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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2014	.	
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The Committee on Criminal Justice (Bradley) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

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



643760

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

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

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

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

24 (d) ~~(e)~~ A detailed implementation schedule.

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

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

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

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

37 (a) Type 1 A.—Programs that teach personal accountability  
38 skills and behaviors that are appropriate for students youth in  
39 all age groups and ability levels and that lead to work habits



643760

40 that help maintain employment and living standards.

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

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

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

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

65 (6) ~~(5)~~ The Department of Juvenile Justice and the  
66 Department of Education shall each align its respective agency  
67 policies, practices, technical manuals, contracts, quality-  
68 assurance standards, performance-based-budgeting measures, and



643760

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

74 (7) ~~(6)~~ All provider contracts executed by the Department of  
75 Juvenile Justice or the school districts after January 1, 2015  
76 ~~2002~~, must be aligned with the plan.

77 (8) ~~(7)~~ The planning and execution of quality assurance  
78 reviews conducted by the Department of Education or the  
79 Department of Juvenile Justice after August 1, 2015 ~~2002~~, must  
80 be aligned with the plan.

81 (9) ~~(8)~~ Outcome measures reported by the Department of  
82 Juvenile Justice and the Department of Education for students  
83 ~~youth~~ released on or after January 1, 2016 ~~2002~~, should include  
84 outcome measures that conform to the plan.

85 Section 2. Section 1001.31, Florida Statutes, is amended to  
86 read:

87 1001.31 Scope of district system.—A district school system  
88 shall include all public schools, classes, and courses of  
89 instruction and all services and activities directly related to  
90 education in that district which are under the direction of the  
91 district school officials. A district school system may also  
92 include alternative site schools for disruptive or violent  
93 students ~~youth~~. Such schools for disruptive or violent students  
94 ~~youth~~ may be funded by each district or provided through  
95 cooperative programs administered by a consortium of school  
96 districts, private providers, state and local law enforcement  
97 agencies, and the Department of Juvenile Justice. Pursuant to



643760

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

105 Section 3. Section 1003.51, Florida Statutes, is amended to  
106 read:

107 1003.51 Other public educational services.—

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

123 (2) The State Board of Education shall adopt rules ~~and~~  
124 ~~maintain an administrative rule~~ articulating expectations for  
125 effective education programs for students ~~youth~~ in Department of  
126 Juvenile Justice programs, including, but not limited to,



643760

127 education programs in juvenile justice prevention, day  
128 treatment, residential, ~~commitment~~ and detention facilities. The  
129 rule shall establish ~~articulate~~ policies and standards for  
130 education programs for students ~~youth~~ in Department of Juvenile  
131 Justice programs and shall include the following:

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

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

138 (c) Academic expectations.

139 (d) Career and technical expectations.

140 (e) Education transition planning and services.

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

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

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

151 2. Provide for determination of the areas of academic need  
152 and strategies for appropriate intervention and instruction for  
153 each student in a detention facility within 5 school days after  
154 the student's entry into the program and administer a research-  
155 based assessment that will assist the student in determining his



643760

156 or her educational and career options and goals within 22 school  
157 days after the student's entry into the program ~~Require district~~  
158 ~~school boards to be responsible for ensuring the completion of~~  
159 ~~the assessment process.~~

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

164 ~~4. Require assessments of students sent directly to~~  
165 ~~commitment facilities to be completed within the first 10 school~~  
166 ~~days of the student's commitment.~~

167  
168 The results of these assessments, together with a portfolio  
169 depicting the student's academic and career accomplishments,  
170 shall be included in the discharge packet ~~package~~ assembled for  
171 each student ~~youth~~.

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

174 1. Secondary education.

175 2. High school equivalency examination preparation.

176 3. Postsecondary education.

177 4. Career training. ~~and~~

178 5. Job preparation.

179 6. Virtual education that:

180 a. Provides competency-based instruction that addresses the  
181 unique academic needs of the student through delivery by an  
182 entity accredited by AdvanceED or the Southern Association of  
183 Colleges and Schools.

184 b. Confers certifications and diplomas.



643760

185 c. Issues credit that articulates with and transcripts that  
186 are recognized by secondary schools.

187 d. Allows the student to continue to access and progress  
188 through the program once the student leaves the juvenile justice  
189 system.

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

199 (j) ~~(h)~~ Qualifications of instructional staff, procedures  
200 for the selection of instructional staff, and procedures for to  
201 ~~ensure~~ consistent instruction and qualified staff year round.  
202 Qualifications shall include those for career education  
203 instructors, standardized across the state, and shall be based  
204 on state certification, local school district approval, and  
205 industry-recognized credentials or industry training. Procedures  
206 for the use of noncertified instructional personnel who possess  
207 expert knowledge or experience in their fields of instruction  
208 shall be established.

