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1 A bill to be entitled
2 An act relating to juvenile justice education
3 programs; amending s. 1003.51, F.S.; revising
4 terminology; revising requirements for rules to be
5 maintained by the State Board of Education; providing
6 expectations for effective education programs for
7 youth in Department of Juvenile Justice programs;
8 revising requirements for contract and cooperative
9 agreements for the delivery of appropriate education
10 services to youth in Department of Juvenile Justice
11 programs; requiring the Department of Education to
12 ensure that juvenile justice youth who are eligible
13 have access to GED testing and assist juvenile justice
14 education programs with becoming GED testing centers;
15 revising requirements for an accountability system all
16 juvenile justice education programs; amending s.
17 1003.52, F.S.; providing additional legislative
18 findings for education in juvenile justice programs;
19 revising requirements for activities to be coordinated
20 by the coordinators for juvenile justice education
21 programs; authorizing contracting for educational
22 assessments; revising requirements for assessments;
23 authorizing access to local virtual education courses;
24 requiring that an educational program shall be based
25 on each youth's reentry plan and assessed educational
26 needs; providing requirements for prevention and day
27 treatment juvenile justice education programs;
28 requiring progress monitoring plans for all students

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29 | not classified as exceptional student education
30 | students; revising requirements for such plans;
31 | requiring that the Department of Education, in
32 | partnership with the Department of Juvenile Justice,
33 | ensure that school districts and juvenile justice
34 | education providers develop educational transition
35 | plans; providing requirements for such plans;
36 | providing that the Secretary of Juvenile Justice or
37 | the director of a juvenile justice program may request
38 | that a school district teacher's performance be
39 | reviewed by the district and that the teacher be
40 | reassigned in certain circumstances; correcting a
41 | cross-reference; revising provisions related to
42 | funding for programs; requiring the Department of
43 | Education to provide funding that supports students in
44 | juvenile justice education programs who have graduated
45 | high school or received their high school equivalency
46 | diploma; requiring the Department of Education to
47 | establish by rule objective and measurable student
48 | performance measures and program performance ratings;
49 | providing requirements for such ratings; requiring a
50 | comprehensive accountability and school improvement
51 | process; providing requirements for such a process;
52 | deleting provisions for minimum thresholds for the
53 | standards and key indicators for educational programs
54 | in juvenile justice facilities; revising requirements
55 | for an annual report; deleting provisions concerning
56 | the Arthur Dozier School for Boys and the Florida

57 | School for Boys; requiring rulemaking; amending ss.
 58 | 985.632 and 1001.42, F.S.; correcting cross-
 59 | references; providing an effective date.

60 |

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

62 |

63 | Section 1. Section 1003.51, Florida Statutes, is amended
 64 | to read:

65 | 1003.51 Other public educational services.—

66 | (1) The general control of other public educational
 67 | services shall be vested in the State Board of Education except
 68 | as provided in this section ~~herein~~. The State Board of Education
 69 | shall, at the request of the Department of Children and Families
 70 | ~~Family Services~~ and the Department of Juvenile Justice, advise
 71 | as to standards and requirements relating to education to be met
 72 | in all state schools or institutions under their control which
 73 | provide educational programs. The Department of Education shall
 74 | provide supervisory services for the educational programs of all
 75 | such schools or institutions. The direct control of any of these
 76 | services provided as part of the district program of education
 77 | shall rest with the district school board. These services shall
 78 | be supported out of state, district, federal, or other ~~lawful~~
 79 | funds, depending on the requirements of the services being
 80 | supported.

81 | (2) The State Board of Education shall adopt and maintain
 82 | ~~an~~ administrative rules ~~rule~~ articulating expectations for
 83 | effective education programs for youth in Department of Juvenile
 84 | Justice programs, including, but not limited to, education

85 | programs in juvenile justice prevention, day treatment,
 86 | residential, ~~commitment~~ and detention facilities. The rule shall
 87 | articulate policies and standards for education programs for
 88 | youth in Department of Juvenile Justice programs and shall
 89 | include the following:

90 | (a) The interagency collaborative process needed to ensure
 91 | effective programs with measurable results.

92 | (b) The responsibilities of the Department of Education,
 93 | the Department of Juvenile Justice, Workforce Florida, Inc.,
 94 | district school boards, and providers of education services to
 95 | youth in Department of Juvenile Justice programs.

96 | (c) Academic expectations.

97 | (d) Career and technical expectations.

98 | (e) Education transition planning and services.

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

101 | ~~(g)(e)~~ Assessment procedures, which:

102 | 1. Include appropriate academic and career assessments
 103 | administered at program entry and exit that are selected by the
 104 | Department of Education in partnership with representatives from
 105 | the Department of Juvenile Justice, district school boards, and
 106 | education providers.

