

26 20.316 Department of Juvenile Justice.—There is created a
 27 Department of Juvenile Justice.

28 (1) SECRETARY OF JUVENILE JUSTICE.—

29 (c) The Secretary of Juvenile Justice shall:

30 1. Ensure that juvenile justice continuum programs and
 31 services are implemented according to legislative intent; state
 32 and federal laws, rules, and regulations; statewide program
 33 standards; and performance objectives by reviewing and
 34 monitoring regional and circuit program operations and providing
 35 technical assistance to those programs.

36 2. Identify the need for and recommend the funding and
 37 implementation of an appropriate mix of programs and services
 38 within the juvenile justice continuum, including prevention,
 39 diversion, nonresidential and residential commitment programs,
 40 training schools, and conditional release programs and services,
 41 with an overlay of educational, career and technical education
 42 ~~vocational~~, alcohol, drug abuse, and mental health services
 43 where appropriate.

44 3. Oversee the establishment of the Florida Scholars
 45 Academy pursuant to s. 985.619.

46 ~~4.3.~~ Provide for program research, development, and
 47 planning.

48 ~~5.4.~~ Develop staffing and workload standards and
 49 coordinate staff development and training.

50 ~~6.5.~~ Develop budget and resource allocation methodologies

51 and strategies.

52 ~~7.6.~~ Establish program policies and rules and ensure that
53 those policies and rules encourage cooperation, collaboration,
54 and information sharing with community partners in the juvenile
55 justice system to the extent authorized by law.

56 ~~8.7.~~ Develop funding sources external to state government.

57 ~~9.8.~~ Obtain, approve, monitor, and coordinate research and
58 program development grants.

59 ~~10.9.~~ Enter into contracts.

60 ~~11.10.~~ Monitor all state-funded programs, grants,
61 appropriations, or activities that are designed to prevent
62 juvenile crime, delinquency, gang membership, or status offense
63 behaviors and all state-funded programs, grants, appropriations,
64 or activities that are designed to prevent a child from becoming
65 a "child in need of services," as defined in chapter 984, in
66 order to effect the goals and policies of the State
67 Comprehensive Plan regarding children and regarding governmental
68 efficiency, and in order to determine:

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

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

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

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

79 Section 2. Section 985.619, Florida Statutes, is created
 80 to read:

81 985.619 Florida Scholars Academy.-

82 (1)(a) The department shall establish the Florida Scholars
 83 Academy within the department to deliver educational
 84 opportunities for students serving in residential commitment
 85 programs under this chapter.

86 (b) Each residential program site established, authorized,
 87 or designated by the department shall be considered a campus of
 88 the Florida Scholars Academy.

89 (c) Students sentenced to adult facilities under chapter
 90 944 are not eligible to enroll in the Florida Scholars Academy.

91 (2) The mission of the academy is to provide a free and
 92 appropriate high-quality education for eligible students within
 93 the juvenile justice system. The academy shall provide students
 94 with greater access to secondary and postsecondary educational
 95 opportunities than is presently available, including pathways to
 96 attain a high school diploma, including the career and technical
 97 education graduation pathway option pursuant to s.

98 1003.4282(10), a high school equivalency diploma, enroll in a
 99 degree program at a state college or university, and earn an
 100 industry-recognized credential of value from the Master

101 Credentials List under s. 445.004(4)(h), to prepare students for
102 gainful employment as productive citizens upon their exit from
103 the juvenile justice system.

104 (3)(a) The department shall enter into a contractual
105 agreement with an education service provider with a proven track
106 record of success to operate, provide, or supplement full-time
107 instruction and instructional support services for students to
108 earn a high school diploma or high school equivalency diploma,
109 enroll in a degree program at a state college or university, and
110 earn industry-recognized credentials of value from the Master
111 Credentials List. The contracted education service provider
112 shall be responsible for the administration of all educational
113 services to students enrolled in the academy.