209 (k) ~~(i)~~ Transition services, including the roles and  
210 responsibilities of appropriate personnel in the juvenile  
211 justice education program, the school district where the student  
212 will reenter ~~districts~~, provider organizations, and the  
213 Department of Juvenile Justice.





643760

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

217            (m)~~(k)~~ The requirement that each district school board  
218 maintain an academic transcript for each student enrolled in a  
219 juvenile justice education program facility that delineates each  
220 course completed by the student as provided by the State Course  
221 Code Directory.

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

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

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

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

235            (r)~~(p)~~ A series of graduated sanctions for district school  
236 boards whose educational programs in Department of Juvenile  
237 Justice programs facilities are considered to be unsatisfactory  
238 and for instances in which district school boards fail to meet  
239 standards prescribed by law, rule, or State Board of Education  
240 policy. These sanctions shall include the option of requiring a  
241 district school board to contract with a provider or another  
242 district school board if the educational program at the



643760

243 Department of Juvenile Justice program is performing below  
244 minimum standards ~~facility has failed a quality assurance review~~  
245 and, after 6 months, is still performing below minimum  
246 standards.

247 (s) Curriculum, guidance counseling, transition, and  
248 education services expectations, including curriculum  
249 flexibility for detention centers operated by the Department of  
250 Juvenile Justice.

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

252 (3) The Department of Education in partnership with the  
253 Department of Juvenile Justice, the district school boards, and  
254 providers shall:

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



643760

272 (b) Develop and implement ~~Maintain model~~ procedures for  
273 transitioning students ~~youth~~ into and out of Department of  
274 Juvenile Justice education programs. These procedures shall  
275 reflect the policy and standards adopted pursuant to subsection  
276 (2).

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

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

284 2. A copy of the student's individualized progress  
285 monitoring plan.

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

287 ~~4.2.~~ Data on student performance on assessments taken  
288 according to s. 1008.22.

289 ~~5.3.~~ A copy of the student's permanent cumulative record.

290 ~~6.4.~~ A copy of the student's academic transcript.

291 ~~7.5.~~ A portfolio reflecting the student's ~~youth's~~ academic  
292 and career and technical accomplishments, when age appropriate,  
293 while in the Department of Juvenile Justice program.

294 (d) Establish ~~Maintain model procedures for securing the~~  
295 ~~education record and~~ the roles and responsibilities of the  
296 juvenile probation officer and others involved in the withdrawal  
297 of the student from school and assignment to a juvenile justice  
298 education program ~~commitment or detention facility~~. District  
299 ~~school boards shall respond to requests for student education~~  
300 ~~records received from another district school board or a~~



643760

301 ~~juvenile justice facility within 5 working days after receiving~~  
302 ~~the request.~~

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

305       (a) Notify students in juvenile justice education programs  
306 ~~residential or nonresidential facilities~~ who attain the age of  
307 16 years of the ~~provisions of~~ law regarding compulsory school  
308 attendance and make available the option of enrolling in a  
309 program to attain a Florida high school diploma by taking the  
310 high school equivalency examination before General Educational  
311 ~~Development test prior to release from the program facility. The~~  
312 Department of Education shall assist juvenile justice education  
313 programs with becoming high school equivalency examination  
314 centers ~~District school boards or Florida College System~~  
315 ~~institutions, or both, shall waive GED testing fees for youth in~~  
316 ~~Department of Juvenile Justice residential programs and shall,~~  
317 ~~upon request, designate schools operating for the purpose of~~  
318 ~~providing educational services to youth in Department of~~  
319 ~~Juvenile Justice programs as GED testing centers, subject to GED~~  
320 ~~testing center requirements. The administrative fees for the~~  
321 ~~General Educational Development test required by the Department~~  
322 ~~of Education are the responsibility of district school boards~~  
323 ~~and may be required of providers by contractual agreement.~~

324       (b) Respond to requests for student education records  
325 received from another district school board or a juvenile  
326 justice education program within 5 working days after receiving  
327 the request.

328       (c) Provide access to courses offered pursuant to ss.  
329 1002.37, 1002.45, and 1003.498. School districts and providers



643760

330 may enter into cooperative agreements for the provision of  
331 curriculum associated with courses offered pursuant to s.  
332 1003.498 to enable providers to offer such courses.

333 (d) Complete the assessment process required by subsection  
334 (2).

335 (e) Monitor compliance with contracts for education  
336 programs for students in juvenile justice prevention, day  
337 treatment, residential, and detention programs.