107 | ~~2. Require district school boards to be responsible for~~
 108 | ~~ensuring the completion of the assessment process.~~

109 | ~~3. Require assessments for students in detention who will~~
 110 | ~~move on to commitment facilities, to be designed to create the~~
 111 | ~~foundation for developing the student's education program in the~~
 112 | ~~assigned commitment facility.~~

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113 2.4. Require assessments of students in programs ~~sent~~
114 ~~directly to commitment facilities~~ to be completed within the
115 first 10 school days after ~~of~~ the student's entry into the
116 program ~~commitment~~.

117

118 The results of these assessments, together with a portfolio
119 depicting the student's academic and career accomplishments,
120 shall be included in the discharge package assembled for each
121 youth.

122 (h) ~~(f)~~ Recommended instructional programs, including, but
123 not limited to, secondary education, General Educational
124 Development test preparation, postsecondary education, career
125 training, and job preparation.

126 (i) ~~(g)~~ Funding requirements, which shall include the
127 requirement that at least 95 ~~90~~ percent of the FEFP funds
128 generated by students in Department of Juvenile Justice programs
129 or in an education program for juveniles under s. 985.19 be
130 spent on instructional costs for those students. One hundred
131 percent of the formula-based categorical funds generated by
132 students in Department of Juvenile Justice programs must be
133 spent on appropriate categoricals such as instructional
134 materials and public school technology for those students.
135 Ninety percent of federal Title I, Part D funds generated by
136 students in Department of Juvenile Justice programs shall be
137 expended directly on educational and transition services for
138 those students.

139 (j) ~~(h)~~ Qualifications of instructional staff, procedures
140 for the selection of instructional staff, and procedures to

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141 ensure consistent instruction and qualified staff year round.
142 Such qualifications shall include those for career and technical
143 education instructors which are standardized across the state
144 and are based on state certification, local school district
145 approval, industry recognized credentials or industry training,
146 and procedures for the use of noncertified instructional
147 personnel who possess expert knowledge or experience in their
148 fields of instruction.

149 (k)~~(i)~~ Transition services, including the roles and
150 responsibilities of appropriate personnel in the juvenile
151 justice education program, the school district where the youth
152 will reenter districts, provider organizations, and the
153 Department of Juvenile Justice.

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

157 (m)~~(k)~~ The requirement that each district school board
158 maintain an academic transcript for each student enrolled in a
159 juvenile justice education program facility that delineates each
160 course completed by the student as provided by the State Course
161 Code Directory.

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

166 (o)~~(m)~~ Uniform contract requirements, including, but not
167 limited to, payments, contract management, data reporting,
168 reporting of full-time equivalent student membership, and access

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169 to district services such as exceptional student education,
170 virtual education, and career technical education.

171 (p)~~(n)~~ Performance expectations for providers and district
172 school boards, including student performance measures that are
173 appropriate to the student population being served, education
174 program performance ratings, school improvement, and corrective
175 action plans for low-performing programs ~~the provision of a~~
176 ~~progress monitoring plan as required in s. 1008.25.~~

177 (q)~~(e)~~ The role and responsibility of the district school
178 board in securing workforce development funds.

179 (r)~~(p)~~ A series of graduated sanctions for district school
180 boards whose educational programs in Department of Juvenile
181 Justice programs ~~facilities~~ are considered to be unsatisfactory
182 and for instances in which district school boards fail to meet
183 standards prescribed by law, rule, or State Board of Education
184 policy. These sanctions shall include the option of requiring a
185 district school board to contract with a provider or another
186 district school board if the educational program at the
187 Department of Juvenile Justice program ~~facility~~ has failed a
188 quality assurance review and, after 6 months, is still
189 performing below minimum standards.

190 (s)~~(q)~~ Other aspects of program operations.

191 (t) Curriculum, guidance counseling, transition, and
192 education services expectations, including curriculum
193 flexibility for detention centers operated by the Department of
194 Juvenile Justice.

195 (3) The Department of Education in partnership with the
196 Department of Juvenile Justice, the district school boards, and

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197 providers shall:

198 (a) Develop and maintain contract and cooperative
199 agreement requirements ~~model contracts~~ for the delivery of
200 appropriate education services to youth in Department of
201 Juvenile Justice programs ~~to be used for the development of~~
202 ~~future contracts~~. The minimum contract requirements shall
203 include, but not be limited to, payments, access to district
204 services, contract management, data reporting, reporting of
205 full-time equivalent student membership, administration of
206 federal programs such as Title I, exceptional student education,
207 and the Carl D. Perkins Vocational and Applied Technology
208 Education Act, and ~~model contracts shall reflect~~ the policy and
209 standards included in subsection (2). The Department of
210 Education, in partnership with the Department of Juvenile
211 Justice, shall ensure that appropriate district school board
212 personnel are trained and held accountable for the management
213 and monitoring of contracts for education programs for youth in
214 juvenile justice prevention, day treatment, residential, and
215 detention programs ~~nonresidential facilities~~.

