

By Senator Bradley

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1                   A bill to be entitled  
2       An act relating to juvenile justice; amending s.  
3       381.887, F.S.; authorizing personnel of the Department  
4       of Juvenile Justice and of certain contracted  
5       providers to possess, store, and administer emergency  
6       opioid antagonists and providing immunity from civil  
7       or criminal liability for such personnel; amending s.  
8       790.22, F.S.; deleting a provision requiring the  
9       juvenile justice circuit advisory board to establish  
10      certain community service programs; amending s.  
11      938.17, F.S.; requiring sheriffs' offices to submit an  
12      annual report regarding certain received proceeds to  
13      the department, rather than the juvenile justice  
14      circuit advisory board; amending s. 948.51, F.S.;  
15      requiring the public safety coordinating council to  
16      cooperate with the department, rather than the  
17      juvenile justice circuit advisory board, to prepare a  
18      comprehensive public safety plan; amending s. 985.02,  
19      F.S.; revising the legislative intent for the juvenile  
20      justice system relating to general protections for  
21      children and sex-specific, rather than gender-  
22      specific, programming; amending s. 985.03, F.S.;  
23      revising definitions and defining the term "sex";  
24      amending s. 985.115, F.S.; prohibiting juvenile  
25      assessment centers from being considered facilities  
26      that can receive children under specified  
27      circumstances; amending s. 985.126, F.S.; revising the  
28      information a diversion program is required to report  
29      about each minor from his or her gender to his or her

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30 sex; requiring the department to compile and  
31 semiannually publish certain data in a format that is  
32 searchable by sex rather than by gender; amending s.  
33 985.17, F.S.; revising the programming focus for the  
34 department's prevention services for youth at risk of  
35 becoming delinquent to include sex-specific services  
36 rather than gender-specific services; amending s.  
37 985.26, F.S.; authorizing that transitions from secure  
38 detention care and supervised release detention care  
39 be initiated upon a court's own motion or upon a  
40 motion from the child or the state; amending s.  
41 985.27, F.S.; revising the required court placement in  
42 secure detention for children who are adjudicated and  
43 awaiting placement in a moderate-risk, rather than  
44 nonsecure, residential commitment program; reenacting  
45 and amending s. 985.441, F.S.; authorizing a court to  
46 commit certain children to a moderate-risk, rather  
47 than nonsecure, residential placement under certain  
48 circumstances; amending s. 985.465, F.S.; revising the  
49 physically secure residential commitment program to  
50 send specified children to maximum-risk residential  
51 facilities rather than juvenile correctional  
52 facilities or prisons; amending s. 985.601, F.S.;  
53 revising certain required programs for rehabilitative  
54 treatment to include sex-specific programming rather  
55 than gender-specific programming; authorizing the  
56 department to use state or federal funds to purchase  
57 and distribute promotional and educational materials  
58 that are consistent with the dignity and integrity of

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59 the state for specified purposes; amending s. 985.664,  
60 F.S.; requiring, rather than authorizing, each  
61 judicial circuit to have a juvenile justice circuit  
62 advisory board; requiring the juvenile justice circuit  
63 advisory board to work with the chief probation  
64 officer of the circuit to use data to inform policy  
65 and practices that better improve the juvenile justice  
66 continuum; deleting provisions relating to the  
67 juvenile justice circuit advisory board's purpose,  
68 duties, and responsibilities; decreasing the minimum  
69 number of members that each juvenile justice circuit  
70 advisory board is required to have; requiring that  
71 each member of the juvenile justice circuit advisory  
72 board be approved by the chief probation officer of  
73 the circuit, rather than the Secretary of Juvenile  
74 Justice; requiring the chief probation officer in each  
75 circuit to serve as the chair of the juvenile justice  
76 circuit advisory board for that circuit; deleting  
77 provisions relating to board membership and vacancies;  
78 deleting provisions relating to quorums and the  
79 passing of measures; deleting provisions requiring the  
80 establishment of executive committees and having  
81 bylaws; amending s. 985.676, F.S.; revising the  
82 required contents of a grant proposal applicants must  
83 submit to be considered for funding from an annual  
84 community juvenile justice partnership grant;  
85 requiring the department to consider the  
86 recommendations of community stakeholders, rather than  
87 the juvenile justice circuit advisory board, as to

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88 certain priorities; deleting the juvenile justice  
89 circuit advisory board from the entities to which each  
90 awarded grantee is required to submit an annual  
91 evaluation report; conforming a provision to changes  
92 made by the act; amending s. 1003.51, F.S.; revising  
93 requirements for certain State Board of Education  
94 rules to establish policies and standards for certain  
95 education programs; amending s. 1003.52, F.S.;

96 revising the role of Coordinators for Juvenile Justice  
97 Education Programs in collecting certain information  
98 and developing certain protocols; deleting provisions  
99 relating to career and professional education (CAPE);  
100 deleting provisions related to requiring residential  
101 juvenile justice education programs to provide certain  
102 CAPE courses; requiring each district school board to  
103 make provisions for high school level students to earn  
104 credits towards high school graduation while in  
105 juvenile justice detention, prevention, or day  
106 treatment programs; authorizing district school boards  
107 to contract with private providers for the provision  
108 of education programs to students placed in such  
109 programs; requiring each district school board to  
110 negotiate a cooperative agreement with the department  
111 on the delivery of educational services to students in  
112 such programs; deleting provisions requiring the  
113 Department of Education, in consultation with the  
114 Department of Juvenile Justice, to adopt rules and  
115 collect data and report on certain programs; deleting  
116 a provision requiring that specified entities jointly

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117 develop a multiagency plan for CAPE; conforming  
118 provisions to changes made by the act; amending s.  
119 330.41, F.S.; conforming a provision to changes made  
120 by the act; amending s. 553.865, F.S.; conforming  
121 cross-references and provisions to changes made by the  
122 act; amending s. 1001.42, F.S.; conforming a provision  
123 to changes made by the act; reenacting s. 985.721,  
124 F.S., relating to escapes from secure detention or  
125 residential commitment facilities, to incorporate the  
126 amendment made to s. 985.03, F.S., in a reference  
127 thereto; reenacting s. 985.25(1), F.S., relating to  
128 detention intakes, to incorporate the amendment made  
129 to s. 985.115, F.S., in a reference thereto;  
130 reenacting s. 985.255(3), F.S., relating to detention  
131 criteria and detention hearings, to incorporate the  
132 amendment made to s. 985.27, F.S., in a reference  
133 thereto; reenacting ss. 985.475(2)(h) and  
134 985.565(4)(b), F.S., relating to juvenile sexual  
135 offenders and juvenile sanctions, respectively, to  
136 incorporate the amendment made to s. 985.441, F.S., in  
137 references thereto; providing an effective date.

138

139 Be It Enacted by the Legislature of the State of Florida:

140

141 Section 1. Subsection (4) of section 381.887, Florida  
142 Statutes, is amended to read:

143 381.887 Emergency treatment for suspected opioid overdose.—

144 (4) The following persons are authorized to possess, store,  
145 and administer emergency opioid antagonists as clinically

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146 indicated and are immune from any civil liability or criminal  
147 liability as a result of administering an emergency opioid  
148 antagonist:

149 (a) Emergency responders, including, but not limited to,  
150 law enforcement officers, paramedics, and emergency medical  
151 technicians.

152 (b) Crime laboratory personnel for the statewide criminal  
153 analysis laboratory system as described in s. 943.32, including,  
154 but not limited to, analysts, evidence intake personnel, and  
155 their supervisors.

156 (c) Personnel of a law enforcement agency or an other  
157 agency, including, but not limited to, correctional probation  
158 officers and child protective investigators who, while acting  
159 within the scope or course of employment, come into contact with  
160 a controlled substance or persons at risk of experiencing an  
161 opioid overdose.

162 (d) Personnel of the Department of Juvenile Justice and of  
163 any contracted provider with direct contact with youth  
164 authorized under chapter 984 or chapter 985.

165 Section 2. Subsection (4) of section 790.22, Florida  
166 Statutes, is amended to read:

167 790.22 Use of BB guns, air or gas-operated guns, or  
168 electric weapons or devices by minor under 16; limitation;  
169 possession of firearms by minor under 18 prohibited; penalties.-

170 (4) (a) Any parent or guardian of a minor, or other adult  
171 responsible for the welfare of a minor, who knowingly and  
172 willfully permits the minor to possess a firearm in violation of  
173 subsection (3) commits a felony of the third degree, punishable  
174 as provided in s. 775.082, s. 775.083, or s. 775.084.

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175 (b) Any natural parent or adoptive parent, whether  
176 custodial or noncustodial, or any legal guardian or legal  
177 custodian of a minor, if that minor possesses a firearm in  
178 violation of subsection (3) may, if the court finds it  
179 appropriate, be required to participate in classes on parenting  
180 education which are approved by the Department of Juvenile  
181 Justice, upon the first conviction of the minor. Upon any  
182 subsequent conviction of the minor, the court may, if the court  
183 finds it appropriate, require the parent to attend further  
184 parent education classes or render community service hours  
185 together with the child.

186 (c) The ~~juvenile justice circuit advisory boards or the~~  
187 Department of Juvenile Justice shall establish appropriate  
188 community service programs to be available to the alternative  
189 sanctions coordinators of the circuit courts in implementing  
190 this subsection. The boards or department shall propose the  
191 implementation of a community service program in each circuit,  
192 and may submit a circuit plan, to be implemented upon approval  
193 of the circuit alternative sanctions coordinator.

194 (d) For the purposes of this section, community service may  
195 be provided on public property as well as on private property  
196 with the expressed permission of the property owner. Any  
197 community service provided on private property is limited to  
198 such things as removal of graffiti and restoration of vandalized  
199 property.

