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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/25/2024	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (a) of subsection (2) of section
330.41, Florida Statutes, is amended to read:

330.41 Unmanned Aircraft Systems Act.—

(2) DEFINITIONS.—As used in this act, the term:

(a) "Critical infrastructure facility" means any of the
following, if completely enclosed by a fence or other physical



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11 barrier that is obviously designed to exclude intruders, or if
12 clearly marked with a sign or signs which indicate that entry is
13 forbidden and which are posted on the property in a manner
14 reasonably likely to come to the attention of intruders:

15 1. A power generation or transmission facility, substation,
16 switching station, or electrical control center.

17 2. A chemical or rubber manufacturing or storage facility.

18 3. A water intake structure, water treatment facility,
19 wastewater treatment plant, or pump station.

20 4. A mining facility.

21 5. A natural gas or compressed gas compressor station,
22 storage facility, or natural gas or compressed gas pipeline.

23 6. A liquid natural gas or propane gas terminal or storage
24 facility.

25 7. Any portion of an aboveground oil or gas pipeline.

26 8. A refinery.

27 9. A gas processing plant, including a plant used in the
28 processing, treatment, or fractionation of natural gas.

29 10. A wireless communications facility, including the
30 tower, antennae, support structures, and all associated ground-
31 based equipment.

32 11. A seaport as listed in s. 311.09(1), which need not be
33 completely enclosed by a fence or other physical barrier and
34 need not be marked with a sign or signs indicating that entry is
35 forbidden.

36 12. An inland port or other facility or group of facilities
37 serving as a point of intermodal transfer of freight in a
38 specific area physically separated from a seaport.

39 13. An airport as defined in s. 330.27.



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40 14. A spaceport territory as defined in s. 331.303(18).

41 15. A military installation as defined in 10 U.S.C. s.
42 2801(c)(4) and an armory as defined in s. 250.01.

43 16. A dam as defined in s. 373.403(1) or other structures,
44 such as locks, floodgates, or dikes, which are designed to
45 maintain or control the level of navigable waterways.

46 17. A state correctional institution as defined in s.
47 944.02 or a private correctional facility authorized under
48 chapter 957.

49 18. A secure detention center or facility as defined in s.
50 985.03, or a moderate-risk ~~nonsecure~~ residential facility, a
51 high-risk residential facility, or a maximum-risk residential
52 facility as those terms are described in s. 985.03(44).

53 19. A county detention facility as defined in s. 951.23.

54 20. A critical infrastructure facility as defined in s.
55 692.201.

56 Section 2. Paragraph (d) is added to subsection (4) of
57 section 381.887, Florida Statutes, to read:

58 381.887 Emergency treatment for suspected opioid overdose.—

59 (4) The following persons are authorized to possess, store,
60 and administer emergency opioid antagonists as clinically
61 indicated and are immune from any civil liability or criminal
62 liability as a result of administering an emergency opioid
63 antagonist:

64 (d) Personnel of the Department of Juvenile Justice and of
65 any contracted provider with direct contact with youth
66 authorized under chapters 984 and 985.

67 Section 3. Paragraphs (c) and (j) of subsection (3),
68 paragraph (a) of subsection (10), and paragraph (f) of



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69 subsection (12) of section 553.865, Florida Statutes, are
70 amended to read:

71 553.865 Private spaces.—

72 (3) As used in this section, the term:

73 (c) "Covered entity" means any:

74 1. Correctional institution;

75 2. Detention facility;

76 3. Educational institution;

77 4. Maximum risk residential facility ~~juvenile correctional~~

78 ~~facility or juvenile prison~~ as described in s. 985.465, any

79 detention center or facility designated by the Department of

80 Juvenile Justice to provide secure detention as defined in s.

81 985.03(18) (a), and any facility used for a residential program

82 as described in s. 985.03(44) ~~985.03(44) (b), (c), or (d)~~; or

83 5. Public building.

84 (j) "Public building" means a building comfort-conditioned

85 for occupancy which is owned or leased by the state, a state

86 agency, or a political subdivision. The term does not include a

87 correctional institution, a detention facility, an educational

88 institution, a maximum risk residential facility ~~juvenile~~

89 ~~correctional facility or juvenile prison~~ as described in s.

90 985.465, a detention center or facility designated by the

91 Department of Juvenile Justice to provide secure detention as

92 defined in s. 985.03(18) (a), or any facility used for a

93 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~

94 ~~(c), or (d)~~.

95 (10) (a) Each maximum risk residential facility ~~juvenile~~

96 ~~correctional facility or juvenile prison~~ as described in s.

97 985.465, each detention center or facility designated by the



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98 Department of Juvenile Justice to provide secure detention as
99 defined in s. 985.03(18) (a), and each facility used for a
100 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~
101 ~~(c), or (d)~~ shall establish disciplinary procedures for any
102 juvenile as defined in s. 985.03(7) who willfully enters, for a
103 purpose other than those listed in subsection (6), a restroom or
104 changing facility designated for the opposite sex in such
105 maximum risk residential facility ~~juvenile correctional~~
106 ~~facility, juvenile prison,~~ secure detention center or facility,
107 or residential program facility and refuses to depart when asked
108 to do so by delinquency program staff, detention staff, or
109 residential program staff.

110 (12) A covered entity that is:

111 (f) A maximum risk residential facility ~~juvenile~~
112 ~~correctional facility or juvenile prison~~ as described in s.
113 985.465, a detention center or facility designated by the
114 Department of Juvenile Justice to provide secure detention as
115 defined in s. 985.03(18) (a), or a facility used for a
116 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~
117 ~~(c), or (d)~~ shall submit documentation to the Department of
118 Juvenile Justice regarding compliance with subsections (4) and
119 (5), as applicable, within 1 year after being established or, if
120 such institution or facility was established before July 1,
121 2023, no later than April 1, 2024.

122 Section 4. Paragraph (c) of subsection (4) of section
123 790.22, Florida Statutes, is amended to read:

124 790.22 Use of BB guns, air or gas-operated guns, or
125 electric weapons or devices by minor under 16; limitation;
126 possession of firearms by minor under 18 prohibited; penalties.-



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(4)

128 (c) The ~~juvenile justice circuit advisory boards or the~~
129 Department of Juvenile Justice shall establish appropriate
130 community service programs to be available to the alternative
131 sanctions coordinators of the circuit courts in implementing
132 this subsection. The ~~boards or~~ department shall propose the
133 implementation of a community service program in each circuit,
134 and may submit a circuit plan, to be implemented upon approval
135 of the circuit alternative sanctions coordinator.

136 Section 5. Subsection (4) of section 938.17, Florida
137 Statutes, is amended to read:

138 938.17 County delinquency prevention; juvenile assessment
139 centers and school board suspension programs.—

140 (4) A sheriff's office that receives proceeds pursuant to
141 s. 939.185 shall account for all funds annually by August 1 in a
142 written report to the Department of Juvenile Justice ~~juvenile~~
143 ~~justice circuit advisory board~~ if funds are used for assessment
144 centers, and to the district school board if funds are used for
145 suspension programs.

146 Section 6. Subsection (1) of section 943.0515, Florida
147 Statutes, is amended to read:

148 943.0515 Retention of criminal history records of minors.—

149 (1) (a) The Criminal Justice Information Program shall
150 retain the criminal history record of a minor who is classified
151 as a serious or habitual juvenile offender or committed to a
152 maximum risk residential facility ~~juvenile correctional facility~~
153 ~~or juvenile prison~~ under chapter 985 for 5 years after the date
154 the offender reaches 21 years of age, at which time the record
155 shall be expunged unless it meets the criteria of paragraph



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156 (2) (a) or paragraph (2) (b) .

157 (b)1. If the minor is not classified as a serious or
158 habitual juvenile offender or committed to a maximum risk
159 residential facility ~~juvenile correctional facility or juvenile~~
160 ~~prison~~ under chapter 985, the program shall retain the minor's
161 criminal history record for 2 years after the date the minor
162 reaches 19 years of age, at which time the record shall be
163 expunged unless it meets the criteria of paragraph (2) (a) or
164 paragraph (2) (b) .

165 2. A minor described in subparagraph 1. may apply to the
166 department to have his or her criminal history record expunged
167 before the minor reaches 21 years of age. To be eligible for
168 expunction under this subparagraph, the minor must be 18 years
169 of age or older and less than 21 years of age and have not been
170 charged by the state attorney with or found to have committed
171 any criminal offense within the 5-year period before the
172 application date. The only offenses eligible to be expunged
173 under this subparagraph are those that the minor committed
174 before the minor reached 18 years of age. A criminal history
175 record expunged under this subparagraph requires the approval of
176 the state attorney for each circuit in which an offense
177 specified in the criminal history record occurred. A minor
178 seeking to expunge a criminal history record under this
179 subparagraph shall apply to the department for expunction in the
180 manner prescribed by rule. An application for expunction under
181 this subparagraph shall include:

182 a. A processing fee of \$75 to the department for placement
183 in the Department of Law Enforcement Operating Trust Fund,
184 unless such fee is waived by the executive director.



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185 b. A full set of fingerprints of the applicant taken by a
186 law enforcement agency for purposes of identity verification.

187 c. A sworn, written statement from the minor seeking relief
188 that he or she is no longer under court supervision applicable
189 to the disposition of the arrest or alleged criminal activity to
190 which the application to expunge pertains and that he or she has
191 not been charged with or found to have committed a criminal
192 offense, in any jurisdiction of the state or within the United
193 States, within the 5-year period before the application date. A
194 person who knowingly provides false information on the sworn
195 statement required by this sub-subparagraph commits a
196 misdemeanor of the first degree, punishable as provided in s.
197 775.082 or s. 775.083.

198 3. A minor who applies, but who is not approved for early
199 expunction in accordance with subparagraph 2., shall have his or
200 her criminal history record expunged at age 21 if eligible under
201 subparagraph 1.

202 Section 7. Subsection (2) of section 948.51, Florida
203 Statutes, is amended to read:

204 948.51 Community corrections assistance to counties or
205 county consortiums.—

206 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A
207 county, or a consortium of two or more counties, may contract
208 with the Department of Corrections for community corrections
209 funds as provided in this section. In order to enter into a
210 community corrections partnership contract, a county or county
211 consortium must have a public safety coordinating council
212 established under s. 951.26 and must designate a county officer
213 or agency to be responsible for administering community



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214 corrections funds received from the state. The public safety
215 coordinating council shall prepare, develop, and implement a
216 comprehensive public safety plan for the county, or the
217 geographic area represented by the county consortium, and shall
218 submit an annual report to the Department of Corrections
219 concerning the status of the program. In preparing the
220 comprehensive public safety plan, the public safety coordinating
221 council shall cooperate with the Department of Juvenile Justice
222 ~~juvenile justice circuit advisory board established under s.~~
223 ~~985.664~~ in order to include programs and services for juveniles
224 in the plan. To be eligible for community corrections funds
225 under the contract, the initial public safety plan must be
226 approved by the governing board of the county, or the governing
227 board of each county within the consortium, and the Secretary of
228 Corrections based on the requirements of this section. If one or
229 more other counties develop a unified public safety plan, the
230 public safety coordinating council shall submit a single
231 application to the department for funding. Continued contract
232 funding shall be pursuant to subsection (5). The plan for a
233 county or county consortium must cover at least a 5-year period
234 and must include:

235 (a) A description of programs offered for the job placement
236 and treatment of offenders in the community.

237 (b) A specification of community-based intermediate
238 sentencing options to be offered and the types and number of
239 offenders to be included in each program.

240 (c) Specific goals and objectives for reducing the
241 projected percentage of commitments to the state prison system
242 of persons with low total sentencing scores pursuant to the



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243 Criminal Punishment Code.

244 (d) Specific evidence of the population status of all
245 programs which are part of the plan, which evidence establishes
246 that such programs do not include offenders who otherwise would
247 have been on a less intensive form of community supervision.

