

By the Committee on Fiscal Policy; the Appropriations Committee on Criminal and Civil Justice; and Senator Bradley

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1 A bill to be entitled
2 An act relating to juvenile justice; amending s.
3 330.41, F.S.; conforming provisions to changes made by
4 the act; amending s. 381.887, F.S.; authorizing
5 certain employees of Department of Juvenile Justice
6 and contracted providers to possess and administer
7 opioid antagonists; providing immunity from liability
8 for administration; amending ss. 553.865, 790.22,
9 938.17, 943.0515, and 948.51, F.S.; conforming
10 provisions to changes made by the act; amending s.
11 985.02, F.S.; replacing the term "gender-specific"
12 with "sex-specific"; conforming provisions; amending
13 s. 985.03, F.S.; eliminating the minimum-risk
14 nonresidential restrictiveness level; redesignating
15 the nonsecure residential restrictiveness level as the
16 "moderate-risk residential level"; revising the
17 components of the maximum-risk residential
18 restrictiveness level; defining "sex"; amending s.
19 985.039, F.S.; conforming provisions to changes made
20 by the act; amending s. 985.115, F.S.; providing that
21 juvenile assessment centers are not facilities that
22 are permitted to receive certain children; amending
23 ss. 985.126 and 985.17, F.S.; conforming provisions to
24 changes made by the act; amending s. 985.26, F.S.;
25 revising provisions concerning transitioning a child
26 to and from secure detention care and supervised
27 release detention care; amending ss. 985.27, 985.441,
28 and 985.455, F.S.; conforming provisions to changes
29 made by the act; amending s. 985.465, F.S.; replacing

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30 the term "juvenile correctional facility or juvenile
31 prison" with "maximum-risk residential facilities";
32 amending s. 985.601, F.S.; authorizing the purchase of
33 certain materials; amending s. 985.619, F.S.;
34 providing the board of trustees of the Florida
35 Scholars Academy the power and duty to review and
36 approve an annual academic calendar; authorizing the
37 board of trustees to decrease the minimum number of
38 days for instruction; amending s. 985.664, F.S.;
39 substantially revising provisions relating to juvenile
40 justice circuit advisory boards; amending ss. 985.668,
41 985.676, and 1001.42, F.S.; conforming provisions to
42 changes made by the act; amending s. 1003.01, F.S.;
43 revising the definition of the term "juvenile justice
44 education programs or schools"; amending s. 1003.51,
45 F.S.; revising requirements for certain State Board of
46 Education rules to establish policies and standards
47 for certain education programs; revising requirements
48 for the Department of Education, in partnership with
49 the Department of Juvenile Justice, district school
50 boards, and education providers, to develop and
51 implement certain contract requirements and to
52 maintain standardized required content of education
53 records; revising district school board requirements;
54 revising departmental requirements relating to
55 juvenile justice education programs; amending s.
56 1003.52, F.S.; revising the role of Coordinators for
57 Juvenile Justice Education Programs in collecting
58 certain information and developing certain protocols;

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59 deleting provisions relating to career and
60 professional education (CAPE); requiring district
61 school boards to select appropriate academic and
62 career assessments to be administered at the time of
63 program entry and exit; deleting provisions related to
64 requiring residential juvenile justice education
65 programs to provide certain CAPE courses; requiring
66 each district school board to make provisions for high
67 school level students to earn credits toward high
68 school graduation while in juvenile justice detention,
69 prevention, or day treatment programs; authorizing
70 district school boards to contract with private
71 providers for education programs for students in such
72 programs; requiring each district school board to
73 negotiate a cooperative agreement with the department
74 on the delivery of educational services to students in
75 such programs; revising requirements for such
76 agreements; deleting provisions requiring the
77 Department of Education, in consultation with the
78 Department of Juvenile Justice, to adopt rules and
79 collect data and report on certain programs; deleting
80 a provision requiring that specified entities jointly
81 develop a multiagency plan for CAPE; conforming
82 provisions to changes made by the act; reenacting ss.
83 985.25(1), 985.255(3), 985.475(2)(h), 985.565(4)(b),
84 and 985.721, F.S., relating to detention intakes,
85 detention criteria and detention hearings, juvenile
86 sexual offenders, juvenile sanctions, and escapes from
87 secure detention or residential commitment facilities,

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88 respectively, to incorporate the amendments made by
89 the act; providing an effective date.

90

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

92

93 Section 1. Paragraph (a) of subsection (2) of section
94 330.41, Florida Statutes, is amended to read:

95 330.41 Unmanned Aircraft Systems Act.—

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

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

103 1. A power generation or transmission facility, substation,
104 switching station, or electrical control center.

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

106 3. A water intake structure, water treatment facility,
107 wastewater treatment plant, or pump station.

108 4. A mining facility.

109 5. A natural gas or compressed gas compressor station,
110 storage facility, or natural gas or compressed gas pipeline.

111 6. A liquid natural gas or propane gas terminal or storage
112 facility.

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

114 8. A refinery.

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

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117 10. A wireless communications facility, including the
118 tower, antennae, support structures, and all associated ground-
119 based equipment.

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

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

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

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

129 15. A military installation as defined in 10 U.S.C. s.
130 2801(c)(4) and an armory as defined in s. 250.01.

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

134 17. A state correctional institution as defined in s.
135 944.02 or a private correctional facility authorized under
136 chapter 957.

137 18. A secure detention center or facility as defined in s.
138 985.03, or a moderate-risk ~~nonsecure~~ residential facility, a
139 high-risk residential facility, or a maximum-risk residential
140 facility as those terms are described in s. 985.03(44).

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

142 20. A critical infrastructure facility as defined in s.
143 692.201.

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

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146 381.887 Emergency treatment for suspected opioid overdose.-

147 (4) The following persons are authorized to possess, store,
148 and administer emergency opioid antagonists as clinically
149 indicated and are immune from any civil liability or criminal
150 liability as a result of administering an emergency opioid
151 antagonist:

152 (d) Personnel of the Department of Juvenile Justice and of
153 any contracted provider with direct contact with youth
154 authorized under chapters 984 and 985.

155 Section 3. Paragraphs (c) and (j) of subsection (3),
156 paragraph (a) of subsection (10), and paragraph (f) of
157 subsection (12) of section 553.865, Florida Statutes, are
158 amended to read:

159 553.865 Private spaces.-

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

161 (c) "Covered entity" means any:

162 1. Correctional institution;

163 2. Detention facility;

164 3. Educational institution;

165 4. Maximum-risk residential facility ~~Juvenile correctional~~
166 ~~facility or juvenile prison~~ as described in s. 985.465, any
167 detention center or facility designated by the Department of
168 Juvenile Justice to provide secure detention as defined in s.
169 985.03(18) (a), and any facility used for a residential program
170 as described in s. 985.03(44) ~~985.03(44) (b), (c), or (d);~~ or

171 5. Public building.

172 (j) "Public building" means a building comfort-conditioned
173 for occupancy which is owned or leased by the state, a state
174 agency, or a political subdivision. The term does not include a

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175 correctional institution, a detention facility, an educational
176 institution, a maximum-risk residential facility ~~juvenile~~
177 ~~correctional facility or juvenile prison~~ as described in s.
178 985.465, a detention center or facility designated by the
179 Department of Juvenile Justice to provide secure detention as
180 defined in s. 985.03(18) (a), or any facility used for a
181 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~
182 ~~(c), or (d).~~

183 (10) (a) Each maximum-risk residential facility ~~juvenile~~
184 ~~correctional facility or juvenile prison~~ as described in s.
185 985.465, each detention center or facility designated by the
186 Department of Juvenile Justice to provide secure detention as
187 defined in s. 985.03(18) (a), and each facility used for a
188 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~
189 ~~(c), or (d)~~ shall establish disciplinary procedures for any
190 juvenile as defined in s. 985.03(7) who willfully enters, for a
191 purpose other than those listed in subsection (6), a restroom or
192 changing facility designated for the opposite sex in such
193 maximum-risk residential facility ~~juvenile correctional~~
194 ~~facility, juvenile prison,~~ secure detention center or facility,
195 or residential program facility and refuses to depart when asked
196 to do so by delinquency program staff, detention staff, or
197 residential program staff.

198 (12) A covered entity that is:

199 (f) A maximum-risk residential facility ~~juvenile~~
200 ~~correctional facility or juvenile prison~~ as described in s.
201 985.465, a detention center or facility designated by the
202 Department of Juvenile Justice to provide secure detention as
203 defined in s. 985.03(18) (a), or a facility used for a

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204 residential program as described in s. 985.03(44) ~~985.03(44)(b),~~
205 ~~(c), or (d)~~ shall submit documentation to the Department of
206 Juvenile Justice regarding compliance with subsections (4) and
207 (5), as applicable, within 1 year after being established or, if
208 such institution or facility was established before July 1,
209 2023, no later than April 1, 2024.

210 Section 4. Paragraph (c) of subsection (4) of section
211 790.22, Florida Statutes, is amended to read:

212 790.22 Use of BB guns, air or gas-operated guns, or
213 electric weapons or devices by minor under 16; limitation;
214 possession of firearms by minor under 18 prohibited; penalties.-

215 (4)

216 (c) The ~~juvenile justice circuit advisory boards or the~~
217 Department of Juvenile Justice shall establish appropriate
218 community service programs to be available to the alternative
219 sanctions coordinators of the circuit courts in implementing
220 this subsection. The ~~boards or~~ department shall propose the
221 implementation of a community service program in each circuit,
222 and may submit a circuit plan, to be implemented upon approval
223 of the circuit alternative sanctions coordinator.

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

226 938.17 County delinquency prevention; juvenile assessment
227 centers and school board suspension programs.-

228 (4) A sheriff's office that receives proceeds pursuant to
229 s. 939.185 shall account for all funds annually by August 1 in a
230 written report to the Department of Juvenile Justice ~~juvenile~~
231 ~~justice circuit advisory board~~ if funds are used for assessment
232 centers, and to the district school board if funds are used for

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233 suspension programs.

