 examination preparation opportunities.

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

97 (d) ~~(c)~~ A detailed implementation schedule.

98 (2) The plan must define career ~~vocational~~ programming that  
99 is appropriate based upon:

100 (a) The age and assessed educational abilities and goals of  
101 the student ~~youth~~ to be served; and

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

105 (3) The plan must include a definition of career ~~vocational~~  
106 programming that includes the following classifications of  
107 juvenile justice education programs ~~commitment facilities~~ that  
108 will offer career ~~vocational~~ programming by one of the following  
109 types:

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

114 (b) *Type B.*—Programs that include Type A program content  
115 and an orientation to the broad scope of career choices, based  
116 upon personal abilities, aptitudes, and interests. Exploring and

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117 gaining knowledge of occupation options and the level of effort  
118 required to achieve them are essential prerequisites to skill  
119 training.

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

123 (4) The plan must also address strategies to facilitate  
124 involvement of business and industry in the design, delivery,  
125 and evaluation of career ~~vocational~~ programming in juvenile  
126 justice education ~~commitment facilities and conditional release~~  
127 programs, including apprenticeship and work experience programs,  
128 mentoring and job shadowing, and other strategies that lead to  
129 postrelease employment. Incentives for business involvement,  
130 such as tax breaks, bonding, and liability limits should be  
131 investigated, implemented where appropriate, or recommended to  
132 the Legislature for consideration.

133 (5) The plan must also evaluate the effect of students'  
134 mobility between juvenile justice education programs and school  
135 districts on the students' educational outcomes and whether the  
136 continuity of the students' education can be better addressed  
137 through virtual education.

138 (6) ~~(5)~~ The Department of Juvenile Justice and the  
139 Department of Education shall each align its respective agency  
140 policies, practices, technical manuals, contracts, quality-  
141 assurance standards, performance-based-budgeting measures, and  
142 outcome measures with the plan in juvenile justice education  
143 programs ~~commitment facilities~~ by July 31, 2014 ~~2001~~. Each  
144 agency shall provide a report on the implementation of this  
145 section to the Governor, the President of the Senate, and the

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146 Speaker of the House of Representatives by August 31, 2014 ~~2007~~.

147 ~~(7)(6)~~ All provider contracts executed by the Department of  
148 Juvenile Justice or the school districts after January 1, 2015  
149 ~~2002~~, must be aligned with the plan.

150 ~~(8)(7)~~ The planning and execution of quality assurance  
151 reviews conducted by the Department of Education or the  
152 Department of Juvenile Justice after August 1, 2014 ~~2002~~, must  
153 be aligned with the plan.

154 ~~(9)(8)~~ Outcome measures reported by the Department of  
155 Juvenile Justice and the Department of Education for students  
156 ~~youth~~ released on or after January 1, 2015 ~~2002~~, should include  
157 outcome measures that conform to the plan.

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

160 985.632 Quality assurance and cost-effectiveness.—

161 (1) The department shall:

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

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

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

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

173 (e) Continue to improve service delivery. ~~It is the intent~~  
174 ~~of the Legislature that the department:~~

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

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

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

183 ~~(d) Provide information to the public about the~~  
184 ~~effectiveness of such programs in meeting established goals and~~  
185 ~~objectives.~~

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

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

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

191 (3) By March 1st of each year, the department, in  
192 consultation with the Department of Education, shall publish a  
193 report on program costs and effectiveness. The report shall  
194 include uniform cost data for each program operated by the  
195 department or by providers under contract with the department.  
196 The Department of Education shall provide the cost data on each  
197 education program operated by a school district or a provider  
198 under contract with a school district. Cost data shall be  
199 formatted and presented in a manner approved by the Legislature.  
200 The report shall also include data on student learning gains, as  
201 provided by the Department of Education, for all juvenile  
202 justice education programs as required under s. 1003.52(3)(b),  
203 information required under s. 1003.52(17) and (21), the cost-

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204 effectiveness of each program offered, and recommendations for  
205 modification or elimination of programs or program activities  
206 ~~The department shall annually collect and report cost data for~~  
207 ~~every program operated or contracted by the department. The cost~~  
208 ~~data shall conform to a format approved by the department and~~  
209 ~~the Legislature. Uniform cost data shall be reported and~~  
210 ~~collected for state-operated and contracted programs so that~~  
211 ~~comparisons can be made among programs. The department shall~~  
212 ~~ensure that there is accurate cost accounting for state-operated~~  
213 ~~services including market-equivalent rent and other shared cost.~~  
214 ~~The cost of the educational program provided to a residential~~  
215 ~~facility shall be reported and included in the cost of a~~  
216 ~~program. The department shall submit an annual cost report to~~  
217 ~~the President of the Senate, the Speaker of the House of~~  
218 ~~Representatives, the Minority Leader of each house of the~~  
219 ~~Legislature, the appropriate substantive and fiscal committees~~  
220 ~~of each house of the Legislature, and the Governor, no later~~  
221 ~~than December 1 of each year. Cost-benefit analysis for~~  
222 ~~educational programs will be developed and implemented in~~  
223 ~~collaboration with and in cooperation with the Department of~~  
224 ~~Education, local providers, and local school districts. Cost~~  
225 ~~data for the report shall include data collected by the~~  
226 ~~Department of Education for the purposes of preparing the annual~~  
227 ~~report required by s. 1003.52(19).~~