200 Section 3. Subsection (4) of section 938.17, Florida  
201 Statutes, is amended to read:

202 938.17 County delinquency prevention; juvenile assessment  
203 centers and school board suspension programs.—

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

210 Section 4. Subsection (2) of section 948.51, Florida  
211 Statutes, is amended to read:

212 948.51 Community corrections assistance to counties or  
213 county consortiums.—

214 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A  
215 county, or a consortium of two or more counties, may contract  
216 with the Department of Corrections for community corrections  
217 funds as provided in this section. In order to enter into a  
218 community corrections partnership contract, a county or county  
219 consortium must have a public safety coordinating council  
220 established under s. 951.26 and must designate a county officer  
221 or agency to be responsible for administering community  
222 corrections funds received from the state. The public safety  
223 coordinating council shall prepare, develop, and implement a  
224 comprehensive public safety plan for the county, or the  
225 geographic area represented by the county consortium, and shall  
226 submit an annual report to the Department of Corrections  
227 concerning the status of the program. In preparing the  
228 comprehensive public safety plan, the public safety coordinating  
229 council shall cooperate with the Department of Juvenile Justice  
230 ~~juvenile justice circuit advisory board established under s.~~  
231 ~~985.664~~ in order to include programs and services for juveniles  
232 in the plan. To be eligible for community corrections funds



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233 under the contract, the initial public safety plan must be  
234 approved by the governing board of the county, or the governing  
235 board of each county within the consortium, and the Secretary of  
236 Corrections based on the requirements of this section. If one or  
237 more other counties develop a unified public safety plan, the  
238 public safety coordinating council shall submit a single  
239 application to the department for funding. Continued contract  
240 funding shall be pursuant to subsection (5). The plan for a  
241 county or county consortium must cover at least a 5-year period  
242 and must include:

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

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

248 (c) Specific goals and objectives for reducing the  
249 projected percentage of commitments to the state prison system  
250 of persons with low total sentencing scores pursuant to the  
251 Criminal Punishment Code.

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

256 (e) The assessment of population status by the public  
257 safety coordinating council of all correctional facilities owned  
258 or contracted for by the county or by each county within the  
259 consortium.

260 (f) The assessment of bed space that is available for  
261 substance abuse intervention and treatment programs and the

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262 assessment of offenders in need of treatment who are committed  
263 to each correctional facility owned or contracted for by the  
264 county or by each county within the consortium.

265 (g) A description of program costs and sources of funds for  
266 each community corrections program, including community  
267 corrections funds, loans, state assistance, and other financial  
268 assistance.

269 Section 5. Subsections (1) and (7) of section 985.02,  
270 Florida Statutes, are amended to read:

271 985.02 Legislative intent for the juvenile justice system.—

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

275 (a) Protection from abuse, neglect, and exploitation.

276 (b) A permanent and stable home.

277 (c) A safe and nurturing environment which will preserve a  
278 sense of personal dignity and integrity.

279 (d) Adequate nutrition, shelter, and clothing.

280 (e) Effective treatment to address physical, social, and  
281 emotional needs, regardless of geographical location.

282 (f) Equal opportunity and access to quality and effective  
283 education, which will meet the individual needs of each child,  
284 and to recreation and other community resources to develop  
285 individual abilities.

286 (g) Access to prevention programs and services.

287 (h) Sex-specific ~~Gender-specific~~ programming and sex-  
288 specific ~~gender-specific~~ program models and services that  
289 comprehensively address the needs of either sex ~~a targeted~~  
290 ~~gender group~~.

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

292 (a) The Legislature finds that the needs of children served  
293 by the juvenile justice system are sex-specific ~~gender-specific~~.  
294 A sex-specific ~~gender-specific~~ approach is one in which  
295 programs, services, and treatments comprehensively address the  
296 unique developmental needs of either sex ~~a targeted gender group~~  
297 under the care of the department. Young women and men have  
298 different pathways to delinquency, display different patterns of  
299 offending, and respond differently to interventions, treatment,  
300 and services.

301 (b) Sex-specific ~~Gender-specific~~ interventions focus on the  
302 differences between young females' and young males' social roles  
303 and responsibilities, access to and use of resources, history of  
304 trauma, and reasons for interaction with the juvenile justice  
305 system. Sex-specific ~~Gender-specific~~ programs increase the  
306 effectiveness of programs by making interventions more  
307 appropriate to the specific needs of young women and men and  
308 ensuring that these programs do not unknowingly create,  
309 maintain, or reinforce sex ~~gender~~ roles or relations that may be  
310 damaging.

311 Section 6. Present subsections (46) through (54) of section  
312 985.03, Florida Statutes, are redesignated as subsections (47)  
313 through (55), respectively, a new subsection (46) is added to  
314 that section, and subsections (14) and (44) and present  
315 subsection (50) of that section are amended, to read:

316 985.03 Definitions.—As used in this chapter, the term:

317 (14) "Day treatment" means a nonresidential, community-  
318 based program designed to provide therapeutic intervention to  
319 youth who are served by the department or ~~7~~ placed on probation

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320 or conditional release, ~~or committed to the minimum risk~~  
321 ~~nonresidential level~~. A day treatment program may provide  
322 educational and career and technical education services and  
323 shall provide case management services; individual, group, and  
324 family counseling; training designed to address delinquency risk  
325 factors; and monitoring of a youth's compliance with, and  
326 facilitation of a youth's completion of, sanctions if ordered by  
327 the court. Program types may include, but are not limited to,  
328 career programs, marine programs, juvenile justice alternative  
329 schools, training and rehabilitation programs, and sex-specific  
330 ~~gender-specific~~ programs.

331 (44) "Restrictiveness level" means the level of programming  
332 and security provided by programs that service the supervision,  
333 custody, care, and treatment needs of committed children.  
334 Sections 985.601(10) and 985.721 apply to children placed in  
335 programs at any residential commitment level. The  
336 restrictiveness levels of commitment are as follows:

337 (a) ~~Minimum risk nonresidential~~. ~~Programs or program models~~  
338 ~~at this commitment level work with youth who remain in the~~  
339 ~~community and participate at least 5 days per week in a day~~  
340 ~~treatment program. Youth assessed and classified for programs at~~  
341 ~~this commitment level represent a minimum risk to themselves and~~  
342 ~~public safety and do not require placement and services in~~  
343 ~~residential settings. Youth in this level have full access to,~~  
344 ~~and reside in, the community. Youth who have been found to have~~  
345 ~~committed delinquent acts that involve firearms, that are sexual~~  
346 ~~offenses, or that would be life felonies or first degree~~  
347 ~~felonies if committed by an adult may not be committed to a~~  
348 ~~program at this level.~~

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349       ~~(b)~~ Moderate-risk Nonsecure residential.—Programs or  
350 program models at this commitment level are residential but may  
351 allow youth to have supervised access to the community.  
352 Facilities at this commitment level are either environmentally  
353 secure, staff secure, or are hardware-secure with walls,  
354 fencing, or locking doors. Residential facilities at this  
355 commitment level shall have no more than 90 beds each, including  
356 campus-style programs, unless those campus-style programs  
357 include more than one treatment program using different  
358 treatment protocols, and have facilities that coexist separately  
359 in distinct locations on the same property. Facilities at this  
360 commitment level shall provide 24-hour awake supervision,  
361 custody, care, and treatment of residents. Youth assessed and  
362 classified for placement in programs at this commitment level  
363 represent a low or moderate risk to public safety and require  
364 close supervision. The staff at a facility at this commitment  
365 level may seclude a child who is a physical threat to himself or  
366 herself or others. Mechanical restraint may also be used when  
367 necessary.

368       ~~(b)~~~~(e)~~ High-risk residential.—Programs or program models at  
369 this commitment level are residential and do not allow youth to  
370 have access to the community, except that temporary release  
371 providing community access for up to 72 continuous hours may be  
372 approved by a court for a youth who has made successful progress  
373 in his or her program in order for the youth to attend a family  
374 emergency or, during the final 60 days of his or her placement,  
375 to visit his or her home, enroll in school or a career and  
376 technical education program, complete a job interview, or  
377 participate in a community service project. High-risk

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378 residential facilities are hardware-secure with perimeter  
379 fencing and locking doors. Residential facilities at this  
380 commitment level shall have no more than 90 beds each, including  
381 campus-style programs, unless those campus-style programs  
382 include more than one treatment program using different  
383 treatment protocols, and have facilities that coexist separately  
384 in distinct locations on the same property. Facilities at this  
385 commitment level shall provide 24-hour awake supervision,  
386 custody, care, and treatment of residents. Youth assessed and  
387 classified for this level of placement require close supervision  
388 in a structured residential setting. Placement in programs at  
389 this level is prompted by a concern for public safety that  
390 outweighs placement in programs at lower commitment levels. The  
391 staff at a facility at this commitment level may seclude a child  
392 who is a physical threat to himself or herself or others.  
393 Mechanical restraint may also be used when necessary. The  
394 facility may provide for single cell occupancy, except that  
395 youth may be housed together during prerelease transition.

396 (c) ~~(d)~~ *Maximum-risk residential.* ~~Programs or program models~~  
397 ~~at this commitment level include juvenile correctional~~  
398 ~~facilities and juvenile prisons.~~ The programs at this commitment  
399 level are long-term residential and do not allow youth to have  
400 access to the community. Facilities at this commitment level are  
401 maximum-custody, hardware-secure with perimeter security fencing  
402 and locking doors. Residential facilities at this commitment  
403 level shall have no more than 90 beds each, including campus-  
404 style programs, unless those campus-style programs include more  
405 than one treatment program using different treatment protocols,  
406 and have facilities that coexist separately in distinct

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407 locations on the same property. Facilities at this commitment  
408 level shall provide 24-hour awake supervision, custody, care,  
409 and treatment of residents. The staff at a facility at this  
410 commitment level may seclude a child who is a physical threat to  
411 himself or herself or others. Mechanical restraint may also be  
412 used when necessary. Facilities at this commitment level shall  
413 provide for single cell occupancy, except that youth may be  
414 housed together during prerelease transition. Youth assessed and  
415 classified for this level of placement require close supervision  
416 in a maximum security residential setting. Placement in a  
417 program at this level is prompted by a demonstrated need to  
418 protect the public.

419 (46) "Sex" has the same meaning as in s. 553.865.

420 (51)~~(50)~~ "Temporary release" means the terms and conditions  
421 under which a child is temporarily released from a residential  
422 commitment facility or allowed home visits. If the temporary  
423 release is from a moderate-risk ~~nonsecure~~ residential facility,  
424 a high-risk residential facility, or a maximum-risk residential  
425 facility, the terms and conditions of the temporary release must  
426 be approved by the child, the court, and the facility.

427 Section 7. Subsection (2) of section 985.115, Florida  
428 Statutes, is amended to read:

429 985.115 Release or delivery from custody.—

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

434 (a) To the child's parent, guardian, or legal custodian or,  
435 if the child's parent, guardian, or legal custodian is

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436 unavailable, unwilling, or unable to provide supervision for the  
437 child, to any responsible adult. Prior to releasing the child to  
438 a responsible adult, other than the parent, guardian, or legal  
439 custodian, the person taking the child into custody may conduct  
440 a criminal history background check of the person to whom the  
441 child is to be released. If the person has a prior felony  
442 conviction, or a conviction for child abuse, drug trafficking,  
443 or prostitution, that person is not a responsible adult for the  
444 purposes of this section. The person to whom the child is  
445 released shall agree to inform the department or the person  
446 releasing the child of the child's subsequent change of address  
447 and to produce the child in court at such time as the court may  
448 direct, and the child shall join in the agreement.