216 (b) Maintain model procedures for transitioning youth into
217 and out of Department of Juvenile Justice education programs.
218 These procedures shall reflect the policy and standards adopted
219 pursuant to subsection (2).

220 (c) Maintain standardized required content of education
221 records to be included as part of a youth's commitment record.
222 These requirements shall reflect the policy and standards
223 adopted pursuant to subsection (2) and shall include, but not be
224 limited to, the following:

- 225 1. A copy of the student's individual transition
 226 ~~individual educational~~ plan.
- 227 2. Assessment data, including grade level proficiency in
 228 reading, ~~writing~~, and mathematics, and performance on tests
 229 taken according to s. 1008.22.
- 230 3. A copy of the student's permanent cumulative record.
- 231 4. A copy of the student's academic transcript.
- 232 5. A portfolio reflecting the youth's academic and career
 233 and technical accomplishments, when age appropriate, while in
 234 the Department of Juvenile Justice program.

235 (d) Maintain model procedures for securing the education
 236 record and the roles and responsibilities of the juvenile
 237 probation officer and others involved in the withdrawal of the
 238 student from school and assignment to a juvenile justice
 239 education program ~~commitment or detention facility~~. District
 240 school boards shall respond to requests for student education
 241 records received from another district school board or a
 242 juvenile justice education program ~~facility~~ within 5 working
 243 days after receiving the request.

244 (4) The Department of Education shall ensure that district
 245 school boards notify students in juvenile justice education
 246 programs ~~residential or nonresidential facilities~~ who attain the
 247 age of 16 years of the requirements ~~provisions~~ of law regarding
 248 compulsory school attendance and make available the option of
 249 enrolling in a program to attain a Florida high school diploma
 250 by taking the General Educational Development test before ~~prior~~
 251 ~~to~~ release from the program ~~facility~~. The Department of
 252 Education shall develop and fund a program to pay the ~~District~~

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253 ~~school boards or Florida College System institutions, or both,~~
254 ~~shall waive~~ GED testing fees for youth in Department of Juvenile
255 Justice education ~~residential~~ programs and shall, upon request,
256 designate schools operating for the purpose of providing
257 educational services to youth in Department of Juvenile Justice
258 programs. The Department of Education shall ensure that juvenile
259 justice youth who are eligible have access to GED testing and
260 assist juvenile justice education programs with becoming GED
261 testing centers ~~as GED testing centers, subject to GED testing~~
262 ~~center requirements. The administrative fees for the General~~
263 ~~Educational Development test required by the Department of~~
264 ~~Education are the responsibility of district school boards and~~
265 ~~may be required of providers by contractual agreement.~~

266 (5) The Department of Education shall establish and
267 operate, either directly or indirectly through a contract, a
268 mechanism to provide an accountability system that annually
269 assesses and evaluates all juvenile justice education programs
270 using student performance measures that are appropriate for the
271 student population served and program performance ratings
272 ~~quality assurance reviews of all juvenile justice education~~
273 ~~programs~~ and shall provide technical assistance and related
274 research to district school boards and juvenile justice
275 education providers ~~on how to establish, develop, and operate~~
276 ~~educational programs that exceed the minimum quality assurance~~
277 ~~standards. The Department of Education, with input from the~~
278 Department of Juvenile Justice, school districts, and education
279 providers shall develop annual recommendations for system and
280 school improvement.

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281 Section 2. Section 1003.52, Florida Statutes, is amended
 282 to read:

283 1003.52 Educational services in Department of Juvenile
 284 Justice programs.—

285 (1) The Legislature finds that education is the single
 286 most important factor in the rehabilitation of adjudicated
 287 delinquent youth in the custody of Department of Juvenile
 288 Justice programs. It is the goal of the Legislature that youth
 289 in the juvenile justice system continue to be allowed the
 290 opportunity to obtain a high quality education. The Legislature
 291 intends for youth in juvenile justice programs to be provided
 292 with a quality education that includes both academic and career
 293 and technical education and results in educational gains and
 294 outcomes that lead to continuing education or meaningful
 295 employment postrelease. The Department of Education shall serve
 296 as the lead agency for juvenile justice education programs,
 297 curriculum, support services, and resources. To this end, the
 298 Department of Education and the Department of Juvenile Justice
 299 shall each designate a Coordinator for Juvenile Justice
 300 Education Programs to serve as the point of contact for
 301 resolving issues not addressed by district school boards and to
 302 provide each department's participation in the following
 303 activities:

304 (a) Training, collaborating, and coordinating with ~~the~~
 305 ~~Department of Juvenile Justice,~~ district school boards, local
 306 workforce boards and youth councils, educational contract
 307 providers, and juvenile justice providers, whether state
 308 operated or contracted.