248 (e) The assessment of population status by the public
249 safety coordinating council of all correctional facilities owned
250 or contracted for by the county or by each county within the
251 consortium.

252 (f) The assessment of bed space that is available for
253 substance abuse intervention and treatment programs and the
254 assessment of offenders in need of treatment who are committed
255 to each correctional facility owned or contracted for by the
256 county or by each county within the consortium.

257 (g) A description of program costs and sources of funds for
258 each community corrections program, including community
259 corrections funds, loans, state assistance, and other financial
260 assistance.

261 Section 8. Paragraph (h) of subsection (1) and subsection
262 (7) of section 985.02, Florida Statutes, are amended to read:

263 985.02 Legislative intent for the juvenile justice system.—

264 (1) GENERAL PROTECTIONS FOR CHILDREN.—It is a purpose of
265 the Legislature that the children of this state be provided with
266 the following protections:

267 (h) Sex-specific ~~Gender-specific~~ programming and sex-
268 specific ~~gender-specific~~ program models and services that
269 comprehensively address the needs of either sex ~~a targeted~~
270 ~~gender group~~.

271 (7) SEX-SPECIFIC ~~GENDER-SPECIFIC~~ PROGRAMMING.—



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272 (a) The Legislature finds that the needs of children served
273 by the juvenile justice system are sex-specific ~~gender-specific~~.
274 A sex-specific ~~gender-specific~~ approach is one in which
275 programs, services, and treatments comprehensively address the
276 unique developmental needs of either sex ~~a targeted gender group~~
277 under the care of the department. Young women and men have
278 different pathways to delinquency, display different patterns of
279 offending, and respond differently to interventions, treatment,
280 and services.

281 (b) Sex-specific ~~Gender-specific~~ interventions focus on the
282 differences between young females' and young males' social roles
283 and responsibilities, access to and use of resources, history of
284 trauma, and reasons for interaction with the juvenile justice
285 system. Sex-specific ~~Gender-specific~~ programs increase the
286 effectiveness of programs by making interventions more
287 appropriate to the specific needs of young women and men and
288 ensuring that these programs do not unknowingly create,
289 maintain, or reinforce sex ~~gender~~ roles or relations that may be
290 damaging.

291 Section 9. Subsections (46) through (54) of section 985.03,
292 Florida Statutes, are renumbered as subsections (47) through
293 (55), respectively, subsections (14) and (44) and present
294 subsection (50) are amended, and a new subsection (46) is added
295 to that section, to read:

296 985.03 Definitions.—As used in this chapter, the term:

297 (14) "Day treatment" means a nonresidential, community-
298 based program designed to provide therapeutic intervention to
299 youth who are served by the department or, placed on probation
300 or conditional release, ~~or committed to the minimum-risk~~



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301 ~~nonresidential level~~. A day treatment program may provide
302 educational and career and technical education services and
303 shall provide case management services; individual, group, and
304 family counseling; training designed to address delinquency risk
305 factors; and monitoring of a youth's compliance with, and
306 facilitation of a youth's completion of, sanctions if ordered by
307 the court. Program types may include, but are not limited to,
308 career programs, marine programs, juvenile justice alternative
309 schools, training and rehabilitation programs, and sex-specific
310 ~~gender-specific~~ programs.

311 (44) "Restrictiveness level" means the level of programming
312 and security provided by programs that service the supervision,
313 custody, care, and treatment needs of committed children.
314 Sections 985.601(10) and 985.721 apply to children placed in
315 programs at any residential commitment level. The
316 restrictiveness levels of commitment are as follows:

317 ~~(a) Minimum-risk nonresidential.~~ Programs or program models
318 ~~at this commitment level work with youth who remain in the~~
319 ~~community and participate at least 5 days per week in a day~~
320 ~~treatment program. Youth assessed and classified for programs at~~
321 ~~this commitment level represent a minimum risk to themselves and~~
322 ~~public safety and do not require placement and services in~~
323 ~~residential settings. Youth in this level have full access to,~~
324 ~~and reside in, the community. Youth who have been found to have~~
325 ~~committed delinquent acts that involve firearms, that are sexual~~
326 ~~offenses, or that would be life felonies or first degree~~
327 ~~felonies if committed by an adult may not be committed to a~~
328 ~~program at this level.~~

329 (a)(b) Moderate-risk Nonsecure residential.—Programs or



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330 program models at this commitment level are residential but may
331 allow youth to have supervised access to the community.
332 Facilities at this commitment level are either environmentally
333 secure, staff secure, or are hardware-secure with walls,
334 fencing, or locking doors. Residential facilities at this
335 commitment level shall have no more than 90 beds each, including
336 campus-style programs, unless those campus-style programs
337 include more than one treatment program using different
338 treatment protocols, and have facilities that coexist separately
339 in distinct locations on the same property. Facilities at this
340 commitment level shall provide 24-hour awake supervision,
341 custody, care, and treatment of residents. Youth assessed and
342 classified for placement in programs at this commitment level
343 represent a low or moderate risk to public safety and require
344 close supervision. The staff at a facility at this commitment
345 level may seclude a child who is a physical threat to himself or
346 herself or others. Mechanical restraint may also be used when
347 necessary.

348 (b) ~~(e)~~ *High-risk residential.*—Programs or program models at
349 this commitment level are residential and do not allow youth to
350 have access to the community, except that temporary release
351 providing community access for up to 72 continuous hours may be
352 approved by a court for a youth who has made successful progress
353 in his or her program in order for the youth to attend a family
354 emergency or, during the final 60 days of his or her placement,
355 to visit his or her home, enroll in school or a career and
356 technical education program, complete a job interview, or
357 participate in a community service project. High-risk
358 residential facilities are hardware-secure with perimeter



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359 fencing and locking doors. Residential facilities at this
360 commitment level shall have no more than 90 beds each, including
361 campus-style programs, unless those campus-style programs
362 include more than one treatment program using different
363 treatment protocols, and have facilities that coexist separately
364 in distinct locations on the same property. Facilities at this
365 commitment level shall provide 24-hour awake supervision,
366 custody, care, and treatment of residents. Youth assessed and
367 classified for this level of placement require close supervision
368 in a structured residential setting. Placement in programs at
369 this level is prompted by a concern for public safety that
370 outweighs placement in programs at lower commitment levels. The
371 staff at a facility at this commitment level may seclude a child
372 who is a physical threat to himself or herself or others.
373 Mechanical restraint may also be used when necessary. The
374 facility may provide for single cell occupancy, except that
375 youth may be housed together during prerelease transition.

376 ~~(c)-(d) Maximum-risk residential. Programs or program models~~
377 ~~at this commitment level include juvenile correctional~~
378 ~~facilities and juvenile prisons.~~ The programs at this commitment
379 level are long-term residential and do not allow youth to have
380 access to the community. Facilities at this commitment level are
381 maximum-custody, hardware-secure with perimeter security fencing
382 and locking doors. Residential facilities at this commitment
383 level shall have no more than 90 beds each, including campus-
384 style programs, unless those campus-style programs include more
385 than one treatment program using different treatment protocols,
386 and have facilities that coexist separately in distinct
387 locations on the same property. Facilities at this commitment



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388 level shall provide 24-hour awake supervision, custody, care,
389 and treatment of residents. The staff at a facility at this
390 commitment level may seclude a child who is a physical threat to
391 himself or herself or others. Mechanical restraint may also be
392 used when necessary. Facilities at this commitment level shall
393 provide for single cell occupancy, except that youth may be
394 housed together during prerelease transition. Youth assessed and
395 classified for this level of placement require close supervision
396 in a maximum security residential setting. Placement in a
397 program at this level is prompted by a demonstrated need to
398 protect the public.

399 (46) "Sex" has the same meaning as provided in s.
400 553.865(3).

401 (51)~~(50)~~ "Temporary release" means the terms and conditions
402 under which a child is temporarily released from a residential
403 commitment facility or allowed home visits. If the temporary
404 release is from a moderate-risk ~~nonsecure~~ residential facility,
405 a high-risk residential facility, or a maximum-risk residential
406 facility, the terms and conditions of the temporary release must
407 be approved by the child, the court, and the facility.

408 Section 10. Paragraph (a) of subsection (1) of section
409 985.039, Florida Statutes, is amended to read:

410 985.039 Cost of supervision; cost of care.—

411 (1) Except as provided in subsection (3) or subsection (4):

412 (a) When any child is placed into supervised release
413 detention, probation, or other supervision status with the
414 department, ~~or is committed to the minimum-risk nonresidential~~
415 ~~restrictiveness level~~, the court shall order the parent of such
416 child to pay to the department a fee for the cost of the



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417 supervision of such child in the amount of \$1 per day for each
418 day that the child is in such status.

419 Section 11. Paragraph (f) of subsection (2) of section
420 985.115, Florida Statutes, is amended to read:

421 985.115 Release or delivery from custody.—

422 (2) Unless otherwise ordered by the court under s. 985.255
423 or s. 985.26, and unless there is a need to hold the child, a
424 person taking a child into custody shall attempt to release the
425 child as follows:

426 (f) If available, to a juvenile assessment center equipped
427 and staffed to assume custody of the child for the purpose of
428 assessing the needs of the child in custody. The center may then
429 release or deliver the child under this section with a copy of
430 the assessment. A juvenile assessment center may not be
431 considered a facility that can receive a child under paragraph
432 (c), paragraph (d), or paragraph (e).

433 Section 12. Paragraphs (a) and (b) of subsection (3) and
434 subsection (4) of section 985.126, Florida Statutes, are amended
435 to read:

436 985.126 Diversion programs; data collection; denial of
437 participation or expunged record.—

438 (3) (a) ~~Beginning October 1, 2018,~~ Each diversion program
439 shall submit data to the department which identifies for each
440 minor participating in the diversion program:

441 1. The race, ethnicity, sex ~~gender~~, and age of that minor.

442 2. The offense committed, including the specific law
443 establishing the offense.

444 3. The judicial circuit and county in which the offense was
445 committed and the law enforcement agency that had contact with



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446 the minor for the offense.

447 4. Other demographic information necessary to properly
448 register a case into the Juvenile Justice Information System
449 Prevention Web, as specified by the department.

450 (b) ~~Beginning October 1, 2018,~~ Each law enforcement agency
451 shall submit to the department data that identifies for each
452 minor who was eligible for a diversion program, but was instead
453 referred to the department, provided a notice to appear, or
454 arrested:

455 1. The data required pursuant to paragraph (a).

456 2. Whether the minor was offered the opportunity to
457 participate in a diversion program. If the minor was:

458 a. Not offered such opportunity, the reason such offer was
459 not made.

460 b. Offered such opportunity, whether the minor or his or
461 her parent or legal guardian declined to participate in the
462 diversion program.

463 (4) ~~Beginning January 1, 2019,~~ The department shall compile
464 and semiannually publish the data required by subsection (3) on
465 the department's website in a format that is, at a minimum,
466 sortable by judicial circuit, county, law enforcement agency,
467 race, ethnicity, sex ~~gender~~, age, and offense committed.

468 Section 13. Paragraph (a) of subsection (3) of section
469 985.17, Florida Statutes, is amended to read:

470 985.17 Prevention services.—

471 (3) The department's prevention services for youth at risk
472 of becoming delinquent should:

473 (a) Focus on preventing initial or further involvement of
474 such youth in the juvenile justice system by including services



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475 such as literacy services, sex-specific ~~gender-specific~~
476 programming, recreational services, and after-school services,
477 and should include targeted services to troubled, truant,
478 ungovernable, abused, trafficked, or runaway youth. To decrease
479 the likelihood that a youth will commit a delinquent act, the
480 department should use mentoring and may provide specialized
481 services addressing the strengthening of families, job training,
482 and substance abuse.

