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LEGISLATIVE ACTION

Senate

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House

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05/02/2014 04:50 PM

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Senator Bean moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

985.622 Multiagency plan for career and professional
education (CAPE) ~~vocational education~~.-

(1) The Department of Juvenile Justice and the Department
of Education shall, in consultation with the statewide Workforce
Development Youth Council, school districts, providers, and



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12 others, jointly develop a multiagency plan for career and
13 professional education (CAPE) ~~vocational education~~ that
14 establishes the curriculum, goals, and outcome measures for CAPE
15 ~~vocational~~ programs in juvenile justice education programs
16 ~~commitment facilities~~. The plan must be reviewed annually,
17 revised as appropriate, and include:

18 (a) Provisions for maximizing appropriate state and federal
19 funding sources, including funds under the Workforce Investment
20 Act and the Perkins Act.†

21 (b) Provisions for eliminating barriers to increasing
22 occupation-specific job training and high school equivalency
23 examination preparation opportunities.

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

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

27 (2) The plan must define CAPE ~~vocational~~ programming that
28 is appropriate based upon:

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

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

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

39 (a) Type 1 A.—Programs that teach personal accountability
40 skills and behaviors that are appropriate for students ~~youth~~ in



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41 all age groups and ability levels and that lead to work habits
42 that help maintain employment and living standards.

43 (b) Type 2 B.—Programs that include Type 1 A program
44 content and an orientation to the broad scope of career choices,
45 based upon personal abilities, aptitudes, and interests.
46 Exploring and gaining knowledge of occupation options and the
47 level of effort required to achieve them are essential
48 prerequisites to skill training.

49 (c) Type 3 C.—Programs that include Type 1 A program
50 content and the ~~vocational~~ competencies or the prerequisites
51 needed for entry into a specific occupation.

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

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

67 (6) ~~(5)~~ The Department of Juvenile Justice and the
68 Department of Education shall each align its respective agency
69 policies, practices, technical manuals, contracts, quality-



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70 assurance standards, performance-based-budgeting measures, and
71 outcome measures with the plan in juvenile justice education
72 programs ~~commitment facilities~~ by July 31, 2015 ~~2001~~. Each
73 agency shall provide a report on the implementation of this
74 section to the Governor, the President of the Senate, and the
75 Speaker of the House of Representatives by August 31, 2015 ~~2001~~.

76 (7) ~~(6)~~ All provider contracts executed by the Department of
77 Juvenile Justice or the school districts after January 1, 2015
78 ~~2002~~, must be aligned with the plan.

79 (8) ~~(7)~~ The planning and execution of quality assurance
80 reviews conducted by the Department of Education or the
81 Department of Juvenile Justice after August 1, 2015 ~~2002~~, must
82 be aligned with the plan.

83 (9) ~~(8)~~ Outcome measures reported by the Department of
84 Juvenile Justice and the Department of Education for students
85 ~~youth~~ released on or after January 1, 2016 ~~2002~~, should include
86 outcome measures that conform to the plan.

87 Section 2. Section 1001.31, Florida Statutes, is amended to
88 read:

89 1001.31 Scope of district system.—A district school system
90 shall include all public schools, classes, and courses of
91 instruction and all services and activities directly related to
92 education in that district which are under the direction of the
93 district school officials. A district school system may also
94 include alternative site schools for disruptive or violent
95 students ~~youth~~. Such schools for disruptive or violent students
96 ~~youth~~ may be funded by each district or provided through
97 cooperative programs administered by a consortium of school
98 districts, private providers, state and local law enforcement



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99 agencies, and the Department of Juvenile Justice. Pursuant to
100 cooperative agreement, a district school system shall provide
101 instructional personnel at juvenile justice facilities ~~of 50 or~~
102 ~~more beds or slots~~ with access to the district school system
103 database for the purpose of accessing student academic,
104 immunization, and registration records for students assigned to
105 the programs. Such access shall be in the same manner as
106 provided to other schools in the district.

107 Section 3. Section 1003.51, Florida Statutes, is amended to
108 read:

109 1003.51 Other public educational services.-

110 (1) The general control of other public educational
111 services shall be vested in the State Board of Education except
112 as provided in this section herein. The State Board of Education
113 shall, at the request of the Department of Children and Families
114 ~~Family Services~~ and the Department of Juvenile Justice, advise
115 as to standards and requirements relating to education to be met
116 in all state schools or institutions under their control which
117 provide educational programs. The Department of Education shall
118 provide supervisory services for the educational programs of all
119 such schools or institutions. The direct control of any of these
120 services provided as part of the district program of education
121 shall rest with the district school board. These services shall
122 be supported out of state, district, federal, or other ~~lawful~~
123 funds, depending on the requirements of the services being
124 supported.

125 (2) The State Board of Education shall adopt rules and
126 ~~maintain an administrative rule~~ articulating expectations for
127 effective education programs for students ~~youth~~ in Department of



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128 Juvenile Justice programs, including, but not limited to,
129 education programs in juvenile justice prevention, day
130 treatment, residential, ~~commitment~~ and detention programs
131 facilities. The rule shall establish ~~articulate~~ policies and
132 standards for education programs for students ~~youth~~ in
133 Department of Juvenile Justice programs and shall include the
134 following:

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

137 (b) The responsibilities of the Department of Education,
138 the Department of Juvenile Justice, Workforce Florida, Inc.,
139 district school boards, and providers of education services to
140 students ~~youth~~ in Department of Juvenile Justice programs.