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

312 (c) Developing academic and career and technical education
313 protocols that provide guidance to district school boards and
314 juvenile justice education providers in all aspects of education
315 programming, including records transfer and transition.

316 (d) Implementing a joint accountability, program
317 performance, and school improvement system ~~Prescribing the roles~~
318 ~~of program personnel and interdepartmental district school board~~
319 ~~or provider collaboration strategies.~~

320

321 Annually, a cooperative agreement and plan for juvenile justice
322 education service enhancement shall be developed between the
323 Department of Juvenile Justice and the Department of Education
324 and submitted to the Secretary of Juvenile Justice and the
325 Commissioner of Education by June 30. The plan shall include, at
326 a minimum, each agency's role regarding educational program
327 accountability, technical assistance, training, and coordination
328 of services.

329 (2) Students participating in Department of Juvenile
330 Justice programs pursuant to chapter 985 which are sponsored by
331 a community-based agency or are operated or contracted for by
332 the Department of Juvenile Justice shall receive educational
333 programs according to rules of the State Board of Education.
334 These students shall be eligible for services afforded to
335 students enrolled in programs pursuant to s. 1003.53 and all
336 corresponding State Board of Education rules.

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337 (3) The district school board of the county in which the
338 juvenile justice education prevention, day treatment,
339 residential, or detention program ~~residential or nonresidential~~
340 ~~care facility or juvenile assessment facility~~ is located shall
341 provide or contract for appropriate educational assessments and
342 an appropriate program of instruction and special education
343 services.

344 (a) The district school board shall make provisions for
345 each student to participate in basic, career education, and
346 exceptional student programs as appropriate. Students served in
347 Department of Juvenile Justice programs shall have access to the
348 appropriate courses and instruction to prepare them for the GED
349 test. Students participating in GED preparation programs shall
350 be funded at the basic program cost factor for Department of
351 Juvenile Justice programs in the Florida Education Finance
352 Program. Students in juvenile justice education programs who are
353 administered the GED test should remain enrolled in the
354 education program for the duration of the FTE student membership
355 survey period in which they are tested. Each program shall be
356 conducted according to applicable law providing for the
357 operation of public schools and rules of the State Board of
358 Education. School districts shall provide the GED exit option
359 for all juvenile justice programs.

360 (b) ~~By October 1, 2004,~~ The Department of Education, with
361 the assistance of the school districts and juvenile justice
362 education providers, shall select a common student assessment
363 instrument and protocol for measuring student learning gains and
364 student progression while a student is in a juvenile justice

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365 | education program. ~~The assessment instrument and protocol must~~
366 | ~~be implemented in all juvenile justice education programs in~~
367 | ~~this state by January 1, 2005.~~

368 | (4) Educational services shall be provided at times of the
369 | day most appropriate for the juvenile justice program. School
370 | programming in juvenile justice detention, prevention, day
371 | treatment, and residential commitment, and rehabilitation
372 | programs shall be made available by the local school district
373 | during the juvenile justice school year, as defined in s.
374 | 1003.01(11). In addition, students in juvenile justice education
375 | programs shall have access to Florida Virtual School courses and
376 | local virtual education courses offered through school district-
377 | operated virtual schools or providers of virtual education.
378 | Juvenile justice education programs shall not be charged full-
379 | time equivalent student membership for virtual courses accessed
380 | through the school district that are for credit recovery or are
381 | offered to youth beyond the instructional 300 minute daily
382 | requirement. The Department of Education and the school
383 | districts shall adopt policies necessary to ensure such access.
384 | (5) The educational program shall be based on each youth's
385 | reentry plan and assessed educational needs. Depending on the
386 | youth's needs, educational programming may consist of remedial
387 | courses, consist of appropriate basic academic courses required
388 | for grade advancement, career and technical education, GED test
389 | preparation, or exceptional curricula and related services which
390 | support the transition ~~treatment~~ goals and reentry and which may
391 | lead to completion of the requirements for receipt of a high
392 | school diploma or its equivalent. Prevention and day treatment

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393 juvenile justice education programs, at a minimum, shall provide
394 career readiness and exploration and truancy and dropout
395 prevention intervention services. Residential juvenile justice
396 education programs with a contracted minimum length of stay of 9
397 months shall provide career and technical course offerings that
398 lead to preapprentice certifications, industry certifications,
399 occupational completion points, or work-related certifications.
400 Residential programs with contracted lengths of stay of less
401 than 9 months may provide career and technical course offerings
402 that lead to preapprentice certifications, industry
403 certifications, occupational completion points, or work related
404 certifications. If the duration of a program is less than 40
405 days, the educational component may be limited to tutorial
406 remediation activities, and career employability skills,
407 education counseling, and transition services that prepare youth
408 for a return to school, the community, and their home settings
409 based on the youths' needs.