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

236 943.0515 Retention of criminal history records of minors.-

237 (1) (a) The Criminal Justice Information Program shall
238 retain the criminal history record of a minor who is classified
239 as a serious or habitual juvenile offender or committed to a
240 maximum-risk residential facility ~~juvenile correctional facility~~
241 ~~or juvenile prison~~ under chapter 985 for 5 years after the date
242 the offender reaches 21 years of age, at which time the record
243 shall be expunged unless it meets the criteria of paragraph
244 (2) (a) or paragraph (2) (b).

245 (b)1. If the minor is not classified as a serious or
246 habitual juvenile offender or committed to a maximum-risk
247 residential facility ~~juvenile correctional facility or juvenile~~
248 ~~prison~~ under chapter 985, the program shall retain the minor's
249 criminal history record for 2 years after the date the minor
250 reaches 19 years of age, at which time the record shall be
251 expunged unless it meets the criteria of paragraph (2) (a) or
252 paragraph (2) (b).

253 2. A minor described in subparagraph 1. may apply to the
254 department to have his or her criminal history record expunged
255 before the minor reaches 21 years of age. To be eligible for
256 expunction under this subparagraph, the minor must be 18 years
257 of age or older and less than 21 years of age and have not been
258 charged by the state attorney with or found to have committed
259 any criminal offense within the 5-year period before the
260 application date. The only offenses eligible to be expunged
261 under this subparagraph are those that the minor committed

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262 before the minor reached 18 years of age. A criminal history
263 record expunged under this subparagraph requires the approval of
264 the state attorney for each circuit in which an offense
265 specified in the criminal history record occurred. A minor
266 seeking to expunge a criminal history record under this
267 subparagraph shall apply to the department for expunction in the
268 manner prescribed by rule. An application for expunction under
269 this subparagraph shall include:

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

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

275 c. A sworn, written statement from the minor seeking relief
276 that he or she is no longer under court supervision applicable
277 to the disposition of the arrest or alleged criminal activity to
278 which the application to expunge pertains and that he or she has
279 not been charged with or found to have committed a criminal
280 offense, in any jurisdiction of the state or within the United
281 States, within the 5-year period before the application date. A
282 person who knowingly provides false information on the sworn
283 statement required by this sub-subparagraph commits a
284 misdemeanor of the first degree, punishable as provided in s.
285 775.082 or s. 775.083.

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

290 Section 7. Subsection (2) of section 948.51, Florida

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291 Statutes, is amended to read:

292 948.51 Community corrections assistance to counties or
293 county consortiums.—

294 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A
295 county, or a consortium of two or more counties, may contract
296 with the Department of Corrections for community corrections
297 funds as provided in this section. In order to enter into a
298 community corrections partnership contract, a county or county
299 consortium must have a public safety coordinating council
300 established under s. 951.26 and must designate a county officer
301 or agency to be responsible for administering community
302 corrections funds received from the state. The public safety
303 coordinating council shall prepare, develop, and implement a
304 comprehensive public safety plan for the county, or the
305 geographic area represented by the county consortium, and shall
306 submit an annual report to the Department of Corrections
307 concerning the status of the program. In preparing the
308 comprehensive public safety plan, the public safety coordinating
309 council shall cooperate with the Department of Juvenile Justice
310 ~~juvenile justice circuit advisory board established under s.~~
311 ~~985.664~~ in order to include programs and services for juveniles
312 in the plan. To be eligible for community corrections funds
313 under the contract, the initial public safety plan must be
314 approved by the governing board of the county, or the governing
315 board of each county within the consortium, and the Secretary of
316 Corrections based on the requirements of this section. If one or
317 more other counties develop a unified public safety plan, the
318 public safety coordinating council shall submit a single
319 application to the department for funding. Continued contract

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320 funding shall be pursuant to subsection (5). The plan for a
321 county or county consortium must cover at least a 5-year period
322 and must include:

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

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

328 (c) Specific goals and objectives for reducing the
329 projected percentage of commitments to the state prison system
330 of persons with low total sentencing scores pursuant to the
331 Criminal Punishment Code.

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

336 (e) The assessment of population status by the public
337 safety coordinating council of all correctional facilities owned
338 or contracted for by the county or by each county within the
339 consortium.

340 (f) The assessment of bed space that is available for
341 substance abuse intervention and treatment programs and the
342 assessment of offenders in need of treatment who are committed
343 to each correctional facility owned or contracted for by the
344 county or by each county within the consortium.

345 (g) A description of program costs and sources of funds for
346 each community corrections program, including community
347 corrections funds, loans, state assistance, and other financial
348 assistance.

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

351 985.02 Legislative intent for the juvenile justice system.—

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

355 (h) Sex-specific ~~Gender-specific~~ programming and sex-
356 specific ~~gender-specific~~ program models and services that
357 comprehensively address the needs of either sex ~~a targeted~~
358 ~~gender group~~.

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

360 (a) The Legislature finds that the needs of children served
361 by the juvenile justice system are sex-specific ~~gender-specific~~.
362 A sex-specific ~~gender-specific~~ approach is one in which
363 programs, services, and treatments comprehensively address the
364 unique developmental needs of either sex ~~a targeted gender group~~
365 under the care of the department. Young women and men have
366 different pathways to delinquency, display different patterns of
367 offending, and respond differently to interventions, treatment,
368 and services.

369 (b) Sex-specific ~~Gender-specific~~ interventions focus on the
370 differences between young females' and young males' social roles
371 and responsibilities, access to and use of resources, history of
372 trauma, and reasons for interaction with the juvenile justice
373 system. Sex-specific ~~Gender-specific~~ programs increase the
374 effectiveness of programs by making interventions more
375 appropriate to the specific needs of young women and men and
376 ensuring that these programs do not unknowingly create,
377 maintain, or reinforce sex ~~gender~~ roles or relations that may be

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378 damaging.

379 Section 9. Subsections (46) through (54) of section 985.03,
380 Florida Statutes, are renumbered as subsections (47) through
381 (55), respectively, subsections (14) and (44) and present
382 subsection (50) are amended, and a new subsection (46) is added
383 to that section, to read:

384 985.03 Definitions.—As used in this chapter, the term:

385 (14) "Day treatment" means a nonresidential, community-
386 based program designed to provide therapeutic intervention to
387 youth who are served by the department or placed on probation
388 or conditional release, ~~or committed to the minimum-risk~~
389 ~~nonresidential level~~. A day treatment program may provide
390 educational and career and technical education services and
391 shall provide case management services; individual, group, and
392 family counseling; training designed to address delinquency risk
393 factors; and monitoring of a youth's compliance with, and
394 facilitation of a youth's completion of, sanctions if ordered by
395 the court. Program types may include, but are not limited to,
396 career programs, marine programs, juvenile justice alternative
397 schools, training and rehabilitation programs, and sex-specific
398 ~~gender-specific~~ programs.

399 (44) "Restrictiveness level" means the level of programming
400 and security provided by programs that service the supervision,
401 custody, care, and treatment needs of committed children.
402 Sections 985.601(10) and 985.721 apply to children placed in
403 programs at any residential commitment level. The
404 restrictiveness levels of commitment are as follows:

405 ~~(a) Minimum-risk nonresidential. Programs or program models~~
406 ~~at this commitment level work with youth who remain in the~~

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407 ~~community and participate at least 5 days per week in a day~~
408 ~~treatment program. Youth assessed and classified for programs at~~
409 ~~this commitment level represent a minimum risk to themselves and~~
410 ~~public safety and do not require placement and services in~~
411 ~~residential settings. Youth in this level have full access to,~~
412 ~~and reside in, the community. Youth who have been found to have~~
413 ~~committed delinquent acts that involve firearms, that are sexual~~
414 ~~offenses, or that would be life felonies or first degree~~
415 ~~felonies if committed by an adult may not be committed to a~~
416 ~~program at this level.~~

417 (a) (b) Moderate-risk Nonsecure residential.—Programs or
418 program models at this commitment level are residential but may
419 allow youth to have supervised access to the community.
420 Facilities at this commitment level are either environmentally
421 secure, staff secure, or are hardware-secure with walls,
422 fencing, or locking doors. Residential facilities at this
423 commitment level shall have no more than 90 beds each, including
424 campus-style programs, unless those campus-style programs
425 include more than one treatment program using different
426 treatment protocols, and have facilities that coexist separately
427 in distinct locations on the same property. Facilities at this
428 commitment level shall provide 24-hour awake supervision,
429 custody, care, and treatment of residents. Youth assessed and
430 classified for placement in programs at this commitment level
431 represent a low or moderate risk to public safety and require
432 close supervision. The staff at a facility at this commitment
433 level may seclude a child who is a physical threat to himself or
434 herself or others. Mechanical restraint may also be used when
435 necessary.

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436 (b)~~(e)~~ *High-risk residential.*—Programs or program models at
437 this commitment level are residential and do not allow youth to
438 have access to the community, except that temporary release
439 providing community access for up to 72 continuous hours may be
440 approved by a court for a youth who has made successful progress
441 in his or her program in order for the youth to attend a family
442 emergency or, during the final 60 days of his or her placement,
443 to visit his or her home, enroll in school or a career and
444 technical education program, complete a job interview, or
445 participate in a community service project. High-risk
446 residential facilities are hardware-secure with perimeter
447 fencing and locking doors. Residential facilities at this
448 commitment level shall have no more than 90 beds each, including
449 campus-style programs, unless those campus-style programs
450 include more than one treatment program using different
451 treatment protocols, and have facilities that coexist separately
452 in distinct locations on the same property. Facilities at this
453 commitment level shall provide 24-hour awake supervision,
454 custody, care, and treatment of residents. Youth assessed and
455 classified for this level of placement require close supervision
456 in a structured residential setting. Placement in programs at
457 this level is prompted by a concern for public safety that
458 outweighs placement in programs at lower commitment levels. The
459 staff at a facility at this commitment level may seclude a child
460 who is a physical threat to himself or herself or others.
461 Mechanical restraint may also be used when necessary. The
462 facility may provide for single cell occupancy, except that
463 youth may be housed together during prerelease transition.