228 Section 3. Section 1001.31, Florida Statutes, is amended to  
229 read:

230 1001.31 Scope of district system.—A district school system  
231 shall include all public schools, classes, and courses of  
232 instruction and all services and activities directly related to



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233 education in that district which are under the direction of the  
234 district school officials. A district school system may also  
235 include alternative site schools for disruptive or violent  
236 students ~~youth~~. Such schools for disruptive or violent students  
237 ~~youth~~ may be funded by each district or provided through  
238 cooperative programs administered by a consortium of school  
239 districts, private providers, state and local law enforcement  
240 agencies, and the Department of Juvenile Justice. Pursuant to  
241 cooperative agreement, a district school system shall provide  
242 instructional personnel at juvenile justice facilities ~~of 50 or~~  
243 ~~more beds or slots~~ with access to the district school system  
244 database for the purpose of accessing student academic,  
245 immunization, and registration records for students assigned to  
246 the programs. Such access shall be in the same manner as  
247 provided to other schools in the district.

248 Section 4. Section 1003.51, Florida Statutes, is amended to  
249 read:

250 1003.51 Other public educational services.—

251 (1) The general control of other public educational  
252 services shall be vested in the State Board of Education except  
253 as provided in this section ~~herein~~. The State Board of Education  
254 shall, at the request of the Department of Children and Families  
255 ~~Family Services~~ and the Department of Juvenile Justice, advise  
256 as to standards and requirements relating to education to be met  
257 in all state schools or institutions under their control which  
258 provide educational programs. The Department of Education shall  
259 provide supervisory services for the educational programs of all  
260 such schools or institutions. The direct control of any of these  
261 services provided as part of the district program of education

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262 shall rest with the district school board. These services shall  
263 be supported out of state, district, federal, or other ~~lawful~~  
264 funds, depending on the requirements of the services being  
265 supported.

266 (2) The State Board of Education shall adopt rules ~~and~~  
267 ~~maintain an administrative rule~~ articulating expectations for  
268 effective education programs for students ~~youth~~ in Department of  
269 Juvenile Justice programs, including, but not limited to,  
270 education programs in juvenile justice prevention, day  
271 treatment, residential, commitment and detention facilities. The  
272 rules ~~rule~~ shall establish ~~articulate~~ policies and standards for  
273 education programs for students ~~youth~~ in Department of Juvenile  
274 Justice programs and shall include the following:

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

277 (b) The responsibilities of the Department of Education,  
278 the Department of Juvenile Justice, Workforce Florida, Inc.,  
279 district school boards, and providers of education services to  
280 students ~~youth~~ in Department of Juvenile Justice programs.

281 (c) Academic expectations.

282 (d) Career and technical expectations.

283 (e) Education transition planning and services.

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

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

287 1. Include appropriate academic and career assessments  
288 administered at program entry and exit that are selected by the  
289 Department of Education in partnership with representatives from  
290 the Department of Juvenile Justice, district school boards, and

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291 education providers.

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

294 ~~3. Require assessments for students in detention who will~~  
295 ~~move on to commitment facilities, to be designed to create the~~  
296 ~~foundation for developing the student's education program in the~~  
297 ~~assigned commitment facility.~~

298 2.4. Require assessments of students in programs sent  
299 ~~directly to commitment facilities~~ to be completed within the  
300 first 10 school days after ~~of~~ the student's entry into the  
301 program commitment.

302  
303 The results of these assessments, together with a portfolio  
304 depicting the student's academic and career accomplishments,  
305 shall be included in the discharge packet ~~package~~ assembled for  
306 each student youth.

307 (h) ~~(f)~~ Recommended instructional programs, including, but  
308 not limited to, secondary education, high school equivalency  
309 examination preparation, postsecondary education, career  
310 training, and job preparation.

311 (i) ~~(g)~~ Funding requirements, which shall include the  
312 requirement that at least 90 percent of the FEFP funds generated  
313 by students in Department of Juvenile Justice programs or in an  
314 education program for juveniles under s. 985.19 be spent on  
315 instructional costs for those students. One hundred percent of  
316 the formula-based categorical funds generated by students in  
317 Department of Juvenile Justice programs must be spent on  
318 appropriate categoricals such as instructional materials and  
319 public school technology for those students.

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320        (j)~~(h)~~ Qualifications of instructional staff, procedures  
321 for the selection of instructional staff, and procedures for to~~to~~  
322 ~~ensure~~ consistent instruction and qualified staff year round.  
323 Qualifications shall include those for career education  
324 instructors, standardized across the state, and shall be based  
325 on state certification, local school district approval, and  
326 industry-recognized credentials or industry training. Procedures  
327 for the use of noncertified instructional personnel who possess  
328 expert knowledge or experience in their fields of instruction  
329 shall be established.

330        (k)~~(i)~~ Transition services, including the roles and  
331 responsibilities of appropriate personnel in the juvenile  
332 justice education program, the school district where the student  
333 will reenter districts, provider organizations, and the  
334 Department of Juvenile Justice.

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

338        (m)~~(k)~~ The requirement that each district school board  
339 maintain an academic transcript for each student enrolled in a  
340 juvenile justice education program facility that delineates each  
341 course completed by the student as provided by the State Course  
342 Code Directory.