483 Section 14. Paragraph (a) of subsection (2) of section
484 985.26, Florida Statutes, is amended to read:

485 985.26 Length of detention.—

486 (2) (a) 1. A court may order a child to be placed on
487 supervised release detention care for any time period until an
488 adjudicatory hearing is completed. However, if a child has
489 served 60 days on supervised release detention care, the court
490 must conduct a hearing within 15 days after the 60th day, to
491 determine the need for continued supervised release detention
492 care. At the hearing, and upon good cause being shown that the
493 nature of the charge requires additional time for the
494 prosecution or defense of the case or that the totality of the
495 circumstances, including the preservation of public safety,
496 warrants an extension, the court may order the child to remain
497 on supervised release detention care until the adjudicatory
498 hearing is completed.

499 2. Except as provided in paragraph (b) or paragraph (c), a
500 child may not be held in secure detention care under a special
501 detention order for more than 21 days unless an adjudicatory
502 hearing for the case has been commenced in good faith by the
503 court.



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504 3. This section does not prohibit a court from
505 transitioning a child to and from secure detention care and
506 supervised release detention care, including electronic
507 monitoring, when the court finds such a placement necessary, or
508 no longer necessary, to preserve public safety or to ensure the
509 child's safety, appearance in court, or compliance with a court
510 order. Such transition may be initiated upon the court's own
511 motion, or upon motion of the child or of the state, and after
512 considering any information provided by the department regarding
513 the child's adjustment to detention supervision. Each period of
514 secure detention care or supervised release detention care
515 counts toward the time limitations in this subsection whether
516 served consecutively or nonconsecutively.

517 Section 15. Section 985.27, Florida Statutes, is amended to
518 read:

519 985.27 Postdisposition detention while awaiting residential
520 commitment placement.—The court must place all children who are
521 adjudicated and awaiting placement in a moderate-risk ~~nonsecure~~,
522 high-risk, or maximum-risk residential commitment program in
523 secure detention care until the placement or commitment is
524 accomplished.

525 Section 16. Subsection (2) of section 985.441, Florida
526 Statutes, is amended to read:

527 985.441 Commitment.—

528 (2) Notwithstanding subsection (1), the court having
529 jurisdiction over an adjudicated delinquent child whose offense
530 is a misdemeanor, or a child who is currently on probation for a
531 misdemeanor, may not commit the child for any misdemeanor
532 offense or any probation violation that is technical in nature



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533 and not a new violation of law ~~at a restrictiveness level other~~
534 ~~than minimum-risk nonresidential~~. However, the court may commit
535 such child to a moderate-risk ~~nonsecure~~ residential placement
536 if:

537 (a) The child has previously been adjudicated or had
538 adjudication withheld for a felony offense;

539 (b) The child has previously been adjudicated or had
540 adjudication withheld for three or more misdemeanor offenses
541 within the previous 18 months;

542 (c) The child is before the court for disposition for a
543 violation of s. 800.03, s. 806.031, or s. 828.12; or

544 (d) The court finds by a preponderance of the evidence that
545 the protection of the public requires such placement or that the
546 particular needs of the child would be best served by such
547 placement. Such finding must be in writing.

548 Section 17. Subsection (3) of section 985.455, Florida
549 Statutes, is amended to read:

550 985.455 Other dispositional issues.—

551 (3) Any commitment of a delinquent child to the department
552 must be for an indeterminate period of time, which may include
553 periods of temporary release; however, the period of time may
554 not exceed the maximum term of imprisonment that an adult may
555 serve for the same offense, ~~except that the duration of a~~
556 ~~minimum-risk nonresidential commitment for an offense that is a~~
557 ~~misdemeanor of the second degree, or is equivalent to a~~
558 ~~misdemeanor of the second degree, may be for a period not to~~
559 ~~exceed 6 months~~. The duration of the child's placement in a
560 commitment program of any restrictiveness level shall be based
561 on objective performance-based treatment planning. The child's



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562 treatment plan progress and adjustment-related issues shall be
563 reported to the court quarterly, unless the court requests
564 monthly reports. If the child is under the jurisdiction of a
565 dependency court, the court may receive and consider any
566 information provided by the Guardian Ad Litem Program or the
567 child's attorney ad litem, if appointed. The child's length of
568 stay in a commitment program may be extended if the child fails
569 to comply with or participate in treatment activities. The
570 child's length of stay in the program shall not be extended for
571 purposes of sanction or punishment. Any temporary release from
572 such program must be approved by the court. Any child so
573 committed may be discharged from institutional confinement or a
574 program upon the direction of the department with the
575 concurrence of the court. The child's treatment plan progress
576 and adjustment-related issues must be communicated to the court
577 at the time the department requests the court to consider
578 releasing the child from the commitment program. The department
579 shall give the court that committed the child to the department
580 reasonable notice, in writing, of its desire to discharge the
581 child from a commitment facility. The court that committed the
582 child may thereafter accept or reject the request. If the court
583 does not respond within 10 days after receipt of the notice, the
584 request of the department shall be deemed granted. This section
585 does not limit the department's authority to revoke a child's
586 temporary release status and return the child to a commitment
587 facility for any violation of the terms and conditions of the
588 temporary release.

589 Section 18. Section 985.465, Florida Statutes, is amended
590 to read:



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591 985.465 Maximum-risk residential facilities ~~Juvenile~~
592 ~~correctional facilities or juvenile prison.~~ A maximum risk
593 residential facility ~~juvenile correctional facility or juvenile~~
594 ~~prison~~ is a physically secure residential commitment program
595 with a designated length of stay from 18 months to 36 months,
596 primarily serving children 13 years of age to 19 years of age or
597 until the jurisdiction of the court expires. Each child
598 committed to this level must meet one of the following criteria:

599 (1) The child is at least 13 years of age at the time of
600 the disposition for the current offense and has been adjudicated
601 on the current offense for:

- 602 (a) Arson;
- 603 (b) Sexual battery;
- 604 (c) Robbery;
- 605 (d) Kidnapping;
- 606 (e) Aggravated child abuse;
- 607 (f) Aggravated assault;
- 608 (g) Aggravated stalking;
- 609 (h) Murder;
- 610 (i) Manslaughter;
- 611 (j) Unlawful throwing, placing, or discharging of a
612 destructive device or bomb;
- 613 (k) Armed burglary;
- 614 (l) Aggravated battery;
- 615 (m) Carjacking;
- 616 (n) Home-invasion robbery;
- 617 (o) Burglary with an assault or battery;
- 618 (p) Any lewd or lascivious offense committed upon or in the
619 presence of a person less than 16 years of age; or



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620 (q) Carrying, displaying, using, threatening to use, or
621 attempting to use a weapon or firearm during the commission of a
622 felony.

623 (2) The child is at least 13 years of age at the time of
624 the disposition, the current offense is a felony, and the child
625 has previously been committed three or more times to a
626 delinquency commitment program.

627 (3) The child is at least 13 years of age and is currently
628 committed for a felony offense and transferred from a moderate-
629 risk or high-risk residential commitment placement.

630 (4) The child is at least 13 years of age at the time of
631 the disposition for the current offense, the child is eligible
632 for prosecution as an adult for the current offense, and the
633 current offense is ranked at level 7 or higher on the Criminal
634 Punishment Code offense severity ranking chart pursuant to s.
635 921.0022.

636 Section 19. Paragraph (a) of subsection (3) of section
637 985.601, Florida Statutes, is amended, and subsection (12) is
638 added to that section, to read:

639 985.601 Administering the juvenile justice continuum.—

640 (3)(a) The department shall develop or contract for
641 diversified and innovative programs to provide rehabilitative
642 treatment, including early intervention and prevention,
643 diversion, comprehensive intake, case management, diagnostic and
644 classification assessments, trauma-informed care, individual and
645 family counseling, family engagement resources and programs,
646 sex-specific ~~gender-specific~~ programming, shelter care,
647 diversified detention care emphasizing alternatives to secure
648 detention, diversified probation, halfway houses, foster homes,



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649 community-based substance abuse treatment services, community-
650 based mental health treatment services, community-based
651 residential and nonresidential programs, mother-infant programs,
652 and environmental programs. The department may pay expenses in
653 support of innovative programs and activities that address
654 identified needs and the well-being of children in the
655 department's care or under its supervision, subject to the
656 requirements of chapters 215, 216, and 287. Each program shall
657 place particular emphasis on reintegration and conditional
658 release for all children in the program.

659 (12) The department may use state or federal funds to
660 purchase and distribute promotional and educational materials
661 that are consistent with the dignity and integrity of the state
662 for all of the following purposes:

663 (a) Educating children and families about the juvenile
664 justice continuum, including local prevention programs or
665 community services available for participation or enrollment.

666 (b) Staff recruitment at job fairs, career fairs, community
667 events, the Institute for Commercialization of Florida
668 Technology, community college campuses, or state university
669 campuses.

670 (c) Educating children and families on children-specific
671 public safety issues, including, but not limited to, safe
672 storage of adult-owned firearms, consequences of child firearm
673 offenses, human trafficking, or drug and alcohol abuse.

674 Section 20. Paragraph (b) of subsection (4) of section
675 985.619, Florida Statutes, is amended to read:

676 985.619 Florida Scholars Academy.—

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



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678 (b) The board of trustees shall have the following powers
679 and duties:

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

682 2. Be responsible for the Florida Scholars Academy's
683 development of an education delivery system that is cost-
684 effective, high-quality, educationally sound, and capable of
685 sustaining an effective delivery system.

686 3.a. Identify appropriate performance measures and
687 standards based on student achievement which reflect the
688 school's statutory mission and priorities, and implement an
689 accountability system approved by the State Board of Education
690 for the school by the 2024-2025 school year which includes an
691 assessment of its effectiveness and efficiency in providing
692 quality services that encourage high student achievement,
693 seamless articulation, and maximum access to career
694 opportunities.

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

698 4. Administer and maintain the educational programs of the
699 Florida Scholars Academy in accordance with law and department
700 rules, in consultation with the State Board of Education.

701 5. With the approval of the secretary of the department or
702 his or her designee, determine the compensation, including
703 salaries and fringe benefits, and other conditions of employment
704 for such personnel, in alignment with the Florida Scholars
705 Academy's provider contracts.

706 6. The employment of all Florida Scholars Academy



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707 administrative and instructional personnel are subject to
708 rejection for cause by the secretary of the department or his or
709 her designee and are subject to policies established by the
710 board of trustees.

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

713 8. Maintain the financial records and accounts of the
714 Florida Scholars Academy in compliance with rules adopted by the
715 State Board of Education for the uniform system of financial
716 records and accounts for the schools of this state.

717 9. Is a body corporate with all the powers of a body
718 corporate and may exercise such authority as is needed for the
719 proper operation and improvement of the Florida Scholars
720 Academy. The board of trustees is specifically authorized to
721 adopt rules, policies, and procedures, consistent with law and
722 State Board of Education rules related to governance, personnel,
723 budget and finance, administration, programs, curriculum and
724 instruction, travel and purchasing, technology, students,
725 contracts and grants, and property as necessary for optimal,
726 efficient operation of the Florida Scholars Academy.

727 10. Notwithstanding any rule to the contrary, review and
728 approve an annual academic calendar to provide educational
729 services to youth for a school year composed of 250 days or
730 1,250 hours of instruction for students enrolled in a
731 traditional K-12 education pathway, distributed over 12 months.
732 The board of trustees may decrease the minimum number of days
733 for instruction by up to 20 days or 100 hours for teacher
734 planning.

735 Section 21. Section 985.664, Florida Statutes, is amended



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736 to read:

737 985.664 Juvenile justice circuit advisory boards.—

738 (1) Each circuit shall have a juvenile justice circuit
739 advisory board. The board shall work with the chief probation
740 officer of the circuit to use data to inform policy and practice
741 which improves the juvenile justice continuum.