141 (c) Academic expectations.

142 (d) Career expectations.

143 (e) Education transition planning and services.

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

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

147 1. For prevention, day treatment, and residential programs,
148 include appropriate academic and career assessments administered
149 at program entry and exit that are selected by the Department of
150 Education in partnership with representatives from the
151 Department of Juvenile Justice, district school boards, and
152 education providers. Assessments must be completed within the
153 first 10 school days after a student's entry into the program.

154 2. Provide for determination of the areas of academic need
155 and strategies for appropriate intervention and instruction for
156 each student in a detention facility within 5 school days after



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157 the student's entry into the program and administer a research-
158 based assessment that will assist the student in determining his
159 or her educational and career options and goals within 22 school
160 days after the student's entry into the program ~~Require district~~
161 ~~school boards to be responsible for ensuring the completion of~~
162 ~~the assessment process.~~

163 ~~3. Require assessments for students in detention who will~~
164 ~~move on to commitment facilities, to be designed to create the~~
165 ~~foundation for developing the student's education program in the~~
166 ~~assigned commitment facility.~~

167 ~~4. Require assessments of students sent directly to~~
168 ~~commitment facilities to be completed within the first 10 school~~
169 ~~days of the student's commitment.~~

170
171 The results of these assessments, together with a portfolio
172 depicting the student's academic and career accomplishments,
173 shall be included in the discharge packet ~~package~~ assembled for
174 each student ~~youth~~.

175 (h) ~~(f)~~ Recommended instructional programs, including, but
176 not limited to: r

177 1. Secondary education.

178 2. High school equivalency examination preparation.

179 3. Postsecondary education.

180 4. Career and professional education (CAPE). ~~career~~

181 ~~training and~~

182 5. Job preparation.

183 6. Virtual education that:

184 a. Provides competency-based instruction that addresses the
185 unique academic needs of the student through delivery by an



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186 entity accredited by AdvanceED or the Southern Association of
187 Colleges and Schools.

188 b. Confers certifications and diplomas.

189 c. Issues credit that articulates with and transcripts that
190 are recognized by secondary schools.

191 d. Allows the student to continue to access and progress
192 through the program once the student leaves the juvenile justice
193 system.

194 (i) ~~(g)~~ Funding requirements, which shall include the
195 requirement that at least 90 percent of the FEFP funds generated
196 by students in Department of Juvenile Justice programs or in an
197 education program for juveniles under s. 985.19 be spent on
198 instructional costs for those students. One hundred percent of
199 the formula-based categorical funds generated by students in
200 Department of Juvenile Justice programs must be spent on
201 appropriate categoricals such as instructional materials and
202 public school technology for those students.

203 (j) ~~(h)~~ Qualifications of instructional staff, procedures
204 for the selection of instructional staff, and procedures ~~for to~~
205 ensure consistent instruction and qualified staff year round.
206 Qualifications shall include those for instructors of CAPE
207 courses, standardized across the state, and shall be based on
208 state certification, local school district approval, and
209 industry-recognized certifications as identified on the Industry
210 Certification Funding List. Procedures for the use of
211 noncertified instructional personnel who possess expert
212 knowledge or experience in their fields of instruction shall be
213 established.

214 (k) ~~(i)~~ Transition services, including the roles and



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215 responsibilities of appropriate personnel in the juvenile
216 justice education program, the school district where the student
217 will reenter districts, provider organizations, and the
218 Department of Juvenile Justice.

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

222 (m) ~~(k)~~ The requirement that each district school board
223 maintain an academic transcript for each student enrolled in a
224 juvenile justice education program facility that delineates each
225 course completed by the student as provided by the State Course
226 Code Directory.

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

231 (o) ~~(m)~~ contract requirements.

232 (p) ~~(n)~~ Performance expectations for providers and district
233 school boards, including student performance measures by type of
234 program, education program performance ratings, school
235 improvement, and corrective action plans for low-performing
236 programs the provision of a progress monitoring plan as required
237 in s. 1008.25.

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

240 (r) ~~(p)~~ A series of graduated sanctions for district school
241 boards whose educational programs in Department of Juvenile
242 Justice programs facilities are considered to be unsatisfactory
243 and for instances in which district school boards fail to meet



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244 standards prescribed by law, rule, or State Board of Education
245 policy. These sanctions shall include the option of requiring a
246 district school board to contract with a provider or another
247 district school board if the educational program at the
248 Department of Juvenile Justice program is performing below
249 minimum standards ~~facility has failed a quality assurance review~~
250 and, after 6 months, is still performing below minimum
251 standards.

252 (s) Curriculum, guidance counseling, transition, and
253 education services expectations, including curriculum
254 flexibility for detention centers operated by the Department of
255 Juvenile Justice.

256 (t) ~~(e)~~ Other aspects of program operations.