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

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

348        (p)~~(n)~~ Performance expectations for providers and district

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349 school boards, including student performance measures by type of  
350 program, education program performance ratings, school  
351 improvement, and corrective action plans for low-performing  
352 programs ~~the provision of a progress monitoring plan as required~~  
353 ~~in s. 1008.25.~~

354 (q) ~~(p)~~ The role and responsibility of the district school  
355 board in securing workforce development funds.

356 (r) ~~(p)~~ A series of graduated sanctions for district school  
357 boards whose educational programs in Department of Juvenile  
358 Justice programs ~~facilities~~ are considered to be unsatisfactory  
359 and for instances in which district school boards fail to meet  
360 standards prescribed by law, rule, or State Board of Education  
361 policy. These sanctions shall include the option of requiring a  
362 district school board to contract with a provider or another  
363 district school board if the educational program at the  
364 Department of Juvenile Justice program is performing below  
365 minimum standards ~~facility has failed a quality assurance review~~  
366 and, after 6 months, is still performing below minimum  
367 standards.

368 (s) Curriculum, guidance counseling, transition, and  
369 education services expectations, including curriculum  
370 flexibility for detention centers operated by the Department of  
371 Juvenile Justice.

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

373 (3) The Department of Education in partnership with the  
374 Department of Juvenile Justice, the district school boards, and  
375 providers shall:

376 (a) Develop and implement requirements for contracts and  
377 cooperative agreements regarding ~~Maintain model contracts for~~

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378 the delivery of appropriate education services to students youth  
379 in Department of Juvenile Justice programs ~~to be used for the~~  
380 ~~development of future contracts~~. The minimum contract  
381 requirements shall include, but are not limited to, payment  
382 structure and amounts; access to district services; contract  
383 management provisions; data reporting requirements, including  
384 reporting of full-time equivalent student membership;  
385 administration of federal programs such as Title I, exceptional  
386 student education, and the Carl D. Perkins Career and Technical  
387 Education Act of 2006; and ~~model contracts shall reflect~~ the  
388 policy and standards included in subsection (2). ~~The Department~~  
389 of Education shall ensure that appropriate district school board  
390 personnel are trained and held accountable for the management  
391 and monitoring of contracts for education programs for youth in  
392 juvenile justice residential and nonresidential facilities.

393 (b) Develop and implement ~~Maintain model~~ procedures for  
394 transitioning students youth into and out of Department of  
395 Juvenile Justice education programs. These procedures shall  
396 reflect the policy and standards adopted pursuant to subsection  
397 (2).

398 (c) Maintain standardized required content of education  
399 records to be included as part of a student's youth's commitment  
400 record and procedures for securing the student's records. The  
401 education records ~~These requirements shall reflect the policy~~  
402 ~~and standards adopted pursuant to subsection (2) and shall~~  
403 include, but not be limited to, the following:

- 404 1. A copy of the student's individual educational plan.
- 405 2. A copy of the student's individualized progress  
406 monitoring plan.

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

408        ~~4.2.~~ Assessment data, including grade level proficiency in  
409 reading, ~~writing,~~ and mathematics, and performance on tests  
410 taken according to s. 1008.22.

411        ~~5.3.~~ A copy of the student's permanent cumulative record.

412        ~~6.4.~~ A copy of the student's academic transcript.

413        ~~7.5.~~ A portfolio reflecting the student's ~~youth's~~ academic  
414 and career and technical accomplishments, when age appropriate,  
415 while in the Department of Juvenile Justice program.

416        (d) ~~Establish Maintain model procedures for securing the~~  
417 ~~education record and the roles and responsibilities of the~~  
418 ~~juvenile probation officer and others involved in the withdrawal~~  
419 ~~of the student from school and assignment to a juvenile justice~~  
420 ~~education program commitment or detention facility. District~~  
421 ~~school boards shall respond to requests for student education~~  
422 ~~records received from another district school board or a~~  
423 ~~juvenile justice facility within 5 working days after receiving~~  
424 ~~the request.~~

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

427        (a) Notify students in juvenile justice education programs  
428 ~~residential or nonresidential facilities~~ who attain the age of  
429 16 years of the ~~provisions of~~ law regarding compulsory school  
430 attendance and make available the option of enrolling in a  
431 program to attain a Florida high school diploma by taking the  
432 high school equivalency examination before ~~General Educational~~  
433 ~~Development test prior to release from the program facility.~~  
434 District school boards or Florida College System institutions,  
435 or both, shall ~~waive GED testing fees for youth in Department of~~

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436 ~~Juvenile Justice residential programs and shall, upon request,~~  
437 ~~designate schools operating for the purpose of providing~~  
438 ~~educational services to students ~~youth~~ in Department of Juvenile~~  
439 ~~Justice programs. The Department of Education shall assist~~  
440 ~~juvenile justice education programs with becoming high school~~  
441 ~~equivalency examination centers as GED testing centers, subject~~  
442 ~~to GED testing center requirements. The administrative fees for~~  
443 ~~the General Educational Development test required by the~~  
444 ~~Department of Education are the responsibility of district~~  
445 ~~school boards and may be required of providers by contractual~~  
446 ~~agreement.~~

447 (b) Respond to requests for student education records  
448 received from another district school board or a juvenile  
449 justice education program within 5 working days after receiving  
450 the request.