742 ~~(1) There is authorized a juvenile justice circuit advisory~~
743 ~~board to be established in each of the 20 judicial circuits.~~
744 ~~Except in single-county circuits, each juvenile justice circuit~~
745 ~~advisory board shall have a county organization representing~~
746 ~~each of the counties in the circuit. The county organization~~
747 ~~shall report directly to the juvenile justice circuit advisory~~
748 ~~board on the juvenile justice needs of the county. The purpose~~
749 ~~of each juvenile justice circuit advisory board is to provide~~
750 ~~advice and direction to the department in the development and~~
751 ~~implementation of juvenile justice programs and to work~~
752 ~~collaboratively with the department in seeking program~~
753 ~~improvements and policy changes to address the emerging and~~
754 ~~changing needs of Florida's youth who are at risk of~~
755 ~~delinquency.~~

756 ~~(2) The duties and responsibilities of a juvenile justice~~
757 ~~circuit advisory board include, but are not limited to:~~

758 ~~(a) Developing a comprehensive plan for the circuit. The~~
759 ~~initial circuit plan shall be submitted to the department no~~
760 ~~later than December 31, 2014, and no later than June 30 every 3~~
761 ~~years thereafter. The department shall prescribe a format and~~
762 ~~content requirements for the submission of the comprehensive~~
763 ~~plan.~~

764 ~~(b) Participating in the facilitation of interagency~~



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765 ~~cooperation and information sharing.~~

766 ~~(c) Providing recommendations for public or private grants~~
767 ~~to be administered by one of the community partners that support~~
768 ~~one or more components of the comprehensive circuit plan.~~

769 ~~(d) Providing recommendations to the department in the~~
770 ~~evaluation of prevention and early intervention grant programs,~~
771 ~~including the Community Juvenile Justice Partnership Grant~~
772 ~~program established in s. 985.676 and proceeds from the Invest~~
773 ~~in Children license plate annual use fees.~~

774 ~~(e) Providing an annual report to the department describing~~
775 ~~the board's activities. The department shall prescribe a format~~
776 ~~and content requirements for submission of annual reports. The~~
777 ~~annual report must be submitted to the department no later than~~
778 ~~August 1 of each year.~~

779 ~~(2)~~(3) Each juvenile justice circuit advisory board shall
780 have a minimum of 14 ~~16~~ members. The membership of each board
781 must reflect:

782 (a) The circuit's geography and population distribution.

783 (b) Diversity in the judicial circuit.

784 ~~(3)~~(4) Each member of the juvenile justice circuit advisory
785 board must be approved by the chief probation officer of the
786 circuit Secretary of Juvenile Justice, except those members
787 listed in paragraphs (a), (b), (c), (e), (f), (g), and (h). Each
788 The juvenile justice circuit advisory board ~~boards established~~
789 ~~under subsection (1)~~ must include as members:

790 (a) The state attorney or his or her designee.

791 (b) The public defender or his or her designee.

792 (c) The chief judge or his or her designee.

793 (d) A representative of the corresponding circuit or



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794 regional entity of the Department of Children and Families.

795 (e) The sheriff or the sheriff's designee from each county
796 in the circuit.

797 (f) A police chief or his or her designee from each county
798 in the circuit.

799 (g) A county commissioner or his or her designee from each
800 county in the circuit.

801 (h) The superintendent of each school district in the
802 circuit or his or her designee.

803 (i) A representative from the workforce organization of
804 each county in the circuit.

805 (j) A representative of the business community.

806 (k) A youth representative who has had an experience with
807 the juvenile justice system and is not older than 21 years of
808 age.

809 (l) A representative of the faith community.

810 (m) A health services representative who specializes in
811 mental health care, victim-service programs, or victims of
812 crimes.

813 (n) A parent or family member of a youth who has been
814 involved with the juvenile justice system.

815 (o) Up to three ~~five~~ representatives from the community.
816 ~~any of the following who are not otherwise represented in this~~
817 ~~subsection:~~

818 ~~1. Community leaders.~~

819 ~~2. Youth-serving coalitions.~~

820 (4) The chief probation officer in each circuit shall serve
821 as the chair of the juvenile justice circuit advisory board for
822 that circuit.



823 ~~(5) When a vacancy in the office of the chair occurs, the~~
824 ~~juvenile justice circuit advisory board shall appoint a new~~
825 ~~chair, who must meet the board membership requirements in~~
826 ~~subsection (4). The chair shall appoint members to vacant seats~~
827 ~~within 45 days after the vacancy and submit the appointments to~~
828 ~~the department for approval. The chair shall serve at the~~
829 ~~pleasure of the Secretary of Juvenile Justice.~~

830 ~~(6) A member may not serve more than three consecutive 2-~~
831 ~~year terms, except those members listed in paragraphs (4) (a),~~
832 ~~(b), (c), (e), (f), (g), and (h). A former member who has not~~
833 ~~served on the juvenile justice circuit advisory board for 2~~
834 ~~years is eligible to serve on the juvenile justice circuit~~
835 ~~advisory board again.~~

836 ~~(7) At least half of the voting members of the juvenile~~
837 ~~justice circuit advisory board constitutes a quorum. A quorum~~
838 ~~must be present in order for the board to vote on a measure or~~
839 ~~position.~~

840 ~~(8) In order for a juvenile justice circuit advisory board~~
841 ~~measure or position to pass, it must receive more than 50~~
842 ~~percent of the vote.~~

843 ~~(9) Each juvenile justice circuit advisory board must~~
844 ~~provide for the establishment of an executive committee of not~~
845 ~~more than 10 members. The duties and authority of the executive~~
846 ~~committee must be addressed in the bylaws.~~

847 ~~(10) Each juvenile justice circuit advisory board shall~~
848 ~~have bylaws. The department shall prescribe a format and content~~
849 ~~requirements for the bylaws. All bylaws must be approved by the~~
850 ~~department. The bylaws shall address at least the following~~
851 ~~issues: election or appointment of officers; filling of vacant~~



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852 ~~positions; meeting attendance requirements; and the~~
853 ~~establishment and duties of an executive committee.~~

854 ~~(11) Members of juvenile justice circuit advisory boards~~
855 ~~are subject to part III of chapter 112.~~

856 Section 22. Paragraph (a) of subsection (1) of section
857 985.668, Florida Statutes, is amended to read:

858 985.668 Innovation zones.—The department shall encourage
859 each of the juvenile justice circuit boards to propose at least
860 one innovation zone within the circuit for the purpose of
861 implementing any experimental, pilot, or demonstration project
862 that furthers the legislatively established goals of the
863 department. An innovation zone is a defined geographic area such
864 as a circuit, commitment region, county, municipality, service
865 delivery area, school campus, or neighborhood providing a
866 laboratory for the research, development, and testing of the
867 applicability and efficacy of model programs, policy options,
868 and new technologies for the department.

869 (1) (a) The chief probation officer in each circuit ~~juvenile~~
870 ~~justice circuit board~~ shall submit a proposal for an innovation
871 zone to the secretary. If the purpose of the proposed innovation
872 zone is to demonstrate that specific statutory goals can be
873 achieved more effectively by using procedures that require
874 modification of existing rules, policies, or procedures, the
875 proposal may request the secretary to waive such existing rules,
876 policies, or procedures or to otherwise authorize use of
877 alternative procedures or practices. Waivers of such existing
878 rules, policies, or procedures must comply with applicable state
879 or federal law.

880 Section 23. Subsections (1) and (2) of section 985.676,



881 Florida Statutes, are amended to read:
882 985.676 Community juvenile justice partnership grants.—
883 (1) GRANTS; CRITERIA.—
884 (a) In order to encourage the development of a circuit
885 juvenile justice plan ~~and the development and implementation of~~
886 ~~circuit interagency agreements under s. 985.664~~, the community
887 juvenile justice partnership grant program is established and
888 shall be administered by the department.
889 (b) In awarding these grants, the department shall consider
890 applications that at a minimum provide for the following:
891 1. The participation of the agencies and programs needed to
892 implement the project or program for which the applicant is
893 applying;
894 2. The reduction of truancy and in-school and out-of-school
895 suspensions and expulsions, the enhancement of school safety,
896 and other delinquency early-intervention and diversion services;
897 3. The number of youths from 10 through 17 years of age
898 within the geographic area to be served by the program, giving
899 those geographic areas having the highest number of youths from
900 10 to 17 years of age priority for selection;
901 4. The extent to which the program targets high-juvenile-
902 crime neighborhoods and those public schools serving juveniles
903 from high-crime neighborhoods;
904 5. The validity and cost-effectiveness of the program; and
905 6. The degree to which the program is located in and
906 managed by local leaders of the target neighborhoods and public
907 schools serving the target neighborhoods.
908 (c) In addition, the department may consider the following
909 criteria in awarding grants:



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910 1. The circuit juvenile justice plan and any county
911 juvenile justice plans that are referred to or incorporated into
912 the circuit plan, including a list of individuals, groups, and
913 public and private entities that participated in the development
914 of the plan.

915 2. The diversity of community entities participating in the
916 development of the circuit juvenile justice plan.

917 3. The number of community partners who will be actively
918 involved in the operation of the grant program.

919 4. The number of students or youths to be served by the
920 grant and the criteria by which they will be selected.

921 5. The criteria by which the grant program will be
922 evaluated and, if deemed successful, the feasibility of
923 implementation in other communities.

924 (2) GRANT APPLICATION PROCEDURES.—

925 (a) Each entity wishing to apply for an annual community
926 juvenile justice partnership grant, which may be renewed for a
927 maximum of 2 additional years for the same provision of
928 services, shall submit a grant proposal for funding or continued
929 funding to the department. The department shall establish the
930 grant application procedures. In order to be considered for
931 funding, the grant proposal shall include the following
932 assurances and information:

933 ~~1. A letter from the chair of the juvenile justice circuit
934 board confirming that the grant application has been reviewed
935 and found to support one or more purposes or goals of the
936 juvenile justice plan as developed by the board.~~

937 ~~1.2.~~ A rationale and description of the program and the
938 services to be provided, including goals and objectives.



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939 ~~2.3.~~ A method for identification of the juveniles most
940 likely to be involved in the juvenile justice system who will be
941 the focus of the program.

942 ~~3.4.~~ Provisions for the participation of parents and
943 guardians in the program.

944 ~~4.5.~~ Coordination with other community-based and social
945 service prevention efforts, including, but not limited to, drug
946 and alcohol abuse prevention and dropout prevention programs,
947 that serve the target population or neighborhood.

948 ~~5.6.~~ An evaluation component to measure the effectiveness
949 of the program in accordance with s. 985.632.

950 ~~6.7.~~ A program budget, including the amount and sources of
951 local cash and in-kind resources committed to the budget. The
952 proposal must establish to the satisfaction of the department
953 that the entity will make a cash or in-kind contribution to the
954 program of a value that is at least equal to 20 percent of the
955 amount of the grant.

956 ~~7.8.~~ The necessary program staff.

957 (b) The department shall consider the recommendations of
958 community stakeholders ~~the juvenile justice circuit advisory~~
959 ~~board~~ as to the priority that should be given to proposals
960 submitted by entities within a circuit in awarding such grants.

961 (c) The department shall make available, to anyone wishing
962 to apply for such a grant, information on all of the criteria to
963 be used in the selection of the proposals for funding pursuant
964 to the provisions of this subsection.

965 (d) The department shall review all program proposals
966 submitted. Entities submitting proposals shall be notified of
967 approval not later than June 30 of each year.



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968 (e) Each entity that is awarded a grant as provided for in
969 this section shall submit an annual evaluation report to the
970 department and, the circuit juvenile justice manager, ~~and the~~
971 ~~juvenile justice circuit advisory board~~, by a date subsequent to
972 the end of the contract period established by the department,
973 documenting the extent to which the program objectives have been
974 met, the effect of the program on the juvenile arrest rate, and
975 any other information required by the department. The department
976 shall coordinate and incorporate all such annual evaluation
977 reports with s. 985.632. Each entity is also subject to a
978 financial audit and a performance audit.