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

352 Section 4. Section 1003.52, Florida Statutes, is amended to  
353 read:

354 1003.52 Educational services in Department of Juvenile  
355 Justice programs.—

356 (1) ~~The Legislature finds that education is the single most~~  
357 ~~important factor in the rehabilitation of adjudicated delinquent~~  
358 ~~youth in the custody of Department of Juvenile Justice programs.~~



643760

359 ~~It is the goal of the Legislature that youth in the juvenile~~  
360 ~~justice system continue to be allowed the opportunity to obtain~~  
361 ~~a high quality education.~~ The Department of Education shall  
362 serve as the lead agency for juvenile justice education  
363 programs, curriculum, support services, and resources. To this  
364 end, the Department of Education and the Department of Juvenile  
365 Justice shall each designate a Coordinator for Juvenile Justice  
366 Education Programs to serve as the point of contact for  
367 resolving issues not addressed by district school boards and to  
368 provide each department's participation in the following  
369 activities:

370 (a) Training, collaborating, and coordinating with ~~the~~  
371 ~~Department of Juvenile Justice,~~ district school boards, local  
372 workforce boards and youth councils, educational contract  
373 providers, and juvenile justice providers, whether state  
374 operated or contracted.

375 (b) Collecting information on the academic, career  
376 education, and transition performance of students in juvenile  
377 justice programs and reporting on the results.

378 (c) Developing academic and career education protocols that  
379 provide guidance to district school boards and juvenile justice  
380 education providers in all aspects of education programming,  
381 including records transfer and transition.

382 (d) Implementing a joint accountability, program  
383 performance, and program improvement process ~~Prescribing the~~  
384 ~~roles of program personnel and interdepartmental district school~~  
385 ~~board or provider collaboration strategies.~~

386  
387 Annually, a cooperative agreement and plan for juvenile justice



643760

388 education service enhancement shall be developed between the  
389 Department of Juvenile Justice and the Department of Education  
390 and submitted to the Secretary of Juvenile Justice and the  
391 Commissioner of Education by June 30. The plan shall include, at  
392 a minimum, each agency's role regarding educational program  
393 accountability, technical assistance, training, and coordination  
394 of services.

395 (2) Students participating in Department of Juvenile  
396 Justice programs pursuant to chapter 985 which are sponsored by  
397 a community-based agency or are operated or contracted for by  
398 the Department of Juvenile Justice shall receive education  
399 ~~educational~~ programs according to rules of the State Board of  
400 Education. These students shall be eligible for services  
401 afforded to students enrolled in programs pursuant to s. 1003.53  
402 and all corresponding State Board of Education rules.

403 (3) The district school board of the county in which the  
404 juvenile justice education prevention, day treatment,  
405 residential, or detention program ~~residential or nonresidential~~  
406 ~~care facility or juvenile assessment facility~~ is located shall  
407 provide or contract for appropriate educational assessments and  
408 an appropriate program of instruction and special education  
409 services.

410 (a) The district school board shall make provisions for  
411 each student to participate in basic, career education, and  
412 exceptional student programs as appropriate. Students served in  
413 Department of Juvenile Justice programs shall have access to the  
414 appropriate courses and instruction to prepare them for the high  
415 school equivalency examination ~~GED test~~. Students participating  
416 in high school equivalency examination ~~GED~~ preparation programs



643760

417 shall be funded at the basic program cost factor for Department  
418 of Juvenile Justice programs in the Florida Education Finance  
419 Program. Each program shall be conducted according to applicable  
420 law providing for the operation of public schools and rules of  
421 the State Board of Education. School districts shall provide the  
422 high school equivalency examination ~~GED~~ exit option for all  
423 juvenile justice programs.

424 (b) ~~By October 1, 2004,~~ The Department of Education, with  
425 the assistance of the school districts and juvenile justice  
426 education providers, shall select a common student assessment  
427 instrument and protocol for measuring student learning gains and  
428 student progression while a student is in a juvenile justice  
429 education program. The Department of Education and Department of  
430 Juvenile Justice shall jointly review the effectiveness of this  
431 assessment and implement changes as necessary ~~The assessment~~  
432 ~~instrument and protocol must be implemented in all juvenile~~  
433 ~~justice education programs in this state by January 1, 2005.~~

434 (4) Educational services shall be provided at times of the  
435 day most appropriate for the juvenile justice program. School  
436 programming in juvenile justice detention, prevention, day  
437 treatment, and residential ~~commitment, and rehabilitation~~  
438 programs shall be made available by the local school district  
439 during the juvenile justice school year, as provided ~~defined~~ in  
440 s. 1003.01(11). In addition, students in juvenile justice  
441 education programs shall have access to courses offered pursuant  
442 to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School~~  
443 ~~courses.~~ The Department of Education and the school districts  
444 shall adopt policies necessary to provide ~~ensure~~ such access.