451 (c) Provide access to courses offered pursuant to ss.  
452 1002.37, 1002.45, and 1003.498. School districts and providers  
453 may enter into cooperative agreements for the provision of  
454 curriculum associated with courses offered pursuant to s.  
455 1003.498 to enable providers to offer such courses.

456 (d) Complete the assessment process required by subsection  
457 (2).

458 (e) Monitor compliance with contracts for education  
459 programs for students in juvenile justice prevention, day  
460 treatment, residential, and detention programs.

461 (5) The Department of Education shall establish and  
462 operate, either directly or indirectly through a contract, a  
463 mechanism to provide accountability measures that annually  
464 assesses and evaluates all juvenile justice education programs



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465 using student performance data and program performance ratings  
466 by type of program ~~quality assurance reviews of all juvenile~~  
467 ~~justice education programs~~ and shall provide technical  
468 assistance and related research to district school boards and  
469 juvenile justice education providers ~~on how to establish,~~  
470 ~~develop, and operate educational programs that exceed the~~  
471 ~~minimum quality assurance standards.~~ The Department of  
472 Education, with input from the Department of Juvenile Justice,  
473 school districts, and education providers, shall develop annual  
474 recommendations for system and school improvement.

475 Section 5. Section 1003.52, Florida Statutes, is amended to  
476 read:

477 1003.52 Educational services in Department of Juvenile  
478 Justice programs.—

479 (1) ~~The Legislature finds that education is the single most~~  
480 ~~important factor in the rehabilitation of adjudicated delinquent~~  
481 ~~youth in the custody of Department of Juvenile Justice programs.~~  
482 ~~It is the goal of the Legislature that youth in the juvenile~~  
483 ~~justice system continue to be allowed the opportunity to obtain~~  
484 ~~a high quality education.~~ The Department of Education shall  
485 serve as the lead agency for juvenile justice education  
486 programs, curriculum, support services, and resources. To this  
487 end, the Department of Education and the Department of Juvenile  
488 Justice shall each designate a Coordinator for Juvenile Justice  
489 Education Programs to serve as the point of contact for  
490 resolving issues not addressed by district school boards and to  
491 provide each department's participation in the following  
492 activities:

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

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494 ~~Department of Juvenile Justice,~~ district school boards, local  
495 workforce boards and youth councils, educational contract  
496 providers, and juvenile justice providers, whether state  
497 operated or contracted.

498 (b) Collecting information on the academic, career  
499 education, and transition performance of students in juvenile  
500 justice programs and reporting on the results.

501 (c) Developing academic and career education protocols that  
502 provide guidance to district school boards and juvenile justice  
503 education providers in all aspects of education programming,  
504 including records transfer and transition.

505 (d) Implementing a joint accountability, program  
506 performance, and program improvement process ~~Prescribing the~~  
507 ~~roles of program personnel and interdepartmental district school~~  
508 ~~board or provider collaboration strategies.~~

509  
510 Annually, a cooperative agreement and plan for juvenile justice  
511 education service enhancement shall be developed between the  
512 Department of Juvenile Justice and the Department of Education  
513 and submitted to the Secretary of Juvenile Justice and the  
514 Commissioner of Education by June 30. The plan shall include, at  
515 a minimum, each agency's role regarding educational program  
516 accountability, technical assistance, training, and coordination  
517 of services.

518 (2) Students participating in Department of Juvenile  
519 Justice programs pursuant to chapter 985 which are sponsored by  
520 a community-based agency or are operated or contracted for by  
521 the Department of Juvenile Justice shall receive education  
522 ~~educational~~ programs according to rules of the State Board of

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523 Education. These students shall be eligible for services  
524 afforded to students enrolled in programs pursuant to s. 1003.53  
525 and all corresponding State Board of Education rules.

526 (3) The district school board of the county in which the  
527 juvenile justice education prevention, day treatment,  
528 residential, or detention program ~~residential or nonresidential~~  
529 ~~care facility or juvenile assessment facility~~ is located shall  
530 provide or contract for appropriate educational assessments and  
531 an appropriate program of instruction and special education  
532 services.

533 (a) The district school board shall make provisions for  
534 each student to participate in basic, career education, and  
535 exceptional student programs as appropriate. Students served in  
536 Department of Juvenile Justice programs shall have access to the  
537 appropriate courses and instruction to prepare them for the high  
538 school equivalency examination ~~GED test~~. Students participating  
539 in high school equivalency examination ~~GED~~ preparation programs  
540 shall be funded at the basic program cost factor for Department  
541 of Juvenile Justice programs in the Florida Education Finance  
542 Program. Each program shall be conducted according to applicable  
543 law providing for the operation of public schools and rules of  
544 the State Board of Education. School districts shall provide the  
545 high school equivalency examination ~~GED~~ exit option for all  
546 juvenile justice programs.