979 (f) The department may establish rules and policy
980 provisions necessary to implement this section.

981 Section 24. Paragraph (c) of subsection (18) of section
982 1001.42, Florida Statutes, is amended to read:

983 1001.42 Powers and duties of district school board.—The
984 district school board, acting as a board, shall exercise all
985 powers and perform all duties listed below:

986 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
987 Maintain a system of school improvement and education
988 accountability as provided by statute and State Board of
989 Education rule. This system of school improvement and education
990 accountability shall be consistent with, and implemented
991 through, the district's continuing system of planning and
992 budgeting required by this section and ss. 1008.385, 1010.01,
993 and 1011.01. This system of school improvement and education
994 accountability shall comply with the provisions of ss. 1008.33,
995 1008.34, 1008.345, and 1008.385 and include the following:

996 (c) *Public disclosure*.—The district school board shall



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997 provide information regarding the performance of students and
998 educational programs as required pursuant to ss. 1008.22 and
999 1008.385 and implement a system of school reports as required by
1000 statute and State Board of Education rule which shall include
1001 schools operating for the purpose of providing educational
1002 services to students in Department of Juvenile Justice programs,
1003 ~~and for those schools, report on the elements specified in s.~~
1004 ~~1003.52(17)~~. Annual public disclosure reports shall be in an
1005 easy-to-read report card format and shall include the school's
1006 grade, high school graduation rate calculated without high
1007 school equivalency examinations, disaggregated by student
1008 ethnicity, and performance data as specified in state board
1009 rule.

1010 Section 25. Paragraph (a) of subsection (14) of section
1011 1003.01, Florida Statutes, is amended to read:

1012 1003.01 Definitions.—As used in this chapter, the term:

1013 (14) (a) "Juvenile justice education programs or schools"
1014 means programs or schools operating for the purpose of providing
1015 educational services to youth in Department of Juvenile Justice
1016 programs, for a school year composed of 250 days of instruction,
1017 or the equivalent expressed in hours as specified in State Board
1018 of Education rule, distributed over 12 months. If the period of
1019 operation is expressed in hours, the State Board of Education
1020 must review the calculation annually. ~~The use of the equivalent~~
1021 ~~expressed in hours is only applicable to nonresidential~~
1022 ~~programs. At the request of the provider,~~ A district school
1023 board, including an educational entity under s. 985.619, may
1024 decrease the minimum number of days of instruction by ~~up to 10~~
1025 ~~days for teacher planning for residential programs and up to 20~~



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1026 days or equivalent hours as specified in the State Board of
1027 Education rule for teacher planning ~~for nonresidential programs,~~
1028 subject to the approval of the Department of Juvenile Justice
1029 and the Department of Education.

1030 Section 26. Subsections (2) through (5) of section 1003.51,
1031 Florida Statutes, are amended to read:

1032 1003.51 Other public educational services.—

1033 (2) The State Board of Education shall adopt rules
1034 articulating expectations for effective education programs for
1035 students in Department of Juvenile Justice programs, including,
1036 but not limited to, education programs in juvenile justice
1037 prevention, day treatment, residential, and detention programs.
1038 The rules ~~rule~~ shall establish policies and standards for
1039 education programs for students in Department of Juvenile
1040 Justice programs and shall include the following:

1041 (a) The interagency collaborative process needed to ensure
1042 effective programs with measurable results.

1043 (b) The responsibilities of the Department of Education,
1044 the Department of Juvenile Justice, CareerSource Florida, Inc.,
1045 district school boards, and providers of education services to
1046 students in Department of Juvenile Justice programs.

1047 (c) Academic expectations.

1048 (d) Career expectations.

1049 (e) Education transition planning and services.

1050 (f) Service delivery options available to district school
1051 boards, including direct service and contracting.

1052 (g) Assessment procedures that, ~~which:~~

1053 ~~1. For prevention, day treatment, and residential~~
1054 ~~programs, include appropriate academic and career assessments~~



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1055 ~~administered at program entry and exit that are selected by the~~
1056 ~~Department of Education in partnership with representatives from~~
1057 ~~the Department of Juvenile Justice, district school boards, and~~
1058 ~~education providers. Assessments must be completed within the~~
1059 ~~first 10 school days after a student's entry into the program.~~

1060 2. provide for determination of the areas of academic need
1061 and strategies for appropriate intervention and instruction for
1062 each student in a detention facility within 5 school days after
1063 the student's entry into the program and administer a research-
1064 based assessment that will assist the student in determining his
1065 or her educational and career options and goals within 22 school
1066 days after the student's entry into the program.

1067
1068 The results of these assessments, together with a portfolio
1069 depicting the student's academic and career accomplishments,
1070 shall be included in the discharge packet assembled for each
1071 student.

1072 (h) Recommended instructional programs, using course
1073 delivery models aligned to the state academic standards. Options
1074 may include direct instruction, blended learning under s.
1075 1011.61(1), or district virtual instruction programs, virtual
1076 charter schools, Florida Virtual School, virtual course
1077 offerings, and district franchises of Florida Virtual School
1078 pursuant to ss. 1002.33, 1002.37, 1002.45, 1002.455, 1003.498,
1079 and 1011.62(1), and credit recovery course procedures,
1080 including, but not limited to:

- 1081 1. Secondary education.
1082 2. High school equivalency examination preparation.
1083 3. Postsecondary education.



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1084 4. Career and technical ~~professional~~ education ~~(CAPE)~~.

1085 5. Job preparation.

1086 6. Virtual education that:

1087 a. Provides competency-based instruction that addresses the

1088 unique academic needs of the student through delivery by an

1089 entity accredited by a Department of Education-approved

1090 accrediting body ~~AdvanceED or the Southern Association of~~

1091 ~~Colleges and Schools~~.

1092 b. Confers certifications and diplomas.

1093 c. Issues credit that articulates with and transcripts that

1094 are recognized by secondary schools.

1095 d. Allows the student to continue to access and progress

1096 through the program once the student leaves the juvenile justice

1097 system.

1098 (i) Funding requirements, which must provide that at least

1099 95 percent of the FEFP funds generated by students in Department

1100 of Juvenile Justice programs or in an education program for

1101 juveniles under s. 985.19 must be spent on instructional costs

1102 for those students. Department of Juvenile Justice education

1103 programs are entitled to 100 percent of the formula-based

1104 categorical funds generated by students in Department of

1105 Juvenile Justice programs. Such funds must be spent on

1106 appropriate categoricals, such as instructional materials and

1107 public school technology for those students.

1108 (j) Qualifications of instructional staff, procedures for

1109 the selection of instructional staff, and procedures for

1110 consistent instruction and qualified staff year-round.

1111 Qualifications shall include those for instructors of career and

1112 technical education ~~CAPE~~ courses, standardized across the state,



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1113 and shall be based on state certification, local school district
1114 approval, and industry-recognized certifications as identified
1115 on the Master Credentials ~~CAPE Industry Certification Funding~~
1116 List. Procedures for the use of noncertified instructional
1117 personnel who possess expert knowledge or experience in their
1118 fields of instruction shall be established.

1119 (k) Transition services, including the roles and
1120 responsibilities of appropriate personnel in the juvenile
1121 justice education program, the school district in which ~~where~~
1122 the student will reenter, provider organizations, and the
1123 Department of Juvenile Justice.

1124 (l) Procedures and timeframe for transfer of education
1125 records when a student enters and leaves a Department of
1126 Juvenile Justice education program.

1127 (m) The requirement that each district school board
1128 maintain an academic transcript for each student enrolled in a
1129 juvenile justice education program that delineates each course
1130 completed by the student as provided by the State Course Code
1131 Directory.

1132 (n) The requirement that each district school board make
1133 available and transmit a copy of a student's transcript in the
1134 discharge packet when the student exits a juvenile justice
1135 education program.

1136 (o) Contract requirements.

1137 (p) Accountability and school improvement requirements as
1138 public alternative schools pursuant to ss. 1008.31, 1008.34,
1139 1008.341, and 1008.345

1140 ~~(p) Performance expectations for providers and district~~
1141 ~~school boards, including student performance measures by type of~~



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1142 ~~program, education program performance ratings, school~~
1143 ~~improvement, and corrective action plans for low-performing~~
1144 ~~programs.~~

1145 (q) The role and responsibility of the district school
1146 board in securing workforce development funds.

1147 ~~(r) A series of graduated sanctions for district school~~
1148 ~~boards whose educational programs in Department of Juvenile~~
1149 ~~Justice programs are considered to be unsatisfactory and for~~
1150 ~~instances in which district school boards fail to meet standards~~
1151 ~~prescribed by law, rule, or State Board of Education policy.~~
1152 ~~These sanctions shall include the option of requiring a district~~
1153 ~~school board to contract with a provider or another district~~
1154 ~~school board if the educational program at the Department of~~
1155 ~~Juvenile Justice program is performing below minimum standards~~
1156 ~~and, after 6 months, is still performing below minimum~~
1157 ~~standards.~~

1158 (s) Curriculum, school guidance counseling, transition, and
1159 education services expectations, including curriculum
1160 flexibility for detention centers operated by the Department of
1161 Juvenile Justice.

1162 (t) Other aspects of program operations.

1163 (3) The Department of Education in partnership with the
1164 Department of Juvenile Justice, the district school boards, and
1165 providers shall:

1166 (a) Develop and implement requirements for contracts and
1167 cooperative agreements regarding the delivery of appropriate
1168 education services to students in Department of Juvenile Justice
1169 education programs. The minimum contract requirements shall
1170 include, but are not limited to, payment structure and amounts;



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1171 access to district services; contract management provisions;
1172 data reporting requirements, including reporting of full-time
1173 equivalent student membership; accountability requirements and
1174 corrective action plans, if needed; administration of federal
1175 programs such as Title I, exceptional student education, and the
1176 federal Strengthening Career and Technical Education for the
1177 21st Century Act ~~Carl D. Perkins Career and Technical Education~~
1178 ~~Act of 2006~~; and the policy and standards included in subsection
1179 (2).

1180 (b) Develop and implement procedures for transitioning
1181 students into and out of Department of Juvenile Justice
1182 education programs. These procedures shall reflect the policy
1183 and standards adopted pursuant to subsection (2).

1184 (c) Maintain standardized required content of education
1185 records to be included as part of a student's commitment record
1186 and procedures for securing the student's records. The education
1187 records shall include, but not be limited to, the following:

1188 1. A copy of the student's individual educational plan,
1189 Section 504 plan, or behavioral plan, if applicable.

1190 2. A copy of the student's individualized progress
1191 monitoring plan.

1192 3. A copy of the student's individualized transition plan.

1193 4. Data on student performance on assessments taken
1194 according to s. 1008.22.

1195 5. A copy of the student's permanent cumulative record.

1196 6. A copy of the student's academic transcript.

1197 7. A portfolio reflecting the student's academic
1198 accomplishments and industry certification earned, when age
1199 appropriate, while in the Department of Juvenile Justice



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1200 program.

1201 (d) Establish the roles and responsibilities of the
1202 juvenile probation officer and others involved in the withdrawal
1203 of the student from school and assignment to a juvenile justice
1204 education program.

1205 (4) Each district school board shall:

1206 (a) Notify students in juvenile justice education programs
1207 who attain the age of 16 years of the law regarding compulsory
1208 school attendance and make available the option of enrolling in
1209 an education program to attain a Florida high school diploma by
1210 taking the high school equivalency examination before release
1211 from the program. The Department of Education shall assist
1212 juvenile justice education programs with becoming high school
1213 equivalency examination centers.

1214 (b) Respond to requests for student education records
1215 received from another district school board or a juvenile
1216 justice education program within 3 ~~5~~ working days after
1217 receiving the request.