445 (5) The educational program shall provide instruction based





643760

446 on each student's individualized transition plan, assessed  
447 educational needs, and the education programs available in the  
448 school district in which the student will return. Depending on  
449 the student's needs, educational programming may consist of  
450 remedial courses, ~~consist of appropriate basic~~ academic courses  
451 required for grade advancement, career education courses, high  
452 school equivalency examination preparation, or exceptional  
453 student education curricula and related services which support  
454 the transition ~~treatment~~ goals and reentry and which may lead to  
455 completion of the requirements for receipt of a high school  
456 diploma or its equivalent. Prevention and day treatment juvenile  
457 justice education programs, at a minimum, shall provide career  
458 readiness and exploration opportunities as well as truancy and  
459 dropout prevention intervention services. Residential juvenile  
460 justice education programs with a contracted minimum length of  
461 stay of 9 months shall provide career education courses that  
462 lead to preapprentice certifications, industry certifications,  
463 occupational completion points, or work-related certifications.  
464 Residential programs with contracted lengths of stay of less  
465 than 9 months may provide career education courses that lead to  
466 preapprentice certifications, industry certifications,  
467 occupational completion points, or work-related certifications.  
468 If the duration of a program is less than 40 days, the  
469 educational component may be limited to tutorial remediation  
470 activities, and career employability skills instruction,  
471 education counseling, and transition services that prepare  
472 students for a return to school, the community, and their home  
473 settings based on the students' needs.

474 (6) Participation in the program by students of compulsory



643760

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

489 (7) An individualized A progress monitoring plan shall be  
490 developed for all students not classified as exceptional  
491 education students upon entry in a juvenile justice education  
492 program and upon reentry in the school district ~~who score below~~  
493 ~~the level specified in district school board policy in reading,~~  
494 ~~writing, and mathematics or below the level specified by the~~  
495 ~~Commissioner of Education on statewide assessments as required~~  
496 ~~by s. 1008.25.~~ These plans shall address academic, literacy, and  
497 career and technical ~~life~~ skills and shall include provisions  
498 for intensive remedial instruction in the areas of weakness.

499 (8) Each district school board shall maintain an academic  
500 record for each student enrolled in a juvenile justice program  
501 facility as prescribed by s. 1003.51. Such record shall  
502 delineate each course completed by the student according to  
503 procedures in the State Course Code Directory. The district



643760

504 school board shall include a copy of a student's academic record  
505 in the discharge packet when the student exits the program  
506 facility.

507 (9) ~~Each~~ ~~The Department of Education shall ensure that all~~  
508 district school board shall boards make provisions for high  
509 school level students youth to earn credits toward high school  
510 graduation while in residential and nonresidential juvenile  
511 justice programs facilities. Provisions must be made for the  
512 transfer of credits and partial credits earned.

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

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

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

529 2. Services to be provided during the program stay and  
530 services to be implemented upon release, including, but not  
531 limited to, continuing education in secondary school, career and  
532 technical programs, postsecondary education, or employment,



643760

533 based on the student's needs.

534 3. Specific monitoring responsibilities to determine  
535 whether the individualized transition plan is being implemented  
536 and the student is provided access to support services that will  
537 sustain the student's success by individuals who are responsible  
538 for the reintegration and coordination of these activities.

539 (b) For the purpose of transition planning and reentry  
540 services, representatives from the school district and the one  
541 stop center where the student will return shall participate as  
542 members of the local Department of Juvenile Justice reentry  
543 teams. The school district, upon return of a student from a  
544 juvenile justice education program, must consider the individual  
545 needs and circumstances of the student and the transition plan  
546 recommendations when reenrolling a student in a public school. A  
547 local school district may not maintain a standardized policy for  
548 all students returning from a juvenile justice program but place  
549 students based on their needs and their performance in the  
550 program.

551 (c) The Department of Education and the Department of  
552 Juvenile Justice shall provide oversight and guidance to school  
553 districts, education providers, and reentry personnel on how to  
554 implement effective educational transition planning and  
555 services.