257 (3) The Department of Education in partnership with the
258 Department of Juvenile Justice, the district school boards, and
259 providers shall:

260 (a) Develop and implement requirements for contracts and
261 cooperative agreements regarding ~~Maintain model contracts for~~
262 the delivery of appropriate education services to students youth
263 in Department of Juvenile Justice education programs ~~to be used~~
264 ~~for the development of future contracts.~~ The minimum contract
265 requirements shall include, but are not limited to, payment
266 structure and amounts; access to district services; contract
267 management provisions; data reporting requirements, including
268 reporting of full-time equivalent student membership;
269 administration of federal programs such as Title I, exceptional
270 student education, and the Carl D. Perkins Career and Technical
271 Education Act of 2006; and ~~model contracts shall reflect the~~
272 policy and standards included in subsection (2). ~~The Department~~



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273 ~~of Education shall ensure that appropriate district school board~~
274 ~~personnel are trained and held accountable for the management~~
275 ~~and monitoring of contracts for education programs for youth in~~
276 ~~juvenile justice residential and nonresidential facilities.~~

277 (b) Develop and implement ~~Maintain model~~ procedures for
278 transitioning students ~~youth~~ into and out of Department of
279 Juvenile Justice education programs. These procedures shall
280 reflect the policy and standards adopted pursuant to subsection
281 (2).

282 (c) Maintain standardized required content of education
283 records to be included as part of a student's ~~youth's~~ commitment
284 record and procedures for securing the student's records. The
285 education records ~~These requirements shall reflect the policy~~
286 ~~and standards adopted pursuant to subsection (2) and shall~~
287 include, but not be limited to, the following:

288 1. A copy of the student's individual educational plan.

289 2. A copy of the student's individualized progress
290 monitoring plan.

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

292 ~~4.2.~~ Data on student performance on assessments taken
293 according to s. 1008.22.

294 ~~5.3.~~ A copy of the student's permanent cumulative record.

295 ~~6.4.~~ A copy of the student's academic transcript.

296 ~~7.5.~~ A portfolio reflecting the student's ~~youth's~~ academic
297 accomplishments and industry certification earned, when age
298 appropriate, while in the Department of Juvenile Justice
299 program.

300 (d) Establish ~~Maintain model~~ procedures for securing the
301 ~~education record and~~ the roles and responsibilities of the



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302 juvenile probation officer and others involved in the withdrawal
303 of the student from school and assignment to a juvenile justice
304 education program ~~commitment or detention facility~~. District
305 ~~school boards shall respond to requests for student education~~
306 ~~records received from another district school board or a~~
307 ~~juvenile justice facility within 5 working days after receiving~~
308 ~~the request.~~

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

311 (a) Notify students in juvenile justice education programs
312 ~~residential or nonresidential facilities~~ who attain the age of
313 16 years of the ~~provisions of~~ law regarding compulsory school
314 attendance and make available the option of enrolling in an
315 education a program to attain a Florida high school diploma by
316 taking the high school equivalency examination before ~~General~~
317 ~~Educational Development test prior to~~ release from the program
318 facility. The Department of Education shall assist juvenile
319 justice education programs with becoming high school equivalency
320 examination centers ~~District school boards or Florida College~~
321 ~~System institutions, or both, shall waive GED testing fees for~~
322 ~~youth in Department of Juvenile Justice residential programs and~~
323 ~~shall, upon request, designate schools operating for the purpose~~
324 ~~of providing educational services to youth in Department of~~
325 ~~Juvenile Justice programs as GED testing centers, subject to GED~~
326 ~~testing center requirements. The administrative fees for the~~
327 ~~General Educational Development test required by the Department~~
328 ~~of Education are the responsibility of district school boards~~
329 ~~and may be required of providers by contractual agreement.~~

330 (b) Respond to requests for student education records



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331 received from another district school board or a juvenile
332 justice education program within 5 working days after receiving
333 the request.

334 (c) Provide access to courses offered pursuant to ss.
335 1002.37, 1002.45, and 1003.498. School districts and providers
336 may enter into cooperative agreements for the provision of
337 curriculum associated with courses offered pursuant to s.
338 1003.498 to enable providers to offer such courses.

339 (d) Complete the assessment process required by subsection
340 (2).

341 (e) Monitor compliance with contracts for education
342 programs for students in juvenile justice prevention, day
343 treatment, residential, and detention programs.

344 (5) The Department of Education shall establish and
345 operate, either directly or indirectly through a contract, a
346 mechanism to provide accountability measures that annually
347 assesses and evaluates all juvenile justice education programs
348 using student performance data and industry certification
349 completions ~~quality assurance reviews of all juvenile justice~~
350 ~~education programs~~ and shall provide technical assistance and
351 related research to district school boards and juvenile justice
352 education providers on how to establish, develop, and operate
353 ~~educational programs that exceed the minimum quality assurance~~
354 ~~standards.~~ The Department of Education, with input from the
355 Department of Juvenile Justice, school districts, and education
356 providers shall develop annual recommendations for system and
357 school improvement.

358 Section 4. Section 1003.52, Florida Statutes, is amended to
359 read:



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360 1003.52 Educational services in Department of Juvenile
361 Justice programs.-

362 ~~(1) The Legislature finds that education is the single most~~
363 ~~important factor in the rehabilitation of adjudicated delinquent~~
364 ~~youth in the custody of Department of Juvenile Justice programs.~~
365 ~~It is the goal of the Legislature that youth in the juvenile~~
366 ~~justice system continue to be allowed the opportunity to obtain~~
367 ~~a high quality education.~~ The Department of Education shall
368 serve as the lead agency for juvenile justice education
369 programs, curriculum, support services, and resources. To this
370 end, the Department of Education and the Department of Juvenile
371 Justice shall each designate a Coordinator for Juvenile Justice
372 Education Programs to serve as the point of contact for
373 resolving issues not addressed by district school boards and to
374 provide each department's participation in the following
375 activities:

376 (a) Training, collaborating, and coordinating with ~~the~~
377 ~~Department of Juvenile Justice,~~ district school boards, regional
378 workforce boards and local youth councils, educational contract
379 providers, and juvenile justice providers, whether state
380 operated or contracted.