410 (6) Participation in the program by students of compulsory
411 school-attendance age as provided for in s. 1003.21 shall be
412 mandatory. All students of noncompulsory school-attendance age
413 who have not received a high school diploma or its equivalent
414 shall participate in the educational program, unless the student
415 files a formal declaration of his or her intent to terminate
416 school enrollment as described in s. 1003.21 and is afforded the
417 opportunity to take the general educational development test and
418 attain a Florida high school diploma before ~~prior to~~ release
419 from a juvenile justice education program facility. A youth who
420 has received a high school diploma or its equivalent and is not

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421 employed shall participate in workforce development or other
422 career or technical education or Florida College System
423 institution or university courses while in the program, subject
424 to available funding.

425 (7) A progress monitoring plan shall be developed for all
426 students not classified as exceptional education students ~~who~~
427 ~~score below the level specified in district school board policy~~
428 ~~in reading, writing, and mathematics or below the level~~
429 ~~specified by the Commissioner of Education on statewide~~
430 ~~assessments as required by s. 1008.25.~~ These plans shall address
431 academic, literacy, and career and technical ~~life~~ skills and
432 shall include provisions for intensive remedial instruction in
433 the areas of weakness.

434 (8) Each district school board shall maintain an academic
435 record for each student enrolled in a juvenile justice program
436 ~~facility~~ as prescribed by s. 1003.51. Such record shall
437 delineate each course completed by the student according to
438 procedures in the State Course Code Directory. The district
439 school board shall include a copy of a student's academic record
440 in the discharge packet when the student exits the program
441 ~~facility~~.

442 (9) The Department of Education shall ensure that all
443 district school boards make provisions for high school level
444 youth to earn credits toward high school graduation while in
445 residential and nonresidential juvenile justice programs
446 ~~facilities~~. Provisions must be made for the transfer of credits
447 and partial credits earned.

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

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449 Department of Juvenile Justice, shall ensure that school
450 districts and juvenile justice education providers develop
451 educational transition plans during the course of a youth's stay
452 in a juvenile justice education program to coordinate academic,
453 career and technical, and secondary and postsecondary services
454 that assist the youth in successful community reintegration upon
455 release.

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

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

461 2. Services to be provided during the program stay and
462 services to be implemented upon release, including, but not
463 limited to, continuing education in secondary school, career and
464 technical programs, postsecondary education, or employment,
465 based on the youth's needs.

466 3. Collaboration, when possible, in the development of the
467 transition plan by the personnel in the juvenile justice
468 education program, reentry personnel, personnel from the school
469 district where the youth will return, the youth, the youth's
470 family, and Department of Juvenile Justice personnel for
471 committed youth.

472 4. Coordination to ensure that the transition plan is
473 implemented and the youth is provided access to support services
474 that will sustain the youth's success by individuals who are
475 responsible for reintegration shall coordinate activities.

476 (b) For the purpose of transition planning and reentry

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477 services, local school district and workforce representatives
478 shall participate as members of the local Department of Juvenile
479 Justice reentry teams. A local school district must consider the
480 individual needs and circumstances of the youth and the
481 transition plan recommendations when reenrolling a youth into
482 the school district. A local school district may not maintain a
483 standardized policy for all youth returning from a juvenile
484 justice program.

485 (c) The Department of Education and the Department of
486 Juvenile Justice shall provide oversight and guidance to school
487 districts, education providers, and reentry personnel on how to
488 implement effective educational transition planning and
489 services.

490 (11)~~(10)~~ The district school board shall recruit and train
491 teachers who are interested, qualified, or experienced in
492 educating students in juvenile justice programs. Students in
493 juvenile justice programs shall be provided a wide range of
494 educational programs and opportunities including textbooks,
495 technology, instructional support, and other resources available
496 to students in public schools. Teachers assigned to educational
497 programs in juvenile justice settings in which the district
498 school board operates the educational program shall be selected
499 by the district school board in consultation with the director
500 of the juvenile justice program facility. The Secretary of
501 Juvenile Justice or the director of a juvenile justice program
502 may request that a school district teacher's performance be
503 reviewed by the district and that the teacher be reassigned
504 based on evidence of poor performance or inappropriate behavior.

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505 ~~Educational programs in~~ Juvenile justice education programs
506 ~~facilities~~ shall have access to the substitute teacher pool used
507 ~~utilized~~ by the district school board.

508 (12)~~(11)~~ District school boards may contract with a
509 private provider for the provision of educational programs to
510 youths placed with the Department of Juvenile Justice and shall
511 generate local, state, and federal funding, including funding
512 through the Florida Education Finance Program for such students.
513 The district school board's planning and budgeting process shall
514 include the needs of Department of Juvenile Justice programs in
515 the district school board's plan for expenditures for state
516 categorical and federal funds.