464 (c)~~(d)~~ *Maximum-risk residential.*—~~Programs or program models~~

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465 ~~at this commitment level include juvenile correctional~~
466 ~~facilities and juvenile prisons.~~ The programs at this commitment
467 level are long-term residential and do not allow youth to have
468 access to the community. Facilities at this commitment level are
469 maximum-custody, hardware-secure with perimeter security fencing
470 and locking doors. Residential facilities at this commitment
471 level shall have no more than 90 beds each, including campus-
472 style programs, unless those campus-style programs include more
473 than one treatment program using different treatment protocols,
474 and have facilities that coexist separately in distinct
475 locations on the same property. Facilities at this commitment
476 level shall provide 24-hour awake supervision, custody, care,
477 and treatment of residents. The staff at a facility at this
478 commitment level may seclude a child who is a physical threat to
479 himself or herself or others. Mechanical restraint may also be
480 used when necessary. Facilities at this commitment level shall
481 provide for single cell occupancy, except that youth may be
482 housed together during prerelease transition. Youth assessed and
483 classified for this level of placement require close supervision
484 in a maximum security residential setting. Placement in a
485 program at this level is prompted by a demonstrated need to
486 protect the public.

487 (46) "Sex" has the same meaning as provided in s.
488 553.865(3).

489 (51)~~(50)~~ "Temporary release" means the terms and conditions
490 under which a child is temporarily released from a residential
491 commitment facility or allowed home visits. If the temporary
492 release is from a moderate-risk ~~nonsecure~~ residential facility,
493 a high-risk residential facility, or a maximum-risk residential

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494 facility, the terms and conditions of the temporary release must
495 be approved by the child, the court, and the facility.

496 Section 10. Paragraph (a) of subsection (1) of section
497 985.039, Florida Statutes, is amended to read:

498 985.039 Cost of supervision; cost of care.—

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

500 (a) When any child is placed into supervised release
501 detention, probation, or other supervision status with the
502 department, ~~or is committed to the minimum-risk nonresidential~~
503 ~~restrictiveness level~~, the court shall order the parent of such
504 child to pay to the department a fee for the cost of the
505 supervision of such child in the amount of \$1 per day for each
506 day that the child is in such status.

507 Section 11. Paragraph (f) of subsection (2) of section
508 985.115, Florida Statutes, is amended to read:

509 985.115 Release or delivery from custody.—

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

514 (f) If available, to a juvenile assessment center equipped
515 and staffed to assume custody of the child for the purpose of
516 assessing the needs of the child in custody. The center may then
517 release or deliver the child under this section with a copy of
518 the assessment. A juvenile assessment center may not be
519 considered a facility that can receive a child under paragraph
520 (c), paragraph (d), or paragraph (e).

521 Section 12. Paragraphs (a) and (b) of subsection (3) and
522 subsection (4) of section 985.126, Florida Statutes, are amended

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523 to read:

524 985.126 Diversion programs; data collection; denial of
525 participation or expunged record.—

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

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

530 2. The offense committed, including the specific law
531 establishing the offense.

532 3. The judicial circuit and county in which the offense was
533 committed and the law enforcement agency that had contact with
534 the minor for the offense.

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

538 (b) ~~Beginning October 1, 2018,~~ Each law enforcement agency
539 shall submit to the department data that identifies for each
540 minor who was eligible for a diversion program, but was instead
541 referred to the department, provided a notice to appear, or
542 arrested:

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

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

546 a. Not offered such opportunity, the reason such offer was
547 not made.

548 b. Offered such opportunity, whether the minor or his or
549 her parent or legal guardian declined to participate in the
550 diversion program.

551 (4) ~~Beginning January 1, 2019,~~ The department shall compile

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552 and semiannually publish the data required by subsection (3) on
553 the department's website in a format that is, at a minimum,
554 sortable by judicial circuit, county, law enforcement agency,
555 race, ethnicity, sex ~~gender~~, age, and offense committed.

556 Section 13. Paragraph (a) of subsection (3) of section
557 985.17, Florida Statutes, is amended to read:

558 985.17 Prevention services.—

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

561 (a) Focus on preventing initial or further involvement of
562 such youth in the juvenile justice system by including services
563 such as literacy services, sex-specific ~~gender-specific~~
564 programming, recreational services, and after-school services,
565 and should include targeted services to troubled, truant,
566 ungovernable, abused, trafficked, or runaway youth. To decrease
567 the likelihood that a youth will commit a delinquent act, the
568 department should use mentoring and may provide specialized
569 services addressing the strengthening of families, job training,
570 and substance abuse.

571 Section 14. Paragraph (a) of subsection (2) of section
572 985.26, Florida Statutes, is amended to read:

573 985.26 Length of detention.—

574 (2) (a) 1. A court may order a child to be placed on
575 supervised release detention care for any time period until an
576 adjudicatory hearing is completed. However, if a child has
577 served 60 days on supervised release detention care, the court
578 must conduct a hearing within 15 days after the 60th day, to
579 determine the need for continued supervised release detention
580 care. At the hearing, and upon good cause being shown that the

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581 nature of the charge requires additional time for the
582 prosecution or defense of the case or that the totality of the
583 circumstances, including the preservation of public safety,
584 warrants an extension, the court may order the child to remain
585 on supervised release detention care until the adjudicatory
586 hearing is completed.

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

592 3. This section does not prohibit a court from
593 transitioning a child to and from secure detention care and
594 supervised release detention care, including electronic
595 monitoring, when the court finds such a placement necessary, or
596 no longer necessary, to preserve public safety or to ensure the
597 child's safety, appearance in court, or compliance with a court
598 order. Such transition may be initiated upon the court's own
599 motion, or upon motion of the child or of the state, and after
600 considering any information provided by the department regarding
601 the child's adjustment to detention supervision. Each period of
602 secure detention care or supervised release detention care
603 counts toward the time limitations in this subsection whether
604 served consecutively or nonconsecutively.

605 Section 15. Section 985.27, Florida Statutes, is amended to
606 read:

607 985.27 Postdisposition detention while awaiting residential
608 commitment placement.—The court must place all children who are
609 adjudicated and awaiting placement in a moderate-risk ~~nonsecure~~,

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610 high-risk, or maximum-risk residential commitment program in
611 secure detention care until the placement or commitment is
612 accomplished.

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

615 985.441 Commitment.—

616 (2) Notwithstanding subsection (1), the court having
617 jurisdiction over an adjudicated delinquent child whose offense
618 is a misdemeanor, or a child who is currently on probation for a
619 misdemeanor, may not commit the child for any misdemeanor
620 offense or any probation violation that is technical in nature
621 and not a new violation of law ~~at a restrictiveness level other~~
622 ~~than minimum-risk nonresidential~~. However, the court may commit
623 such child to a moderate-risk ~~nonsecure~~ residential placement
624 if:

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

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

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

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

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

638 985.455 Other dispositional issues.—

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639 (3) Any commitment of a delinquent child to the department
640 must be for an indeterminate period of time, which may include
641 periods of temporary release; however, the period of time may
642 not exceed the maximum term of imprisonment that an adult may
643 serve for the same offense, ~~except that the duration of a~~
644 ~~minimum risk nonresidential commitment for an offense that is a~~
645 ~~misdemeanor of the second degree, or is equivalent to a~~
646 ~~misdemeanor of the second degree, may be for a period not to~~
647 ~~exceed 6 months.~~ The duration of the child's placement in a
648 commitment program of any restrictiveness level shall be based
649 on objective performance-based treatment planning. The child's
650 treatment plan progress and adjustment-related issues shall be
651 reported to the court quarterly, unless the court requests
652 monthly reports. If the child is under the jurisdiction of a
653 dependency court, the court may receive and consider any
654 information provided by the Guardian Ad Litem Program or the
655 child's attorney ad litem, if appointed. The child's length of
656 stay in a commitment program may be extended if the child fails
657 to comply with or participate in treatment activities. The
658 child's length of stay in the program shall not be extended for
659 purposes of sanction or punishment. Any temporary release from
660 such program must be approved by the court. Any child so
661 committed may be discharged from institutional confinement or a
662 program upon the direction of the department with the
663 concurrence of the court. The child's treatment plan progress
664 and adjustment-related issues must be communicated to the court
665 at the time the department requests the court to consider
666 releasing the child from the commitment program. The department
667 shall give the court that committed the child to the department

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668 reasonable notice, in writing, of its desire to discharge the
669 child from a commitment facility. The court that committed the
670 child may thereafter accept or reject the request. If the court
671 does not respond within 10 days after receipt of the notice, the
672 request of the department shall be deemed granted. This section
673 does not limit the department's authority to revoke a child's
674 temporary release status and return the child to a commitment
675 facility for any violation of the terms and conditions of the
676 temporary release.

677 Section 18. Section 985.465, Florida Statutes, is amended
678 to read:

679 985.465 Maximum-risk residential facilities ~~Juvenile~~
680 ~~correctional facilities or juvenile prison.~~—A maximum-risk
681 residential facility ~~juvenile correctional facility or juvenile~~
682 ~~prison~~ is a physically secure residential commitment program
683 with a designated length of stay from 18 months to 36 months,
684 primarily serving children 13 years of age to 19 years of age or
685 until the jurisdiction of the court expires. Each child
686 committed to this level must meet one of the following criteria:

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

- 690 (a) Arson;
691 (b) Sexual battery;
692 (c) Robbery;
693 (d) Kidnapping;
694 (e) Aggravated child abuse;
695 (f) Aggravated assault;
696 (g) Aggravated stalking;

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697 (h) Murder;

698 (i) Manslaughter;

699 (j) Unlawful throwing, placing, or discharging of a
700 destructive device or bomb;

701 (k) Armed burglary;

702 (l) Aggravated battery;

703 (m) Carjacking;

704 (n) Home-invasion robbery;

705 (o) Burglary with an assault or battery;

706 (p) Any lewd or lascivious offense committed upon or in the
707 presence of a person less than 16 years of age; or

708 (q) Carrying, displaying, using, threatening to use, or
709 attempting to use a weapon or firearm during the commission of a
710 felony.

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

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

718 (4) The child is at least 13 years of age at the time of
719 the disposition for the current offense, the child is eligible
720 for prosecution as an adult for the current offense, and the
721 current offense is ranked at level 7 or higher on the Criminal
722 Punishment Code offense severity ranking chart pursuant to s.
723 921.0022.