381 (b) Collecting information on the academic, career and
382 professional education (CAPE), and transition performance of
383 students in juvenile justice programs and reporting on the
384 results.

385 (c) Developing academic and CAPE ~~career~~ protocols that
386 provide guidance to district school boards and juvenile justice
387 education providers in all aspects of education programming,
388 including records transfer and transition.



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389 (d) Implementing a joint accountability, program
390 performance, and program improvement process ~~Prescribing the~~
391 ~~roles of program personnel and interdepartmental district school~~
392 ~~board or provider collaboration strategies.~~

393
394 Annually, a cooperative agreement and plan for juvenile justice
395 education service enhancement shall be developed between the
396 Department of Juvenile Justice and the Department of Education
397 and submitted to the Secretary of Juvenile Justice and the
398 Commissioner of Education by June 30. The plan shall include, at
399 a minimum, each agency's role regarding educational program
400 accountability, technical assistance, training, and coordination
401 of services.

402 (2) Students participating in Department of Juvenile
403 Justice education programs pursuant to chapter 985 which are
404 sponsored by a community-based agency or are operated or
405 contracted for by the Department of Juvenile Justice shall
406 receive education ~~educational~~ programs according to rules of the
407 State Board of Education. These students shall be eligible for
408 services afforded to students enrolled in programs pursuant to
409 s. 1003.53 and all corresponding State Board of Education rules.

410 (3) The district school board of the county in which the
411 juvenile justice education prevention, day treatment,
412 residential, or detention program ~~residential or nonresidential~~
413 ~~care facility or juvenile assessment facility~~ is located shall
414 provide or contract for appropriate educational assessments and
415 an appropriate program of instruction and special education
416 services.

417 (a) The district school board shall make provisions for



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418 each student to participate in basic, CAPE ~~career education~~, and
419 exceptional student programs as appropriate. Students served in
420 Department of Juvenile Justice education programs shall have
421 access to the appropriate courses and instruction to prepare
422 them for the high school equivalency examination ~~GED test~~.
423 Students participating in high school equivalency examination
424 ~~GED~~ preparation programs shall be funded at the basic program
425 cost factor for Department of Juvenile Justice programs in the
426 Florida Education Finance Program. Each program shall be
427 conducted according to applicable law providing for the
428 operation of public schools and rules of the State Board of
429 Education. School districts shall provide the high school
430 equivalency examination ~~GED~~ exit option for all juvenile justice
431 education programs.

432 (b) ~~By October 1, 2004,~~ The Department of Education, with
433 the assistance of the school districts and juvenile justice
434 education providers, shall select a common student assessment
435 instrument and protocol for measuring student learning gains and
436 student progression while a student is in a juvenile justice
437 education program. The Department of Education and the
438 Department of Juvenile Justice shall jointly review the
439 effectiveness of this assessment and implement changes as
440 necessary. ~~The assessment instrument and protocol must be~~
441 ~~implemented in all juvenile justice education programs in this~~
442 ~~state by January 1, 2005.~~

443 (4) Educational services shall be provided at times of the
444 day most appropriate for the juvenile justice program. School
445 programming in juvenile justice detention, prevention, day
446 treatment, and residential ~~commitment, and rehabilitation~~



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447 programs shall be made available by the local school district
448 during the juvenile justice school year, as provided ~~defined~~ in
449 s. 1003.01(11). In addition, students in juvenile justice
450 education programs shall have access to courses offered pursuant
451 to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School~~
452 ~~courses~~. The Department of Education and the school districts
453 shall adopt policies necessary to provide ~~ensure~~ such access.

454 (5) The educational program shall provide instruction based
455 on each student's individualized transition plan, assessed
456 educational needs, and the education programs available in the
457 school district in which the student will return. Depending on
458 the student's needs, educational programming may consist of
459 remedial courses, consist of appropriate basic academic courses
460 required for grade advancement, CAPE courses, high school
461 equivalency examination preparation ~~career~~, or exceptional
462 student education curricula and related services which support
463 the transition ~~treatment~~ goals and reentry and which may lead to
464 completion of the requirements for receipt of a high school
465 diploma or its equivalent. Prevention and day treatment juvenile
466 justice education programs, at a minimum, shall provide career
467 readiness and exploration opportunities as well as truancy and
468 dropout prevention intervention services. Residential juvenile
469 justice education programs with a contracted minimum length of
470 stay of 9 months shall provide CAPE courses that lead to
471 preapprentice certifications and industry certifications.
472 Programs with contracted lengths of stay of less than 9 months
473 may provide career education courses that lead to preapprentice
474 certifications and CAPE industry certifications. If the duration
475 of a program is less than 40 days, the educational component may



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476 be limited to tutorial remediation activities, ~~and~~ career
477 employability skills instruction, education counseling, and
478 transition services that prepare students for a return to
479 school, the community, and their home settings based on the
480 students' needs.