114 (b) The secretary shall appoint the superintendent of the
115 Florida Scholars Academy. The superintendent shall be
116 responsible for the management and day-to-day operation of the
117 Florida Scholars Academy.

118 (4)(a) The Florida Scholars Academy shall be governed by a
119 board of trustees. Board members shall serve a term of 4 years.
120 The board shall be composed of five members:

- 121 1. The secretary of the department or his or her designee.
- 122 2. The superintendent of the Florida Scholars Academy.
- 123 3. Three members appointed by the governor.

124 (b) The board of trustees shall have the following powers
125 and duties:

126 1. Meet at least 4 times each year, upon the call of the
127 chair, or at the request of a majority of the membership.

128 2. Be responsible for the development of an education
129 delivery system by the Florida Scholars Academy's development
130 that is cost-effective, high-quality, educationally sound, and
131 sustainable.

132 3.a. Identify appropriate performance measures and
133 standards based on student achievement that reflect the school's
134 statutory mission and priorities, and shall implement an
135 accountability system approved by the State Board of Education
136 for the school by the 2024-2025 school year that includes an
137 assessment of the academy's effectiveness and efficiency in
138 providing quality services that encourage high student
139 achievement, seamless articulation, and maximum access to career
140 opportunities.

141 b. For the 2024-2025 school year, the results of the
142 accountability system shall serve as an informative baseline for
143 the academy to work toward improved performance in future years.

144 4. Administer and maintain the educational programs of the
145 Florida Scholars Academy in accordance with law and with the
146 rules established by the department, in consultation with the
147 State Board of Education.

148 5. With the approval of the secretary or his or her
149 designee, determine the compensation, including salaries and
150 fringe benefits, and other conditions of employment for such

151 personnel, in alignment with the Florida Scholars Academy's
152 provider contracts.

153 6. Review the hiring of all Florida Scholars Academy
154 administrative and instructional personnel, shall be subject to
155 rejection for cause by the secretary or his or her designee and
156 shall be subject to policies established by the board of
157 trustees.

158 7. Provide for the content and custody of student records
159 pursuant to s. 1002.22.

160 8. Maintain the financial records and accounts of the
161 Florida Scholars Academy shall be maintained under rules adopted
162 by the State Board of Education for the uniform system of
163 financial records and accounts for the schools of the state.

164 9. Select a chair. Initially, the secretary or his or her
165 designee shall serve as chair.

166 (c) Members of the board of trustees shall serve without
167 compensation but may be reimbursed for per diem and travel
168 expenses pursuant to s. 112.061.

169 (d) The board of trustees shall be a body corporate with
170 all the powers of a body corporate and such authority as is
171 needed for the proper operation and improvement of the Florida
172 Scholars Academy. The board of trustees may adopt rules,
173 policies, and procedures, consistent with law and the rules of
174 the State Board of Education relating to governance, personnel,
175 budget and finance, administration, programs, curriculum and

176 instruction, travel and purchasing, technology, students,
177 contracts and grants, and property as necessary for optimal,
178 efficient operation of the Florida Scholars Academy.

179 (5) FUNDING.-

180 (a)1. Funding for the operational and instructional
181 services for all students enrolled in the Florida Scholars
182 Academy shall be provided through the General Appropriations
183 Act.

184 2. The Florida Scholars Academy shall receive all federal
185 funds for which it is eligible.

186 (b) The secretary shall prepare and submit a legislative
187 budget request on behalf of the Florida Scholars Academy as part
188 of the department's legislative budget request. The request of
189 funds may be for operation and fixed capital outlay, in
190 accordance with chapter 216.

191 (c) The fiscal year for the Florida Scholars Academy shall
192 be the fiscal year of the state, as defined in s. 216.011(1)(o).

193 (d) Notwithstanding the provisions of s. 216.301 and
194 pursuant to s. 216.351, all unexpended funds appropriated for
195 the Florida Scholars Academy shall be carried forward and
196 included as the balance forward for that fund in the approved
197 operating budget for the following year.

