

20237014er

1  
2 An act relating to juvenile justice; amending s.  
3 20.316, F.S.; requiring that the secretary of the  
4 Department of Juvenile Justice oversee the  
5 establishment of the Florida Scholars Academy;  
6 revising a duty of the secretary; creating s. 985.619,  
7 F.S.; requiring that the department establish the  
8 academy; specifying the academy's mission; requiring  
9 the academy to provide students with greater access to  
10 secondary and postsecondary educational opportunities;  
11 providing requirements for the contractual agreement  
12 entered into by the department with an education  
13 service provider; requiring that the superintendent of  
14 the academy be approved by the secretary; requiring  
15 that the academy be governed by a board of trustees;  
16 providing for board membership; specifying the powers  
17 and duties of the board; specifying funding sources  
18 for the academy; providing requirements related to  
19 funding; prohibiting the pledging of the state's  
20 credit on behalf of the academy; requiring annual  
21 financial audits of the academy; providing audit  
22 requirements; providing requirements for an audit  
23 report; authorizing the department to adopt rules;  
24 amending s. 1000.04, F.S.; specifying that the academy  
25 is a component of the delivery of public education  
26 within Florida's Early Learning-20 education system;  
27 amending s. 1013.53, F.S.; requiring the department to  
28 provide early notice to school districts regarding the  
29 siting of new juvenile justice detention facilities;

20237014er

30 requiring that school districts be consulted regarding  
31 the types of students expected to be assigned to  
32 detention facilities, rather than commitment  
33 facilities; deleting requirements of the department  
34 related to commitment facilities; providing an  
35 appropriation; providing an effective date.  
36

37 Be It Enacted by the Legislature of the State of Florida:  
38

39 Section 1. Paragraph (c) of subsection (1) of section  
40 20.316, Florida Statutes, is amended to read:

41 20.316 Department of Juvenile Justice.—There is created a  
42 Department of Juvenile Justice.

43 (1) SECRETARY OF JUVENILE JUSTICE.—

44 (c) The Secretary of Juvenile Justice shall:

45 1. Ensure that juvenile justice continuum programs and  
46 services are implemented according to legislative intent; state  
47 and federal laws, rules, and regulations; statewide program  
48 standards; and performance objectives by reviewing and  
49 monitoring regional and circuit program operations and providing  
50 technical assistance to those programs.

51 2. Identify the need for and recommend the funding and  
52 implementation of an appropriate mix of programs and services  
53 within the juvenile justice continuum, including prevention,  
54 diversion, nonresidential and residential commitment programs,  
55 training schools, and conditional release programs and services,  
56 with an overlay of educational, career and technical education  
57 ~~vocational~~, alcohol, drug abuse, and mental health services  
58 where appropriate.

20237014er

59           3. Oversee the establishment of the Florida Scholars  
60 Academy created under s. 985.619.

61           ~~4.3.~~ Provide for program research, development, and  
62 planning.

63           ~~5.4.~~ Develop staffing and workload standards and coordinate  
64 staff development and training.

65           ~~6.5.~~ Develop budget and resource allocation methodologies  
66 and strategies.

67           ~~7.6.~~ Establish program policies and rules and ensure that  
68 those policies and rules encourage cooperation, collaboration,  
69 and information sharing with community partners in the juvenile  
70 justice system to the extent authorized by law.

71           ~~8.7.~~ Develop funding sources external to state government.

72           ~~9.8.~~ Obtain, approve, monitor, and coordinate research and  
73 program development grants.

74           ~~10.9.~~ Enter into contracts.

75           ~~11.10.~~ Monitor all state-funded programs, grants,  
76 appropriations, or activities that are designed to prevent  
77 juvenile crime, delinquency, gang membership, or status offense  
78 behaviors and all state-funded programs, grants, appropriations,  
79 or activities that are designed to prevent a child from becoming  
80 a "child in need of services," as defined in chapter 984, in  
81 order to effect the goals and policies of the State  
82 Comprehensive Plan regarding children and regarding governmental  
83 efficiency, and in order to determine:

84           a. The number of youth served by such state-funded  
85 programs, grants, appropriations, or activities;

86           b. The number of youth who complete such state-funded  
87 programs, grants, appropriations, or activities;

20237014er

88 c. The number and percentage of youth who are referred for  
89 delinquency while participating in such state-funded programs,  
90 grants, appropriations, or activities;

91 d. The number and percentage of youth who are referred for  
92 delinquency within 6 months after completing such state-funded  
93 programs, grants, appropriations, or activities.