481 (6) Participation in the program by students of compulsory
482 school-attendance age as provided for in s. 1003.21 shall be
483 mandatory. All students of noncompulsory school-attendance age
484 who have not received a high school diploma or its equivalent
485 shall participate in the educational program, unless the student
486 files a formal declaration of his or her intent to terminate
487 school enrollment as described in s. 1003.21 and is afforded the
488 opportunity to take the general educational development test and
489 attain a Florida high school diploma before ~~prior to~~ release
490 from a juvenile justice education program facility. A student
491 ~~youth~~ who has received a high school diploma or its equivalent
492 and is not employed shall participate in workforce development
493 or other CAPE ~~career or technical~~ education or Florida College
494 System institution or university courses while in the program,
495 subject to available funding.

496 (7) An individualized ~~A~~ progress monitoring plan shall be
497 developed for all students not classified as exceptional
498 education students upon entry in a juvenile justice education
499 program and upon reentry in the school district ~~who score below~~
500 ~~the level specified in district school board policy in reading,~~
501 ~~writing, and mathematics or below the level specified by the~~
502 ~~Commissioner of Education on statewide assessments as required~~
503 ~~by s. 1008.25.~~ These plans shall address academic, literacy, and
504 career and technical ~~life~~ skills and shall include provisions



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505 for intensive remedial instruction in the areas of weakness.

506 (8) Each district school board shall maintain an academic
507 record for each student enrolled in a juvenile justice education
508 program facility as prescribed by s. 1003.51. Such record shall
509 delineate each course completed by the student according to
510 procedures in the State Course Code Directory. The district
511 school board shall include a copy of a student's academic record
512 in the discharge packet when the student exits the program
513 facility.

514 (9) ~~Each The Department of Education shall ensure that all~~
515 district school board shall boards make provisions for high
516 school level students youth to earn credits toward high school
517 graduation while in residential and nonresidential juvenile
518 justice education programs facilities. Provisions must be made
519 for the transfer of credits and partial credits earned.

520 (10) School districts and juvenile justice education
521 providers shall develop individualized transition plans during
522 the course of a student's stay in a juvenile justice education
523 program to coordinate academic, career and technical, and
524 secondary and postsecondary services that assist the student in
525 successful community reintegration upon release. Development of
526 the transition plan shall be a collaboration of the personnel in
527 the juvenile justice education program, reentry personnel,
528 personnel from the school district where the student will
529 return, the student, the student's family, and Department of
530 Juvenile Justice personnel for committed students.

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



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

536 2. Services to be provided during the program stay and
537 services to be implemented upon release, including, but not
538 limited to, continuing education in secondary school, CAPE
539 programs, postsecondary education, or employment, based on the
540 student's needs.

541 3. Specific monitoring responsibilities to determine
542 whether the individualized transition plan is being implemented
543 and the student is provided access to support services that will
544 sustain the student's success by individuals who are responsible
545 for the reintegration and coordination of these activities.

546 (b) For the purpose of transition planning and reentry
547 services, representatives from the school district and the one
548 stop center where the student will return shall participate as
549 members of the local Department of Juvenile Justice reentry
550 teams. The school district, upon return of a student from a
551 juvenile justice education program, must consider the individual
552 needs and circumstances of the student and the transition plan
553 recommendations when reenrolling a student in a public school. A
554 local school district may not maintain a standardized policy for
555 all students returning from a juvenile justice program but place
556 students based on their needs and their performance in the
557 juvenile justice education program, including any virtual
558 education options.

559 (c) The Department of Education and the Department of
560 Juvenile Justice shall provide oversight and guidance to school
561 districts, education providers, and reentry personnel on how to
562 implement effective educational transition planning and



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563 services.

564 (11)~~(10)~~ The district school board shall recruit and train
565 teachers who are interested, qualified, or experienced in
566 educating students in juvenile justice programs. Students in
567 juvenile justice programs shall be provided a wide range of
568 education ~~educational~~ programs and opportunities including
569 textbooks, technology, instructional support, and ~~other~~
570 resources commensurate with resources provided ~~available~~ to
571 students in public schools, including textbooks and access to
572 technology. If the district school board operates a juvenile
573 justice education program at a juvenile justice facility, the
574 district school board, in consultation with the director of the
575 juvenile justice facility, shall select the instructional
576 personnel assigned to that program. The Secretary of Juvenile
577 Justice or the director of a juvenile justice program may
578 request that the performance of a teacher assigned by the
579 district to a juvenile justice education program be reviewed by
580 the district and that the teacher be reassigned based upon an
581 evaluation conducted pursuant to s. 1012.34 or for inappropriate
582 behavior ~~Teachers assigned to educational programs in juvenile~~
583 ~~justice settings in which the district school board operates the~~
584 ~~educational program shall be selected by the district school~~
585 ~~board in consultation with the director of the juvenile justice~~
586 ~~facility. Educational programs in Juvenile justice education~~
587 programs ~~facilities~~ shall have access to the substitute teacher
588 pool used ~~utilized~~ by the district school board.

589 (12)~~(11)~~ District school boards may contract with a private
590 provider for the provision of education ~~educational~~ programs to
591 students ~~youths~~ placed with the Department of Juvenile Justice



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592 and shall generate local, state, and federal funding, including
593 funding through the Florida Education Finance Program for such
594 students. The district school board's planning and budgeting
595 process shall include the needs of Department of Juvenile
596 Justice education programs in the district school board's plan
597 for expenditures for state categorical and federal funds.