724 Section 19. Paragraph (a) of subsection (3) of section
725 985.601, Florida Statutes, is amended, and subsection (12) is

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726 added to that section, to read:

727 985.601 Administering the juvenile justice continuum.—

728 (3) (a) The department shall develop or contract for
729 diversified and innovative programs to provide rehabilitative
730 treatment, including early intervention and prevention,
731 diversion, comprehensive intake, case management, diagnostic and
732 classification assessments, trauma-informed care, individual and
733 family counseling, family engagement resources and programs,
734 sex-specific ~~gender-specific~~ programming, shelter care,
735 diversified detention care emphasizing alternatives to secure
736 detention, diversified probation, halfway houses, foster homes,
737 community-based substance abuse treatment services, community-
738 based mental health treatment services, community-based
739 residential and nonresidential programs, mother-infant programs,
740 and environmental programs. The department may pay expenses in
741 support of innovative programs and activities that address
742 identified needs and the well-being of children in the
743 department's care or under its supervision, subject to the
744 requirements of chapters 215, 216, and 287. Each program shall
745 place particular emphasis on reintegration and conditional
746 release for all children in the program.

747 (12) The department may use state or federal funds to
748 purchase and distribute promotional and educational materials
749 that are consistent with the dignity and integrity of the state
750 for all of the following purposes:

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

754 (b) Staff recruitment at job fairs, career fairs, community

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755 events, the Institute for Commercialization of Florida
756 Technology, community college campuses, or state university
757 campuses.

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

762 Section 20. Paragraph (b) of subsection (4) of section
763 985.619, Florida Statutes, is amended to read:

764 985.619 Florida Scholars Academy.—

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

766 (b) The board of trustees shall have the following powers
767 and duties:

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

770 2. Be responsible for the Florida Scholars Academy's
771 development of an education delivery system that is cost-
772 effective, high-quality, educationally sound, and capable of
773 sustaining an effective delivery system.

774 3.a. Identify appropriate performance measures and
775 standards based on student achievement which reflect the
776 school's statutory mission and priorities, and implement an
777 accountability system approved by the State Board of Education
778 for the school by the 2024-2025 school year which includes an
779 assessment of its effectiveness and efficiency in providing
780 quality services that encourage high student achievement,
781 seamless articulation, and maximum access to career
782 opportunities.

783 b. For the 2024-2025 school year, the results of the

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784 accountability system must serve as an informative baseline for
785 the academy as it works to improve performance in future years.

786 4. Administer and maintain the educational programs of the
787 Florida Scholars Academy in accordance with law and department
788 rules, in consultation with the State Board of Education.

789 5. With the approval of the secretary of the department or
790 his or her designee, determine the compensation, including
791 salaries and fringe benefits, and other conditions of employment
792 for such personnel, in alignment with the Florida Scholars
793 Academy's provider contracts.

794 6. The employment of all Florida Scholars Academy
795 administrative and instructional personnel are subject to
796 rejection for cause by the secretary of the department or his or
797 her designee and are subject to policies established by the
798 board of trustees.

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

801 8. Maintain the financial records and accounts of the
802 Florida Scholars Academy in compliance with rules adopted by the
803 State Board of Education for the uniform system of financial
804 records and accounts for the schools of this state.

805 9. Is a body corporate with all the powers of a body
806 corporate and may exercise such authority as is needed for the
807 proper operation and improvement of the Florida Scholars
808 Academy. The board of trustees is specifically authorized to
809 adopt rules, policies, and procedures, consistent with law and
810 State Board of Education rules related to governance, personnel,
811 budget and finance, administration, programs, curriculum and
812 instruction, travel and purchasing, technology, students,

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813 contracts and grants, and property as necessary for optimal,
814 efficient operation of the Florida Scholars Academy.

815 10. Notwithstanding any rule to the contrary, review and
816 approve an annual academic calendar to provide educational
817 services to youth for a school year composed of 250 days or
818 1,250 hours of instruction for students enrolled in a
819 traditional K-12 education pathway, distributed over 12 months.
820 The board of trustees may decrease the minimum number of days
821 for instruction by up to 20 days or 100 hours for teacher
822 planning.

823 Section 21. Section 985.664, Florida Statutes, is amended
824 to read:

825 985.664 Juvenile justice circuit advisory boards.—

826 (1) Each circuit shall have a juvenile justice circuit
827 advisory board. The board shall work with the chief probation
828 officer of the circuit to use data to inform policy and practice
829 which improves the juvenile justice continuum. ~~There is~~
830 authorized a juvenile justice circuit advisory board to be
831 established in each of the 20 judicial circuits. Except in
832 single-county circuits, each juvenile justice circuit advisory
833 board shall have a county organization representing each of the
834 counties in the circuit. The county organization shall report
835 directly to the juvenile justice circuit advisory board on the
836 juvenile justice needs of the county. The purpose of each
837 juvenile justice circuit advisory board is to provide advice and
838 direction to the department in the development and
839 implementation of juvenile justice programs and to work
840 collaboratively with the department in seeking program
841 improvements and policy changes to address the emerging and

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842 ~~changing needs of Florida's youth who are at risk of~~
843 ~~delinquency.~~

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

846 ~~(a) Developing a comprehensive plan for the circuit. The~~
847 ~~initial circuit plan shall be submitted to the department no~~
848 ~~later than December 31, 2014, and no later than June 30 every 3~~
849 ~~years thereafter. The department shall prescribe a format and~~
850 ~~content requirements for the submission of the comprehensive~~
851 ~~plan.~~

852 ~~(b) Participating in the facilitation of interagency~~
853 ~~cooperation and information sharing.~~

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

857 ~~(d) Providing recommendations to the department in the~~
858 ~~evaluation of prevention and early intervention grant programs,~~
859 ~~including the Community Juvenile Justice Partnership Grant~~
860 ~~program established in s. 985.676 and proceeds from the Invest~~
861 ~~in Children license plate annual use fees.~~

862 ~~(e) Providing an annual report to the department describing~~
863 ~~the board's activities. The department shall prescribe a format~~
864 ~~and content requirements for submission of annual reports. The~~
865 ~~annual report must be submitted to the department no later than~~
866 ~~August 1 of each year.~~

867 ~~(2)~~(3) Each juvenile justice circuit advisory board shall
868 have a minimum of 14 ~~16~~ members. The membership of each board
869 must reflect:

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

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- 871 (b) Diversity in the judicial circuit.
- 872 ~~(3)(4)~~ Each member of the juvenile justice circuit advisory
873 board must be approved by the chief probation officer of the
874 circuit Secretary of Juvenile Justice, except those members
875 listed in paragraphs (a), (b), (c), (e), (f), (g), and (h). Each
876 The juvenile justice circuit advisory board ~~boards established~~
877 ~~under subsection (1)~~ must include as members:
- 878 (a) The state attorney or his or her designee.
- 879 (b) The public defender or his or her designee.
- 880 (c) The chief judge or his or her designee.
- 881 (d) A representative of the corresponding circuit or
882 regional entity of the Department of Children and Families.
- 883 (e) The sheriff or the sheriff's designee from each county
884 in the circuit.
- 885 (f) A police chief or his or her designee from each county
886 in the circuit.
- 887 (g) A county commissioner or his or her designee from each
888 county in the circuit.
- 889 (h) The superintendent of each school district in the
890 circuit or his or her designee.
- 891 (i) A representative from the workforce organization of
892 each county in the circuit.
- 893 (j) A representative of the business community.
- 894 (k) A youth representative who has had an experience with
895 the juvenile justice system and is not older than 21 years of
896 age.
- 897 (l) A representative of the faith community.
- 898 (m) A health services representative who specializes in
899 mental health care, victim-service programs, or victims of

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900 crimes.

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

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

906 1. ~~Community leaders.~~

907 2. ~~Youth-serving coalitions.~~

908 (4) The chief probation officer in each circuit shall serve
909 as the chair of the juvenile justice circuit advisory board for
910 that circuit.

911 ~~(5) When a vacancy in the office of the chair occurs, the~~
912 ~~juvenile justice circuit advisory board shall appoint a new~~
913 ~~chair, who must meet the board membership requirements in~~
914 ~~subsection (4). The chair shall appoint members to vacant seats~~
915 ~~within 45 days after the vacancy and submit the appointments to~~
916 ~~the department for approval. The chair shall serve at the~~
917 ~~pleasure of the Secretary of Juvenile Justice.~~

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

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

928 ~~(8) In order for a juvenile justice circuit advisory board~~

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929 ~~measure or position to pass, it must receive more than 50~~
930 ~~percent of the vote.~~

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

935 ~~(10) Each juvenile justice circuit advisory board shall~~
936 ~~have bylaws. The department shall prescribe a format and content~~
937 ~~requirements for the bylaws. All bylaws must be approved by the~~
938 ~~department. The bylaws shall address at least the following~~
939 ~~issues: election or appointment of officers; filling of vacant~~
940 ~~positions; meeting attendance requirements; and the~~
941 ~~establishment and duties of an executive committee.~~

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

944 Section 22. Paragraph (a) of subsection (1) of section
945 985.668, Florida Statutes, is amended to read:

946 985.668 Innovation zones.—The department shall encourage
947 each of the juvenile justice circuit boards to propose at least
948 one innovation zone within the circuit for the purpose of
949 implementing any experimental, pilot, or demonstration project
950 that furthers the legislatively established goals of the
951 department. An innovation zone is a defined geographic area such
952 as a circuit, commitment region, county, municipality, service
953 delivery area, school campus, or neighborhood providing a
954 laboratory for the research, development, and testing of the
955 applicability and efficacy of model programs, policy options,
956 and new technologies for the department.

957 (1) (a) The chief probation officer in each circuit ~~juvenile~~

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958 ~~justice circuit board~~ shall submit a proposal for an innovation
959 zone to the secretary. If the purpose of the proposed innovation
960 zone is to demonstrate that specific statutory goals can be
961 achieved more effectively by using procedures that require
962 modification of existing rules, policies, or procedures, the
963 proposal may request the secretary to waive such existing rules,
964 policies, or procedures or to otherwise authorize use of
965 alternative procedures or practices. Waivers of such existing
966 rules, policies, or procedures must comply with applicable state
967 or federal law.