556 (11) ~~(10)~~ The district school board shall recruit and train  
557 teachers who are interested, qualified, or experienced in  
558 educating students in juvenile justice programs. Students in  
559 juvenile justice programs shall be provided a wide range of  
560 education ~~educational~~ programs and opportunities including  
561 textbooks, technology, instructional support, and ~~other~~



643760

562 resources commensurate with resources provided available to  
563 students in public schools, including textbooks and access to  
564 technology. If the district school board operates a juvenile  
565 justice education program at a juvenile justice facility, the  
566 district school board, in consultation with the director of the  
567 juvenile justice facility, shall select the instructional  
568 personnel assigned to that program. The Secretary of Juvenile  
569 Justice or the director of a juvenile justice program may  
570 request that the performance of a teacher assigned by the  
571 district to a juvenile justice education program be reviewed by  
572 the district and that the teacher be reassigned based upon an  
573 evaluation conducted pursuant to s. 1012.34 or for inappropriate  
574 behavior ~~Teachers assigned to educational programs in juvenile~~  
575 ~~justice settings in which the district school board operates the~~  
576 ~~educational program shall be selected by the district school~~  
577 ~~board in consultation with the director of the juvenile justice~~  
578 ~~facility. Educational programs in Juvenile justice education~~  
579 ~~programs facilities~~ shall have access to the substitute teacher  
580 pool used ~~utilized~~ by the district school board.

581 (12) ~~(11)~~ District school boards may contract with a private  
582 provider for the provision of education ~~educational~~ programs to  
583 students ~~youths~~ placed with the Department of Juvenile Justice  
584 and shall generate local, state, and federal funding, including  
585 funding through the Florida Education Finance Program for such  
586 students. The district school board's planning and budgeting  
587 process shall include the needs of Department of Juvenile  
588 Justice programs in the district school board's plan for  
589 expenditures for state categorical and federal funds.

590 (13) ~~(12)~~ (a) Funding for eligible students enrolled in



643760

591 juvenile justice education programs shall be provided through  
592 the Florida Education Finance Program as provided in s. 1011.62  
593 and the General Appropriations Act. Funding shall include, at a  
594 minimum:

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

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

600 3. A proportionate share of the district's exceptional  
601 student education guaranteed allocation, the supplemental  
602 academic instruction allocation, and the instructional materials  
603 allocation;

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

607 a. If the district levies the maximum discretionary local  
608 effort and the district's discretionary local effort per FTE is  
609 less than the state average potential discretionary local effort  
610 per FTE, the proportionate share shall include both the  
611 discretionary local effort and the compression supplement per  
612 FTE. If the district's discretionary local effort per FTE is  
613 greater than the state average per FTE, the proportionate share  
614 shall be equal to the state average; or

615 b. If the district does not levy the maximum discretionary  
616 local effort and the district's actual discretionary local  
617 effort per FTE is less than the state average potential  
618 discretionary local effort per FTE, the proportionate share  
619 shall be equal to the district's actual discretionary local



643760

620 effort per FTE. If the district's actual discretionary local  
621 effort per FTE is greater than the state average per FTE, the  
622 proportionate share shall be equal to the state average  
623 potential local effort per FTE; and

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

626 (b) Juvenile justice education ~~educational~~ programs to  
627 receive the appropriate FEFP funding for Department of Juvenile  
628 Justice programs shall include those operated through a contract  
629 with the Department of Juvenile Justice ~~and which are under~~  
630 ~~purview of the Department of Juvenile Justice quality assurance~~  
631 ~~standards for education.~~

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

636 (d) FTE count periods shall be prescribed in rules of the  
637 State Board of Education and shall be the same for programs of  
638 the Department of Juvenile Justice as for other public school  
639 programs. The summer school period for students in Department of  
640 Juvenile Justice programs shall begin on the day immediately  
641 following the end of the regular school year and end on the day  
642 immediately preceding the subsequent regular school year.  
643 Students shall be funded for no more than 25 hours per week of  
644 direct instruction.

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

647 (14) ~~(13)~~ Each district school board shall negotiate a  
648 cooperative agreement with the Department of Juvenile Justice on



643760

649 the delivery of educational services to students ~~youths~~ under  
650 the jurisdiction of the Department of Juvenile Justice. Such  
651 agreement must include, but is not limited to:

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

654 (b) Administrative issues including procedures for sharing  
655 information.

656 (c) Allocation of resources including maximization of  
657 local, state, and federal funding.

658 (d) Procedures for educational evaluation for educational  
659 exceptionalities and special needs.

660 (e) Curriculum and delivery of instruction.

661 (f) Classroom management procedures and attendance  
662 policies.

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

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

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

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

673 (k) Methods and procedures for dispute resolution.

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

676 (m) Strategies for correcting any deficiencies found  
677 through the accountability and evaluation system and student





643760

678 performance measures ~~quality assurance process.~~

679 (15)~~(14)~~ Nothing in this section or in a cooperative  
680 agreement requires ~~shall be construed to require~~ the district  
681 school board to provide more services than can be supported by  
682 the funds generated by students in the juvenile justice  
683 programs.