198 (e)1. The Florida Scholars Academy shall maintain a
199 minimum general fund ending fund balance of 3 percent that is
200 sufficient to address normal contingencies.

201 2. If at any time the portion of the general fund's ending
 202 fund balance not classified as restricted, committed, or
 203 nonspendable in the Florida Scholars Academy's approved
 204 operating budget is projected to fall below 2 percent of
 205 projected general fund revenues during the current fiscal year,
 206 the secretary or his or her designee shall provide written
 207 notification to the Commissioner of Education. Within 14 days
 208 after receiving such notification, if the commissioner
 209 determines that the Florida Scholars Academy does not have a
 210 plan that is reasonably anticipated to avoid a financial
 211 emergency as determined pursuant to s. 218.503, the commissioner
 212 shall appoint a financial emergency board that shall operate
 213 under the requirements, powers, and duties specified in s.
 214 218.503(3)(g).

215 (6) The credit of the state may not be pledged on behalf
 216 of the Florida Scholars Academy.

217 (7) ANNUAL AUDIT.—

218 (a) The Florida Scholars Academy shall have an annual
 219 financial audit of its accounts and records conducted by an
 220 independent auditor who is a certified public accountant
 221 licensed under chapter 473. The independent auditor shall
 222 conduct the audit in accordance with rules adopted by the
 223 Auditor General pursuant to s. 11.45 and, upon completion of the
 224 audit, shall prepare an audit report in accordance with such
 225 rules. The audit report must include a written statement by the

226 board of trustees describing corrective action to be taken in
227 response to each of the independent auditor's recommendations
228 included in the audit report.

229 (b) The independent auditor shall submit the audit report
230 to the board of trustees and the Auditor General no later than 9
231 months after the end of the preceding fiscal year.

232 (8) The department may establish rules to implement this
233 section.

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

236 1000.04 Components for the delivery of public education
237 within the Florida Early Learning-20 education system.—Florida's
238 Early Learning-20 education system provides for the delivery of
239 early learning and public education through publicly supported
240 and controlled K-12 schools, Florida College System
241 institutions, state universities and other postsecondary
242 educational institutions, other educational institutions, and
243 other educational services as provided or authorized by the
244 Constitution and laws of the state.

245 (6) THE FLORIDA SCHOLARS ACADEMY.—The Florida Scholars
246 Academy is a component of the delivery of public education
247 within Florida's Early Learning-20 education system.

248 Section 4. Section 1013.53, Florida Statutes, is amended
249 to read:

250 1013.53 Cooperative development of educational facilities

251 in juvenile justice programs.—

252 (1) The Department of Juvenile Justice shall provide early
253 notice to school districts regarding the siting of new juvenile
254 justice detention facilities. School districts shall include the
255 projected number of students in the districts' annual estimates.
256 School districts must be consulted regarding the types of
257 students expected to be assigned to detention ~~commitment~~
258 facilities for education planning and budgeting purposes.

259 (2) The Department of Juvenile Justice shall notify, in
260 writing, the Department of Education when a request for
261 proposals is issued for the construction or operation of a
262 ~~commitment~~ or detention facility anywhere in the state. The
263 Department of Juvenile Justice shall notify, in writing, the
264 appropriate school district when a request for proposals is
265 issued for the construction or operation of a ~~commitment~~ or
266 detention facility when a county or site is specifically
267 identified.

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

270 (a) The award of a contract for the construction or
271 operation of a ~~commitment~~ or detention facility within that
272 school district.

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

275 Section 5. There is hereby appropriated for the 2023-2024

HB 939

2023

276 | fiscal year from the General Revenue Fund to the Department of
277 | Juvenile Justice the recurring sum of \$12,000,000 for the
278 | purpose of carrying out the provisions of this act.

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