1218 (c) Provide access to courses offered pursuant to ss.
1219 1002.37, 1002.45, 1002.455, and 1003.498. School districts and
1220 providers may enter into cooperative agreements for the
1221 provision of curriculum associated with courses offered pursuant
1222 to s. 1003.498 to enable providers to offer such courses.

1223 (d) Complete the assessment process required by subsection
1224 (2).

1225 (e) Monitor compliance with contracts for education
1226 programs for students in juvenile justice prevention, day
1227 treatment, ~~residential~~, and detention programs.

1228 (5) The Department of Education shall issue an alternative



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1229 school improvement rating for prevention and day treatment
1230 prevention juvenile justice education programs, pursuant to s.
1231 1008.341 ~~establish and operate, either directly or indirectly~~
1232 ~~through a contract, a mechanism to provide accountability~~
1233 ~~measures that annually assesses and evaluates all juvenile~~
1234 ~~justice education programs using student performance data and~~
1235 ~~program performance ratings by type of program and shall provide~~
1236 ~~technical assistance and related research to district school~~
1237 ~~boards and juvenile justice education providers. The Department~~
1238 ~~of Education, with input from the Department of Juvenile~~
1239 ~~Justice, school districts, and education providers, shall~~
1240 ~~develop annual recommendations for system and school~~
1241 ~~improvement.~~

1242 Section 27. Section 1003.52, Florida Statutes, is amended
1243 to read:

1244 1003.52 Educational services in Department of Juvenile
1245 Justice programs.-

1246 (1) The Department of Education shall serve as the lead
1247 agency for juvenile justice education programs, curriculum,
1248 support services, and resources. To this end, the Department of
1249 Education and the Department of Juvenile Justice shall each
1250 designate a Coordinator for Juvenile Justice Education Programs
1251 to serve as the point of contact for resolving issues not
1252 addressed by district school boards and to provide each
1253 department's participation in the following activities:

1254 (a) Training, collaborating, and coordinating with district
1255 school boards, local workforce development boards, ~~and local~~
1256 ~~youth councils,~~ educational contract providers, and juvenile
1257 justice providers, whether state operated or contracted.



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1258 (b) Collecting information on the academic, career and
1259 technical professional education ~~(CAPE)~~, and transition
1260 performance of students in juvenile justice programs and
1261 reporting on the results.

1262 (c) Developing academic and career and technical education
1263 ~~CAPE~~ protocols that provide guidance to district school boards
1264 and juvenile justice education providers in all aspects of
1265 education programming, including records transfer and
1266 transition.

1267 ~~(d) Implementing a joint accountability, program~~
1268 ~~performance, and program improvement process.~~

1269
1270 Annually, a cooperative agreement and plan for juvenile justice
1271 education service enhancement shall be developed between the
1272 Department of Juvenile Justice and the Department of Education
1273 and submitted to the Secretary of Juvenile Justice and the
1274 Commissioner of Education by June 30. The plan shall include, at
1275 a minimum, each agency's role regarding educational program
1276 accountability, technical assistance, training, and coordination
1277 of services.

1278 (2) Students participating in Department of Juvenile
1279 Justice education programs pursuant to chapter 985 which are
1280 sponsored by a community-based agency or are operated or
1281 contracted for by the Department of Juvenile Justice shall
1282 receive education programs according to rules of the State Board
1283 of Education. These students shall be eligible for services
1284 afforded to students enrolled in programs pursuant to s. 1003.53
1285 and all corresponding State Board of Education rules.

1286 (3) The district school board of the county in which the



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1287 juvenile justice education prevention, day treatment,
1288 ~~residential~~, or detention program is located shall provide or
1289 contract for appropriate educational assessments and an
1290 appropriate program of instruction and special education
1291 services.

1292 (a) All contracts between a district school board desiring
1293 to contract directly with juvenile justice education programs to
1294 provide academic instruction for students in such programs must
1295 be in writing and reviewed by the Department of Juvenile
1296 Justice. Unless both parties agree to an extension of time, the
1297 district school board and the juvenile justice education program
1298 shall negotiate and execute a new or renewal contract within 40
1299 days after the district school board provides the proposal to
1300 the juvenile justice education program. The Department of
1301 Education shall provide mediation services for any disputes
1302 relating to this paragraph.

1303 (b) District school boards shall satisfy invoices issued by
1304 juvenile justice education programs within 15 working days after
1305 receipt. If a district school board does not timely issue a
1306 warrant for payment, it must pay to the juvenile justice
1307 education program interest at a rate of 1 percent per month,
1308 calculated on a daily basis, on the unpaid balance until such
1309 time as a warrant is issued for the invoice and accrued interest
1310 amount. The district school board may not delay payment to a
1311 juvenile justice education program of any portion of funds owed
1312 pending the district's receipt of local funds.

1313 (c) The district school board shall make provisions for
1314 each student to participate in basic career and technical
1315 education, ~~CAPE~~, and exceptional student programs, as



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1316 appropriate. Students served in Department of Juvenile Justice
1317 education programs shall have access to the appropriate courses
1318 and instruction to prepare them for the high school equivalency
1319 examination. Students participating in high school equivalency
1320 examination preparation programs shall be funded at the basic
1321 program cost factor for Department of Juvenile Justice programs
1322 in the Florida Education Finance Program. Each program shall be
1323 conducted according to applicable law providing for the
1324 operation of public schools and rules of the State Board of
1325 Education. School districts shall provide the high school
1326 equivalency examination exit option for all juvenile justice
1327 education programs, except for residential programs operated
1328 under s. 985.619.

1329 (d) The district school board shall select appropriate
1330 academic and career assessments to be administered at the time
1331 of program entry and exit for the purpose of developing goals
1332 for education transition plans, progress monitoring plans,
1333 individual education plans, as applicable, and federal
1334 reporting, as applicable

1335 ~~(d) The Department of Education, with the assistance of the~~
1336 ~~school districts and juvenile justice education providers, shall~~
1337 ~~select a common student assessment instrument and protocol for~~
1338 ~~measuring student learning gains and student progression while a~~
1339 ~~student is in a juvenile justice education program. The~~
1340 ~~Department of Education and the Department of Juvenile Justice~~
1341 ~~shall jointly review the effectiveness of this assessment and~~
1342 ~~implement changes as necessary.~~

1343 (4) Educational services shall be provided at times of the
1344 day most appropriate for the juvenile justice program. School



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1345 programming in juvenile justice detention, prevention, or day
1346 treatment, ~~and residential~~ programs shall be made available by
1347 the local school district during the juvenile justice school
1348 year, as provided in s. 1003.01(14). In addition, students in
1349 juvenile justice education programs shall have access to courses
1350 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The
1351 Department of Education and the school districts shall adopt
1352 policies necessary to provide such access.

1353 (5) The educational program shall provide instruction based
1354 on each student's individualized transition plan, assessed
1355 educational needs, and the education programs available in the
1356 school district in which the student will return. Depending on
1357 the student's needs, educational programming may consist of
1358 remedial courses, academic courses required for grade
1359 advancement, career and technical education ~~CAPE~~ courses, high
1360 school equivalency examination preparation, or exceptional
1361 student education curricula and related services which support
1362 the transition goals and reentry and which may lead to
1363 completion of the requirements for receipt of a high school
1364 diploma or its equivalent. Prevention and day treatment juvenile
1365 justice education programs, at a minimum, shall provide career
1366 readiness and exploration opportunities as well as truancy and
1367 dropout prevention intervention services. ~~Residential juvenile~~
1368 ~~justice education programs with a contracted minimum length of~~
1369 ~~stay of 9 months shall provide CAPE courses that lead to~~
1370 ~~preapprentice certifications and industry certifications.~~
1371 ~~Programs with contracted lengths of stay of less than 9 months~~
1372 ~~may provide career education courses that lead to preapprentice~~
1373 ~~certifications and CAPE industry certifications. If the duration~~



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1374 ~~of a program is less than 40 days, the educational component may~~
1375 ~~be limited to tutorial remediation activities, career~~
1376 ~~employability skills instruction, education counseling, and~~
1377 ~~transition services that prepare students for a return to~~
1378 ~~school, the community, and their home settings based on the~~
1379 ~~students' needs.~~

1380 (6) Participation in the program by students of compulsory
1381 school-attendance age as provided for in s. 1003.21 shall be
1382 mandatory. All students of noncompulsory school-attendance age
1383 who have not received a high school diploma or its equivalent
1384 shall participate in the educational program, unless the student
1385 files a formal declaration of his or her intent to terminate
1386 school enrollment as described in s. 1003.21 and is afforded the
1387 opportunity to take the high school equivalency examination and
1388 attain a Florida high school diploma before release from a
1389 juvenile justice education program. A student who has received a
1390 high school diploma or its equivalent and is not employed shall
1391 participate in workforce development ~~or other CAPE education~~ or
1392 Florida College System institution or university courses while
1393 in the program, subject to available funding.

1394 (7) An individualized progress monitoring plan shall be
1395 developed for all students ~~not classified as exceptional~~
1396 ~~education students~~ upon entry in a juvenile justice education
1397 program and upon reentry in the school district. These plans
1398 shall address academic, literacy, and career and technical
1399 skills and shall include provisions for intensive remedial
1400 instruction in the areas of weakness.

1401 (8) Each district school board shall maintain an academic
1402 record for each student enrolled in a juvenile justice education



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1403 program as prescribed by s. 1003.51. Such record shall delineate
1404 each course completed by the student according to procedures in
1405 the State Course Code Directory. The district school board shall
1406 include a copy of a student's academic record in the discharge
1407 packet when the student exits the program.

1408 (9) Each district school board shall make provisions for
1409 high school level students to earn credits toward high school
1410 graduation while in ~~residential and nonresidential~~ juvenile
1411 justice detention, prevention, or day treatment education
1412 programs. Provisions must be made for the transfer of credits
1413 and partial credits earned.

1414 (10) School districts and juvenile justice education
1415 providers shall develop individualized transition plans during
1416 the course of a student's stay in a juvenile justice education
1417 program to coordinate academic, career and technical, and
1418 secondary and postsecondary services that assist the student in
1419 successful community reintegration upon release. Development of
1420 the transition plan shall be a collaboration of the personnel in
1421 the juvenile justice education program, reentry personnel,
1422 personnel from the school district where the student will
1423 return, the student, the student's family, and the Department of
1424 Juvenile Justice ~~personnel for committed students~~.

1425 (a) Transition planning must begin upon a student's
1426 placement in the program. The transition plan must include, at a
1427 minimum:

1428 1. Services and interventions that address the student's
1429 assessed educational needs and postrelease education plans.

1430 2. Services to be provided during the program stay and
1431 services to be implemented upon release, including, but not



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1432 limited to, continuing education in secondary school, career and
1433 technical education ~~CAPE programs~~, postsecondary education, or
1434 employment, based on the student's needs.

1435 3. Specific monitoring responsibilities to determine
1436 whether the individualized transition plan is being implemented
1437 and the student is provided access to support services that will
1438 sustain the student's success by individuals who are responsible
1439 for the reintegration and coordination of these activities.

1440 (b) For the purpose of transition planning and reentry
1441 services, representatives from the school district and the one-
1442 stop center where the student will return shall participate as
1443 members of the local Department of Juvenile Justice reentry
1444 teams. The school district, upon return of a student from a
1445 juvenile justice education program, must consider the individual
1446 needs and circumstances of the student and the transition plan
1447 recommendations when reenrolling a student in a public school. A
1448 local school district may not maintain a standardized policy for
1449 all students returning from a juvenile justice program but place
1450 students based on their needs and their performance in the
1451 juvenile justice education program, including any virtual
1452 education options.

1453 (c) The Department of Education and the Department of
1454 Juvenile Justice shall provide oversight and guidance to school
1455 districts, education providers, and reentry personnel on how to
1456 implement effective educational transition planning and
1457 services.