684 (16)~~(15)~~ ~~(a)~~ The Department of Education, in consultation  
685 with the Department of Juvenile Justice, district school boards,  
686 and providers, shall adopt rules establishing: ~~establish~~

687 (a) Objective and measurable student performance measures  
688 to evaluate a student's educational progress while participating  
689 in a prevention, day treatment, or residential program. The  
690 student performance measures must be based on appropriate  
691 outcomes for all students in juvenile justice education  
692 programs, taking into consideration the student's length of stay  
693 in the program. Performance measures shall include outcomes that  
694 relate to student achievement of career education goals,  
695 acquisition of employability skills, receipt of a high school  
696 diploma, and grade advancement.

697 (b) A performance rating system to be used by the  
698 Department of Education to evaluate ~~quality assurance standards~~  
699 ~~for the~~ delivery of educational services within each of the  
700 juvenile justice programs. The performance rating shall be  
701 primarily based on data regarding student performance as  
702 described in paragraph (a) ~~component of residential and~~  
703 ~~nonresidential juvenile justice facilities.~~

704 (c) The timeframes, procedures, and resources to be used to  
705 improve a low-rated educational program or to terminate or  
706 reassign the program ~~These standards shall rate the district~~



643760

707 ~~school board's performance both as a provider and contractor.~~  
708 ~~The quality assurance rating for the educational component shall~~  
709 ~~be disaggregated from the overall quality assurance score and~~  
710 ~~reported separately.~~

711 (d) (b) The Department of Education, in partnership with the  
712 Department of Juvenile Justice, shall develop a comprehensive  
713 accountability and program improvement quality assurance review  
714 process. The accountability and program improvement process  
715 shall be based on student performance measures by type of  
716 program and shall rate education program performance. The  
717 accountability system shall identify and recognize high-  
718 performing education programs. The Department of Education, in  
719 partnership with the Department of Juvenile Justice, shall  
720 identify low-performing programs. Low-performing education  
721 programs shall receive an onsite program evaluation from the  
722 Department of Juvenile Justice. School improvement, technical  
723 assistance, or the reassignment of the program shall be based,  
724 in part, on the results of the program evaluation. Through a  
725 corrective action process, low-performing programs must  
726 demonstrate improvement or reassign the program and schedule for  
727 the evaluation of the educational component in juvenile justice  
728 programs. The Department of Juvenile Justice quality assurance  
729 site visit and the education quality assurance site visit shall  
730 be conducted during the same visit.

731 ~~(c) The Department of Education, in consultation with~~  
732 ~~district school boards and providers, shall establish minimum~~  
733 ~~thresholds for the standards and key indicators for educational~~  
734 ~~programs in juvenile justice facilities. If a district school~~  
735 ~~board fails to meet the established minimum standards, it will~~



643760

736 ~~be given 6 months to achieve compliance with the standards. If~~  
737 ~~after 6 months, the district school board's performance is still~~  
738 ~~below minimum standards, the Department of Education shall~~  
739 ~~exercise sanctions as prescribed by rules adopted by the State~~  
740 ~~Board of Education. If a provider, under contract with the~~  
741 ~~district school board, fails to meet minimum standards, such~~  
742 ~~failure shall cause the district school board to cancel the~~  
743 ~~provider's contract unless the provider achieves compliance~~  
744 ~~within 6 months or unless there are documented extenuating~~  
745 ~~circumstances.~~

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

748 (17) The department, in collaboration with the Department  
749 of Juvenile Justice, shall collect data and report on  
750 commitment, day treatment, prevention, and detention programs.  
751 The report shall be submitted to the President of the Senate,  
752 the Speaker of the House of Representatives, and the Governor by  
753 February 1 of each year. The report must include, at a minimum:

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

755 1. Return to an alternative school, middle school, or high  
756 school upon release and the attendance rate of such students  
757 before and after participation in juvenile justice education  
758 programs.

759 2. Receive a standard high school diploma or a high school  
760 equivalency diploma.

761 3. Receive industry certification.

762 4. Receive occupational completion points.

763 5. Enroll in a postsecondary educational institution.

764 6. Complete a juvenile justice education program without



643760

765 reoffending.

766 7. Reoffend within 1 year after completion of a day  
767 treatment or residential commitment program.

768 8. Remain employed 1 year after completion of a day  
769 treatment or residential commitment program.

770 9. Demonstrate learning gains pursuant to paragraph (3) (b).

771 (b) The following cost data for each juvenile justice  
772 education program:

773 1. The amount of funding provided by district school boards  
774 to juvenile justice programs and the amount retained for  
775 administration, including documenting the purposes of such  
776 expenses.