968 Section 23. Subsections (1) and (2) of section 985.676,
969 Florida Statutes, are amended to read:

970 985.676 Community juvenile justice partnership grants.—

971 (1) GRANTS; CRITERIA.—

972 (a) In order to encourage the development of a circuit
973 juvenile justice plan ~~and the development and implementation of~~
974 ~~circuit interagency agreements under s. 985.664~~, the community
975 juvenile justice partnership grant program is established and
976 shall be administered by the department.

977 (b) In awarding these grants, the department shall consider
978 applications that at a minimum provide for the following:

979 1. The participation of the agencies and programs needed to
980 implement the project or program for which the applicant is
981 applying;

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

985 3. The number of youths from 10 through 17 years of age
986 within the geographic area to be served by the program, giving

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987 those geographic areas having the highest number of youths from
988 10 to 17 years of age priority for selection;

989 4. The extent to which the program targets high-juvenile-
990 crime neighborhoods and those public schools serving juveniles
991 from high-crime neighborhoods;

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

993 6. The degree to which the program is located in and
994 managed by local leaders of the target neighborhoods and public
995 schools serving the target neighborhoods.

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

998 1. The circuit juvenile justice plan and any county
999 juvenile justice plans that are referred to or incorporated into
1000 the circuit plan, including a list of individuals, groups, and
1001 public and private entities that participated in the development
1002 of the plan.

1003 2. The diversity of community entities participating in the
1004 development of the circuit juvenile justice plan.

1005 3. The number of community partners who will be actively
1006 involved in the operation of the grant program.

1007 4. The number of students or youths to be served by the
1008 grant and the criteria by which they will be selected.

1009 5. The criteria by which the grant program will be
1010 evaluated and, if deemed successful, the feasibility of
1011 implementation in other communities.

1012 (2) GRANT APPLICATION PROCEDURES.—

1013 (a) Each entity wishing to apply for an annual community
1014 juvenile justice partnership grant, which may be renewed for a
1015 maximum of 2 additional years for the same provision of

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1016 services, shall submit a grant proposal for funding or continued
1017 funding to the department. The department shall establish the
1018 grant application procedures. In order to be considered for
1019 funding, the grant proposal shall include the following
1020 assurances and information:

1021 ~~1. A letter from the chair of the juvenile justice circuit~~
1022 ~~board confirming that the grant application has been reviewed~~
1023 ~~and found to support one or more purposes or goals of the~~
1024 ~~juvenile justice plan as developed by the board.~~

1025 ~~2.~~ A rationale and description of the program and the
1026 services to be provided, including goals and objectives.

1027 ~~2.3.~~ A method for identification of the juveniles most
1028 likely to be involved in the juvenile justice system who will be
1029 the focus of the program.

1030 ~~3.4.~~ Provisions for the participation of parents and
1031 guardians in the program.

1032 ~~4.5.~~ Coordination with other community-based and social
1033 service prevention efforts, including, but not limited to, drug
1034 and alcohol abuse prevention and dropout prevention programs,
1035 that serve the target population or neighborhood.

1036 ~~5.6.~~ An evaluation component to measure the effectiveness
1037 of the program in accordance with s. 985.632.

1038 ~~6.7.~~ A program budget, including the amount and sources of
1039 local cash and in-kind resources committed to the budget. The
1040 proposal must establish to the satisfaction of the department
1041 that the entity will make a cash or in-kind contribution to the
1042 program of a value that is at least equal to 20 percent of the
1043 amount of the grant.

1044 ~~7.8.~~ The necessary program staff.

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1045 (b) The department shall consider the recommendations of
1046 community stakeholders ~~the juvenile justice circuit advisory~~
1047 ~~board~~ as to the priority that should be given to proposals
1048 submitted by entities within a circuit in awarding such grants.

1049 (c) The department shall make available, to anyone wishing
1050 to apply for such a grant, information on all of the criteria to
1051 be used in the selection of the proposals for funding pursuant
1052 to the provisions of this subsection.

1053 (d) The department shall review all program proposals
1054 submitted. Entities submitting proposals shall be notified of
1055 approval not later than June 30 of each year.

1056 (e) Each entity that is awarded a grant as provided for in
1057 this section shall submit an annual evaluation report to the
1058 department and, ~~the circuit juvenile justice manager, and the~~
1059 ~~juvenile justice circuit advisory board~~, by a date subsequent to
1060 the end of the contract period established by the department,
1061 documenting the extent to which the program objectives have been
1062 met, the effect of the program on the juvenile arrest rate, and
1063 any other information required by the department. The department
1064 shall coordinate and incorporate all such annual evaluation
1065 reports with s. 985.632. Each entity is also subject to a
1066 financial audit and a performance audit.

1067 (f) The department may establish rules and policy
1068 provisions necessary to implement this section.

1069 Section 24. Paragraph (c) of subsection (18) of section
1070 1001.42, Florida Statutes, is amended to read:

1071 1001.42 Powers and duties of district school board.—The
1072 district school board, acting as a board, shall exercise all
1073 powers and perform all duties listed below:

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1074 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
1075 Maintain a system of school improvement and education
1076 accountability as provided by statute and State Board of
1077 Education rule. This system of school improvement and education
1078 accountability shall be consistent with, and implemented
1079 through, the district's continuing system of planning and
1080 budgeting required by this section and ss. 1008.385, 1010.01,
1081 and 1011.01. This system of school improvement and education
1082 accountability shall comply with the provisions of ss. 1008.33,
1083 1008.34, 1008.345, and 1008.385 and include the following:

1084 (c) *Public disclosure.*—The district school board shall
1085 provide information regarding the performance of students and
1086 educational programs as required pursuant to ss. 1008.22 and
1087 1008.385 and implement a system of school reports as required by
1088 statute and State Board of Education rule which shall include
1089 schools operating for the purpose of providing educational
1090 services to students in Department of Juvenile Justice programs,
1091 ~~and for those schools, report on the elements specified in s.~~
1092 ~~1003.52(17).~~ Annual public disclosure reports shall be in an
1093 easy-to-read report card format and shall include the school's
1094 grade, high school graduation rate calculated without high
1095 school equivalency examinations, disaggregated by student
1096 ethnicity, and performance data as specified in state board
1097 rule.

1098 Section 25. Paragraph (a) of subsection (14) of section
1099 1003.01, Florida Statutes, is amended to read:

1100 1003.01 Definitions.—As used in this chapter, the term:

1101 (14) (a) "Juvenile justice education programs or schools"
1102 means programs or schools operating for the purpose of providing

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1103 educational services to youth in Department of Juvenile Justice
1104 programs, for a school year composed of 250 days of instruction,
1105 or the equivalent expressed in hours as specified in State Board
1106 of Education rule, distributed over 12 months. If the period of
1107 operation is expressed in hours, the State Board of Education
1108 must review the calculation annually. ~~The use of the equivalent~~
1109 ~~expressed in hours is only applicable to nonresidential~~
1110 ~~programs. At the request of the provider, A district school~~
1111 ~~board, including an educational entity under s. 985.619, may~~
1112 decrease the minimum number of days of instruction by ~~up to 10~~
1113 ~~days for teacher planning for residential programs and up to 20~~
1114 days or equivalent hours as specified in the State Board of
1115 Education rule for teacher planning ~~for nonresidential programs,~~
1116 subject to the approval of the Department of Juvenile Justice
1117 and the Department of Education.

1118 Section 26. Subsections (2) through (5) of section 1003.51,
1119 Florida Statutes, are amended to read:

1120 1003.51 Other public educational services.—

1121 (2) The State Board of Education shall adopt rules
1122 articulating expectations for effective education programs for
1123 students in Department of Juvenile Justice programs, including,
1124 but not limited to, education programs in juvenile justice
1125 prevention, day treatment, residential, and detention programs.
1126 The rules ~~rule~~ shall establish policies and standards for
1127 education programs for students in Department of Juvenile
1128 Justice programs and shall include the following:

1129 (a) The interagency collaborative process needed to ensure
1130 effective programs with measurable results.

1131 (b) The responsibilities of the Department of Education,

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1132 the Department of Juvenile Justice, CareerSource Florida, Inc.,
1133 district school boards, and providers of education services to
1134 students in Department of Juvenile Justice programs.

1135 (c) Academic expectations.

1136 (d) Career expectations.

1137 (e) Education transition planning and services.

1138 (f) Service delivery options available to district school
1139 boards, including direct service and contracting.

1140 (g) Assessment procedures that, ~~which:~~

1141 ~~1. For prevention, day treatment, and residential~~
1142 ~~programs, include appropriate academic and career assessments~~
1143 ~~administered at program entry and exit that are selected by the~~
1144 ~~Department of Education in partnership with representatives from~~
1145 ~~the Department of Juvenile Justice, district school boards, and~~
1146 ~~education providers. Assessments must be completed within the~~
1147 ~~first 10 school days after a student's entry into the program.~~

1148 2. provide for determination of the areas of academic need
1149 and strategies for appropriate intervention and instruction for
1150 each student in a detention facility within 5 school days after
1151 the student's entry into the program and administer a research-
1152 based assessment that will assist the student in determining his
1153 or her educational and career options and goals within 22 school
1154 days after the student's entry into the program.

1155
1156 The results of these assessments, together with a portfolio
1157 depicting the student's academic and career accomplishments,
1158 shall be included in the discharge packet assembled for each
1159 student.