449 (b) Contingent upon specific appropriation, to a shelter  
450 approved by the department or to an authorized agent.

451 (c) If the child is believed to be suffering from a serious  
452 physical condition which requires either prompt diagnosis or  
453 prompt treatment, to a law enforcement officer who shall deliver  
454 the child to a hospital for necessary evaluation and treatment.

455 (d) If the child is believed to be mentally ill as defined  
456 in s. 394.463(1), to a law enforcement officer who shall take  
457 the child to a designated public receiving facility as defined  
458 in s. 394.455 for examination under s. 394.463.

459 (e) If the child appears to be intoxicated and has  
460 threatened, attempted, or inflicted physical harm on himself or  
461 herself or another, or is incapacitated by substance abuse, to a  
462 law enforcement officer who shall deliver the child to a  
463 hospital, addictions receiving facility, or treatment resource.

464 (f) If available, to a juvenile assessment center equipped



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465 and staffed to assume custody of the child for the purpose of  
466 assessing the needs of the child in custody. The center may then  
467 release or deliver the child under this section with a copy of  
468 the assessment. A juvenile assessment center may not be  
469 considered a facility that can receive a child under paragraph  
470 (c), paragraph (d), or paragraph (e).

471 Section 8. Subsections (3) and (4) of section 985.126,  
472 Florida Statutes, are amended to read:

473 985.126 Diversion programs; data collection; denial of  
474 participation or expunged record.—

475 (3) (a) Beginning October 1, 2018, each diversion program  
476 shall submit data to the department which identifies for each  
477 minor participating in the diversion program:

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

479 2. The offense committed, including the specific law  
480 establishing the offense.

481 3. The judicial circuit and county in which the offense was  
482 committed and the law enforcement agency that had contact with  
483 the minor for the offense.

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

487 (b) Beginning October 1, 2018, each law enforcement agency  
488 shall submit to the department data that identifies for each  
489 minor who was eligible for a diversion program, but was instead  
490 referred to the department, provided a notice to appear, or  
491 arrested:

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

493 2. Whether the minor was offered the opportunity to

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494 participate in a diversion program. If the minor was:

495 a. Not offered such opportunity, the reason such offer was  
496 not made.

497 b. Offered such opportunity, whether the minor or his or  
498 her parent or legal guardian declined to participate in the  
499 diversion program.

500 (c) The data required pursuant to paragraph (a) shall be  
501 entered into the Juvenile Justice Information System Prevention  
502 Web within 7 days after the youth's admission into the program.

503 (d) The data required pursuant to paragraph (b) shall be  
504 submitted on or with the arrest affidavit or notice to appear.

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

510 Section 9. Subsection (3) of section 985.17, Florida  
511 Statutes, is amended to read:

512 985.17 Prevention services.—

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

515 (a) Focus on preventing initial or further involvement of  
516 such youth in the juvenile justice system by including services  
517 such as literacy services, sex-specific ~~gender-specific~~  
518 programming, recreational services, and after-school services,  
519 and should include targeted services to troubled, truant,  
520 ungovernable, abused, trafficked, or runaway youth. To decrease  
521 the likelihood that a youth will commit a delinquent act, the  
522 department should use mentoring and may provide specialized

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523 services addressing the strengthening of families, job training,  
524 and substance abuse.

525 (b) Address the multiple needs of such youth in order to  
526 decrease the prevalence of disproportionate minority  
527 representation in the juvenile justice system.

528 Section 10. Paragraph (a) of subsection (2) of section  
529 985.26, Florida Statutes, is amended to read:

530 985.26 Length of detention.—

531 (2) (a) 1. A court may order a child to be placed on  
532 supervised release detention care for any time period until an  
533 adjudicatory hearing is completed. However, if a child has  
534 served 60 days on supervised release detention care, the court  
535 must conduct a hearing within 15 days after the 60th day, to  
536 determine the need for continued supervised release detention  
537 care. At the hearing, and upon good cause being shown that the  
538 nature of the charge requires additional time for the  
539 prosecution or defense of the case or that the totality of the  
540 circumstances, including the preservation of public safety,  
541 warrants an extension, the court may order the child to remain  
542 on supervised release detention care until the adjudicatory  
543 hearing is completed.

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

549 3. This section does not prohibit a court from  
550 transitioning a child to and from secure detention care and  
551 supervised release detention care, including electronic

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552 monitoring, when the court finds such a placement necessary, or  
553 no longer necessary, to preserve public safety or to ensure the  
554 child's safety, appearance in court, or compliance with a court  
555 order. Such transition may be initiated upon the court's own  
556 motion, or upon a motion of the child or of the state, and after  
557 considering any information provided by the department regarding  
558 the child's adjustment to detention supervision. Each period of  
559 secure detention care or supervised release detention care  
560 counts toward the time limitations in this subsection whether  
561 served consecutively or nonconsecutively.

562 Section 11. Section 985.27, Florida Statutes, is amended to  
563 read:

564 985.27 Postdisposition detention while awaiting residential  
565 commitment placement.—The court must place all children who are  
566 adjudicated and awaiting placement in a moderate-risk ~~nonsecure~~,  
567 high-risk, or maximum-risk residential commitment program in  
568 secure detention care until the placement or commitment is  
569 accomplished.

570 Section 12. Subsection (2) of section 985.441, Florida  
571 Statutes, is amended, and paragraph (b) of subsection (1) and  
572 subsection (4) of that section are reenacted, to read:

573 985.441 Commitment.—

574 (1) The court that has jurisdiction of an adjudicated  
575 delinquent child may, by an order stating the facts upon which a  
576 determination of a sanction and rehabilitative program was made  
577 at the disposition hearing:

578 (b) Commit the child to the department at a restrictiveness  
579 level defined in s. 985.03. Such commitment must be for the  
580 purpose of exercising active control over the child, including,

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581 but not limited to, custody, care, training, monitoring for  
582 substance abuse, electronic monitoring, and treatment of the  
583 child and release of the child from residential commitment into  
584 the community in a postcommitment nonresidential conditional  
585 release program. If the child is not successful in the  
586 conditional release program, the department may use the transfer  
587 procedure under subsection (4).

588 (2) Notwithstanding subsection (1), the court having  
589 jurisdiction over an adjudicated delinquent child whose offense  
590 is a misdemeanor, or a child who is currently on probation for a  
591 misdemeanor, may not commit the child for any misdemeanor  
592 offense or any probation violation that is technical in nature  
593 and not a new violation of law at a restrictiveness level other  
594 than minimum-risk nonresidential. However, the court may commit  
595 such child to a moderate-risk ~~nonsecure~~ residential placement  
596 if:

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

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

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

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

608 (4) The department may transfer a child, when necessary to  
609 appropriately administer the child's commitment, from one

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610 facility or program to another facility or program operated,  
611 contracted, subcontracted, or designated by the department,  
612 including a postcommitment nonresidential conditional release  
613 program, except that the department may not transfer any child  
614 adjudicated solely for a misdemeanor to a residential program  
615 except as provided in subsection (2). The department shall  
616 notify the court that committed the child to the department and  
617 any attorney of record for the child, in writing, of its intent  
618 to transfer the child from a commitment facility or program to  
619 another facility or program of a higher or lower restrictiveness  
620 level. If the child is under the jurisdiction of a dependency  
621 court, the department shall also provide notice to the  
622 dependency court and the Department of Children and Families,  
623 and, if appointed, the Guardian Ad Litem Program and the child's  
624 attorney ad litem. The court that committed the child may agree  
625 to the transfer or may set a hearing to review the transfer. If  
626 the court does not respond within 10 days after receipt of the  
627 notice, the transfer of the child shall be deemed granted.

628 Section 13. Section 985.465, Florida Statutes, is amended  
629 to read:

630 985.465 Maximum-risk residential ~~Juvenile correctional~~  
631 ~~facilities or juvenile prison.~~—A maximum-risk juvenile  
632 ~~correctional~~ facility ~~or juvenile prison~~ is a physically secure  
633 residential commitment program with a designated length of stay  
634 from 18 months to 36 months, primarily serving children 13 years  
635 of age to 19 years of age or until the jurisdiction of the court  
636 expires. Each child committed to this level must meet one of the  
637 following criteria:

638 (1) The child is at least 13 years of age at the time of

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639 the disposition for the current offense and has been adjudicated  
640 on the current offense for:

- 641 (a) Arson;
- 642 (b) Sexual battery;
- 643 (c) Robbery;
- 644 (d) Kidnapping;
- 645 (e) Aggravated child abuse;
- 646 (f) Aggravated assault;
- 647 (g) Aggravated stalking;
- 648 (h) Murder;
- 649 (i) Manslaughter;
- 650 (j) Unlawful throwing, placing, or discharging of a  
651 destructive device or bomb;
- 652 (k) Armed burglary;
- 653 (l) Aggravated battery;
- 654 (m) Carjacking;
- 655 (n) Home-invasion robbery;
- 656 (o) Burglary with an assault or battery;
- 657 (p) Any lewd or lascivious offense committed upon or in the  
658 presence of a person less than 16 years of age; or
- 659 (q) Carrying, displaying, using, threatening to use, or  
660 attempting to use a weapon or firearm during the commission of a  
661 felony.

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

666 (3) The child is at least 13 years of age and is currently  
667 committed for a felony offense and transferred from a moderate-

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668 risk or high-risk residential commitment placement.

669 (4) The child is at least 13 years of age at the time of  
670 the disposition for the current offense, the child is eligible  
671 for prosecution as an adult for the current offense, and the  
672 current offense is ranked at level 7 or higher on the Criminal  
673 Punishment Code offense severity ranking chart pursuant to s.  
674 921.0022.

675 Section 14. Paragraph (a) of subsection (3) of section  
676 985.601, Florida Statutes, is amended, and subsection (12) is  
677 added to that section, to read:

678 985.601 Administering the juvenile justice continuum.—

679 (3) (a) The department shall develop or contract for  
680 diversified and innovative programs to provide rehabilitative  
681 treatment, including early intervention and prevention,  
682 diversion, comprehensive intake, case management, diagnostic and  
683 classification assessments, trauma-informed care, individual and  
684 family counseling, family engagement resources and programs,  
685 sex-specific ~~gender-specific~~ programming, shelter care,  
686 diversified detention care emphasizing alternatives to secure  
687 detention, diversified probation, halfway houses, foster homes,  
688 community-based substance abuse treatment services, community-  
689 based mental health treatment services, community-based  
690 residential and nonresidential programs, mother-infant programs,  
691 and environmental programs. The department may pay expenses in  
692 support of innovative programs and activities that address  
693 identified needs and the well-being of children in the  
694 department's care or under its supervision, subject to the  
695 requirements of chapters 215, 216, and 287. Each program shall  
696 place particular emphasis on reintegration and conditional



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697 release for all children in the program.

