

1 A bill to be entitled

2 An act relating to the Florida Scholars Academy;
3 amending s. 20.316, F.S.; conforming provisions to
4 changes made by the act; creating s. 985.619, F.S.;
5 creating the Florida Scholars Academy within the
6 Department of Juvenile Justice; providing the mission
7 of the academy; providing for admission of students;
8 requiring the department to contract for certain
9 services; providing for appointment of a
10 superintendent; providing for appointment of a board
11 of trustees; providing the powers and duties of the
12 board; providing for funding of the academy; requiring
13 an annual audit; amending s. 1000.04, F.S.; providing
14 that the academy is a component of the delivery of
15 public education within Florida's Early Learning-20
16 education system; amending s. 1013.53, F.S.; revising
17 provisions concerning cooperative development of
18 educational facilities in juvenile justice programs;
19 providing an appropriation; providing an effective
20 date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 Section 1. Paragraph (c) of subsection (1) of section
25 20.316, Florida Statutes, is amended to read:

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 and to prepare students for gainful
 94 employment as productive citizens upon their reentry into the
 95 community. Educational pathways will include a K-12 education, a
 96 high school equivalency diploma, a career and technical
 97 education credential pursuant to s. 1003.4282(10), and
 98 enrollment in a degree program at a state college or university,
 99 with an emphasis on attaining an industry-recognized credential
 100 of value from the Master Credentials List under s.

101 445.004(4)(h).

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

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

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

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

122 (b) The board of trustees shall have the following powers
123 and duties:

- 124 1. To meet at least 4 times each year, upon the call of
125 the chair, or at the request of a majority of the membership.

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

130 3. To identify appropriate performance measures and
131 standards based on student achievement that reflect the Florida
132 Scholars Academy's statutory mission and priorities, and to
133 implement an accountability system approved by the State Board
134 of Education for the Florida Scholars Academy by the 2024-2025
135 school year that includes an assessment of the academy's
136 effectiveness and efficiency in providing quality services that
137 encourage high student achievement, seamless articulation, and
138 maximum access to career opportunities. For the 2024-2025 school
139 year, the results of the accountability system shall serve as an
140 informative baseline for the academy to work toward improved
141 performance in future years.

142 4. To administer and maintain the educational programs of
143 the Florida Scholars Academy in accordance with law and with the
144 rules established by the department, in consultation with the
145 State Board of Education.

146 5. To determine, with the approval of the secretary or his
147 or her designee, the compensation, including salaries and fringe
148 benefits, and other conditions of employment for academy
149 personnel, in alignment with the Florida Scholars Academy's
150 provider contracts.

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

156 7. To provide for the content and custody of student
157 records pursuant to s. 1002.22.

158 8. To maintain the financial records and accounts of the
159 Florida Scholars Academy, which shall be maintained under rules
160 adopted by the State Board of Education for the uniform system
161 of financial records and accounts for the schools of the state.

162 9. To select a chair. Initially, the secretary or his or
163 her designee shall serve as chair.

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

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

176 and efficient operation of the Florida Scholars Academy.

177 (5) FUNDING.-

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

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

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

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

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

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

199 2. If at any time the portion of the general fund's ending
200 fund balance not classified as restricted, committed, or

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

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

215 (7) ANNUAL AUDIT.—

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

224 (b) The independent auditor shall submit the audit report
225 to the board of trustees and the Auditor General no later than 9

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226 months after the end of the preceding fiscal year.

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

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

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

235 1000.04 Components for the delivery of public education
236 within the Florida Early Learning-20 education system.—Florida's
237 Early Learning-20 education system provides for the delivery of
238 early learning and public education through publicly supported
239 and controlled K-12 schools, Florida College System
240 institutions, state universities and other postsecondary
241 educational institutions, other educational institutions, and
242 other educational services as provided or authorized by the
243 Constitution and laws of the state.

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

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

249 1013.53 Cooperative development of educational facilities
250 in juvenile justice programs.—

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

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

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

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

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

274 Section 5. There is hereby appropriated for the 2023-2024
 275 fiscal year from the General Revenue Fund to the Department of

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276 | Juvenile Justice the recurring sum of \$12,000,000 for the
277 | purpose of carrying out the provisions of this act.

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