

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

193 (7) ANNUAL AUDIT.-

194 (a) The Florida Scholars Academy shall have an annual  
195 financial audit of its accounts and records conducted by an  
196 independent auditor who is a certified public accountant  
197 licensed under chapter 473. The independent auditor shall  
198 conduct the audit in accordance with rules adopted by the  
199 Auditor General pursuant to s. 11.45 and, upon completion of the  
200 audit, shall prepare an audit report in accordance with such



201 rules.

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

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

209 (8) The department may establish rules to implement this  
 210 section.

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

213 1000.04 Components for the delivery of public education  
 214 within the Florida Early Learning-20 education system.—Florida's  
 215 Early Learning-20 education system provides for the delivery of  
 216 early learning and public education through publicly supported  
 217 and controlled K-12 schools, Florida College System  
 218 institutions, state universities and other postsecondary  
 219 educational institutions, other educational institutions, and  
 220 other educational services as provided or authorized by the  
 221 Constitution and laws of the state.

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

225 Section 4. Section 1013.53, Florida Statutes, is amended

226 | to read:

227 |       1013.53 Cooperative development of educational facilities  
228 | in juvenile justice programs.—

229 |       (1) The Department of Juvenile Justice shall provide early  
230 | notice to school districts regarding the siting of new juvenile  
231 | justice detention facilities. School districts shall include the  
232 | projected number of students in the districts' annual estimates.  
233 | School districts must be consulted regarding the types of  
234 | students expected to be assigned to detention ~~commitment~~  
235 | facilities for education planning and budgeting purposes.

236 |       (2) The Department of Juvenile Justice shall notify, in  
237 | writing, the Department of Education when a request for  
238 | proposals is issued for the construction or operation of a  
239 | ~~commitment~~ or detention facility anywhere in the state. The  
240 | Department of Juvenile Justice shall notify, in writing, the  
241 | appropriate school district when a request for proposals is  
242 | issued for the construction or operation of a ~~commitment~~ or  
243 | detention facility when a county or site is specifically  
244 | identified.

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

247 |       (a) The award of a contract for the construction or  
248 | operation of a ~~commitment~~ or detention facility within that  
249 | school district.

250 |       (b) Obtaining a permit to begin construction of a new

CS/CS/HB 939

2023

251 | detention ~~or commitment~~ facility within that school district.

252 |       Section 5. There is hereby appropriated for the 2023-2024  
253 | fiscal year from the General Revenue Fund to the Department of  
254 | Juvenile Justice the recurring sum of \$12,000,000 for the  
255 | purpose of carrying out the provisions of this act.

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