698 (12) The department may use state or federal funds to  
699 purchase and distribute promotional and educational materials  
700 that are consistent with the dignity and integrity of the state  
701 for all of the following purposes:

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

705 (b) Staff recruitment at job fairs, career fairs, community  
706 events, the Institute for Commercialization of Florida  
707 Technology, community college campuses, or state university  
708 campuses.

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

713 Section 15. Section 985.664, Florida Statutes, is amended  
714 to read:

715 985.664 Juvenile justice circuit advisory boards.—

716 (1) Each judicial circuit in this state shall have ~~There is~~  
717 ~~authorized~~ a juvenile justice circuit advisory board ~~to be~~  
718 ~~established in each of the 20 judicial circuits.~~ The ~~Except in~~  
719 ~~single county circuits,~~ each juvenile justice circuit advisory  
720 board shall work with the chief probation officer of the circuit  
721 to use data to inform policies and practices that better improve  
722 the juvenile justice continuum ~~have a county organization~~  
723 ~~representing each of the counties in the circuit.~~ ~~The county~~  
724 ~~organization shall report directly to the juvenile justice~~  
725 ~~circuit advisory board on the juvenile justice needs of the~~

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726 ~~county. The purpose of each juvenile justice circuit advisory~~  
727 ~~board is to provide advice and direction to the department in~~  
728 ~~the development and implementation of juvenile justice programs~~  
729 ~~and to work collaboratively with the department in seeking~~  
730 ~~program improvements and policy changes to address the emerging~~  
731 ~~and changing needs of Florida's youth who are at risk of~~  
732 ~~delinquency.~~

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

735 ~~(a) Developing a comprehensive plan for the circuit. The~~  
736 ~~initial circuit plan shall be submitted to the department no~~  
737 ~~later than December 31, 2014, and no later than June 30 every 3~~  
738 ~~years thereafter. The department shall prescribe a format and~~  
739 ~~content requirements for the submission of the comprehensive~~  
740 ~~plan.~~

741 ~~(b) Participating in the facilitation of interagency~~  
742 ~~cooperation and information sharing.~~

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

746 ~~(d) Providing recommendations to the department in the~~  
747 ~~evaluation of prevention and early intervention grant programs,~~  
748 ~~including the Community Juvenile Justice Partnership Grant~~  
749 ~~program established in s. 985.676 and proceeds from the Invest~~  
750 ~~in Children license plate annual use fees.~~

751 ~~(e) Providing an annual report to the department describing~~  
752 ~~the board's activities. The department shall prescribe a format~~  
753 ~~and content requirements for submission of annual reports. The~~  
754 ~~annual report must be submitted to the department no later than~~

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755 ~~August 1 of each year.~~

756 ~~(3)~~ Each juvenile justice circuit advisory board shall have  
757 a minimum of 14 ~~16~~ members. The membership of each board must  
758 reflect:

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

760 (b) Diversity in the judicial circuit.

761 (3)~~(4)~~ Each member of the juvenile justice circuit advisory  
762 board must be approved by the chief probation officer of the  
763 circuit Secretary of Juvenile Justice, except those members  
764 listed in paragraphs (a), (b), (c), (e), (f), (g), and (h). The  
765 juvenile justice circuit advisory boards established under  
766 subsection (1) must include as members:

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

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

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

770 (d) A representative of the corresponding circuit or  
771 regional entity of the Department of Children and Families.

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

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

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

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

780 (i) A representative from the workforce organization of  
781 each county in the circuit.

782 (j) A representative of the business community.

783 (k) A youth representative who has had an experience with

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784 the juvenile justice system and is not older than 21 years of  
785 age.

786 (l) A representative of the faith community.

787 (m) A health services representative who specializes in  
788 mental health care, victim-service programs, or victims of  
789 crimes.

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

792 (o) Up to three ~~five~~ representatives from ~~any of the~~  
793 community following who are not otherwise represented in this  
794 subsection:

795 1. ~~Community leaders.~~

796 2. ~~Youth-serving coalitions.~~

797 (4)(5) The chief probation officer in each circuit shall  
798 serve as the chair of the juvenile justice circuit advisory  
799 board for that circuit ~~When a vacancy in the office of the chair~~  
800 ~~occurs, the juvenile justice circuit advisory board shall~~  
801 ~~appoint a new chair, who must meet the board membership~~  
802 ~~requirements in subsection (4). The chair shall appoint members~~  
803 ~~to vacant seats within 45 days after the vacancy and submit the~~  
804 ~~appointments to the department for approval. The chair shall~~  
805 ~~serve at the pleasure of the Secretary of Juvenile Justice.~~

806 ~~(6) A member may not serve more than three consecutive 2-~~  
807 ~~year terms, except those members listed in paragraphs (4) (a),~~  
808 ~~(b), (c), (c), (f), (g), and (h). A former member who has not~~  
809 ~~served on the juvenile justice circuit advisory board for 2~~  
810 ~~years is eligible to serve on the juvenile justice circuit~~  
811 ~~advisory board again.~~

812 ~~(7) At least half of the voting members of the juvenile~~

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813 ~~justice circuit advisory board constitutes a quorum. A quorum~~  
814 ~~must be present in order for the board to vote on a measure or~~  
815 ~~position.~~

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

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

823 ~~(10) Each juvenile justice circuit advisory board shall~~  
824 ~~have bylaws. The department shall prescribe a format and content~~  
825 ~~requirements for the bylaws. All bylaws must be approved by the~~  
826 ~~department. The bylaws shall address at least the following~~  
827 ~~issues: election or appointment of officers; filling of vacant~~  
828 ~~positions; meeting attendance requirements; and the~~  
829 ~~establishment and duties of an executive committee.~~

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

832 Section 16. Subsections (1) and (2) of section 985.676,  
833 Florida Statutes, are amended to read:

834 985.676 Community juvenile justice partnership grants.—

835 (1) GRANTS; CRITERIA.—

836 (a) In order to encourage the development of a circuit  
837 juvenile justice plan and ~~the development and implementation of~~  
838 ~~circuit interagency agreements under s. 985.664~~, the community  
839 juvenile justice partnership grant program is established and  
840 shall be administered by the department.

841 (b) In awarding these grants, the department shall consider

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842 applications that at a minimum provide for the following:

843 1. The participation of the agencies and programs needed to  
844 implement the project or program for which the applicant is  
845 applying;

846 2. The reduction of truancy and in-school and out-of-school  
847 suspensions and expulsions, the enhancement of school safety,  
848 and other delinquency early-intervention and diversion services;

849 3. The number of youths from 10 through 17 years of age  
850 within the geographic area to be served by the program, giving  
851 those geographic areas having the highest number of youths from  
852 10 to 17 years of age priority for selection;

853 4. The extent to which the program targets high-juvenile-  
854 crime neighborhoods and those public schools serving juveniles  
855 from high-crime neighborhoods;

856 5. The validity and cost-effectiveness of the program; and

857 6. The degree to which the program is located in and  
858 managed by local leaders of the target neighborhoods and public  
859 schools serving the target neighborhoods.

860 (c) In addition, the department may consider the following  
861 criteria in awarding grants:

862 1. The circuit juvenile justice plan and any county  
863 juvenile justice plans that are referred to or incorporated into  
864 the circuit plan, including a list of individuals, groups, and  
865 public and private entities that participated in the development  
866 of the plan.

867 2. The diversity of community entities participating in the  
868 development of the circuit juvenile justice plan.

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

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

873 5. The criteria by which the grant program will be  
874 evaluated and, if deemed successful, the feasibility of  
875 implementation in other communities.

876 (2) GRANT APPLICATION PROCEDURES.—

877 (a) Each entity wishing to apply for an annual community  
878 juvenile justice partnership grant, which may be renewed for a  
879 maximum of 2 additional years for the same provision of  
880 services, shall submit a grant proposal for funding or continued  
881 funding to the department. The department shall establish the  
882 grant application procedures. In order to be considered for  
883 funding, the grant proposal shall include the following  
884 assurances and information:

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

889 ~~2.~~ A rationale and description of the program and the  
890 services to be provided, including goals and objectives.

891 ~~2.3.~~ A method for identification of the juveniles most  
892 likely to be involved in the juvenile justice system who will be  
893 the focus of the program.

894 ~~3.4.~~ Provisions for the participation of parents and  
895 guardians in the program.

896 ~~4.5.~~ Coordination with other community-based and social  
897 service prevention efforts, including, but not limited to, drug  
898 and alcohol abuse prevention and dropout prevention programs,  
899 that serve the target population or neighborhood.

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900       ~~5.6.~~ An evaluation component to measure the effectiveness  
901 of the program in accordance with s. 985.632.

902       ~~6.7.~~ A program budget, including the amount and sources of  
903 local cash and in-kind resources committed to the budget. The  
904 proposal must establish to the satisfaction of the department  
905 that the entity will make a cash or in-kind contribution to the  
906 program of a value that is at least equal to 20 percent of the  
907 amount of the grant.

908       ~~7.8.~~ The necessary program staff.

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

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

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

920       (e) Each entity that is awarded a grant as provided for in  
921 this section shall submit an annual evaluation report to the  
922 department and, ~~the circuit juvenile justice manager, and the~~  
923 ~~juvenile justice circuit advisory board~~, by a date subsequent to  
924 the end of the contract period established by the department,  
925 documenting the extent to which the program objectives have been  
926 met, the effect of the program on the juvenile arrest rate, and  
927 any other information required by the department. The department  
928 shall coordinate and incorporate all such annual evaluation



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929 reports with s. 985.632. Each entity is also subject to a  
930 financial audit and a performance audit.

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

933 Section 17. Subsection (2) of section 1003.51, Florida  
934 Statutes, is amended to read:

935 1003.51 Other public educational services.—

936 (2) The State Board of Education shall adopt rules  
937 articulating expectations for effective education programs for  
938 students in Department of Juvenile Justice programs, including,  
939 but not limited to, education programs in juvenile justice  
940 prevention, day treatment, residential, and detention programs.  
941 The rules ~~rule~~ shall establish policies and standards for  
942 education programs for students in Department of Juvenile  
943 Justice programs and shall include the following:

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

946 (b) The responsibilities of the Department of Education,  
947 the Department of Juvenile Justice, CareerSource Florida, Inc.,  
948 district school boards, and providers of education services to  
949 students in Department of Juvenile Justice programs.