94 Section 2. Section 985.619, Florida Statutes, is created to  
95 read:

96 985.619 Florida Scholars Academy.—

97 (1) ESTABLISHMENT.—

98 (a) The department shall establish the Florida Scholars  
99 Academy to deliver educational opportunities to students served  
100 in residential commitment programs under this chapter.

101 (b) Each residential program site established, authorized,  
102 or designated by the department is considered a campus of the  
103 Florida Scholars Academy.

104 (c) Students sentenced by a court to adult facilities under  
105 chapter 944 are not eligible to enroll in the Florida Scholars  
106 Academy.

107 (2) MISSION.—The mission of the Florida Scholars Academy is  
108 to provide a free and appropriate high-quality education to  
109 eligible students within the juvenile justice system, and to  
110 prepare students for gainful employment as productive citizens  
111 upon their reentry into the community. Educational pathways will  
112 include a K-12 education, a high school equivalency diploma, a  
113 career and technical education credential pursuant to s.  
114 1003.4282(10), and enrollment in a degree program at a state  
115 college or university, with an emphasis on attaining an  
116 industry-recognized credential of value from the Master

20237014er

117 Credentials List under s. 445.004(4) (h) .

118 (3) REQUIRED CONTRACTING.—

119 (a) The department shall enter into a contractual agreement  
120 with an education service provider with a proven track record of  
121 success to operate, provide, or supplement full-time instruction  
122 and instructional support services for students to earn a high  
123 school diploma or high school equivalency diploma, enroll in a  
124 degree program at a state college or university, and earn  
125 industry-recognized credentials of value from the Master  
126 Credentials List. The contracted education service provider is  
127 responsible for the administration of all educational services  
128 to students enrolled in the academy.

129 (b) The superintendent of the Florida Scholars Academy must  
130 be approved by the secretary of the department. The  
131 superintendent is responsible for the management and day-to-day  
132 operations of the Florida Scholars Academy.

133 (4) GOVERNING BODY; POWERS AND DUTIES.—

134 (a)1. The Florida Scholars Academy shall be governed by a  
135 board of trustees, composed of the following five members:

136 a. The secretary of the department, or his or her designee.

137 b. Four members appointed by the Governor.

138 2. The secretary of the department or his or her designee  
139 shall be the initial chair of the board and shall serve a term  
140 of 4 years. Members of the board of trustees shall serve without  
141 compensation but may be reimbursed for per diem and travel  
142 expenses pursuant to s. 112.061.

143 (b) The board of trustees shall have the following powers  
144 and duties:

145 1. Meet at least 4 times each year, upon the call of the

20237014er

146 chair, or at the request of a majority of the membership.

147 2. Be responsible for the Florida Scholars Academy's  
148 development of an education delivery system that is cost-  
149 effective, high-quality, educationally sound, and capable of  
150 sustaining an effective delivery system.

151 3.a. Identify appropriate performance measures and  
152 standards based on student achievement which reflect the  
153 school's statutory mission and priorities, and implement an  
154 accountability system approved by the State Board of Education  
155 for the school by the 2024-2025 school year which includes an  
156 assessment of its effectiveness and efficiency in providing  
157 quality services that encourage high student achievement,  
158 seamless articulation, and maximum access to career  
159 opportunities.

160 b. For the 2024-2025 school year, the results of the  
161 accountability system must serve as an informative baseline for  
162 the academy as it works to improve performance in future years.

163 4. Administer and maintain the educational programs of the  
164 Florida Scholars Academy in accordance with law and department  
165 rules, in consultation with the State Board of Education.

166 5. With the approval of the secretary of the department or  
167 his or her designee, determine the compensation, including  
168 salaries and fringe benefits, and other conditions of employment  
169 for such personnel, in alignment with the Florida Scholars  
170 Academy's provider contracts.

171 6. The employment of all Florida Scholars Academy  
172 administrative and instructional personnel are subject to  
173 rejection for cause by the secretary of the department or his or  
174 her designee and are subject to policies established by the

20237014er

175 board of trustees.

176 7. Provide for the content and custody of student records  
177 in compliance with s. 1002.22.

178 8. Maintain the financial records and accounts of the  
179 Florida Scholars Academy in compliance with rules adopted by the  
180 State Board of Education for the uniform system of financial  
181 records and accounts for the schools of this state.