1458 (11) The district school board shall recruit and train
1459 teachers who are ~~interested, qualified, or experienced~~ in
1460 educating students in juvenile justice programs. Students in



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1461 juvenile justice programs shall be provided a wide range of
1462 education programs and opportunities, including instructional
1463 materials ~~textbooks~~, technology, instructional support, and
1464 resources commensurate with resources provided to students in
1465 public schools, including instructional materials ~~textbooks~~ and
1466 access to technology. If the district school board operates a
1467 juvenile justice education program at a juvenile justice
1468 facility, the district school board, in consultation with the
1469 director of the juvenile justice facility, shall select the
1470 instructional personnel assigned to that program. The Secretary
1471 of Juvenile Justice or the director of a juvenile justice
1472 program may request that the performance of a teacher assigned
1473 by the district to a juvenile justice education program be
1474 reviewed by the district and that the teacher be reassigned
1475 based upon an evaluation conducted pursuant to s. 1012.34 or for
1476 inappropriate behavior. Juvenile justice education programs
1477 shall have access to the substitute teacher pool used by the
1478 district school board.

1479 (12) District school boards may contract with a private
1480 provider for the provision of education programs to students
1481 placed in juvenile justice detention, prevention, or day
1482 treatment programs with the Department of Juvenile Justice and
1483 shall generate local, state, and federal funding, including
1484 funding through the Florida Education Finance Program for such
1485 students. The district school board's planning and budgeting
1486 process shall include the needs of Department of Juvenile
1487 Justice education programs in the district school board's plan
1488 for expenditures for state categorical and federal funds.

1489 (13) (a) Eligible students enrolled in juvenile justice



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1490 detention, prevention, or day treatment education programs shall
1491 be funded the same as students enrolled in traditional public
1492 schools funded in the Florida Education Finance Program and as
1493 specified in s. 1011.62 and the General Appropriations Act.

1494 (b) Juvenile justice education programs to receive the
1495 appropriate FEFP funding for Department of Juvenile Justice
1496 education programs shall include those operated through a
1497 contract with the Department of Juvenile Justice.

1498 (c) Consistent with the rules of the State Board of
1499 Education, district school boards shall request an alternative
1500 FTE survey for Department of Juvenile Justice education programs
1501 experiencing fluctuations in student enrollment.

1502 (d) FTE count periods shall be prescribed in rules of the
1503 State Board of Education and shall be the same for programs of
1504 the Department of Juvenile Justice as for other public school
1505 programs. The summer school period for students in Department of
1506 Juvenile Justice education programs shall begin on the day
1507 immediately following the end of the regular school year and end
1508 on the day immediately preceding the subsequent regular school
1509 year. Students shall be funded for no more than 25 hours per
1510 week of direct instruction.

1511 (e) Each juvenile justice education program must receive
1512 all federal funds for which the program is eligible.

1513 (14) Each district school board shall negotiate a
1514 cooperative agreement with the Department of Juvenile Justice on
1515 the delivery of educational services to students in juvenile
1516 justice detention, prevention, or day treatment programs under
1517 the jurisdiction of the Department of Juvenile Justice. Such
1518 agreement must include, but is not limited to:



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- 1519 (a) Roles and responsibilities of each agency, including
1520 the roles and responsibilities of contract providers.
- 1521 (b) Administrative issues including procedures for sharing
1522 information.
- 1523 (c) Allocation of resources including maximization of
1524 local, state, and federal funding.
- 1525 (d) Procedures for educational evaluation for educational
1526 exceptionalities and special needs.
- 1527 (e) Curriculum and delivery of instruction.
- 1528 (f) Classroom management procedures and attendance
1529 policies.
- 1530 (g) Procedures for provision of qualified instructional
1531 personnel, whether supplied by the district school board or
1532 provided under contract by the provider, and for performance of
1533 duties while in a juvenile justice setting.
- 1534 (h) Provisions for improving skills in teaching and working
1535 with students referred to juvenile justice education programs.
- 1536 (i) Transition plans for students moving into and out of
1537 juvenile justice education programs.
- 1538 (j) Procedures and timelines for the timely documentation
1539 of credits earned and transfer of student records.
- 1540 (k) Methods and procedures for dispute resolution.
- 1541 (l) Provisions for ensuring the safety of education
1542 personnel and support for the agreed-upon education program.
- 1543 (m) Strategies for correcting any deficiencies found
1544 through the alternative school improvement rating accountability
1545 and evaluation system and student performance measures.
- 1546 (n) Career and academic assessments selected by the
1547 district pursuant to paragraph (3)(d).



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1548 (15) Nothing in this section or in a cooperative agreement
1549 requires the district school board to provide more services than
1550 can be supported by the funds generated by students in the
1551 juvenile justice programs.

1552 ~~(16) The Department of Education, in consultation with the~~
1553 ~~Department of Juvenile Justice, district school boards, and~~
1554 ~~providers, shall adopt rules establishing:~~

1555 ~~(a) Objective and measurable student performance measures~~
1556 ~~to evaluate a student's educational progress while participating~~
1557 ~~in a prevention, day treatment, or residential program. The~~
1558 ~~student performance measures must be based on appropriate~~
1559 ~~outcomes for all students in juvenile justice education~~
1560 ~~programs, taking into consideration the student's length of stay~~
1561 ~~in the program. Performance measures shall include outcomes that~~
1562 ~~relate to student achievement of career education goals,~~
1563 ~~acquisition of employability skills, receipt of a high school~~
1564 ~~diploma or its equivalent, grade advancement, and the number of~~
1565 ~~CAPE industry certifications earned.~~

1566 ~~(b) A performance rating system to be used by the~~
1567 ~~Department of Education to evaluate the delivery of educational~~
1568 ~~services within each of the juvenile justice programs. The~~
1569 ~~performance rating shall be primarily based on data regarding~~
1570 ~~student performance as described in paragraph (a).~~

1571 ~~(c) The timeframes, procedures, and resources to be used to~~
1572 ~~improve a low-rated educational program or to terminate or~~
1573 ~~reassign the program.~~

1574 ~~(d) The Department of Education, in partnership with the~~
1575 ~~Department of Juvenile Justice, shall develop a comprehensive~~
1576 ~~accountability and program improvement process. The~~



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1577 ~~accountability and program improvement process shall be based on~~
1578 ~~student performance measures by type of program and shall rate~~
1579 ~~education program performance. The accountability system shall~~
1580 ~~identify and recognize high-performing education programs. The~~
1581 ~~Department of Education, in partnership with the Department of~~
1582 ~~Juvenile Justice, shall identify low-performing programs. Low-~~
1583 ~~performing education programs shall receive an onsite program~~
1584 ~~evaluation from the Department of Juvenile Justice. School~~
1585 ~~improvement, technical assistance, or the reassignment of the~~
1586 ~~program shall be based, in part, on the results of the program~~
1587 ~~evaluation. Through a corrective action process, low-performing~~
1588 ~~programs must demonstrate improvement or the programs shall be~~
1589 ~~reassigned.~~

1590 ~~(17) The department, in collaboration with the Department~~
1591 ~~of Juvenile Justice, shall collect data and report on~~
1592 ~~commitment, day treatment, prevention, and detention programs.~~
1593 ~~The report shall be submitted to the President of the Senate,~~
1594 ~~the Speaker of the House of Representatives, and the Governor by~~
1595 ~~February 1 of each year. The report must include, at a minimum:~~

- 1596 ~~(a) The number and percentage of students who:~~
- 1597 ~~1. Return to an alternative school, middle school, or high~~
1598 ~~school upon release and the attendance rate of such students~~
1599 ~~before and after participation in juvenile justice education~~
1600 ~~programs.~~
 - 1601 ~~2. Receive a standard high school diploma or a high school~~
1602 ~~equivalency diploma.~~
 - 1603 ~~3. Receive industry certification.~~
 - 1604 ~~4. Enroll in a postsecondary educational institution.~~
 - 1605 ~~5. Complete a juvenile justice education program without~~



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1606 ~~reoffending.~~
1607 ~~6. Reoffend within 1 year after completion of a day~~
1608 ~~treatment or residential commitment program.~~
1609 ~~7. Remain employed 1 year after completion of a day~~
1610 ~~treatment or residential commitment program.~~
1611 ~~8. Demonstrate learning gains pursuant to paragraph (3) (d).~~
1612 ~~(b) The following cost data for each juvenile justice~~
1613 ~~education program:~~
1614 ~~1. The amount of funding provided by district school boards~~
1615 ~~to juvenile justice programs and the amount retained for~~
1616 ~~administration, including documenting the purposes of such~~
1617 ~~expenses.~~
1618 ~~2. The status of the development of cooperative agreements.~~
1619 ~~3. Recommendations for system improvement.~~
1620 ~~4. Information on the identification of, and services~~
1621 ~~provided to, exceptional students, to determine whether these~~
1622 ~~students are properly reported for funding and are appropriately~~
1623 ~~served.~~
1624 ~~(16)(18)~~ The district school board shall not be charged any
1625 rent, maintenance, utilities, or overhead on such facilities.
1626 Maintenance, repairs, and remodeling of existing detention
1627 facilities shall be provided by the Department of Juvenile
1628 Justice.
1629 ~~(17)(19)~~ When additional facilities are required for
1630 juvenile justice detention, prevention, or day treatment
1631 programs, the district school board and the Department of
1632 Juvenile Justice shall agree on the appropriate site based on
1633 the instructional needs of the students. When the most
1634 appropriate site for instruction is on district school board



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1635 property, a special capital outlay request shall be made by the
1636 commissioner in accordance with s. 1013.60. When the most
1637 appropriate site is on state property, state capital outlay
1638 funds shall be requested by the Department of Juvenile Justice
1639 provided by s. 216.043 and shall be submitted as specified by s.
1640 216.023. Any instructional facility to be built on state
1641 property shall have educational specifications jointly developed
1642 by the district school board and the Department of Juvenile
1643 Justice and approved by the Department of Education. The size of
1644 space and occupant design capacity criteria as provided by State
1645 Board of Education rules shall be used for remodeling or new
1646 construction whether facilities are provided on state property
1647 or district school board property.

1648 ~~(18)-(20)~~ The parent of an exceptional student shall have
1649 the due process rights provided for in this chapter.

1650 ~~(19)-(21)~~ The State Board of Education shall adopt rules
1651 necessary to implement this section. Such rules must require the
1652 minimum amount of paperwork and reporting.

1653 ~~(22) The Department of Juvenile Justice and the Department~~
1654 ~~of Education, in consultation with CareerSource Florida, Inc.,~~
1655 ~~the statewide Workforce Development Youth Council, district~~
1656 ~~school boards, Florida College System institutions, providers,~~
1657 ~~and others, shall jointly develop a multiagency plan for CAPE~~
1658 ~~which describes the funding, curriculum, transfer of credits,~~
1659 ~~goals, and outcome measures for career education programming in~~
1660 ~~juvenile commitment facilities, pursuant to s. 985.622. The plan~~
1661 ~~must be reviewed annually.~~

1662 Section 28. For the purpose of incorporating the amendment
1663 made by this act to section 985.115, Florida Statutes, in a



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1664 reference thereto, subsection (1) of section 985.25, Florida
1665 Statutes, is reenacted to read:

1666 985.25 Detention intake.—

1667 (1) The department shall receive custody of a child who has
1668 been taken into custody from the law enforcement agency or court
1669 and shall review the facts in the law enforcement report or
1670 probable cause affidavit and make such further inquiry as may be
1671 necessary to determine whether detention care is appropriate.

1672 (a) During the period of time from the taking of the child
1673 into custody to the date of the detention hearing, the initial
1674 decision as to the child's placement into detention care shall
1675 be made by the department under ss. 985.24 and 985.245(1).

1676 (b) The department shall base the decision whether to place
1677 the child into detention care on an assessment of risk in
1678 accordance with the risk assessment instrument and procedures
1679 developed by the department under s. 985.245, except that a
1680 child shall be placed in secure detention care until the child's
1681 detention hearing if the child meets the criteria specified in
1682 s. 985.255(1)(f), is charged with possessing or discharging a
1683 firearm on school property in violation of s. 790.115, or is
1684 charged with any other offense involving the possession or use
1685 of a firearm.