547 (b) ~~By October 1, 2004,~~ The Department of Education, with  
548 the assistance of the school districts and juvenile justice  
549 education providers, shall select a common student assessment  
550 instrument and protocol for measuring student learning gains and  
551 student progression while a student is in a juvenile justice

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552 education program. ~~The assessment instrument and protocol must~~  
553 ~~be implemented in all juvenile justice education programs in~~  
554 ~~this state by January 1, 2005.~~

555 (4) Educational services shall be provided at times of the  
556 day most appropriate for the juvenile justice program. School  
557 programming in juvenile justice detention, prevention, day  
558 treatment, and residential ~~commitment, and rehabilitation~~  
559 programs shall be made available by the local school district  
560 during the juvenile justice school year, as provided ~~defined~~ in  
561 s. 1003.01(11). In addition, students in juvenile justice  
562 education programs shall have access to courses offered pursuant  
563 to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School~~  
564 ~~courses~~. The Department of Education and the school districts  
565 shall adopt policies necessary to provide ~~ensure~~ such access.

566 (5) The educational program shall provide instruction based  
567 on each student's individualized transition plan, assessed  
568 educational needs, and the education programs available in the  
569 school district to which the student will return. Depending on  
570 the student's needs, educational programming may consist of  
571 remedial courses, consist of appropriate basic academic courses  
572 required for grade advancement, career education courses, high  
573 school equivalency examination preparation, or exceptional  
574 student education curricula and related services which support  
575 the transition ~~treatment~~ goals and reentry and which may lead to  
576 completion of the requirements for receipt of a high school  
577 diploma or its equivalent. Prevention and day treatment juvenile  
578 justice education programs, at a minimum, shall provide career  
579 readiness and exploration opportunities as well as truancy and  
580 dropout prevention intervention services. Residential juvenile

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581 justice education programs with a contracted minimum length of  
582 stay of 9 months shall provide career education courses that  
583 lead to preapprentice certifications, industry certifications,  
584 occupational completion points, or work-related certifications.  
585 Residential programs with contracted lengths of stay of less  
586 than 9 months may provide career education courses that lead to  
587 preapprentice certifications, industry certifications,  
588 occupational completion points, or work-related certifications.  
589 If the duration of a program is less than 40 days, the  
590 educational component may be limited to tutorial remediation  
591 activities, and career employability skills instruction,  
592 education counseling, and transition services that prepare  
593 students for a return to school, the community, and their home  
594 settings based on the students' needs.

595 (6) Participation in the program by students of compulsory  
596 school-attendance age as provided for in s. 1003.21 shall be  
597 mandatory. All students of noncompulsory school-attendance age  
598 who have not received a high school diploma or its equivalent  
599 shall participate in the educational program, unless the student  
600 files a formal declaration of his or her intent to terminate  
601 school enrollment as described in s. 1003.21 and is afforded the  
602 opportunity to take the general educational development test and  
603 attain a Florida high school diploma before ~~prior to~~ release  
604 from a juvenile justice education program facility. A student  
605 ~~youth~~ who has received a high school diploma or its equivalent  
606 and is not employed shall participate in workforce development  
607 or other career ~~or technical~~ education or Florida College System  
608 institution or university courses while in the program, subject  
609 to available funding.

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610           (7) An individualized ~~A~~ progress monitoring plan shall be  
611 developed for all students not classified as exceptional  
612 education students upon entry into a juvenile justice education  
613 program and upon reentry into the school district ~~who score~~  
614 ~~below the level specified in district school board policy in~~  
615 ~~reading, writing, and mathematics or below the level specified~~  
616 ~~by the Commissioner of Education on statewide assessments as~~  
617 ~~required by s. 1008.25.~~ These plans shall address academic,  
618 literacy, and career and technical ~~life~~ skills and shall include  
619 provisions for intensive remedial instruction in the areas of  
620 weakness.

621           (8) Each district school board shall maintain an academic  
622 record for each student enrolled in a juvenile justice program  
623 ~~facility~~ as prescribed by s. 1003.51. Such record shall  
624 delineate each course completed by the student according to  
625 procedures in the State Course Code Directory. The district  
626 school board shall include a copy of a student's academic record  
627 in the discharge packet when the student exits the program  
628 ~~facility~~.

629           (9) ~~Each The Department of Education shall ensure that all~~  
630 district school board shall ~~boards~~ make provisions for high  
631 school level students ~~youth~~ to earn credits toward high school  
632 graduation while in residential and nonresidential juvenile  
633 justice programs ~~facilities~~. Provisions must be made for the  
634 transfer of credits and partial credits earned.

635           (10) School districts and juvenile justice education  
636 providers shall develop individualized transition plans during  
637 the course of a student's stay in a juvenile justice education  
638 program to coordinate academic, career and technical, and

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639 secondary and postsecondary services that assist the student in  
640 successful community reintegration upon release. Development of  
641 the transition plan shall be a collaboration of the personnel in  
642 the juvenile justice education program, reentry personnel,  
643 personnel from the school district to which the student will  
644 return, the student, the student's family, and the Department of  
645 Juvenile Justice personnel for committed students.

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

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

651 2. Services to be provided during the program stay and  
652 services to be implemented upon release, including, but not  
653 limited to, continuing education in secondary school, career and  
654 technical programs, postsecondary education, or employment,  
655 based on the student's needs.

656 3. Specific monitoring responsibilities of individuals who  
657 are responsible for reintegration to determine whether the  
658 individualized transition plan is being implemented and if the  
659 student is being provided access to support services that will  
660 sustain the student's success. Individuals who are responsible  
661 for reintegration shall coordinate such activities.