517 (13)~~(12)~~(a) Funding for eligible students enrolled in
518 juvenile justice education programs shall be provided through
519 the Florida Education Finance Program as provided in s. 1011.62
520 and the General Appropriations Act. Funding shall include, at a
521 minimum:

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

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

527 3. A proportionate share of the district's exceptional
528 student education guaranteed allocation, the supplemental
529 academic instruction allocation, and the instructional materials
530 allocation;

531 4. An amount equivalent to the proportionate share of the
532 state average potential discretionary local effort for

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533 operations, which shall be determined as follows:

534 a. If the district levies the maximum discretionary local
535 effort and the district's discretionary local effort per FTE is
536 less than the state average potential discretionary local effort
537 per FTE, the proportionate share shall include both the
538 discretionary local effort and the compression supplement per
539 FTE. If the district's discretionary local effort per FTE is
540 greater than the state average per FTE, the proportionate share
541 shall be equal to the state average; or

542 b. If the district does not levy the maximum discretionary
543 local effort and the district's actual discretionary local
544 effort per FTE is less than the state average potential
545 discretionary local effort per FTE, the proportionate share
546 shall be equal to the district's actual discretionary local
547 effort per FTE. If the district's actual discretionary local
548 effort per FTE is greater than the state average per FTE, the
549 proportionate share shall be equal to the state average
550 potential local effort per FTE; and

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

553 (b) Juvenile justice educational programs to receive the
554 appropriate and year-round FEFP funding for Department of
555 Juvenile Justice programs shall include those prevention, day
556 treatment, residential, and detention programs that operate
557 their own education program and are operated through a contract
558 with the Department of Juvenile Justice ~~and which are under~~
559 ~~purview of the Department of Juvenile Justice quality assurance~~
560 ~~standards for education.~~

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

565 (d) FTE count periods shall be prescribed in rules of the
566 State Board of Education and shall be the same for programs of
567 the Department of Juvenile Justice as for other public school
568 programs. The summer school period for students in Department of
569 Juvenile Justice programs shall begin on the day immediately
570 following the end of the regular school year and end on the day
571 immediately preceding the subsequent regular school year.
572 Students shall be funded for no more than 25 hours per week of
573 direct instruction.

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

576 (f) Juvenile justice education programs shall receive
577 additional weighted funding equivalent to 0.1 FTE that supports
578 equipment, specially designed curricula, and industry
579 credentialing testing fees, for students enrolled in career and
580 technical courses that lead to occupational completion points or
581 industry recognized certifications.

582 (g) The Department of Education shall provide, either
583 directly or through a program, funding that supports students in
584 juvenile justice education programs who have graduated high
585 school or received their high school equivalency diploma. This
586 funding shall be made available for youth who enter juvenile
587 justice residential programs having already received their high
588 school diploma or its equivalent. For youth who earn their high

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589 school diploma or its equivalent while in the residential
590 program, the funding will take effect beginning with the FTE
591 student membership survey period directly after the survey
592 period in which they earned their high school diploma or its
593 equivalent. The per-student rate of funding shall be equivalent
594 to 0.5 of the base student allocation. Funding shall be used to
595 support career and technical instruction offered by the juvenile
596 justice education program that leads to industry certification
597 or tuition and fees for attending a postsecondary or career end
598 technical institution online while the youth remains in the
599 program. The Department of Education may enter into an agreement
600 with one or more state-supported public postsecondary
601 institutions to offer online courses to youth in juvenile
602 justice education programs throughout the state.

603 (14)~~(13)~~ Each district school board shall negotiate a
604 cooperative agreement with the Department of Juvenile Justice on
605 the delivery of educational services to youths under the
606 jurisdiction of the Department of Juvenile Justice. Such
607 agreement must include, but is not limited to:

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

610 (b) Administrative issues including procedures for sharing
611 information.

612 (c) Allocation of resources including maximization of
613 local, state, and federal funding.

614 (d) Procedures for educational evaluation for educational
615 exceptionalities and special needs.

616 (e) Curriculum and delivery of instruction.

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617 (f) Classroom management procedures and attendance
618 policies.

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

623 (h) Provisions for improving skills in teaching and
624 working with youth referred to juvenile justice programs
625 delinquents.

626 (i) Transition plans for students moving into and out of
627 juvenile programs facilities.

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

630 (k) Methods and procedures for dispute resolution.

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

633 (m) Strategies for correcting any deficiencies found
634 through the accountability and evaluation system and student
635 performance measures quality assurance process.

636 ~~(15)-(14)~~ Nothing in this section or in a cooperative
637 agreement requires ~~shall be construed to require~~ the district
638 school board to provide more services than can be supported by
639 the funds generated by students in the juvenile justice
640 programs.