598 (13)~~(12)~~ (a) Funding for eligible students enrolled in
599 juvenile justice education programs shall be provided through
600 the Florida Education Finance Program as provided in s. 1011.62
601 and the General Appropriations Act. Funding shall include, at a
602 minimum:

603 1. Weighted program funding or the basic amount for current
604 operation multiplied by the district cost differential as
605 provided in s. 1011.62(1)(s) and (2);

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

608 3. A proportionate share of the district's exceptional
609 student education guaranteed allocation, the supplemental
610 academic instruction allocation, and the instructional materials
611 allocation;

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

615 a. If the district levies the maximum discretionary local
616 effort and the district's discretionary local effort per FTE is
617 less than the state average potential discretionary local effort
618 per FTE, the proportionate share shall include both the
619 discretionary local effort and the compression supplement per
620 FTE. If the district's discretionary local effort per FTE is



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621 greater than the state average per FTE, the proportionate share
622 shall be equal to the state average; or

623 b. If the district does not levy the maximum discretionary
624 local effort and the district's actual discretionary local
625 effort per FTE is less than the state average potential
626 discretionary local effort per FTE, the proportionate share
627 shall be equal to the district's actual discretionary local
628 effort per FTE. If the district's actual discretionary local
629 effort per FTE is greater than the state average per FTE, the
630 proportionate share shall be equal to the state average
631 potential local effort per FTE; and

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

634 (b) Juvenile justice education ~~educational~~ programs to
635 receive the appropriate FEFP funding for Department of Juvenile
636 Justice education programs shall include those operated through
637 a contract with the Department of Juvenile Justice ~~and which are~~
638 ~~under purview of the Department of Juvenile Justice quality~~
639 ~~assurance standards for education.~~

640 (c) Consistent with the rules of the State Board of
641 Education, district school boards shall ~~are required to~~ request
642 an alternative FTE survey for Department of Juvenile Justice
643 education programs experiencing fluctuations in student
644 enrollment.

645 (d) FTE count periods shall be prescribed in rules of the
646 State Board of Education and shall be the same for programs of
647 the Department of Juvenile Justice as for other public school
648 programs. The summer school period for students in Department of
649 Juvenile Justice education programs shall begin on the day



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650 immediately following the end of the regular school year and end
651 on the day immediately preceding the subsequent regular school
652 year. Students shall be funded for no more than 25 hours per
653 week of direct instruction.

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

656 (14)~~(13)~~ Each district school board shall negotiate a
657 cooperative agreement with the Department of Juvenile Justice on
658 the delivery of educational services to students ~~youths~~ under
659 the jurisdiction of the Department of Juvenile Justice. Such
660 agreement must include, but is not limited to:

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

663 (b) Administrative issues including procedures for sharing
664 information.

665 (c) Allocation of resources including maximization of
666 local, state, and federal funding.

667 (d) Procedures for educational evaluation for educational
668 exceptionalities and special needs.

669 (e) Curriculum and delivery of instruction.

670 (f) Classroom management procedures and attendance
671 policies.

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

676 (h) Provisions for improving skills in teaching and working
677 with students referred to juvenile justice education programs
678 ~~delinquents~~.



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679 (i) Transition plans for students moving into and out of
680 juvenile justice education programs facilities.

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

683 (k) Methods and procedures for dispute resolution.

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

686 (m) Strategies for correcting any deficiencies found
687 through the accountability and evaluation system and student
688 performance measures quality assurance process.

689 (15)-(14) Nothing in this section or in a cooperative
690 agreement requires shall be construed to require the district
691 school board to provide more services than can be supported by
692 the funds generated by students in the juvenile justice
693 programs.

694 (16)-(15)-(a) The Department of Education, in consultation
695 with the Department of Juvenile Justice, district school boards,
696 and providers, shall adopt rules establishing: establish

697 (a) Objective and measurable student performance measures
698 to evaluate a student's educational progress while participating
699 in a prevention, day treatment, or residential program. The
700 student performance measures must be based on appropriate
701 outcomes for all students in juvenile justice education
702 programs, taking into consideration the student's length of stay
703 in the program. Performance measures shall include outcomes that
704 relate to student achievement of career education goals,
705 acquisition of employability skills, receipt of a high school
706 diploma or its equivalent, grade advancement, and the number of
707 CAPE industry certifications earned.



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708 (b) A performance rating system to be used by the
709 Department of Education to evaluate ~~quality assurance standards~~
710 ~~for~~ the ~~delivery of~~ educational ~~services~~ within each of the
711 juvenile justice programs. The performance rating shall be
712 primarily based on data regarding student performance as
713 described in paragraph (a) ~~component of residential and~~
714 ~~nonresidential juvenile justice facilities.~~

715 (c) The timeframes, procedures, and resources to be used to
716 improve a low-rated educational program or to terminate or
717 reassign the program ~~These standards shall rate the district~~
718 ~~school board's performance both as a provider and contractor.~~
719 ~~The quality assurance rating for the educational component shall~~
720 ~~be disaggregated from the overall quality assurance score and~~
721 ~~reported separately.~~