662 (b) For the purpose of transition planning and reentry  
663 services, representatives from the school district and the one  
664 stop center where the student will return shall participate as  
665 members of the local Department of Juvenile Justice reentry  
666 teams. The school district, upon return of a student from a  
667 juvenile justice education program, must consider the individual

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668 needs and circumstances of the student and the transition plan  
669 recommendations when reenrolling a student in a public school. A  
670 local school district may not maintain a standardized policy for  
671 all students returning from a juvenile justice program but shall  
672 place students based on their needs and their performance in the  
673 program.

674 (c) The Department of Education and the Department of  
675 Juvenile Justice shall provide oversight and guidance to school  
676 districts, education providers, and reentry personnel on how to  
677 implement effective educational transition planning and  
678 services.

679 (11)~~(10)~~ The district school board shall recruit and train  
680 teachers who are interested, qualified, or experienced in  
681 educating students in juvenile justice programs. Students in  
682 juvenile justice programs shall be provided a wide range of  
683 education ~~educational~~ programs and opportunities, including  
684 textbooks, access to technology, instructional support, and  
685 ~~other~~ resources commensurate with resources provided available  
686 to students in public schools If the district school board  
687 operates a juvenile justice education program at a juvenile  
688 justice facility, the district school board, in consultation  
689 with the director of the juvenile justice facility, shall select  
690 the instructional personnel assigned to that program. The  
691 Secretary of Juvenile Justice or the director of a juvenile  
692 justice program may request that the performance of a teacher  
693 assigned by the district to a juvenile justice education program  
694 be reviewed by the district and that the teacher be reassigned  
695 based upon an evaluation conducted pursuant to s. 1012.34 or for  
696 inappropriate behavior ~~Teachers assigned to educational programs~~



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697 ~~in juvenile justice settings in which the district school board~~  
698 ~~operates the educational program shall be selected by the~~  
699 ~~district school board in consultation with the director of the~~  
700 ~~juvenile justice facility. Educational programs in Juvenile~~  
701 justice education programs ~~facilities~~ shall have access to the  
702 substitute teacher pool used ~~utilized~~ by the district school  
703 board.

704 (12) ~~(11)~~ District school boards may contract with a private  
705 provider for the provision of education ~~educational~~ programs to  
706 students ~~youths~~ placed with the Department of Juvenile Justice  
707 and shall generate local, state, and federal funding, including  
708 funding through the Florida Education Finance Program for such  
709 students. The district school board's planning and budgeting  
710 process shall include the needs of Department of Juvenile  
711 Justice programs in the district school board's plan for  
712 expenditures for state categorical and federal funds.

713 (13) ~~(12)~~ (a) Funding for eligible students enrolled in  
714 juvenile justice education programs shall be provided through  
715 the Florida Education Finance Program as provided in s. 1011.62  
716 and the General Appropriations Act. Funding shall include, at a  
717 minimum:

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

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

723 3. A proportionate share of the district's exceptional  
724 student education guaranteed allocation, the supplemental  
725 academic instruction allocation, and the instructional materials

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726 allocation;

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

730 a. If the district levies the maximum discretionary local  
731 effort and the district's discretionary local effort per FTE is  
732 less than the state average potential discretionary local effort  
733 per FTE, the proportionate share shall include both the  
734 discretionary local effort and the compression supplement per  
735 FTE. If the district's discretionary local effort per FTE is  
736 greater than the state average per FTE, the proportionate share  
737 shall be equal to the state average; or

738 b. If the district does not levy the maximum discretionary  
739 local effort and the district's actual discretionary local  
740 effort per FTE is less than the state average potential  
741 discretionary local effort per FTE, the proportionate share  
742 shall be equal to the district's actual discretionary local  
743 effort per FTE. If the district's actual discretionary local  
744 effort per FTE is greater than the state average per FTE, the  
745 proportionate share shall be equal to the state average  
746 potential local effort per FTE; and

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

749 (b) Juvenile justice education ~~educational~~ programs to  
750 receive the appropriate FEFP funding for Department of Juvenile  
751 Justice programs shall include those operated through a contract  
752 with the Department of Juvenile Justice ~~and which are under~~  
753 ~~purview of the Department of Juvenile Justice quality assurance~~  
754 ~~standards for education.~~

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

759 (d) FTE count periods shall be prescribed in rules of the  
760 State Board of Education and shall be the same for programs of  
761 the Department of Juvenile Justice as for other public school  
762 programs. The summer school period for students in Department of  
763 Juvenile Justice programs shall begin on the day immediately  
764 following the end of the regular school year and end on the day  
765 immediately preceding the subsequent regular school year.  
766 Students shall be funded for no more than 25 hours per week of  
767 direct instruction.

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

770 (14)~~(13)~~ Each district school board shall negotiate a  
771 cooperative agreement with the Department of Juvenile Justice on  
772 the delivery of educational services to students ~~youths~~ under  
773 the jurisdiction of the Department of Juvenile Justice. Such  
774 agreement must include, but is not limited to:

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

777 (b) Administrative issues including procedures for sharing  
778 information.

779 (c) Allocation of resources including maximization of  
780 local, state, and federal funding.

781 (d) Procedures for educational evaluation for educational  
782 exceptionalities and special needs.

783 (e) Curriculum and delivery of instruction.