950 (c) Academic expectations.

951 (d) Career expectations.

952 (e) Education transition planning and services.

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

955 (g) Assessment procedures, which:

956 1. For prevention and ~~7~~ day treatment, ~~and residential~~  
957 ~~programs~~, include appropriate academic and career assessments

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

963 2. Provide for determination of the areas of academic need  
964 and strategies for appropriate intervention and instruction for  
965 each student in a detention facility within 5 school days after  
966 the student's entry into the program and administer a research-  
967 based assessment that will assist the student in determining his  
968 or her educational and career options and goals within 22 school  
969 days after the student's entry into the program.

970  
971 The results of these assessments, together with a portfolio  
972 depicting the student's academic and career accomplishments,  
973 shall be included in the discharge packet assembled for each  
974 student.

975 (h) Recommended instructional programs, including, but not  
976 limited to:

- 977 1. Secondary education.  
978 2. High school equivalency examination preparation.  
979 3. Postsecondary education.  
980 4. Career and professional education (CAPE).  
981 5. Job preparation.  
982 6. Virtual education that:  
983 a. Provides competency-based instruction that addresses the  
984 unique academic needs of the student through delivery by an  
985 entity accredited by an accrediting body approved by the  
986 Department of Education ~~AdvanceED or the Southern Association of~~

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987 ~~Colleges and Schools.~~

988       b. Confers certifications and diplomas.

989       c. Issues credit that articulates with and transcripts that  
990 are recognized by secondary schools.

991       d. Allows the student to continue to access and progress  
992 through the program once the student leaves the juvenile justice  
993 system.

994       (i) Funding requirements, which must provide that at least  
995 95 percent of the FEFP funds generated by students in Department  
996 of Juvenile Justice programs or in an education program for  
997 juveniles under s. 985.19 must be spent on instructional costs  
998 for those students. Department of Juvenile Justice education  
999 programs are entitled to 100 percent of the formula-based  
1000 categorical funds generated by students in Department of  
1001 Juvenile Justice programs. Such funds must be spent on  
1002 appropriate categoricals, such as instructional materials and  
1003 public school technology for those students.

1004       (j) Qualifications of instructional staff, procedures for  
1005 the selection of instructional staff, and procedures for  
1006 consistent instruction and qualified staff year-round.  
1007 Qualifications shall include those for instructors of CAPE  
1008 courses, standardized across the state, and shall be based on  
1009 state certification, local school district approval, and  
1010 industry-recognized certifications as identified on the CAPE  
1011 Industry Certification Funding List. Procedures for the use of  
1012 noncertified instructional personnel who possess expert  
1013 knowledge or experience in their fields of instruction shall be  
1014 established.

1015       (k) Transition services, including the roles and

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1016 responsibilities of appropriate personnel in the juvenile  
1017 justice education program, the school district where the student  
1018 will reenter, provider organizations, and the Department of  
1019 Juvenile Justice.

1020 (l) Procedures and timeframe for transfer of education  
1021 records when a student enters and leaves a Department of  
1022 Juvenile Justice education program.

1023 (m) The requirement that each district school board  
1024 maintain an academic transcript for each student enrolled in a  
1025 juvenile justice education program that delineates each course  
1026 completed by the student as provided by the State Course Code  
1027 Directory.

1028 (n) The requirement that each district school board make  
1029 available and transmit a copy of a student's transcript in the  
1030 discharge packet when the student exits a juvenile justice  
1031 education program.

1032 (o) Contract requirements.

1033 ~~(p) Performance expectations for providers and district  
1034 school boards, including student performance measures by type of  
1035 program, education program performance ratings, school  
1036 improvement, and corrective action plans for low-performing  
1037 programs.~~

1038 ~~(q) The role and responsibility of the district school  
1039 board in securing workforce development funds.~~

1040 ~~(r) A series of graduated sanctions for district school  
1041 boards whose educational programs in Department of Juvenile  
1042 Justice programs are considered to be unsatisfactory and for  
1043 instances in which district school boards fail to meet standards  
1044 prescribed by law, rule, or State Board of Education policy.~~

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1045 ~~These sanctions shall include the option of requiring a district~~  
1046 ~~school board to contract with a provider or another district~~  
1047 ~~school board if the educational program at the Department of~~  
1048 ~~Juvenile Justice program is performing below minimum standards~~  
1049 ~~and, after 6 months, is still performing below minimum~~  
1050 ~~standards.~~

1051 (q)~~(s)~~ Curriculum, guidance counseling, transition, and  
1052 education services expectations, including curriculum  
1053 flexibility for detention centers operated by the Department of  
1054 Juvenile Justice.

1055 (r)~~(t)~~ Other aspects of program operations.

1056 Section 18. Section 1003.52, Florida Statutes, is amended  
1057 to read:

1058 1003.52 Educational services in Department of Juvenile  
1059 Justice programs.—

1060 (1) The Department of Education shall serve as the lead  
1061 agency for juvenile justice education programs, curriculum,  
1062 support services, and resources. To this end, the Department of  
1063 Education and the Department of Juvenile Justice shall each  
1064 designate a Coordinator for Juvenile Justice Education Programs  
1065 to serve as the point of contact for resolving issues not  
1066 addressed by district school boards and to provide each  
1067 department's participation in the following activities:

1068 (a) Training, collaborating, and coordinating with district  
1069 school boards, local workforce development boards, and local  
1070 youth councils, educational contract providers, and juvenile  
1071 justice providers, whether state operated or contracted.

1072 (b) Collecting information on the academic, career and  
1073 technical ~~professional~~ education ~~(CAPE)~~, and transition

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1074 performance of students in juvenile justice programs and  
1075 reporting on the results.

1076 (c) Developing academic and career and technical education  
1077 ~~CAPE~~ protocols that provide guidance to district school boards  
1078 and juvenile justice education providers in all aspects of  
1079 education programming, including records transfer and  
1080 transition.

1081 (d) Implementing a joint accountability, program  
1082 performance, and program improvement process.

1083

1084 Annually, a cooperative agreement and plan for juvenile justice  
1085 education service enhancement shall be developed between the  
1086 Department of Juvenile Justice and the Department of Education  
1087 and submitted to the Secretary of Juvenile Justice and the  
1088 Commissioner of Education by June 30. The plan shall include, at  
1089 a minimum, each agency's role regarding educational program  
1090 accountability, technical assistance, training, and coordination  
1091 of services.

1092 (2) Students participating in Department of Juvenile  
1093 Justice education programs pursuant to chapter 985 which are  
1094 sponsored by a community-based agency or are operated or  
1095 contracted for by the Department of Juvenile Justice shall  
1096 receive education programs according to rules of the State Board  
1097 of Education. These students shall be eligible for services  
1098 afforded to students enrolled in programs pursuant to s. 1003.53  
1099 and all corresponding State Board of Education rules.

1100 (3) The district school board of the county in which the  
1101 juvenile justice education prevention, day treatment,  
1102 ~~residential,~~ or detention program is located shall provide or

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1103 contract for appropriate educational assessments and an  
1104 appropriate program of instruction and special education  
1105 services.

1106 (a) All contracts between a district school board desiring  
1107 to contract directly with juvenile justice education programs to  
1108 provide academic instruction for students in such programs must  
1109 be in writing. Unless both parties agree to an extension of  
1110 time, the district school board and the juvenile justice  
1111 education program shall negotiate and execute a new or renewal  
1112 contract within 40 days after the district school board provides  
1113 the proposal to the juvenile justice education program. The  
1114 Department of Education shall provide mediation services for any  
1115 disputes relating to this paragraph.

1116 (b) District school boards shall satisfy invoices issued by  
1117 juvenile justice education programs within 15 working days after  
1118 receipt. If a district school board does not timely issue a  
1119 warrant for payment, it must pay to the juvenile justice  
1120 education program interest at a rate of 1 percent per month,  
1121 calculated on a daily basis, on the unpaid balance until such  
1122 time as a warrant is issued for the invoice and accrued interest  
1123 amount. The district school board may not delay payment to a  
1124 juvenile justice education program of any portion of funds owed  
1125 pending the district's receipt of local funds.

1126 (c) The district school board shall make provisions for  
1127 each student to participate in basic career and technical  
1128 education, ~~CAPE~~, and exceptional student programs, as  
1129 appropriate. Students served in Department of Juvenile Justice  
1130 education programs shall have access to the appropriate courses  
1131 and instruction to prepare them for the high school equivalency

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1132 examination. Students participating in high school equivalency  
1133 examination preparation programs shall be funded at the basic  
1134 program cost factor for Department of Juvenile Justice programs  
1135 in the Florida Education Finance Program. Each program shall be  
1136 conducted according to applicable law providing for the  
1137 operation of public schools and rules of the State Board of  
1138 Education. School districts shall provide the high school  
1139 equivalency examination exit option for all juvenile justice  
1140 education programs.

1141 (d) The Department of Education, with the assistance of the  
1142 school districts and juvenile justice education providers, shall  
1143 select a common student assessment instrument and protocol for  
1144 measuring student learning gains and student progression while a  
1145 student is in a juvenile justice education program. The  
1146 Department of Education and the Department of Juvenile Justice  
1147 shall jointly review the effectiveness of this assessment and  
1148 implement changes as necessary.

1149 (4) Educational services shall be provided at times of the  
1150 day most appropriate for the juvenile justice program. School  
1151 programming in juvenile justice detention, prevention, or day  
1152 treatment, ~~and residential~~ programs shall be made available by  
1153 the local school district during the juvenile justice school  
1154 year, as provided in s. 1003.01(14). In addition, students in  
1155 juvenile justice education programs shall have access to courses  
1156 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The  
1157 Department of Education and the school districts shall adopt  
1158 policies necessary to provide such access.