777 2. The status of the development of cooperative agreements.

778 3. Recommendations for system improvement.

779 4. Information on the identification of, and services  
780 provided to, exceptional students, to determine whether these  
781 students are properly reported for funding and are appropriately  
782 served.

783 (18)-(16) The district school board shall not be charged any  
784 rent, maintenance, utilities, or overhead on such facilities.  
785 Maintenance, repairs, and remodeling of existing facilities  
786 shall be provided by the Department of Juvenile Justice.

787 (19)-(17) When additional facilities are required, the  
788 district school board and the Department of Juvenile Justice  
789 shall agree on the appropriate site based on the instructional  
790 needs of the students. When the most appropriate site for  
791 instruction is on district school board property, a special  
792 capital outlay request shall be made by the commissioner in  
793 accordance with s. 1013.60. When the most appropriate site is on



643760

794 state property, state capital outlay funds shall be requested by  
795 the Department of Juvenile Justice provided by s. 216.043 and  
796 shall be submitted as specified by s. 216.023. Any instructional  
797 facility to be built on state property shall have educational  
798 specifications jointly developed by the district school board  
799 and the Department of Juvenile Justice and approved by the  
800 Department of Education. The size of space and occupant design  
801 capacity criteria as provided by State Board of Education rules  
802 shall be used for remodeling or new construction whether  
803 facilities are provided on state property or district school  
804 board property.

805 (20) ~~(18)~~ The parent of an exceptional student shall have  
806 the due process rights provided for in this chapter.

807 ~~(19) The Department of Education and the Department of~~  
808 ~~Juvenile Justice, after consultation with and assistance from~~  
809 ~~local providers and district school boards, shall report~~  
810 ~~annually to the Legislature by February 1 on the progress toward~~  
811 ~~developing effective educational programs for juvenile~~  
812 ~~delinquents, including the amount of funding provided by~~  
813 ~~district school boards to juvenile justice programs, the amount~~  
814 ~~retained for administration including documenting the purposes~~  
815 ~~for such expenses, the status of the development of cooperative~~  
816 ~~agreements, the results of the quality assurance reviews~~  
817 ~~including recommendations for system improvement, and~~  
818 ~~information on the identification of, and services provided to,~~  
819 ~~exceptional students in juvenile justice commitment facilities~~  
820 ~~to determine whether these students are properly reported for~~  
821 ~~funding and are appropriately served.~~

822 (21) ~~(20)~~ The education educational programs at the ~~Arthur~~



643760

823 ~~Dozier School for Boys in Jackson County~~ and the Florida School  
824 for Boys in Okeechobee shall be operated by the Department of  
825 Education, either directly or through grants or contractual  
826 agreements with other public or duly accredited education  
827 agencies approved by the Department of Education.

828 (22) ~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~  
829 rules necessary to implement ~~the provisions of~~ this section,  
830 ~~including uniform curriculum, funding, and second chance~~  
831 ~~schools~~. Such rules must require the minimum amount of paperwork  
832 and reporting.

833 (23) ~~(22)~~ The Department of Juvenile Justice and the  
834 Department of Education, in consultation with Workforce Florida,  
835 Inc., the statewide Workforce Development Youth Council,  
836 district school boards, Florida College System institutions,  
837 providers, and others, shall jointly develop a multiagency plan  
838 for career education which describes the funding, curriculum,  
839 transfer of credits, goals, and outcome measures for career  
840 education programming in juvenile commitment facilities,  
841 pursuant to s. 985.622. The plan must be reviewed annually.

842 Section 5. Subsection (3) of section 985.632, Florida  
843 Statutes, is amended to read:

844 985.632 Quality assurance and cost-effectiveness.—

845 (3) The department shall annually collect and report cost  
846 data for every program operated or contracted by the department.  
847 The cost data shall conform to a format approved by the  
848 department and the Legislature. Uniform cost data shall be  
849 reported and collected for state-operated and contracted  
850 programs so that comparisons can be made among programs. The  
851 department shall ensure that there is accurate cost accounting



643760

852 for state-operated services including market-equivalent rent and  
853 other shared cost. The cost of the educational program provided  
854 to a residential facility shall be reported and included in the  
855 cost of a program. The department shall submit an annual cost  
856 report to the President of the Senate, the Speaker of the House  
857 of Representatives, the Minority Leader of each house of the  
858 Legislature, the appropriate substantive and fiscal committees  
859 of each house of the Legislature, and the Governor, no later  
860 than December 1 of each year. Cost-benefit analysis for  
861 educational programs will be developed and implemented in  
862 collaboration with and in cooperation with the Department of  
863 Education, local providers, and local school districts. Cost  
864 data for the report shall include data collected by the  
865 Department of Education for the purposes of preparing the annual  
866 report required by s. 1003.52(17) ~~1003.52(19)~~.