1160 (h) Recommended instructional programs, using course

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1161 delivery models aligned to the state academic standards. Options
1162 may include direct instruction, blended learning under s.
1163 1011.61(1), or district virtual instruction programs, virtual
1164 charter schools, Florida Virtual School, virtual course
1165 offerings, and district franchises of Florida Virtual School
1166 pursuant to ss. 1002.33, 1002.37, 1002.45, 1002.455, 1003.498,
1167 and 1011.62(1), and credit recovery course procedures,
1168 including, but not limited to:

- 1169 1. Secondary education.
- 1170 2. High school equivalency examination preparation.
- 1171 3. Postsecondary education.
- 1172 4. Career and technical ~~professional~~ education ~~(CAPE)~~.
- 1173 5. Job preparation.
- 1174 6. Virtual education that:
 - 1175 a. Provides competency-based instruction that addresses the
1176 unique academic needs of the student through delivery by an
1177 entity accredited by a Department of Education-approved
1178 accrediting body ~~AdvanceED or the Southern Association of~~
1179 ~~Colleges and Schools.~~
 - 1180 b. Confers certifications and diplomas.
 - 1181 c. Issues credit that articulates with and transcripts that
1182 are recognized by secondary schools.
 - 1183 d. Allows the student to continue to access and progress
1184 through the program once the student leaves the juvenile justice
1185 system.
 - 1186 (i) Funding requirements, which must provide that at least
1187 95 percent of the FEFP funds generated by students in Department
1188 of Juvenile Justice programs or in an education program for
1189 juveniles under s. 985.19 must be spent on instructional costs

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1190 for those students. Department of Juvenile Justice education
1191 programs are entitled to 100 percent of the formula-based
1192 categorical funds generated by students in Department of
1193 Juvenile Justice programs. Such funds must be spent on
1194 appropriate categoricals, such as instructional materials and
1195 public school technology for those students.

1196 (j) Qualifications of instructional staff, procedures for
1197 the selection of instructional staff, and procedures for
1198 consistent instruction and qualified staff year-round.
1199 Qualifications shall include those for instructors of career and
1200 technical education ~~CAPE~~ courses, standardized across the state,
1201 and shall be based on state certification, local school district
1202 approval, and industry-recognized certifications as identified
1203 on the Master Credentials ~~CAPE Industry Certification Funding~~
1204 List. Procedures for the use of noncertified instructional
1205 personnel who possess expert knowledge or experience in their
1206 fields of instruction shall be established.

1207 (k) Transition services, including the roles and
1208 responsibilities of appropriate personnel in the juvenile
1209 justice education program, the school district in which ~~where~~
1210 the student will reenter, provider organizations, and the
1211 Department of Juvenile Justice.

1212 (l) Procedures and timeframe for transfer of education
1213 records when a student enters and leaves a Department of
1214 Juvenile Justice education program.

1215 (m) The requirement that each district school board
1216 maintain an academic transcript for each student enrolled in a
1217 juvenile justice education program that delineates each course
1218 completed by the student as provided by the State Course Code

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1219 Directory.

1220 (n) The requirement that each district school board make
1221 available and transmit a copy of a student's transcript in the
1222 discharge packet when the student exits a juvenile justice
1223 education program.

1224 (o) Contract requirements.

1225 (p) Accountability and school improvement requirements as
1226 public alternative schools pursuant to ss. 1008.31, 1008.34,
1227 1008.341, and 1008.345 ~~Performance expectations for providers~~
1228 ~~and district school boards, including student performance~~
1229 ~~measures by type of program, education program performance~~
1230 ~~ratings, school improvement, and corrective action plans for~~
1231 ~~low-performing programs.~~

1232 (q) The role and responsibility of the district school
1233 board in securing workforce development funds.

1234 ~~(r) A series of graduated sanctions for district school~~
1235 ~~boards whose educational programs in Department of Juvenile~~
1236 ~~Justice programs are considered to be unsatisfactory and for~~
1237 ~~instances in which district school boards fail to meet standards~~
1238 ~~prescribed by law, rule, or State Board of Education policy.~~
1239 ~~These sanctions shall include the option of requiring a district~~
1240 ~~school board to contract with a provider or another district~~
1241 ~~school board if the educational program at the Department of~~
1242 ~~Juvenile Justice program is performing below minimum standards~~
1243 ~~and, after 6 months, is still performing below minimum~~
1244 ~~standards.~~

1245 ~~(s)~~ Curriculum, school guidance counseling, transition, and
1246 education services expectations, including curriculum
1247 flexibility for detention centers operated by the Department of

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1248 Juvenile Justice.

1249 (s)~~(t)~~ Other aspects of program operations.

1250 (3) The Department of Education in partnership with the
1251 Department of Juvenile Justice, the district school boards, and
1252 providers shall:

1253 (a) Develop and implement requirements for contracts and
1254 cooperative agreements regarding the delivery of appropriate
1255 education services to students in Department of Juvenile Justice
1256 education programs. The minimum contract requirements shall
1257 include, but are not limited to, payment structure and amounts;
1258 access to district services; contract management provisions;
1259 data reporting requirements, including reporting of full-time
1260 equivalent student membership; accountability requirements and
1261 corrective action plans, if needed; administration of federal
1262 programs such as Title I, exceptional student education, and the
1263 federal Strengthening Career and Technical Education for the
1264 21st Century Act ~~Carl D. Perkins Career and Technical Education~~
1265 ~~Act of 2006~~; and the policy and standards included in subsection
1266 (2).

1267 (b) Develop and implement procedures for transitioning
1268 students into and out of Department of Juvenile Justice
1269 education programs. These procedures shall reflect the policy
1270 and standards adopted pursuant to subsection (2).

1271 (c) Maintain standardized required content of education
1272 records to be included as part of a student's commitment record
1273 and procedures for securing the student's records. The education
1274 records shall include, but not be limited to, the following:

1275 1. A copy of the student's individual educational plan,
1276 Section 504 plan, or behavioral plan, if applicable.

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- 1277 2. A copy of the student's individualized progress
1278 monitoring plan.
- 1279 3. A copy of the student's individualized transition plan.
- 1280 4. Data on student performance on assessments taken
1281 according to s. 1008.22.
- 1282 5. A copy of the student's permanent cumulative record.
- 1283 6. A copy of the student's academic transcript.
- 1284 7. A portfolio reflecting the student's academic
1285 accomplishments and industry certification earned, when age
1286 appropriate, while in the Department of Juvenile Justice
1287 program.
- 1288 (d) Establish the roles and responsibilities of the
1289 juvenile probation officer and others involved in the withdrawal
1290 of the student from school and assignment to a juvenile justice
1291 education program.
- 1292 (4) Each district school board shall:
- 1293 (a) Notify students in juvenile justice education programs
1294 who attain the age of 16 years of the law regarding compulsory
1295 school attendance and make available the option of enrolling in
1296 an education program to attain a Florida high school diploma by
1297 taking the high school equivalency examination before release
1298 from the program. The Department of Education shall assist
1299 juvenile justice education programs with becoming high school
1300 equivalency examination centers.
- 1301 (b) Respond to requests for student education records
1302 received from another district school board or a juvenile
1303 justice education program within 3 ~~5~~ working days after
1304 receiving the request.
- 1305 (c) Provide access to courses offered pursuant to ss.

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1306 1002.37, 1002.45, 1002.455, and 1003.498. School districts and
1307 providers may enter into cooperative agreements for the
1308 provision of curriculum associated with courses offered pursuant
1309 to s. 1003.498 to enable providers to offer such courses.

1310 (d) Complete the assessment process required by subsection
1311 (2).

1312 (e) Monitor compliance with contracts for education
1313 programs for students in juvenile justice prevention, day
1314 treatment, ~~residential~~, and detention programs.

1315 (5) The Department of Education shall issue an alternative
1316 school improvement rating for prevention and day treatment
1317 prevention juvenile justice education programs, pursuant to s.
1318 1008.341 ~~establish and operate, either directly or indirectly~~
1319 ~~through a contract, a mechanism to provide accountability~~
1320 ~~measures that annually assesses and evaluates all juvenile~~
1321 ~~justice education programs using student performance data and~~
1322 ~~program performance ratings by type of program and shall provide~~
1323 ~~technical assistance and related research to district school~~
1324 ~~boards and juvenile justice education providers. The Department~~
1325 ~~of Education, with input from the Department of Juvenile~~
1326 ~~Justice, school districts, and education providers, shall~~
1327 ~~develop annual recommendations for system and school~~
1328 ~~improvement.~~

1329 Section 27. Section 1003.52, Florida Statutes, is amended
1330 to read:

1331 1003.52 Educational services in Department of Juvenile
1332 Justice programs.—

1333 (1) The Department of Education shall serve as the lead
1334 agency for juvenile justice education programs, curriculum,

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1335 support services, and resources. To this end, the Department of
1336 Education and the Department of Juvenile Justice shall each
1337 designate a Coordinator for Juvenile Justice Education Programs
1338 to serve as the point of contact for resolving issues not
1339 addressed by district school boards and to provide each
1340 department's participation in the following activities:

1341 (a) Training, collaborating, and coordinating with district
1342 school boards, local workforce development boards, ~~and local~~
1343 ~~youth councils~~, educational contract providers, and juvenile
1344 justice providers, whether state operated or contracted.

1345 (b) Collecting information on the academic, career and
1346 technical ~~professional~~ education ~~(CAPE)~~, and transition
1347 performance of students in juvenile justice programs and
1348 reporting on the results.

1349 (c) Developing academic and career and technical education
1350 ~~CAPE~~ protocols that provide guidance to district school boards
1351 and juvenile justice education providers in all aspects of
1352 education programming, including records transfer and
1353 transition.

1354 ~~(d) Implementing a joint accountability, program~~
1355 ~~performance, and program improvement process.~~

1356
1357 Annually, a cooperative agreement and plan for juvenile justice
1358 education service enhancement shall be developed between the
1359 Department of Juvenile Justice and the Department of Education
1360 and submitted to the Secretary of Juvenile Justice and the
1361 Commissioner of Education by June 30. The plan shall include, at
1362 a minimum, each agency's role regarding educational program
1363 accountability, technical assistance, training, and coordination

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1364 of services.

1365 (2) Students participating in Department of Juvenile
1366 Justice education programs pursuant to chapter 985 which are
1367 sponsored by a community-based agency or are operated or
1368 contracted for by the Department of Juvenile Justice shall
1369 receive education programs according to rules of the State Board
1370 of Education. These students shall be eligible for services
1371 afforded to students enrolled in programs pursuant to s. 1003.53
1372 and all corresponding State Board of Education rules.

1373 (3) The district school board of the county in which the
1374 juvenile justice education prevention, day treatment,
1375 ~~residential~~, or detention program is located shall provide or
1376 contract for appropriate educational assessments and an
1377 appropriate program of instruction and special education
1378 services.