1159 (5) The educational program shall provide instruction based  
1160 on each student's individualized transition plan, assessed



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1161 educational needs, and the education programs available in the  
1162 school district in which the student will return. Depending on  
1163 the student's needs, educational programming may consist of  
1164 remedial courses, academic courses required for grade  
1165 advancement, ~~CAPE courses,~~ high school equivalency examination  
1166 preparation, or exceptional student education curricula and  
1167 related services which support the transition goals and reentry  
1168 and which may lead to completion of the requirements for receipt  
1169 of a high school diploma or its equivalent. Prevention and day  
1170 treatment juvenile justice education programs, at a minimum,  
1171 shall provide career readiness and exploration opportunities as  
1172 well as truancy and dropout prevention intervention services.  
1173 ~~Residential juvenile justice education programs with a~~  
1174 ~~contracted minimum length of stay of 9 months shall provide CAPE~~  
1175 ~~courses that lead to preapprentice certifications and industry~~  
1176 ~~certifications. Programs with contracted lengths of stay of less~~  
1177 ~~than 9 months may provide career education courses that lead to~~  
1178 ~~preapprentice certifications and CAPE industry certifications.~~  
1179 ~~If the duration of a program is less than 40 days, the~~  
1180 ~~educational component may be limited to tutorial remediation~~  
1181 ~~activities, career employability skills instruction, education~~  
1182 ~~counseling, and transition services that prepare students for a~~  
1183 ~~return to school, the community, and their home settings based~~  
1184 ~~on the students' needs.~~

1185 (6) Participation in the program by students of compulsory  
1186 school-attendance age as provided for in s. 1003.21 shall be  
1187 mandatory. All students of noncompulsory school-attendance age  
1188 who have not received a high school diploma or its equivalent  
1189 shall participate in the educational program, unless the student

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1190 files a formal declaration of his or her intent to terminate  
1191 school enrollment as described in s. 1003.21 and is afforded the  
1192 opportunity to take the high school equivalency examination and  
1193 attain a Florida high school diploma before release from a  
1194 juvenile justice education program. A student who has received a  
1195 high school diploma or its equivalent and is not employed shall  
1196 participate in workforce development ~~or other CAPE education~~ or  
1197 Florida College System institution or university courses while  
1198 in the program, subject to available funding.

1199 (7) An individualized progress monitoring plan shall be  
1200 developed for all students not classified as exceptional  
1201 education students upon entry in a juvenile justice education  
1202 program and upon reentry in the school district. These plans  
1203 shall address academic, literacy, and career and technical  
1204 skills and shall include provisions for intensive remedial  
1205 instruction in the areas of weakness.

1206 (8) Each district school board shall maintain an academic  
1207 record for each student enrolled in a juvenile justice education  
1208 program as prescribed by s. 1003.51. Such record shall delineate  
1209 each course completed by the student according to procedures in  
1210 the State Course Code Directory. The district school board shall  
1211 include a copy of a student's academic record in the discharge  
1212 packet when the student exits the program.

1213 (9) Each district school board shall make provisions for  
1214 high school level students to earn credits toward high school  
1215 graduation while in ~~residential and nonresidential~~ juvenile  
1216 justice detention, prevention, or day treatment ~~education~~  
1217 programs. Provisions must be made for the transfer of credits  
1218 and partial credits earned.

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1219 (10) School districts and juvenile justice education  
1220 providers shall develop individualized transition plans during  
1221 the course of a student's stay in a juvenile justice education  
1222 program to coordinate academic, career and technical, and  
1223 secondary and postsecondary services that assist the student in  
1224 successful community reintegration upon release. Development of  
1225 the transition plan shall be a collaboration of the personnel in  
1226 the juvenile justice education program, reentry personnel,  
1227 personnel from the school district where the student will  
1228 return, the student, the student's family, and the Department of  
1229 Juvenile Justice ~~personnel for committed students~~.

1230 (a) Transition planning must begin upon a student's  
1231 placement in the program. The transition plan must include, at a  
1232 minimum:

1233 1. Services and interventions that address the student's  
1234 assessed educational needs and postrelease education plans.

1235 2. Services to be provided during the program stay and  
1236 services to be implemented upon release, including, but not  
1237 limited to, continuing education in secondary school, ~~CAPE~~  
1238 ~~programs~~, postsecondary education, or employment, based on the  
1239 student's needs.

1240 3. Specific monitoring responsibilities to determine  
1241 whether the individualized transition plan is being implemented  
1242 and the student is provided access to support services that will  
1243 sustain the student's success by individuals who are responsible  
1244 for the reintegration and coordination of these activities.

1245 (b) For the purpose of transition planning and reentry  
1246 services, representatives from the school district and the one-  
1247 stop center where the student will return shall participate as

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1248 members of the local Department of Juvenile Justice reentry  
1249 teams. The school district, upon return of a student from a  
1250 juvenile justice education program, must consider the individual  
1251 needs and circumstances of the student and the transition plan  
1252 recommendations when reenrolling a student in a public school. A  
1253 local school district may not maintain a standardized policy for  
1254 all students returning from a juvenile justice program but place  
1255 students based on their needs and their performance in the  
1256 juvenile justice education program, including any virtual  
1257 education options.

1258 (c) The Department of Education and the Department of  
1259 Juvenile Justice shall provide oversight and guidance to school  
1260 districts, education providers, and reentry personnel on how to  
1261 implement effective educational transition planning and  
1262 services.

1263 (11) The district school board shall recruit and train  
1264 teachers who are interested, qualified, or experienced in  
1265 educating students in juvenile justice programs. Students in  
1266 juvenile justice programs shall be provided a wide range of  
1267 education programs and opportunities including textbooks,  
1268 technology, instructional support, and resources commensurate  
1269 with resources provided to students in public schools, including  
1270 textbooks and access to technology. If the district school board  
1271 operates a juvenile justice education program at a juvenile  
1272 justice facility, the district school board, in consultation  
1273 with the director of the juvenile justice facility, shall select  
1274 the instructional personnel assigned to that program. The  
1275 Secretary of Juvenile Justice or the director of a juvenile  
1276 justice program may request that the performance of a teacher

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1277 assigned by the district to a juvenile justice education program  
1278 be reviewed by the district and that the teacher be reassigned  
1279 based upon an evaluation conducted pursuant to s. 1012.34 or for  
1280 inappropriate behavior. Juvenile justice education programs  
1281 shall have access to the substitute teacher pool used by the  
1282 district school board.

1283 (12) District school boards may contract with a private  
1284 provider for the provision of education programs to students  
1285 placed in juvenile justice detention, prevention, or day  
1286 treatment programs with the Department of Juvenile Justice and  
1287 shall generate local, state, and federal funding, including  
1288 funding through the Florida Education Finance Program for such  
1289 students. The district school board's planning and budgeting  
1290 process shall include the needs of Department of Juvenile  
1291 Justice education programs in the district school board's plan  
1292 for expenditures for state categorical and federal funds.

1293 (13) (a) Eligible students enrolled in juvenile justice  
1294 education programs shall be funded the same as students enrolled  
1295 in traditional public schools funded in the Florida Education  
1296 Finance Program and as specified in s. 1011.62 and the General  
1297 Appropriations Act.

1298 (b) Juvenile justice education programs to receive the  
1299 appropriate FEFP funding for Department of Juvenile Justice  
1300 education programs shall include those operated through a  
1301 contract with the Department of Juvenile Justice.

1302 (c) Consistent with the rules of the State Board of  
1303 Education, district school boards shall request an alternative  
1304 FTE survey for Department of Juvenile Justice education programs  
1305 experiencing fluctuations in student enrollment.

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1306 (d) FTE count periods shall be prescribed in rules of the  
1307 State Board of Education and shall be the same for programs of  
1308 the Department of Juvenile Justice as for other public school  
1309 programs. The summer school period for students in Department of  
1310 Juvenile Justice education programs shall begin on the day  
1311 immediately following the end of the regular school year and end  
1312 on the day immediately preceding the subsequent regular school  
1313 year. Students shall be funded for no more than 25 hours per  
1314 week of direct instruction.

1315 (e) Each juvenile justice education program must receive  
1316 all federal funds for which the program is eligible.

1317 (14) Each district school board shall negotiate a  
1318 cooperative agreement with the Department of Juvenile Justice on  
1319 the delivery of educational services to students in juvenile  
1320 justice detention, prevention, or day treatment programs under  
1321 the jurisdiction of the Department of Juvenile Justice. Such  
1322 agreement must include, but is not limited to:

1323 (a) Roles and responsibilities of each agency, including  
1324 the roles and responsibilities of contract providers.

1325 (b) Administrative issues including procedures for sharing  
1326 information.

1327 (c) Allocation of resources including maximization of  
1328 local, state, and federal funding.

1329 (d) Procedures for educational evaluation for educational  
1330 exceptionalities and special needs.

1331 (e) Curriculum and delivery of instruction.

1332 (f) Classroom management procedures and attendance  
1333 policies.

1334 (g) Procedures for provision of qualified instructional

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1335 personnel, whether supplied by the district school board or  
1336 provided under contract by the provider, and for performance of  
1337 duties while in a juvenile justice setting.

1338 (h) Provisions for improving skills in teaching and working  
1339 with students referred to juvenile justice education programs.

1340 (i) Transition plans for students moving into and out of  
1341 juvenile justice education programs.

1342 (j) Procedures and timelines for the timely documentation  
1343 of credits earned and transfer of student records.

1344 (k) Methods and procedures for dispute resolution.

1345 (l) Provisions for ensuring the safety of education  
1346 personnel and support for the agreed-upon education program.

1347 (m) Strategies for correcting any deficiencies found  
1348 through the accountability and evaluation system and student  
1349 performance measures.

1350 (15) Nothing in this section or in a cooperative agreement  
1351 requires the district school board to provide more services than  
1352 can be supported by the funds generated by students in the  
1353 juvenile justice programs.