867 Section 6. Paragraph (b) of subsection (18) of section  
868 1001.42, Florida Statutes, is amended to read:

869 1001.42 Powers and duties of district school board.—The  
870 district school board, acting as a board, shall exercise all  
871 powers and perform all duties listed below:

872 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
873 Maintain a state system of school improvement and education  
874 accountability as provided by statute and State Board of  
875 Education rule. This system of school improvement and education  
876 accountability shall be consistent with, and implemented  
877 through, the district's continuing system of planning and  
878 budgeting required by this section and ss. 1008.385, 1010.01,  
879 and 1011.01. This system of school improvement and education  
880 accountability shall comply with the provisions of ss. 1008.33,



643760

881 1008.34, 1008.345, and 1008.385 and include the following:

882 (b) *Public disclosure.*—The district school board shall  
883 provide information regarding the performance of students and  
884 educational programs as required pursuant to ss. 1008.22 and  
885 1008.385 and implement a system of school reports as required by  
886 statute and State Board of Education rule which shall include  
887 schools operating for the purpose of providing educational  
888 services to students ~~youth~~ in Department of Juvenile Justice  
889 programs, and for those schools, report on the elements  
890 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public  
891 disclosure reports shall be in an easy-to-read report card  
892 format and shall include the school's grade, high school  
893 graduation rate calculated without high school equivalency  
894 examinations ~~GED tests~~, disaggregated by student ethnicity, and  
895 performance data as specified in state board rule.

896 Section 7. This act shall take effect July 1, 2014.

897

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

899 And the title is amended as follows:

900 Delete everything before the enacting clause  
901 and insert:

902 A bill to be entitled  
903 An act relating to juvenile justice education  
904 programs; amending s. 985.622, F.S.; revising  
905 requirements for the multiagency education plan for  
906 students in juvenile justice education programs,  
907 including virtual education as an option; amending s.  
908 1001.31, F.S.; authorizing instructional personnel at  
909 all juvenile justice facilities to access specific





643760

910 student records at the district; amending s. 1003.51,  
911 F.S.; revising terminology; revising requirements for  
912 rules to be maintained by the State Board of  
913 Education; providing expectations for effective  
914 education programs for students in Department of  
915 Juvenile Justice programs; revising requirements for  
916 contract and cooperative agreements for the delivery  
917 of appropriate education services to students in  
918 Department of Juvenile Justice programs; requiring the  
919 Department of Education to ensure that juvenile  
920 justice students who are eligible have access to high  
921 school equivalency testing and assist juvenile justice  
922 education programs with becoming high school  
923 equivalency testing centers; revising requirements for  
924 an accountability system for juvenile justice  
925 education programs; revising requirements for district  
926 school boards; amending s. 1003.52, F.S.; revising  
927 requirements for activities to be coordinated by the  
928 coordinators for juvenile justice education programs;  
929 authorizing contracting for educational assessments;  
930 revising requirements for assessments; authorizing  
931 access to local virtual education courses; requiring  
932 that an education program shall be based on each  
933 student's transition plan and assessed educational  
934 needs; providing requirements for prevention and day  
935 treatment juvenile justice education programs;  
936 requiring progress monitoring plans for all students  
937 not classified as exceptional student education  
938 students; revising requirements for such plans;



643760

939 requiring that the Department of Education, in  
940 partnership with the Department of Juvenile Justice,  
941 ensure that school districts and juvenile justice  
942 education providers develop individualized transition  
943 plans; providing requirements for such plans;  
944 providing that the Secretary of Juvenile Justice or  
945 the director of a juvenile justice program may request  
946 that a school district teacher's performance be  
947 reviewed by the district and that the teacher be  
948 reassigned in certain circumstances; requiring the  
949 Department of Education to establish by rule objective  
950 and measurable student performance measures and  
951 program performance ratings; providing requirements  
952 for such ratings; requiring a comprehensive  
953 accountability and program improvement process;  
954 providing requirements for such a process; deleting  
955 provisions for minimum thresholds for the standards  
956 and key indicators for education programs in juvenile  
957 justice facilities; revising data collection and  
958 annual report requirements; deleting provisions  
959 concerning the Arthur Dozier School for Boys;  
960 requiring rulemaking; amending ss. 985.632 and  
961 1001.42, F.S.; revising terminology; revising a cross-  
962 reference; providing an effective date.