641 ~~(16)-(15)~~(a) The Department of Education in consultation
642 with the Department of Juvenile Justice, district school boards,
643 and providers shall establish by rule objective and measurable
644 student performance measures and program performance ratings

645 ~~quality assurance standards~~ for the educational component of
646 prevention, day treatment, and residential programs ~~and~~
647 ~~nonresidential juvenile justice facilities~~. Program
648 effectiveness shall be determined by implementing systematic
649 data collection and data analysis. Onsite program evaluations
650 shall occur as necessary to verify data accuracy and to diagnose
651 program strengths and weaknesses.

652 1. The Department of Education shall develop a specific
653 reporting format for juvenile justice education programs within
654 a statewide automated student database for the purpose of
655 collecting student performance data and monitoring juvenile
656 justice educational performance.

657 2. Performance ratings shall be based on attainable and
658 appropriate outcomes for all youth throughout the continuum of
659 educational services within juvenile justice programs.
660 Performance measures and outcomes must consider youth
661 characteristics such as age, grade level, assessed ability
662 level, disability, and previous school performance.

663 3. Performance measures and program accountability shall
664 consider the security level, average length of stay, and type of
665 juvenile justice education program.

666 4. At a minimum, performance measures shall include
667 outcomes that address career and technical education,
668 employability skills, high school graduation or its equivalent,
669 grade advancement, and learning gains.

670 5. Timeframes and procedures shall be established to
671 improve low-performing educational programs, and, when
672 necessary, the reassignment of the educational provider or

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673 school district ~~These standards shall rate the district school~~
674 ~~board's performance both as a provider and contractor. The~~
675 ~~quality assurance rating for the educational component shall be~~
676 ~~disaggregated from the overall quality assurance score and~~
677 ~~reported separately.~~

678 (b) The Department of Education, in partnership with the
679 Department of Juvenile Justice, shall develop a comprehensive
680 accountability and school improvement ~~quality assurance review~~
681 process. The accountability and school improvement process shall
682 be based on student performance measures that are appropriate
683 for the student population being served and shall rate education
684 program performance. The accountability system shall identify
685 and recognize high-performing education programs. The Department
686 of Education, in partnership with the Department of Juvenile
687 Justice, shall identify low-performing programs. Low-performing
688 education programs shall receive an onsite program evaluation.
689 School improvement, technical assistance, or the reassignment of
690 the education provider shall be based, in part, on the results
691 of the program evaluation. Through a corrective action process,
692 low-performing programs must demonstrate improvement or reassign
693 the education provider based on performance measures and
694 ~~schedule for the evaluation of the educational component in~~
695 ~~juvenile justice programs. The Department of Juvenile Justice~~
696 ~~quality assurance site visit and the education quality assurance~~
697 ~~site visit shall be conducted during the same visit.~~

698 (c) ~~The Department of Education, in consultation with~~
699 ~~district school boards and providers, shall establish minimum~~
700 ~~thresholds for the standards and key indicators for educational~~

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701 ~~programs in juvenile justice facilities. If a district school~~
702 ~~board fails to meet the established minimum standards, it will~~
703 ~~be given 6 months to achieve compliance with the standards. If~~
704 ~~after 6 months, the district school board's performance is still~~
705 ~~below minimum standards, the Department of Education shall~~
706 ~~exercise sanctions as prescribed by rules adopted by the State~~
707 ~~Board of Education. If a provider, under contract with the~~
708 ~~district school board, fails to meet minimum standards, such~~
709 ~~failure shall cause the district school board to cancel the~~
710 ~~provider's contract unless the provider achieves compliance~~
711 ~~within 6 months or unless there are documented extenuating~~
712 ~~circumstances.~~

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

715 (17)~~(16)~~ The district school board shall not be charged
716 any rent, maintenance, utilities, or overhead on such
717 facilities. Maintenance, repairs, and remodeling of existing
718 facilities shall be provided by the Department of Juvenile
719 Justice.

720 (18)~~(17)~~ When additional facilities are required, the
721 district school board and the Department of Juvenile Justice
722 shall agree on the appropriate site based on the instructional
723 needs of the students. When the most appropriate site for
724 instruction is on district school board property, a special
725 capital outlay request shall be made by the commissioner in
726 accordance with s. 1013.60. When the most appropriate site is on
727 state property, state capital outlay funds shall be requested by
728 the Department of Juvenile Justice provided by s. 216.043 and

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729 shall be submitted as specified by s. 216.023. Any instructional
 730 facility to be built on state property shall have educational
 731 specifications jointly developed by the district school board
 732 and the Department of Juvenile Justice and approved by the
 733 Department of Education. The size of space and occupant design
 734 capacity criteria as provided by State Board of Education rules
 735 shall be used for remodeling or new construction whether
 736 facilities are provided on state property or district school
 737 board property.

738 ~~(19)-(18)~~ The parent of an exceptional student shall have
 739 the due process rights provided for in this chapter.