722 (d) ~~(b)~~ The Department of Education, in partnership with the
723 Department of Juvenile Justice, shall develop a comprehensive
724 accountability and program improvement ~~quality assurance review~~
725 process. The accountability and program improvement process
726 shall be based on student performance measures by type of
727 program and shall rate education program performance. The
728 accountability system shall identify and recognize high-
729 performing education programs. The Department of Education, in
730 partnership with the Department of Juvenile Justice, shall
731 identify low-performing programs. Low-performing education
732 programs shall receive an onsite program evaluation from the
733 Department of Juvenile Justice. School improvement, technical
734 assistance, or the reassignment of the program shall be based,
735 in part, on the results of the program evaluation. Through a
736 corrective action process, low-performing programs must



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737 ~~demonstrate improvement or reassign the program and schedule for~~
738 ~~the evaluation of the educational component in juvenile justice~~
739 ~~programs. The Department of Juvenile Justice quality assurance~~
740 ~~site visit and the education quality assurance site visit shall~~
741 ~~be conducted during the same visit.~~

742 ~~(c) The Department of Education, in consultation with~~
743 ~~district school boards and providers, shall establish minimum~~
744 ~~thresholds for the standards and key indicators for educational~~
745 ~~programs in juvenile justice facilities. If a district school~~
746 ~~board fails to meet the established minimum standards, it will~~
747 ~~be given 6 months to achieve compliance with the standards. If~~
748 ~~after 6 months, the district school board's performance is still~~
749 ~~below minimum standards, the Department of Education shall~~
750 ~~exercise sanctions as prescribed by rules adopted by the State~~
751 ~~Board of Education. If a provider, under contract with the~~
752 ~~district school board, fails to meet minimum standards, such~~
753 ~~failure shall cause the district school board to cancel the~~
754 ~~provider's contract unless the provider achieves compliance~~
755 ~~within 6 months or unless there are documented extenuating~~
756 ~~circumstances.~~

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

759 (17) The department, in collaboration with the Department
760 of Juvenile Justice, shall collect data and report on
761 commitment, day treatment, prevention, and detention programs.
762 The report shall be submitted to the President of the Senate,
763 the Speaker of the House of Representatives, and the Governor by
764 February 1 of each year. The report must include, at a minimum:

765 (a) The number and percentage of students who:



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- 766 1. Return to an alternative school, middle school, or high
767 school upon release and the attendance rate of such students
768 before and after participation in juvenile justice education
769 programs.
- 770 2. Receive a standard high school diploma or a high school
771 equivalency diploma.
- 772 3. Receive industry certification.
- 773 4. Enroll in a postsecondary educational institution.
- 774 5. Complete a juvenile justice education program without
775 reoffending.
- 776 6. Reoffend within 1 year after completion of a day
777 treatment or residential commitment program.
- 778 7. Remain employed 1 year after completion of a day
779 treatment or residential commitment program.
- 780 8. Demonstrate learning gains pursuant to paragraph (3) (b).
- 781 (b) The following cost data for each juvenile justice
782 education program:
- 783 1. The amount of funding provided by district school boards
784 to juvenile justice programs and the amount retained for
785 administration, including documenting the purposes of such
786 expenses.
- 787 2. The status of the development of cooperative agreements.
- 788 3. Recommendations for system improvement.
- 789 4. Information on the identification of, and services
790 provided to, exceptional students, to determine whether these
791 students are properly reported for funding and are appropriately
792 served.
- 793 (18)-(16) The district school board shall not be charged any
794 rent, maintenance, utilities, or overhead on such facilities.



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795 Maintenance, repairs, and remodeling of existing facilities
796 shall be provided by the Department of Juvenile Justice.

797 ~~(19)(17)~~ When additional facilities are required, the
798 district school board and the Department of Juvenile Justice
799 shall agree on the appropriate site based on the instructional
800 needs of the students. When the most appropriate site for
801 instruction is on district school board property, a special
802 capital outlay request shall be made by the commissioner in
803 accordance with s. 1013.60. When the most appropriate site is on
804 state property, state capital outlay funds shall be requested by
805 the Department of Juvenile Justice provided by s. 216.043 and
806 shall be submitted as specified by s. 216.023. Any instructional
807 facility to be built on state property shall have educational
808 specifications jointly developed by the district school board
809 and the Department of Juvenile Justice and approved by the
810 Department of Education. The size of space and occupant design
811 capacity criteria as provided by State Board of Education rules
812 shall be used for remodeling or new construction whether
813 facilities are provided on state property or district school
814 board property.

815 ~~(20)(18)~~ The parent of an exceptional student shall have
816 the due process rights provided for in this chapter.

817 ~~(19) The Department of Education and the Department of~~
818 ~~Juvenile Justice, after consultation with and assistance from~~
819 ~~local providers and district school boards, shall report~~
820 ~~annually to the Legislature by February 1 on the progress toward~~
821 ~~developing effective educational programs for juvenile~~
822 ~~delinquents, including the amount of funding provided by~~
823 ~~district school boards to juvenile justice programs, the amount~~



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824 ~~retained for administration including documenting the purposes~~
825 ~~for such expenses, the status of the development of cooperative~~
826 ~~agreements, the results of the quality assurance reviews~~
827 ~~including recommendations for system improvement, and~~
828 ~~information on the identification of, and services provided to,~~
829 ~~exceptional students in juvenile justice commitment facilities~~
830 ~~to determine whether these students are properly reported for~~
831 ~~funding and are appropriately served.~~

832 (21)~~(20)~~ The education ~~educational~~ programs at the ~~Arthur~~
833 ~~Dezier School for Boys in Jackson County and the Florida School~~
834 ~~for Boys in Okeechobee shall be operated by the Department of~~
835 ~~Education, either directly or through grants or contractual~~
836 ~~agreements with other public or duly accredited education~~
837 ~~agencies approved by the Department of Education.~~

838 (22)~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
839 ~~rules necessary to implement the provisions of this section,~~
840 ~~including uniform curriculum, funding, and second chance~~
841 ~~schools.~~ Such rules must require the minimum amount of paperwork
842 and reporting.