182 9. Is a body corporate with all the powers of a body  
183 corporate and may exercise such authority as is needed for the  
184 proper operation and improvement of the Florida Scholars  
185 Academy. The board of trustees is specifically authorized to  
186 adopt rules, policies, and procedures, consistent with law and  
187 State Board of Education rules related to governance, personnel,  
188 budget and finance, administration, programs, curriculum and  
189 instruction, travel and purchasing, technology, students,  
190 contracts and grants, and property as necessary for optimal,  
191 efficient operation of the Florida Scholars Academy.

192 (5) FUNDING.—

193 (a)1. Subject to appropriation, funding may be provided for  
194 the operational and instructional services for students enrolled  
195 in the Florida Scholars Academy.

196 2. The Florida Scholars Academy may receive all federal  
197 funds for which it is eligible.

198 (b) The secretary of the department shall prepare and  
199 submit a legislative budget request on behalf of the Florida  
200 Scholars Academy as part of the department's legislative budget  
201 request. The request of funds may be for operating and fixed  
202 capital outlay, in accordance with chapter 216.

203 (c) The fiscal year for the Florida Scholars Academy is the

20237014er

204 fiscal year of the state as defined in s. 216.011(1) (o).

205 (6) STATE CREDIT LIMITATION.—The credit of the state may  
206 not be pledged under any circumstance on behalf of the Florida  
207 Scholars Academy.

208 (7) ANNUAL AUDIT.—

209 (a) The Florida Scholars Academy must have an annual  
210 financial audit of its accounts and records conducted by an  
211 independent auditor who is a certified public accountant  
212 licensed under chapter 473. The independent auditor shall  
213 conduct the audit in accordance with rules adopted by the  
214 Auditor General pursuant to s. 11.45 and shall, upon completion  
215 of the audit, prepare an audit report in accordance with such  
216 rules.

217 (b) The independent auditor shall submit the audit report  
218 to the board of trustees and the Auditor General not later than  
219 9 months after the end of the preceding fiscal year.

220 (c) The board of trustees shall respond to recommendations  
221 included in the audit report or received directly from the  
222 Auditor General with evidence of corrective action within 45  
223 days after receipt of the recommendations.

224 (8) RULEMAKING.—The department may establish rules to  
225 implement this section.

226 Section 3. Subsection (6) is added to section 1000.04,  
227 Florida Statutes, to read:

228 1000.04 Components for the delivery of public education  
229 within the Florida Early Learning-20 education system.—Florida's  
230 Early Learning-20 education system provides for the delivery of  
231 early learning and public education through publicly supported  
232 and controlled K-12 schools, Florida College System



20237014er

233 institutions, state universities and other postsecondary  
234 educational institutions, other educational institutions, and  
235 other educational services as provided or authorized by the  
236 Constitution and laws of the state.

237 (6) FLORIDA SCHOLARS ACADEMY.—The Florida Scholars Academy  
238 is a component of the delivery of public education within the  
239 Florida Early Learning-20 education system.

240 Section 4. Section 1013.53, Florida Statutes, is amended to  
241 read:

242 1013.53 Cooperative development of educational facilities  
243 in juvenile justice programs.—

244 (1) The Department of Juvenile Justice shall provide early  
245 notice to school districts regarding the siting of new juvenile  
246 justice detention facilities. School districts shall include the  
247 projected number of students in the districts' annual estimates.  
248 School districts must be consulted regarding the types of  
249 students expected to be assigned to detention ~~commitment~~  
250 facilities for education planning and budgeting purposes.

251 (2) The Department of Juvenile Justice shall notify, in  
252 writing, the Department of Education when a request for  
253 proposals is issued for the construction or operation of a  
254 ~~commitment~~ ~~or~~ detention facility anywhere in this ~~the~~ state. The  
255 Department of Juvenile Justice shall notify, in writing, the  
256 appropriate school district when a request for proposals is  
257 issued for the construction or operation of a ~~commitment~~ ~~or~~  
258 detention facility when a county or site is specifically  
259 identified.

260 (3) The Department of Juvenile Justice shall also notify  
261 the district school superintendent within 30 days after:

20237014er

262 (a) The award of a contract for the construction or  
263 operation of a ~~commitment or~~ detention facility within that  
264 school district.

265 (b) Obtaining a permit to begin construction of a new  
266 detention ~~or commitment~~ facility within that school district.

267 Section 5. For the 2023-2024 fiscal year, the recurring sum  
268 of \$12 million is appropriated from the General Revenue Fund to  
269 the Department of Juvenile Justice for the purpose of carrying  
270 out this act.

271 Section 6. This act shall take effect July 1, 2023.