1379 (a) All contracts between a district school board desiring
1380 to contract directly with juvenile justice education programs to
1381 provide academic instruction for students in such programs must
1382 be in writing and reviewed by the Department of Juvenile
1383 Justice. Unless both parties agree to an extension of time, the
1384 district school board and the juvenile justice education program
1385 shall negotiate and execute a new or renewal contract within 40
1386 days after the district school board provides the proposal to
1387 the juvenile justice education program. The Department of
1388 Education shall provide mediation services for any disputes
1389 relating to this paragraph.

1390 (b) District school boards shall satisfy invoices issued by
1391 juvenile justice education programs within 15 working days after
1392 receipt. If a district school board does not timely issue a

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1393 warrant for payment, it must pay to the juvenile justice
1394 education program interest at a rate of 1 percent per month,
1395 calculated on a daily basis, on the unpaid balance until such
1396 time as a warrant is issued for the invoice and accrued interest
1397 amount. The district school board may not delay payment to a
1398 juvenile justice education program of any portion of funds owed
1399 pending the district's receipt of local funds.

1400 (c) The district school board shall make provisions for
1401 each student to participate in basic career and technical
1402 education, ~~CAPE~~, and exceptional student programs, as
1403 appropriate. Students served in Department of Juvenile Justice
1404 education programs shall have access to the appropriate courses
1405 and instruction to prepare them for the high school equivalency
1406 examination. Students participating in high school equivalency
1407 examination preparation programs shall be funded at the basic
1408 program cost factor for Department of Juvenile Justice programs
1409 in the Florida Education Finance Program. Each program shall be
1410 conducted according to applicable law providing for the
1411 operation of public schools and rules of the State Board of
1412 Education. School districts shall provide the high school
1413 equivalency examination exit option for all juvenile justice
1414 education programs, except for residential programs operated
1415 under s. 985.619.

1416 (d) The district school board shall select appropriate
1417 academic and career assessments to be administered at the time
1418 of program entry and exit for the purpose of developing goals
1419 for education transition plans, progress monitoring plans,
1420 individual education plans, as applicable, and federal
1421 reporting, as applicable ~~The Department of Education, with the~~

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1422 ~~assistance of the school districts and juvenile justice~~
1423 ~~education providers, shall select a common student assessment~~
1424 ~~instrument and protocol for measuring student learning gains and~~
1425 ~~student progression while a student is in a juvenile justice~~
1426 ~~education program. The Department of Education and the~~
1427 ~~Department of Juvenile Justice shall jointly review the~~
1428 ~~effectiveness of this assessment and implement changes as~~
1429 ~~necessary.~~

1430 (4) Educational services shall be provided at times of the
1431 day most appropriate for the juvenile justice program. School
1432 programming in juvenile justice detention, prevention, or day
1433 treatment, ~~and residential~~ programs shall be made available by
1434 the local school district during the juvenile justice school
1435 year, as provided in s. 1003.01(14). In addition, students in
1436 juvenile justice education programs shall have access to courses
1437 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The
1438 Department of Education and the school districts shall adopt
1439 policies necessary to provide such access.

1440 (5) The educational program shall provide instruction based
1441 on each student's individualized transition plan, assessed
1442 educational needs, and the education programs available in the
1443 school district in which the student will return. Depending on
1444 the student's needs, educational programming may consist of
1445 remedial courses, academic courses required for grade
1446 advancement, career and technical education ~~CAPE~~ ~~courses~~, high
1447 school equivalency examination preparation, or exceptional
1448 student education curricula and related services which support
1449 the transition goals and reentry and which may lead to
1450 completion of the requirements for receipt of a high school

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1451 diploma or its equivalent. Prevention and day treatment juvenile
1452 justice education programs, at a minimum, shall provide career
1453 readiness and exploration opportunities as well as truancy and
1454 dropout prevention intervention services. ~~Residential juvenile~~
1455 ~~justice education programs with a contracted minimum length of~~
1456 ~~stay of 9 months shall provide CAPE courses that lead to~~
1457 ~~preapprentice certifications and industry certifications.~~
1458 ~~Programs with contracted lengths of stay of less than 9 months~~
1459 ~~may provide career education courses that lead to preapprentice~~
1460 ~~certifications and CAPE industry certifications. If the duration~~
1461 ~~of a program is less than 40 days, the educational component may~~
1462 ~~be limited to tutorial remediation activities, career~~
1463 ~~employability skills instruction, education counseling, and~~
1464 ~~transition services that prepare students for a return to~~
1465 ~~school, the community, and their home settings based on the~~
1466 ~~students' needs.~~

1467 (6) Participation in the program by students of compulsory
1468 school-attendance age as provided for in s. 1003.21 shall be
1469 mandatory. All students of noncompulsory school-attendance age
1470 who have not received a high school diploma or its equivalent
1471 shall participate in the educational program, unless the student
1472 files a formal declaration of his or her intent to terminate
1473 school enrollment as described in s. 1003.21 and is afforded the
1474 opportunity to take the high school equivalency examination and
1475 attain a Florida high school diploma before release from a
1476 juvenile justice education program. A student who has received a
1477 high school diploma or its equivalent and is not employed shall
1478 participate in workforce development ~~or other CAPE education~~ or
1479 Florida College System institution or university courses while

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1480 in the program, subject to available funding.

1481 (7) An individualized progress monitoring plan shall be
1482 developed for all students ~~not classified as exceptional~~
1483 ~~education students~~ upon entry in a juvenile justice education
1484 program and upon reentry in the school district. These plans
1485 shall address academic, literacy, and career and technical
1486 skills and shall include provisions for intensive remedial
1487 instruction in the areas of weakness.

1488 (8) Each district school board shall maintain an academic
1489 record for each student enrolled in a juvenile justice education
1490 program as prescribed by s. 1003.51. Such record shall delineate
1491 each course completed by the student according to procedures in
1492 the State Course Code Directory. The district school board shall
1493 include a copy of a student's academic record in the discharge
1494 packet when the student exits the program.

1495 (9) Each district school board shall make provisions for
1496 high school level students to earn credits toward high school
1497 graduation while in ~~residential and nonresidential~~ juvenile
1498 justice detention, prevention, or day treatment ~~education~~
1499 programs. Provisions must be made for the transfer of credits
1500 and partial credits earned.

1501 (10) School districts and juvenile justice education
1502 providers shall develop individualized transition plans during
1503 the course of a student's stay in a juvenile justice education
1504 program to coordinate academic, career and technical, and
1505 secondary and postsecondary services that assist the student in
1506 successful community reintegration upon release. Development of
1507 the transition plan shall be a collaboration of the personnel in
1508 the juvenile justice education program, reentry personnel,

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1509 personnel from the school district where the student will
1510 return, the student, the student's family, and the Department of
1511 Juvenile Justice ~~personnel for committed students~~.

1512 (a) Transition planning must begin upon a student's
1513 placement in the program. The transition plan must include, at a
1514 minimum:

1515 1. Services and interventions that address the student's
1516 assessed educational needs and postrelease education plans.

1517 2. Services to be provided during the program stay and
1518 services to be implemented upon release, including, but not
1519 limited to, continuing education in secondary school, career and
1520 technical education ~~CAPE programs~~, postsecondary education, or
1521 employment, based on the student's needs.

1522 3. Specific monitoring responsibilities to determine
1523 whether the individualized transition plan is being implemented
1524 and the student is provided access to support services that will
1525 sustain the student's success by individuals who are responsible
1526 for the reintegration and coordination of these activities.

1527 (b) For the purpose of transition planning and reentry
1528 services, representatives from the school district and the one-
1529 stop center where the student will return shall participate as
1530 members of the local Department of Juvenile Justice reentry
1531 teams. The school district, upon return of a student from a
1532 juvenile justice education program, must consider the individual
1533 needs and circumstances of the student and the transition plan
1534 recommendations when reenrolling a student in a public school. A
1535 local school district may not maintain a standardized policy for
1536 all students returning from a juvenile justice program but place
1537 students based on their needs and their performance in the

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1538 juvenile justice education program, including any virtual
1539 education options.

1540 (c) The Department of Education and the Department of
1541 Juvenile Justice shall provide oversight and guidance to school
1542 districts, education providers, and reentry personnel on how to
1543 implement effective educational transition planning and
1544 services.

1545 (11) The district school board shall recruit and train
1546 teachers who are ~~interested, qualified, or experienced~~ in
1547 educating students in juvenile justice programs. Students in
1548 juvenile justice programs shall be provided a wide range of
1549 education programs and opportunities, including instructional
1550 materials ~~textbooks~~, technology, instructional support, and
1551 resources commensurate with resources provided to students in
1552 public schools, including instructional materials ~~textbooks~~ and
1553 access to technology. If the district school board operates a
1554 juvenile justice education program at a juvenile justice
1555 facility, the district school board, in consultation with the
1556 director of the juvenile justice facility, shall select the
1557 instructional personnel assigned to that program. The Secretary
1558 of Juvenile Justice or the director of a juvenile justice
1559 program may request that the performance of a teacher assigned
1560 by the district to a juvenile justice education program be
1561 reviewed by the district and that the teacher be reassigned
1562 based upon an evaluation conducted pursuant to s. 1012.34 or for
1563 inappropriate behavior. Juvenile justice education programs
1564 shall have access to the substitute teacher pool used by the
1565 district school board.

1566 (12) District school boards may contract with a private

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1567 provider for the provision of education programs to students
1568 placed in juvenile justice detention, prevention, or day
1569 treatment programs with the Department of Juvenile Justice and
1570 shall generate local, state, and federal funding, including
1571 funding through the Florida Education Finance Program for such
1572 students. The district school board's planning and budgeting
1573 process shall include the needs of Department of Juvenile
1574 Justice education programs in the district school board's plan
1575 for expenditures for state categorical and federal funds.

1576 (13) (a) Eligible students enrolled in juvenile justice
1577 detention, prevention, or day treatment education programs shall
1578 be funded the same as students enrolled in traditional public
1579 schools funded in the Florida Education Finance Program and as
1580 specified in s. 1011.62 and the General Appropriations Act.