740 ~~(20)-(19)~~ The Department of Education and the Department of
 741 Juvenile Justice, after consultation with and assistance from
 742 local providers and district school boards, shall report
 743 annually to the Legislature by February 1 on the progress toward
 744 developing effective educational programs for juvenile
 745 delinquents, including the amount of funding provided by
 746 district school boards to juvenile justice programs, the amount
 747 retained for administration including documenting the purposes
 748 for such expenses, the status of the development of cooperative
 749 agreements, education program performance the results, including
 750 the identification of high and low-performing programs,
 751 aggregate student performance results, of the quality assurance
 752 ~~reviews including~~ recommendations for system improvement, and
 753 information on the identification of, and services provided to,
 754 exceptional students in juvenile justice programs ~~commitment~~
 755 ~~facilities~~ to determine whether these students are properly
 756 reported for funding and are appropriately served.

757 ~~(20) The educational programs at the Arthur Dozier School~~
 758 ~~for Boys in Jackson County and the Florida School for Boys in~~
 759 ~~Okeechobee shall be operated by the Department of Education,~~
 760 ~~either directly or through grants or contractual agreements with~~
 761 ~~other public or duly accredited education agencies approved by~~
 762 ~~the Department of Education.~~

763 (21) The State Board of Education shall ~~may~~ adopt any
 764 rules necessary to implement ~~the provisions of~~ this section,
 765 ~~including uniform curriculum, funding, and second chance~~
 766 ~~schools~~. Such rules must require the minimum amount of paperwork
 767 and reporting.

768 (22) The Department of Juvenile Justice and the Department
 769 of Education, in consultation with Workforce Florida, Inc., the
 770 statewide Workforce Development Youth Council, district school
 771 boards, Florida College System institutions, providers, and
 772 others, shall jointly develop a multiagency plan for career
 773 education which describes the funding, curriculum, transfer of
 774 credits, goals, and outcome measures for career education
 775 programming in juvenile commitment facilities, pursuant to s.
 776 985.622. The plan must be reviewed annually.

777 Section 3. Subsection (3) of section 985.632, Florida
 778 Statutes, is amended to read:

779 985.632 Quality assurance and cost-effectiveness.—

780 (3) The department shall annually collect and report cost
 781 data for every program operated or contracted by the department.
 782 The cost data shall conform to a format approved by the
 783 department and the Legislature. Uniform cost data shall be
 784 reported and collected for state-operated and contracted

785 programs so that comparisons can be made among programs. The
 786 department shall ensure that there is accurate cost accounting
 787 for state-operated services including market-equivalent rent and
 788 other shared cost. The cost of the educational program provided
 789 to a residential facility shall be reported and included in the
 790 cost of a program. The department shall submit an annual cost
 791 report to the President of the Senate, the Speaker of the House
 792 of Representatives, the Minority Leader of each house of the
 793 Legislature, the appropriate substantive and fiscal committees
 794 of each house of the Legislature, and the Governor, no later
 795 than December 1 of each year. Cost-benefit analysis for
 796 educational programs will be developed and implemented in
 797 collaboration with and in cooperation with the Department of
 798 Education, local providers, and local school districts. Cost
 799 data for the report shall include data collected by the
 800 Department of Education for the purposes of preparing the annual
 801 report required by s. 1003.52(20) ~~1003.52(19)~~.

802 Section 4. Paragraph (b) of subsection (18) of section
 803 1001.42, Florida Statutes, is amended to read:

804 1001.42 Powers and duties of district school board.—The
 805 district school board, acting as a board, shall exercise all
 806 powers and perform all duties listed below:

807 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 808 Maintain a state system of school improvement and education
 809 accountability as provided by statute and State Board of
 810 Education rule. This system of school improvement and education
 811 accountability shall be consistent with, and implemented
 812 through, the district's continuing system of planning and

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813 budgeting required by this section and ss. 1008.385, 1010.01,
814 and 1011.01. This system of school improvement and education
815 accountability shall comply with the provisions of ss. 1008.33,
816 1008.34, 1008.345, and 1008.385 and include the following:

817 (b) Public disclosure.—The district school board shall
818 provide information regarding the performance of students and
819 educational programs as required pursuant to ss. 1008.22 and
820 1008.385 and implement a system of school reports as required by
821 statute and State Board of Education rule which shall include
822 schools operating for the purpose of providing educational
823 services to youth in Department of Juvenile Justice programs,
824 and for those schools, report on the elements specified in s.
825 1003.52(20) ~~1003.52(19)~~. Annual public disclosure reports shall
826 be in an easy-to-read report card format and shall include the
827 school's grade, high school graduation rate calculated without
828 GED tests, disaggregated by student ethnicity, and performance
829 data as specified in state board rule.

830 Section 5. This act shall take effect July 1, 2013.