843 (23)~~(22)~~ The Department of Juvenile Justice and the
844 Department of Education, in consultation with Workforce Florida,
845 Inc., the statewide Workforce Development Youth Council,
846 district school boards, Florida College System institutions,
847 providers, and others, shall jointly develop a multiagency plan
848 for CAPE ~~career education~~ which describes the funding,
849 curriculum, transfer of credits, goals, and outcome measures for
850 CAPE programs ~~career education programming~~ in juvenile
851 commitment facilities, pursuant to s. 985.622. The plan must be
852 reviewed annually.



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853 Section 5. Paragraph (b) of subsection (18) of section
854 1001.42, Florida Statutes, is amended to read:

855 1001.42 Powers and duties of district school board.—The
856 district school board, acting as a board, shall exercise all
857 powers and perform all duties listed below:

858 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
859 Maintain a state system of school improvement and education
860 accountability as provided by statute and State Board of
861 Education rule. This system of school improvement and education
862 accountability shall be consistent with, and implemented
863 through, the district's continuing system of planning and
864 budgeting required by this section and ss. 1008.385, 1010.01,
865 and 1011.01. This system of school improvement and education
866 accountability shall comply with the provisions of ss. 1008.33,
867 1008.34, 1008.345, and 1008.385 and include the following:

868 (b) *Public disclosure.*—The district school board shall
869 provide information regarding the performance of students and
870 educational programs as required pursuant to ss. 1008.22 and
871 1008.385 and implement a system of school reports as required by
872 statute and State Board of Education rule which shall include
873 schools operating for the purpose of providing educational
874 services to students ~~youth~~ in Department of Juvenile Justice
875 programs, and for those schools, report on the elements
876 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public
877 disclosure reports shall be in an easy-to-read report card
878 format and shall include the school's grade, high school
879 graduation rate calculated without high school equivalency
880 examinations ~~GED tests~~, disaggregated by student ethnicity, and
881 performance data as specified in state board rule.



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882 Section 6. This act shall take effect July 1, 2014.

883

884 ===== T I T L E A M E N D M E N T =====

885 And the title is amended as follows:

886 Delete everything before the enacting clause
887 and insert:

888 A bill to be entitled
889 An act relating to juvenile justice education
890 programs; amending s. 985.622, F.S.; revising
891 requirements for the multiagency education plan for
892 students in juvenile justice education programs;
893 including virtual education as an option; amending s.
894 1001.31, F.S.; authorizing instructional personnel at
895 all juvenile justice facilities to access specific
896 student records at the district; amending s. 1003.51,
897 F.S.; revising terminology; revising requirements for
898 rules to be maintained by the State Board of
899 Education; providing expectations for effective
900 education programs for students in Department of
901 Juvenile Justice programs; revising requirements for
902 contract and cooperative agreements for the delivery
903 of appropriate education services to students in
904 Department of Juvenile Justice programs; requiring the
905 Department of Education to ensure that juvenile
906 justice students who are eligible have access to high
907 school equivalency testing and assist juvenile justice
908 education programs with becoming high school
909 equivalency testing centers; revising requirements for
910 an accountability system for all juvenile justice



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911 education programs; revising requirements for district
912 school boards; amending s. 1003.52, F.S.; revising
913 requirements for activities to be coordinated by the
914 coordinators for juvenile justice education programs;
915 authorizing contracting for educational assessments;
916 revising requirements for assessments; authorizing
917 access to local virtual education courses; requiring
918 that an education program shall be based on each
919 student's transition plan and assessed educational
920 needs; providing requirements for prevention and day
921 treatment juvenile justice education programs;
922 requiring progress monitoring plans for all students
923 not classified as exceptional student education
924 students; revising requirements for such plans;
925 requiring the Department of Education, in partnership
926 with the Department of Juvenile Justice, to ensure
927 that school districts and juvenile justice education
928 providers develop individualized transition plans;
929 providing requirements for such plans; authorizing the
930 Secretary of Juvenile Justice or the director of a
931 juvenile justice program to request that a school
932 district teacher's performance be reviewed by the
933 district and that the teacher be reassigned in certain
934 circumstances; requiring the Department of Education
935 to establish by rule objective and measurable student
936 performance measures and program performance ratings;
937 providing requirements for such ratings; requiring a
938 comprehensive accountability and program improvement
939 process; providing requirements for such a process;



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940 deleting provisions for minimum thresholds for the
941 standards and key indicators for education programs in
942 juvenile justice facilities; revising data collection
943 and annual report requirements; deleting provisions
944 concerning the Arthur Dozier School for Boys;
945 requiring rulemaking; amending s. 1001.42, F.S.;
946 revising terminology; revising a cross-reference;
947 providing an effective date.