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784 (f) Classroom management procedures and attendance  
785 policies.

786 (g) Procedures for provision of qualified instructional  
787 personnel, whether supplied by the district school board or  
788 provided under contract by the provider, and for performance of  
789 duties while in a juvenile justice setting.

790 (h) Provisions for improving skills in teaching and working  
791 with students referred to juvenile justice programs ~~delinquents~~.

792 (i) Transition plans for students moving into and out of  
793 juvenile programs ~~facilities~~.

794 (j) Procedures and timelines for the timely documentation  
795 of credits earned and transfer of student records.

796 (k) Methods and procedures for dispute resolution.

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

799 (m) Strategies for correcting any deficiencies found  
800 through the accountability and evaluation system and student  
801 performance measures ~~quality assurance process~~.

802 ~~(15)-(14)~~ Nothing in this section or in a cooperative  
803 agreement requires ~~shall be construed to require~~ the district  
804 school board to provide more services than can be supported by  
805 the funds generated by students in the juvenile justice  
806 programs.

807 ~~(16)-(15)-(a)~~ The Department of Education, in consultation  
808 with the Department of Juvenile Justice, district school boards,  
809 and providers, shall adopt rules establishing: ~~establish~~

810 (a) Objective and measurable student performance measures  
811 to evaluate a student's educational progress while participating  
812 in a prevention, day treatment, or residential program. The

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813 student performance measures must be based on appropriate  
814 outcomes for all students in juvenile justice education  
815 programs, taking into consideration the student's length of stay  
816 in the program. Performance measures shall include outcomes that  
817 relate to student achievement of career education goals,  
818 acquisition of employability skills, receipt of a high school  
819 diploma, and grade advancement.

820 (b) A performance rating system to be used by the  
821 Department of Education to evaluate ~~quality assurance standards~~  
822 ~~for~~ the delivery of educational services within each of the  
823 juvenile justice programs. The performance rating shall be  
824 primarily based on data regarding student performance as  
825 described in paragraph (a) ~~component of residential and~~  
826 ~~nonresidential juvenile justice facilities.~~

827 (c) The timeframes, procedures, and resources to be used to  
828 improve a low-rated educational program or to terminate or  
829 reassign the program ~~These standards shall rate the district~~  
830 ~~school board's performance both as a provider and contractor.~~  
831 ~~The quality assurance rating for the educational component shall~~  
832 ~~be disaggregated from the overall quality assurance score and~~  
833 ~~reported separately.~~

834 (d) ~~(b)~~ The Department of Education shall develop A  
835 comprehensive accountability and program improvement ~~quality~~  
836 ~~assurance review~~ process in partnership with the Department of  
837 Juvenile Justice. The accountability and program improvement  
838 process shall be based on student performance measures by type  
839 of program and shall rate education program performance. The  
840 accountability system shall identify and recognize high-  
841 performing education programs. The Department of Education, in

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842 partnership with the Department of Juvenile Justice, shall also  
843 identify low-performing programs. Low-performing education  
844 programs shall receive an onsite program evaluation from the  
845 Department of Juvenile Justice. School improvement, technical  
846 assistance, or the reassignment of the program shall be based,  
847 in part, on the results of the program evaluation. Through a  
848 corrective action process, low-performing programs must  
849 demonstrate improvement or reassign the program and schedule for  
850 the evaluation of the educational component in juvenile justice  
851 programs. The Department of Juvenile Justice quality assurance  
852 site visit and the education quality assurance site visit shall  
853 be conducted during the same visit.

854 ~~(c) The Department of Education, in consultation with~~  
855 ~~district school boards and providers, shall establish minimum~~  
856 ~~thresholds for the standards and key indicators for educational~~  
857 ~~programs in juvenile justice facilities. If a district school~~  
858 ~~board fails to meet the established minimum standards, it will~~  
859 ~~be given 6 months to achieve compliance with the standards. If~~  
860 ~~after 6 months, the district school board's performance is still~~  
861 ~~below minimum standards, the Department of Education shall~~  
862 ~~exercise sanctions as prescribed by rules adopted by the State~~  
863 ~~Board of Education. If a provider, under contract with the~~  
864 ~~district school board, fails to meet minimum standards, such~~  
865 ~~failure shall cause the district school board to cancel the~~  
866 ~~provider's contract unless the provider achieves compliance~~  
867 ~~within 6 months or unless there are documented extenuating~~  
868 ~~circumstances.~~

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

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871 (17) The department, in collaboration with the Department  
872 of Juvenile Justice, shall monitor and report on the educational  
873 performance of students in commitment, day treatment,  
874 prevention, and detention programs. The report by the Department  
875 of Education must include, at a minimum, the number and  
876 percentage of students who:

877 (a) Return to an alternative school, middle school, or high  
878 school upon release and the attendance rate of such students  
879 before and after participation in juvenile justice education  
880 programs.

881 (b) Receive a standard high school diploma or a high school  
882 equivalency diploma.

883 (c) Receive industry certification.

884 (d) Receive occupational completion points.

885 (e) Enroll in a postsecondary educational institution.

886 (f) Complete a juvenile justice education program without  
887 reoffending.

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

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

892  
893 The results of this report shall be included in the report  
894 required by s. 985.632.