1354 ~~(16) The Department of Education, in consultation with the~~  
1355 ~~Department of Juvenile Justice, district school boards, and~~  
1356 ~~providers, shall adopt rules establishing:~~

1357 ~~(a) Objective and measurable student performance measures~~  
1358 ~~to evaluate a student's educational progress while participating~~  
1359 ~~in a prevention, day treatment, or residential program. The~~  
1360 ~~student performance measures must be based on appropriate~~  
1361 ~~outcomes for all students in juvenile justice education~~  
1362 ~~programs, taking into consideration the student's length of stay~~  
1363 ~~in the program. Performance measures shall include outcomes that~~

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1364 ~~relate to student achievement of career education goals,~~  
1365 ~~acquisition of employability skills, receipt of a high school~~  
1366 ~~diploma or its equivalent, grade advancement, and the number of~~  
1367 ~~CAPE industry certifications earned.~~

1368 ~~(b) A performance rating system to be used by the~~  
1369 ~~Department of Education to evaluate the delivery of educational~~  
1370 ~~services within each of the juvenile justice programs. The~~  
1371 ~~performance rating shall be primarily based on data regarding~~  
1372 ~~student performance as described in paragraph (a).~~

1373 ~~(c) The timeframes, procedures, and resources to be used to~~  
1374 ~~improve a low-rated educational program or to terminate or~~  
1375 ~~reassign the program.~~

1376 ~~(d) The Department of Education, in partnership with the~~  
1377 ~~Department of Juvenile Justice, shall develop a comprehensive~~  
1378 ~~accountability and program improvement process. The~~  
1379 ~~accountability and program improvement process shall be based on~~  
1380 ~~student performance measures by type of program and shall rate~~  
1381 ~~education program performance. The accountability system shall~~  
1382 ~~identify and recognize high-performing education programs. The~~  
1383 ~~Department of Education, in partnership with the Department of~~  
1384 ~~Juvenile Justice, shall identify low-performing programs. Low-~~  
1385 ~~performing education programs shall receive an onsite program~~  
1386 ~~evaluation from the Department of Juvenile Justice. School~~  
1387 ~~improvement, technical assistance, or the reassignment of the~~  
1388 ~~program shall be based, in part, on the results of the program~~  
1389 ~~evaluation. Through a corrective action process, low-performing~~  
1390 ~~programs must demonstrate improvement or the programs shall be~~  
1391 ~~reassigned.~~

1392 ~~(17) The department, in collaboration with the Department~~



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1393 ~~of Juvenile Justice, shall collect data and report on~~  
1394 ~~commitment, day treatment, prevention, and detention programs.~~  
1395 ~~The report shall be submitted to the President of the Senate,~~  
1396 ~~the Speaker of the House of Representatives, and the Governor by~~  
1397 ~~February 1 of each year. The report must include, at a minimum:~~

1398 ~~(a) The number and percentage of students who:~~

1399 ~~1. Return to an alternative school, middle school, or high~~  
1400 ~~school upon release and the attendance rate of such students~~  
1401 ~~before and after participation in juvenile justice education~~  
1402 ~~programs.~~

1403 ~~2. Receive a standard high school diploma or a high school~~  
1404 ~~equivalency diploma.~~

1405 ~~3. Receive industry certification.~~

1406 ~~4. Enroll in a postsecondary educational institution.~~

1407 ~~5. Complete a juvenile justice education program without~~  
1408 ~~reoffending.~~

1409 ~~6. Reoffend within 1 year after completion of a day~~  
1410 ~~treatment or residential commitment program.~~

1411 ~~7. Remain employed 1 year after completion of a day~~  
1412 ~~treatment or residential commitment program.~~

1413 ~~8. Demonstrate learning gains pursuant to paragraph (3) (d).~~

1414 ~~(b) The following cost data for each juvenile justice~~  
1415 ~~education program:~~

1416 ~~1. The amount of funding provided by district school boards~~  
1417 ~~to juvenile justice programs and the amount retained for~~  
1418 ~~administration, including documenting the purposes of such~~  
1419 ~~expenses.~~

1420 ~~2. The status of the development of cooperative agreements.~~  
1421 ~~3. Recommendations for system improvement.~~

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1422 ~~4. Information on the identification of, and services~~  
1423 ~~provided to, exceptional students, to determine whether these~~  
1424 ~~students are properly reported for funding and are appropriately~~  
1425 ~~served.~~

1426 ~~(18)~~ The district school board shall not be charged any  
1427 rent, maintenance, utilities, or overhead on such facilities.  
1428 Maintenance, repairs, and remodeling of existing facilities  
1429 shall be provided by the Department of Juvenile Justice.

1430 (17)~~(19)~~ When additional facilities are required in  
1431 juvenile justice detention, prevention, or day treatment  
1432 programs, the district school board and the Department of  
1433 Juvenile Justice shall agree on the appropriate site based on  
1434 the instructional needs of the students. When the most  
1435 appropriate site for instruction is on district school board  
1436 property, a special capital outlay request shall be made by the  
1437 commissioner in accordance with s. 1013.60. When the most  
1438 appropriate site is on state property, state capital outlay  
1439 funds shall be requested by the Department of Juvenile Justice  
1440 provided by s. 216.043 and shall be submitted as specified by s.  
1441 216.023. Any instructional facility to be built on state  
1442 property shall have educational specifications jointly developed  
1443 by the district school board and the Department of Juvenile  
1444 Justice and approved by the Department of Education. The size of  
1445 space and occupant design capacity criteria as provided by State  
1446 Board of Education rules shall be used for remodeling or new  
1447 construction whether facilities are provided on state property  
1448 or district school board property.

1449 (18)~~(20)~~ The parent of an exceptional student shall have  
1450 the due process rights provided for in this chapter.

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1451       (19)~~(21)~~ The State Board of Education shall adopt rules  
1452 necessary to implement this section. Such rules must require the  
1453 minimum amount of paperwork and reporting.

1454       ~~(22) The Department of Juvenile Justice and the Department~~  
1455 ~~of Education, in consultation with CareerSource Florida, Inc.,~~  
1456 ~~the statewide Workforce Development Youth Council, district~~  
1457 ~~school boards, Florida College System institutions, providers,~~  
1458 ~~and others, shall jointly develop a multiagency plan for CAPE~~  
1459 ~~which describes the funding, curriculum, transfer of credits,~~  
1460 ~~goals, and outcome measures for career education programming in~~  
1461 ~~juvenile commitment facilities, pursuant to s. 985.622. The plan~~  
1462 ~~must be reviewed annually.~~

1463       Section 19. Paragraph (a) of subsection (2) of section  
1464 330.41, Florida Statutes, is amended to read:

1465       330.41 Unmanned Aircraft Systems Act.—

1466       (2) DEFINITIONS.—As used in this act, the term:

1467       (a) "Critical infrastructure facility" means any of the  
1468 following, if completely enclosed by a fence or other physical  
1469 barrier that is obviously designed to exclude intruders, or if  
1470 clearly marked with a sign or signs which indicate that entry is  
1471 forbidden and which are posted on the property in a manner  
1472 reasonably likely to come to the attention of intruders:

1473       1. A power generation or transmission facility, substation,  
1474 switching station, or electrical control center.

1475       2. A chemical or rubber manufacturing or storage facility.

1476       3. A water intake structure, water treatment facility,  
1477 wastewater treatment plant, or pump station.

1478       4. A mining facility.

1479       5. A natural gas or compressed gas compressor station,

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- 1480 storage facility, or natural gas or compressed gas pipeline.
- 1481 6. A liquid natural gas or propane gas terminal or storage
- 1482 facility.
- 1483 7. Any portion of an aboveground oil or gas pipeline.
- 1484 8. A refinery.
- 1485 9. A gas processing plant, including a plant used in the
- 1486 processing, treatment, or fractionation of natural gas.
- 1487 10. A wireless communications facility, including the
- 1488 tower, antennae, support structures, and all associated ground-
- 1489 based equipment.
- 1490 11. A seaport as listed in s. 311.09(1), which need not be
- 1491 completely enclosed by a fence or other physical barrier and
- 1492 need not be marked with a sign or signs indicating that entry is
- 1493 forbidden.
- 1494 12. An inland port or other facility or group of facilities
- 1495 serving as a point of intermodal transfer of freight in a
- 1496 specific area physically separated from a seaport.
- 1497 13. An airport as defined in s. 330.27.
- 1498 14. A spaceport territory as defined in s. 331.303(18).
- 1499 15. A military installation as defined in 10 U.S.C. s.
- 1500 2801(c)(4) and an armory as defined in s. 250.01.
- 1501 16. A dam as defined in s. 373.403(1) or other structures,
- 1502 such as locks, floodgates, or dikes, which are designed to
- 1503 maintain or control the level of navigable waterways.
- 1504 17. A state correctional institution as defined in s.
- 1505 944.02 or a private correctional facility authorized under
- 1506 chapter 957.
- 1507 18. A secure detention center or facility as defined in s.
- 1508 985.03, or a moderate-risk ~~nonsecure~~ residential facility, a

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1509 high-risk residential facility, or a maximum-risk residential  
1510 facility as those terms are described in s. 985.03(44).

1511 19. A county detention facility as defined in s. 951.23.

1512 20. A critical infrastructure facility as defined in s.  
1513 692.201.

1514 Section 20. Paragraphs (c) and (j) of subsection (3),  
1515 paragraph (a) of subsection (10), and paragraph (f) of  
1516 subsection (12) of section 553.865, Florida Statutes, are  
1517 amended to read:

1518 553.865 Private spaces.—

1519 (3) As used in this section, the term:

1520 (c) "Covered entity" means any:

1521 1. Correctional institution;

1522 2. Detention facility;

1523 3. Educational institution;

1524 4. Maximum-risk residential facilities ~~Juvenile~~

1525 ~~correctional facility or juvenile prison~~ as described in s.  
1526 985.465, any detention center or facility designated by the  
1527 Department of Juvenile Justice to provide secure detention as  
1528 defined in s. 985.03(18)(a), and any facility used for a  
1529 residential program as described in s. 985.03(44) ~~s.~~

1530 ~~985.03(44)(b), (c), or (d);~~ or

1531 5. Public building.

1532 (j) "Public building" means a building comfort-conditioned  
1533 for occupancy which is owned or leased by the state, a state  
1534 agency, or a political subdivision. The term does not include a  
1535 correctional institution, a detention facility, an educational  
1536 institution, a maximum-risk residential ~~juvenile correctional~~  
1537 ~~facility or juvenile prison~~ as described in s. 985.465, a

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1538 detention center or facility designated by the Department of  
1539 Juvenile Justice to provide secure detention as defined in s.  
1540 985.03(18) (a), or any facility used for a residential program as  
1541 described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~.

1542 (10) (a) Each maximum-risk residential ~~juvenile correctional~~  
1543 ~~facility or juvenile prison~~ as described in s. 985.465, each  
1544 detention center or facility designated by the Department of  
1545 Juvenile Justice to provide secure detention as defined in s.  
1546 985.03(18) (a), and each facility used for a residential program  
1547 as described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~  
1548 shall establish disciplinary procedures for any juvenile as  
1549 defined in s. 985.03(7) who willfully enters, for a purpose  
1550 other than those listed in subsection (6), a restroom or  
1551 changing facility designated for the opposite sex in such  
1552 juvenile correctional facility, juvenile prison, secure  
1553 detention center or facility, or residential program facility  
1554 and refuses to depart when asked to do so by delinquency program  
1555 staff, detention staff, or residential program staff.