1686 (c) If the final score on the child's risk assessment
1687 instrument indicates detention care is appropriate, but the
1688 department otherwise determines the child should be released,
1689 the department shall contact the state attorney, who may
1690 authorize release.

1691 (d) If the final score on the risk assessment instrument
1692 indicates detention is not appropriate, the child may be



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1693 released by the department in accordance with ss. 985.115 and
1694 985.13.

1695
1696 Under no circumstances shall the department or the state
1697 attorney or law enforcement officer authorize the detention of
1698 any child in a jail or other facility intended or used for the
1699 detention of adults, without an order of the court.

1700 Section 29. For the purpose of incorporating the amendment
1701 made by this act to section 985.27, Florida Statutes, in a
1702 reference thereto, subsection (3) of section 985.255, Florida
1703 Statutes, is reenacted to read:

1704 985.255 Detention criteria; detention hearing.—

1705 (3) (a) The purpose of the detention hearing required under
1706 subsection (1) is to determine the existence of probable cause
1707 that the child has committed the delinquent act or violation of
1708 law that he or she is charged with and the need for continued
1709 detention. The court shall use the results of the risk
1710 assessment performed by the department and, based on the
1711 criteria in subsection (1), shall determine the need for
1712 continued detention. If the child is a prolific juvenile
1713 offender who is detained under s. 985.26(2)(c), the court shall
1714 use the results of the risk assessment performed by the
1715 department and the criteria in subsection (1) or subsection (2)
1716 only to determine whether the prolific juvenile offender should
1717 be held in secure detention.

1718 (b) If the court orders a placement more restrictive than
1719 indicated by the results of the risk assessment instrument, the
1720 court shall state, in writing, clear and convincing reasons for
1721 such placement.



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1722 (c) Except as provided in s. 790.22(8) or s. 985.27, when a
1723 child is placed into detention care, or into a respite home or
1724 other placement pursuant to a court order following a hearing,
1725 the court order must include specific instructions that direct
1726 the release of the child from such placement no later than 5
1727 p.m. on the last day of the detention period specified in s.
1728 985.26 or s. 985.27, whichever is applicable, unless the
1729 requirements of such applicable provision have been met or an
1730 order of continuance has been granted under s. 985.26(4). If the
1731 court order does not include a release date, the release date
1732 shall be requested from the court on the same date that the
1733 child is placed in detention care. If a subsequent hearing is
1734 needed to provide additional information to the court for safety
1735 planning, the initial order placing the child in detention care
1736 shall reflect the next detention review hearing, which shall be
1737 held within 3 calendar days after the child's initial detention
1738 placement.

1739 Section 30. For the purpose of incorporating the amendment
1740 made by this act to section 985.441, Florida Statutes, in a
1741 reference thereto, paragraph (h) of subsection (2) of section
1742 985.475, Florida Statutes, is reenacted to read:

1743 985.475 Juvenile sexual offenders.—

1744 (2) Following a delinquency adjudicatory hearing under s.
1745 985.35, the court may on its own or upon request by the state or
1746 the department and subject to specific appropriation, determine
1747 whether a juvenile sexual offender placement is required for the
1748 protection of the public and what would be the best approach to
1749 address the treatment needs of the juvenile sexual offender.
1750 When the court determines that a juvenile has no history of a



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1751 recent comprehensive assessment focused on sexually deviant
1752 behavior, the court may, subject to specific appropriation,
1753 order the department to conduct or arrange for an examination to
1754 determine whether the juvenile sexual offender is amenable to
1755 community-based treatment.

1756 (h) If the juvenile sexual offender violates any condition
1757 of the disposition or the court finds that the juvenile sexual
1758 offender is failing to make satisfactory progress in treatment,
1759 the court may revoke the community-based treatment alternative
1760 and order commitment to the department under s. 985.441.

1761 Section 31. For the purpose of incorporating the amendment
1762 made by this act to section 985.441, Florida Statutes, in a
1763 reference thereto, paragraph (b) of subsection (4) of section
1764 985.565, Florida Statutes, is reenacted to read:

1765 985.565 Sentencing powers; procedures; alternatives for
1766 juveniles prosecuted as adults.—

1767 (4) SENTENCING ALTERNATIVES.—

1768 (b) *Juvenile sanctions*.—For juveniles transferred to adult
1769 court but who do not qualify for such transfer under s.

1770 985.556(3), the court may impose juvenile sanctions under this
1771 paragraph. If juvenile sentences are imposed, the court shall,
1772 under this paragraph, adjudge the child to have committed a
1773 delinquent act. Adjudication of delinquency may not be deemed a
1774 conviction, nor shall it operate to impose any of the civil
1775 disabilities ordinarily resulting from a conviction. The court
1776 shall impose an adult sanction or a juvenile sanction and may
1777 not sentence the child to a combination of adult and juvenile
1778 punishments. An adult sanction or a juvenile sanction may
1779 include enforcement of an order of restitution or probation



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1780 previously ordered in any juvenile proceeding. However, if the
1781 court imposes a juvenile sanction and the department determines
1782 that the sanction is unsuitable for the child, the department
1783 shall return custody of the child to the sentencing court for
1784 further proceedings, including the imposition of adult
1785 sanctions. Upon adjudicating a child delinquent under subsection
1786 (1), the court may:

1787 1. Place the child in a probation program under the
1788 supervision of the department for an indeterminate period of
1789 time until the child reaches the age of 19 years or sooner if
1790 discharged by order of the court.

1791 2. Commit the child to the department for treatment in an
1792 appropriate program for children for an indeterminate period of
1793 time until the child is 21 or sooner if discharged by the
1794 department. The department shall notify the court of its intent
1795 to discharge no later than 14 days before discharge. Failure of
1796 the court to timely respond to the department's notice shall be
1797 considered approval for discharge.

1798 3. Order disposition under ss. 985.435, 985.437, 985.439,
1799 985.441, 985.45, and 985.455 as an alternative to youthful
1800 offender or adult sentencing if the court determines not to
1801 impose youthful offender or adult sanctions.

1802
1803 It is the intent of the Legislature that the criteria and
1804 guidelines in this subsection are mandatory and that a
1805 determination of disposition under this subsection is subject to
1806 the right of the child to appellate review under s. 985.534.

1807 Section 32. For the purpose of incorporating the amendment
1808 made by this act to section 985.03, Florida Statutes, in a



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1809 reference thereto, section 985.721, Florida Statutes, is
1810 reenacted to read:

1811 985.721 Escapes from secure detention or residential
1812 commitment facility.—An escape from:

1813 (1) Any secure detention facility maintained for the
1814 temporary detention of children, pending adjudication,
1815 disposition, or placement;

1816 (2) Any residential commitment facility described in s.
1817 985.03(44), maintained for the custody, treatment, punishment,
1818 or rehabilitation of children found to have committed delinquent
1819 acts or violations of law; or

1820 (3) Lawful transportation to or from any such secure
1821 detention facility or residential commitment facility,

1822
1823 constitutes escape within the intent and meaning of s. 944.40
1824 and is a felony of the third degree, punishable as provided in
1825 s. 775.082, s. 775.083, or s. 775.084.

1826 Section 33. This act shall take effect July 1, 2024.

1827
1828 ===== T I T L E A M E N D M E N T =====

1829 And the title is amended as follows:

1830 Delete everything before the enacting clause
1831 and insert:

1832 A bill to be entitled
1833 An act relating to juvenile justice; amending s.
1834 330.41, F.S.; conforming provisions to changes made by
1835 the act; amending s. 381.887, F.S.; authorizing
1836 certain employees of Department of Juvenile Justice
1837 and contracted providers to possess and administer



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1838 opioid antagonists; providing immunity from liability
1839 for administration; amending ss. 553.865, 790.22,
1840 938.17, 943.0515, and 948.51, F.S.; conforming
1841 provisions to changes made by the act; amending s.
1842 985.02, F.S.; replacing the term "gender-specific"
1843 with "sex-specific"; conforming provisions; amending
1844 s. 985.03, F.S.; eliminating the minimum-risk
1845 nonresidential restrictiveness level; redesignating
1846 the nonsecure residential restrictiveness level as the
1847 "moderate-risk residential level"; revising the
1848 components of the maximum-risk residential
1849 restrictiveness level; defining "sex"; amending s.
1850 985.039, F.S.; conforming provisions to changes made
1851 by the act; amending s. 985.115, F.S.; providing that
1852 juvenile assessment centers are not facilities that
1853 are permitted to receive certain children; amending
1854 ss. 985.126 and 985.17, F.S.; conforming provisions to
1855 changes made by the act; amending s. 985.26, F.S.;
1856 revising provisions concerning transitioning a child
1857 to and from secure detention care and supervised
1858 release detention care; amending ss. 985.27, 985.441,
1859 and 985.455, F.S.; conforming provisions to changes
1860 made by the act; amending s. 985.465, F.S.; replacing
1861 the term "juvenile correctional facility or juvenile
1862 prison" with "maximum-risk residential facilities";
1863 amending s. 985.601, F.S.; authorizing the purchase of
1864 certain materials; amending s. 985.619, F.S.;
1865 providing the board of trustees of the Florida
1866 Scholars Academy the power and duty to review and



1867 approve an annual academic calendar; authorizing the
1868 board of trustees to decrease the minimum number of
1869 days for instruction; amending s. 985.664, F.S.;

1870 substantially revising provisions relating to juvenile
1871 justice circuit advisory boards; amending ss. 985.668,
1872 985.676, and 1001.42, F.S.; conforming provisions to
1873 changes made by the act; amending s. 1003.01, F.S.;

1874 revising the definition of the term "juvenile justice
1875 education programs or schools"; amending s. 1003.51,
1876 F.S.; revising requirements for certain State Board of
1877 Education rules to establish policies and standards
1878 for certain education programs; revising requirements
1879 for the Department of Education, in partnership with
1880 the Department of Juvenile Justice, district school
1881 boards, and education providers, to develop and
1882 implement certain contract requirements and to
1883 maintain standardized required content of education
1884 records; revising district school board requirements;

1885 revising departmental requirements relating to
1886 juvenile justice education programs; amending s.
1887 1003.52, F.S.; revising the role of Coordinators for
1888 Juvenile Justice Education Programs in collecting
1889 certain information and developing certain protocols;

1890 deleting provisions relating to career and
1891 professional education (CAPE); requiring district
1892 school boards to select appropriate academic and
1893 career assessments to be administered at the time of
1894 program entry and exit; deleting provisions related to
1895 requiring residential juvenile justice education



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1896 programs to provide certain CAPE courses; requiring
1897 each district school board to make provisions for high
1898 school level students to earn credits toward high
1899 school graduation while in juvenile justice detention,
1900 prevention, or day treatment programs; authorizing
1901 district school boards to contract with private
1902 providers for education programs for students in such
1903 programs; requiring each district school board to
1904 negotiate a cooperative agreement with the department
1905 on the delivery of educational services to students in
1906 such programs; revising requirements for such
1907 agreements; deleting provisions requiring the
1908 Department of Education, in consultation with the
1909 Department of Juvenile Justice, to adopt rules and
1910 collect data and report on certain programs; deleting
1911 a provision requiring that specified entities jointly
1912 develop a multiagency plan for CAPE; conforming
1913 provisions to changes made by the act; reenacting ss.
1914 985.25(1), 985.255(3), 985.475(2)(h), 985.565(4)(b),
1915 and 985.721, F.S., relating to detention intakes,
1916 detention criteria and detention hearings, juvenile
1917 sexual offenders, juvenile sanctions, and escapes from
1918 secure detention or residential commitment facilities,
1919 respectively, to incorporate the amendments made by
1920 the act; providing an effective date.