895 (18)~~(16)~~ The district school board may ~~shall~~ not be charged  
896 any rent, maintenance, utilities, or overhead on such  
897 facilities. Maintenance, repairs, and remodeling of existing  
898 facilities shall be provided by the Department of Juvenile  
899 Justice.

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900        (19)~~(17)~~ When additional facilities are required, the  
 901 district school board and the Department of Juvenile Justice  
 902 shall agree on the appropriate site based on the instructional  
 903 needs of the students. When the most appropriate site for  
 904 instruction is on district school board property, a special  
 905 capital outlay request shall be made by the commissioner in  
 906 accordance with s. 1013.60. When the most appropriate site is on  
 907 state property, state capital outlay funds shall be requested by  
 908 the Department of Juvenile Justice provided by s. 216.043 and  
 909 shall be submitted as specified by s. 216.023. Any instructional  
 910 facility to be built on state property shall have educational  
 911 specifications jointly developed by the district school board  
 912 and the Department of Juvenile Justice and approved by the  
 913 Department of Education. The size of space and occupant design  
 914 capacity criteria as provided by State Board of Education rules  
 915 shall be used for remodeling or new construction whether  
 916 facilities are provided on state property or district school  
 917 board property.

918        (20)~~(18)~~ The parent of an exceptional student shall have  
 919 the due process rights provided for in this chapter.

920        (21)~~(19)~~ The Department of Education and the Department of  
 921 Juvenile Justice, after consultation with and assistance from  
 922 local providers and district school boards, shall collect data  
 923 ~~report annually to the Legislature by February 1~~ on the progress  
 924 toward developing effective education ~~educational~~ programs for  
 925 juvenile delinquents, including the amount of funding provided  
 926 by district school boards to juvenile justice programs;; ~~the~~  
 927 amount retained for administration, including documenting the  
 928 purposes for such expenses;; ~~the~~ status of the development of



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929 cooperative agreements; education program performance, ~~the~~  
930 results, including the identification of high- and low-  
931 performing programs and aggregate student performance results;  
932 ~~of the quality assurance reviews including~~ recommendations for  
933 system improvement; ~~and~~ information on the identification of,  
934 and services provided to, exceptional students in juvenile  
935 justice programs ~~commitment facilities~~ to determine whether  
936 these students are properly reported for funding and are  
937 appropriately served.

938 (22) ~~(20)~~ The education ~~educational~~ programs at ~~the Arthur~~  
939 ~~Dozier School for Boys in Jackson County and the Florida School~~  
940 for Boys in Okeechobee shall be operated by the Department of  
941 Education, either directly or through grants or contractual  
942 agreements with other public or duly accredited education  
943 agencies approved by the Department of Education.

944 (23) ~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~  
945 rules necessary to implement ~~the provisions of this section,~~  
946 ~~including uniform curriculum, funding, and second chance~~  
947 ~~schools~~. Such rules must require the minimum amount of paperwork  
948 and reporting.

949 (24) ~~(22)~~ The Department of Juvenile Justice and the  
950 Department of Education, in consultation with Workforce Florida,  
951 Inc., the statewide Workforce Development Youth Council,  
952 district school boards, Florida College System institutions,  
953 providers, and others, shall jointly develop a multiagency plan  
954 for career education which describes the funding, curriculum,  
955 transfer of credits, goals, and outcome measures for career  
956 education programming in juvenile commitment facilities,  
957 pursuant to s. 985.622. The plan must be reviewed annually.

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958 Section 6. Paragraph (b) of subsection (18) of section  
959 1001.42, Florida Statutes, is amended to read:

960 1001.42 Powers and duties of district school board.—The  
961 district school board, acting as a board, shall exercise all  
962 powers and perform all duties listed below:

963 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
964 Maintain a state system of school improvement and education  
965 accountability as provided by statute and State Board of  
966 Education rule. This system of school improvement and education  
967 accountability shall be consistent with, and implemented  
968 through, the district's continuing system of planning and  
969 budgeting required by this section and ss. 1008.385, 1010.01,  
970 and 1011.01. This system of school improvement and education  
971 accountability shall comply with the provisions of ss. 1008.33,  
972 1008.34, 1008.345, and 1008.385 and include the following:

973 (b) *Public disclosure.*—The district school board shall  
974 provide information regarding the performance of students and  
975 educational programs as required pursuant to ss. 1008.22 and  
976 1008.385 and implement a system of school reports as required by  
977 statute and State Board of Education rule which shall include  
978 schools operating for the purpose of providing educational  
979 services to students ~~youth~~ in Department of Juvenile Justice  
980 programs, and for those schools, report on the elements  
981 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public  
982 disclosure reports shall be in an easy-to-read report card  
983 format and shall include the school's grade, high school  
984 graduation rate calculated without high school equivalency  
985 examinations ~~GED tests~~, disaggregated by student ethnicity, and  
986 performance data as specified in state board rule.

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987           Section 7. The Division of Law Revision and Information is  
988 requested to prepare a reviser's bill for introduction at the  
989 next regular session of the Legislature to change the terms  
990 "General Educational Development test" or "GED test" to "high  
991 school equivalency examination" and the terms "general education  
992 diploma," "graduate equivalency diploma," or "GED" to "high  
993 school equivalency diploma" wherever those terms appear in the  
994 Florida Statutes.

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