1556 (12) A covered entity that is:

1557 (f) A maximum-risk residential ~~juvenile correctional~~  
1558 ~~facility or juvenile prison~~ as described in s. 985.465, a  
1559 detention center or facility designated by the Department of  
1560 Juvenile Justice to provide secure detention as defined in s.  
1561 985.03(18) (a), or a facility used for a residential program as  
1562 described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~ shall  
1563 submit documentation to the Department of Juvenile Justice  
1564 regarding compliance with subsections (4) and (5), as  
1565 applicable, within 1 year after being established or, if such  
1566 institution or facility was established before July 1, 2023, no

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1567 later than April 1, 2024.

1568 Section 21. Paragraph (c) of subsection (18) of section  
1569 1001.42, Florida Statutes, is amended to read:

1570 1001.42 Powers and duties of district school board.—The  
1571 district school board, acting as a board, shall exercise all  
1572 powers and perform all duties listed below:

1573 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
1574 Maintain a system of school improvement and education  
1575 accountability as provided by statute and State Board of  
1576 Education rule. This system of school improvement and education  
1577 accountability shall be consistent with, and implemented  
1578 through, the district's continuing system of planning and  
1579 budgeting required by this section and ss. 1008.385, 1010.01,  
1580 and 1011.01. This system of school improvement and education  
1581 accountability shall comply with the provisions of ss. 1008.33,  
1582 1008.34, 1008.345, and 1008.385 and include the following:

1583 (c) *Public disclosure*.—The district school board shall  
1584 provide information regarding the performance of students and  
1585 educational programs as required pursuant to ss. 1008.22 and  
1586 1008.385 and implement a system of school reports as required by  
1587 statute and State Board of Education rule which shall include  
1588 schools operating for the purpose of providing educational  
1589 services to students in Department of Juvenile Justice programs,  
1590 ~~and for those schools, report on the elements specified in s.~~  
1591 ~~1003.52(17)~~. Annual public disclosure reports shall be in an  
1592 easy-to-read report card format and shall include the school's  
1593 grade, high school graduation rate calculated without high  
1594 school equivalency examinations, disaggregated by student  
1595 ethnicity, and performance data as specified in state board

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1596 rule.

1597 Section 22. For the purpose of incorporating the amendment  
1598 made by this act to section 985.03, Florida Statutes, in a  
1599 reference thereto, section 985.721, Florida Statutes, is  
1600 reenacted to read:

1601 985.721 Escapes from secure detention or residential  
1602 commitment facility.—An escape from:

1603 (1) Any secure detention facility maintained for the  
1604 temporary detention of children, pending adjudication,  
1605 disposition, or placement;

1606 (2) Any residential commitment facility described in s.  
1607 985.03(44), maintained for the custody, treatment, punishment,  
1608 or rehabilitation of children found to have committed delinquent  
1609 acts or violations of law; or

1610 (3) Lawful transportation to or from any such secure  
1611 detention facility or residential commitment facility,

1612  
1613 constitutes escape within the intent and meaning of s. 944.40  
1614 and is a felony of the third degree, punishable as provided in  
1615 s. 775.082, s. 775.083, or s. 775.084.

1616 Section 23. For the purpose of incorporating the amendment  
1617 made by this act to section 985.115, Florida Statutes, in a  
1618 reference thereto, subsection (1) of section 985.25, Florida  
1619 Statutes, is reenacted to read:

1620 985.25 Detention intake.—

1621 (1) The department shall receive custody of a child who has  
1622 been taken into custody from the law enforcement agency or court  
1623 and shall review the facts in the law enforcement report or  
1624 probable cause affidavit and make such further inquiry as may be



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1625 necessary to determine whether detention care is appropriate.

1626 (a) During the period of time from the taking of the child  
1627 into custody to the date of the detention hearing, the initial  
1628 decision as to the child's placement into detention care shall  
1629 be made by the department under ss. 985.24 and 985.245(1).

1630 (b) The department shall base the decision whether to place  
1631 the child into detention care on an assessment of risk in  
1632 accordance with the risk assessment instrument and procedures  
1633 developed by the department under s. 985.245, except that a  
1634 child shall be placed in secure detention care until the child's  
1635 detention hearing if the child meets the criteria specified in  
1636 s. 985.255(1)(f), is charged with possessing or discharging a  
1637 firearm on school property in violation of s. 790.115, or is  
1638 charged with any other offense involving the possession or use  
1639 of a firearm.

1640 (c) If the final score on the child's risk assessment  
1641 instrument indicates detention care is appropriate, but the  
1642 department otherwise determines the child should be released,  
1643 the department shall contact the state attorney, who may  
1644 authorize release.

1645 (d) If the final score on the risk assessment instrument  
1646 indicates detention is not appropriate, the child may be  
1647 released by the department in accordance with ss. 985.115 and  
1648 985.13.

1649  
1650 Under no circumstances shall the department or the state  
1651 attorney or law enforcement officer authorize the detention of  
1652 any child in a jail or other facility intended or used for the  
1653 detention of adults, without an order of the court.

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1654 Section 24. For the purpose of incorporating the amendment  
1655 made by this act to section 985.27, Florida Statutes, in a  
1656 reference thereto, subsection (3) of section 985.255, Florida  
1657 Statutes, is reenacted to read:

1658 985.255 Detention criteria; detention hearing.—

1659 (3) (a) The purpose of the detention hearing required under  
1660 subsection (1) is to determine the existence of probable cause  
1661 that the child has committed the delinquent act or violation of  
1662 law that he or she is charged with and the need for continued  
1663 detention. The court shall use the results of the risk  
1664 assessment performed by the department and, based on the  
1665 criteria in subsection (1), shall determine the need for  
1666 continued detention. If the child is a prolific juvenile  
1667 offender who is detained under s. 985.26(2)(c), the court shall  
1668 use the results of the risk assessment performed by the  
1669 department and the criteria in subsection (1) or subsection (2)  
1670 only to determine whether the prolific juvenile offender should  
1671 be held in secure detention.

1672 (b) If the court orders a placement more restrictive than  
1673 indicated by the results of the risk assessment instrument, the  
1674 court shall state, in writing, clear and convincing reasons for  
1675 such placement.

1676 (c) Except as provided in s. 790.22(8) or s. 985.27, when a  
1677 child is placed into detention care, or into a respite home or  
1678 other placement pursuant to a court order following a hearing,  
1679 the court order must include specific instructions that direct  
1680 the release of the child from such placement no later than 5  
1681 p.m. on the last day of the detention period specified in s.  
1682 985.26 or s. 985.27, whichever is applicable, unless the

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1683 requirements of such applicable provision have been met or an  
1684 order of continuance has been granted under s. 985.26(4). If the  
1685 court order does not include a release date, the release date  
1686 shall be requested from the court on the same date that the  
1687 child is placed in detention care. If a subsequent hearing is  
1688 needed to provide additional information to the court for safety  
1689 planning, the initial order placing the child in detention care  
1690 shall reflect the next detention review hearing, which shall be  
1691 held within 3 calendar days after the child's initial detention  
1692 placement.

1693 Section 25. For the purpose of incorporating the amendment  
1694 made by this act to section 985.441, Florida Statutes, in a  
1695 reference thereto, paragraph (h) of subsection (2) of section  
1696 985.475, Florida Statutes, is reenacted to read:

1697 985.475 Juvenile sexual offenders.—

1698 (2) Following a delinquency adjudicatory hearing under s.  
1699 985.35, the court may on its own or upon request by the state or  
1700 the department and subject to specific appropriation, determine  
1701 whether a juvenile sexual offender placement is required for the  
1702 protection of the public and what would be the best approach to  
1703 address the treatment needs of the juvenile sexual offender.  
1704 When the court determines that a juvenile has no history of a  
1705 recent comprehensive assessment focused on sexually deviant  
1706 behavior, the court may, subject to specific appropriation,  
1707 order the department to conduct or arrange for an examination to  
1708 determine whether the juvenile sexual offender is amenable to  
1709 community-based treatment.

1710 (h) If the juvenile sexual offender violates any condition  
1711 of the disposition or the court finds that the juvenile sexual

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1712 offender is failing to make satisfactory progress in treatment,  
1713 the court may revoke the community-based treatment alternative  
1714 and order commitment to the department under s. 985.441.

1715 Section 26. For the purpose of incorporating the amendment  
1716 made by this act to section 985.441, Florida Statutes, in a  
1717 reference thereto, paragraph (b) of subsection (4) of section  
1718 985.565, Florida Statutes, is reenacted to read:

1719 985.565 Sentencing powers; procedures; alternatives for  
1720 juveniles prosecuted as adults.—

1721 (4) SENTENCING ALTERNATIVES.—

1722 (b) *Juvenile sanctions*.—For juveniles transferred to adult  
1723 court but who do not qualify for such transfer under s.  
1724 985.556(3), the court may impose juvenile sanctions under this  
1725 paragraph. If juvenile sentences are imposed, the court shall,  
1726 under this paragraph, adjudge the child to have committed a  
1727 delinquent act. Adjudication of delinquency may not be deemed a  
1728 conviction, nor shall it operate to impose any of the civil  
1729 disabilities ordinarily resulting from a conviction. The court  
1730 shall impose an adult sanction or a juvenile sanction and may  
1731 not sentence the child to a combination of adult and juvenile  
1732 punishments. An adult sanction or a juvenile sanction may  
1733 include enforcement of an order of restitution or probation  
1734 previously ordered in any juvenile proceeding. However, if the  
1735 court imposes a juvenile sanction and the department determines  
1736 that the sanction is unsuitable for the child, the department  
1737 shall return custody of the child to the sentencing court for  
1738 further proceedings, including the imposition of adult  
1739 sanctions. Upon adjudicating a child delinquent under subsection  
1740 (1), the court may:

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1741           1. Place the child in a probation program under the  
1742 supervision of the department for an indeterminate period of  
1743 time until the child reaches the age of 19 years or sooner if  
1744 discharged by order of the court.

1745           2. Commit the child to the department for treatment in an  
1746 appropriate program for children for an indeterminate period of  
1747 time until the child is 21 or sooner if discharged by the  
1748 department. The department shall notify the court of its intent  
1749 to discharge no later than 14 days before discharge. Failure of  
1750 the court to timely respond to the department's notice shall be  
1751 considered approval for discharge.

1752           3. Order disposition under ss. 985.435, 985.437, 985.439,  
1753 985.441, 985.45, and 985.455 as an alternative to youthful  
1754 offender or adult sentencing if the court determines not to  
1755 impose youthful offender or adult sanctions.

1756  
1757 It is the intent of the Legislature that the criteria and  
1758 guidelines in this subsection are mandatory and that a  
1759 determination of disposition under this subsection is subject to  
1760 the right of the child to appellate review under s. 985.534.

1761           Section 27. This act shall take effect July 1, 2024.