1581 (b) Juvenile justice education programs to receive the
1582 appropriate FEFP funding for Department of Juvenile Justice
1583 education programs shall include those operated through a
1584 contract with the Department of Juvenile Justice.

1585 (c) Consistent with the rules of the State Board of
1586 Education, district school boards shall request an alternative
1587 FTE survey for Department of Juvenile Justice education programs
1588 experiencing fluctuations in student enrollment.

1589 (d) FTE count periods shall be prescribed in rules of the
1590 State Board of Education and shall be the same for programs of
1591 the Department of Juvenile Justice as for other public school
1592 programs. The summer school period for students in Department of
1593 Juvenile Justice education programs shall begin on the day
1594 immediately following the end of the regular school year and end
1595 on the day immediately preceding the subsequent regular school

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1596 year. Students shall be funded for no more than 25 hours per
1597 week of direct instruction.

1598 (e) Each juvenile justice education program must receive
1599 all federal funds for which the program is eligible.

1600 (14) Each district school board shall negotiate a
1601 cooperative agreement with the Department of Juvenile Justice on
1602 the delivery of educational services to students in juvenile
1603 justice detention, prevention, or day treatment programs under
1604 the jurisdiction of the Department of Juvenile Justice. Such
1605 agreement must include, but is not limited to:

1606 (a) Roles and responsibilities of each agency, including
1607 the roles and responsibilities of contract providers.

1608 (b) Administrative issues including procedures for sharing
1609 information.

1610 (c) Allocation of resources including maximization of
1611 local, state, and federal funding.

1612 (d) Procedures for educational evaluation for educational
1613 exceptionalities and special needs.

1614 (e) Curriculum and delivery of instruction.

1615 (f) Classroom management procedures and attendance
1616 policies.

1617 (g) Procedures for provision of qualified instructional
1618 personnel, whether supplied by the district school board or
1619 provided under contract by the provider, and for performance of
1620 duties while in a juvenile justice setting.

1621 (h) Provisions for improving skills in teaching and working
1622 with students referred to juvenile justice education programs.

1623 (i) Transition plans for students moving into and out of
1624 juvenile justice education programs.

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1625 (j) Procedures and timelines for the timely documentation
1626 of credits earned and transfer of student records.

1627 (k) Methods and procedures for dispute resolution.

1628 (l) Provisions for ensuring the safety of education
1629 personnel and support for the agreed-upon education program.

1630 (m) Strategies for correcting any deficiencies found
1631 through the alternative school improvement rating accountability
1632 ~~and evaluation system~~ and student performance measures.

1633 (n) Career and academic assessments selected by the
1634 district pursuant to paragraph (3) (d).

1635 (15) Nothing in this section or in a cooperative agreement
1636 requires the district school board to provide more services than
1637 can be supported by the funds generated by students in the
1638 juvenile justice programs.

1639 ~~(16) The Department of Education, in consultation with the~~
1640 ~~Department of Juvenile Justice, district school boards, and~~
1641 ~~providers, shall adopt rules establishing:~~

1642 ~~(a) Objective and measurable student performance measures~~
1643 ~~to evaluate a student's educational progress while participating~~
1644 ~~in a prevention, day treatment, or residential program. The~~
1645 ~~student performance measures must be based on appropriate~~
1646 ~~outcomes for all students in juvenile justice education~~
1647 ~~programs, taking into consideration the student's length of stay~~
1648 ~~in the program. Performance measures shall include outcomes that~~
1649 ~~relate to student achievement of career education goals,~~
1650 ~~acquisition of employability skills, receipt of a high school~~
1651 ~~diploma or its equivalent, grade advancement, and the number of~~
1652 ~~CAPE industry certifications earned.~~

1653 ~~(b) A performance rating system to be used by the~~

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1654 ~~Department of Education to evaluate the delivery of educational~~
1655 ~~services within each of the juvenile justice programs. The~~
1656 ~~performance rating shall be primarily based on data regarding~~
1657 ~~student performance as described in paragraph (a).~~

1658 ~~(c) The timeframes, procedures, and resources to be used to~~
1659 ~~improve a low-rated educational program or to terminate or~~
1660 ~~reassign the program.~~

1661 ~~(d) The Department of Education, in partnership with the~~
1662 ~~Department of Juvenile Justice, shall develop a comprehensive~~
1663 ~~accountability and program improvement process. The~~
1664 ~~accountability and program improvement process shall be based on~~
1665 ~~student performance measures by type of program and shall rate~~
1666 ~~education program performance. The accountability system shall~~
1667 ~~identify and recognize high-performing education programs. The~~
1668 ~~Department of Education, in partnership with the Department of~~
1669 ~~Juvenile Justice, shall identify low-performing programs. Low-~~
1670 ~~performing education programs shall receive an onsite program~~
1671 ~~evaluation from the Department of Juvenile Justice. School~~
1672 ~~improvement, technical assistance, or the reassignment of the~~
1673 ~~program shall be based, in part, on the results of the program~~
1674 ~~evaluation. Through a corrective action process, low-performing~~
1675 ~~programs must demonstrate improvement or the programs shall be~~
1676 ~~reassigned.~~

1677 ~~(17) The department, in collaboration with the Department~~
1678 ~~of Juvenile Justice, shall collect data and report on~~
1679 ~~commitment, day treatment, prevention, and detention programs.~~
1680 ~~The report shall be submitted to the President of the Senate,~~
1681 ~~the Speaker of the House of Representatives, and the Governor by~~
1682 ~~February 1 of each year. The report must include, at a minimum:~~

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- 1683 ~~(a) The number and percentage of students who:~~
- 1684 ~~1. Return to an alternative school, middle school, or high~~
- 1685 ~~school upon release and the attendance rate of such students~~
- 1686 ~~before and after participation in juvenile justice education~~
- 1687 ~~programs.~~
- 1688 ~~2. Receive a standard high school diploma or a high school~~
- 1689 ~~equivalency diploma.~~
- 1690 ~~3. Receive industry certification.~~
- 1691 ~~4. Enroll in a postsecondary educational institution.~~
- 1692 ~~5. Complete a juvenile justice education program without~~
- 1693 ~~reoffending.~~
- 1694 ~~6. Reoffend within 1 year after completion of a day~~
- 1695 ~~treatment or residential commitment program.~~
- 1696 ~~7. Remain employed 1 year after completion of a day~~
- 1697 ~~treatment or residential commitment program.~~
- 1698 ~~8. Demonstrate learning gains pursuant to paragraph (3) (d).~~
- 1699 ~~(b) The following cost data for each juvenile justice~~
- 1700 ~~education program:~~
- 1701 ~~1. The amount of funding provided by district school boards~~
- 1702 ~~to juvenile justice programs and the amount retained for~~
- 1703 ~~administration, including documenting the purposes of such~~
- 1704 ~~expenses.~~
- 1705 ~~2. The status of the development of cooperative agreements.~~
- 1706 ~~3. Recommendations for system improvement.~~
- 1707 ~~4. Information on the identification of, and services~~
- 1708 ~~provided to, exceptional students, to determine whether these~~
- 1709 ~~students are properly reported for funding and are appropriately~~
- 1710 ~~served.~~
- 1711 (16)~~(18)~~ The district school board shall not be charged any

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1712 rent, maintenance, utilities, or overhead on such facilities.
1713 Maintenance, repairs, and remodeling of existing detention
1714 facilities shall be provided by the Department of Juvenile
1715 Justice.

1716 (17)~~(19)~~ When additional facilities are required for
1717 juvenile justice detention, prevention, or day treatment
1718 programs, the district school board and the Department of
1719 Juvenile Justice shall agree on the appropriate site based on
1720 the instructional needs of the students. When the most
1721 appropriate site for instruction is on district school board
1722 property, a special capital outlay request shall be made by the
1723 commissioner in accordance with s. 1013.60. When the most
1724 appropriate site is on state property, state capital outlay
1725 funds shall be requested by the Department of Juvenile Justice
1726 provided by s. 216.043 and shall be submitted as specified by s.
1727 216.023. Any instructional facility to be built on state
1728 property shall have educational specifications jointly developed
1729 by the district school board and the Department of Juvenile
1730 Justice and approved by the Department of Education. The size of
1731 space and occupant design capacity criteria as provided by State
1732 Board of Education rules shall be used for remodeling or new
1733 construction whether facilities are provided on state property
1734 or district school board property.

1735 (18)~~(20)~~ The parent of an exceptional student shall have
1736 the due process rights provided for in this chapter.

1737 (19)~~(21)~~ The State Board of Education shall adopt rules
1738 necessary to implement this section. Such rules must require the
1739 minimum amount of paperwork and reporting.

1740 ~~(22) The Department of Juvenile Justice and the Department~~

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1741 ~~of Education, in consultation with CareerSource Florida, Inc.,~~
1742 ~~the statewide Workforce Development Youth Council, district~~
1743 ~~school boards, Florida College System institutions, providers,~~
1744 ~~and others, shall jointly develop a multiagency plan for CAPE~~
1745 ~~which describes the funding, curriculum, transfer of credits,~~
1746 ~~goals, and outcome measures for career education programming in~~
1747 ~~juvenile commitment facilities, pursuant to s. 985.622. The plan~~
1748 ~~must be reviewed annually.~~

1749 Section 28. For the purpose of incorporating the amendment
1750 made by this act to section 985.115, Florida Statutes, in a
1751 reference thereto, subsection (1) of section 985.25, Florida
1752 Statutes, is reenacted to read:

1753 985.25 Detention intake.—

1754 (1) The department shall receive custody of a child who has
1755 been taken into custody from the law enforcement agency or court
1756 and shall review the facts in the law enforcement report or
1757 probable cause affidavit and make such further inquiry as may be
1758 necessary to determine whether detention care is appropriate.

1759 (a) During the period of time from the taking of the child
1760 into custody to the date of the detention hearing, the initial
1761 decision as to the child's placement into detention care shall
1762 be made by the department under ss. 985.24 and 985.245(1).

1763 (b) The department shall base the decision whether to place
1764 the child into detention care on an assessment of risk in
1765 accordance with the risk assessment instrument and procedures
1766 developed by the department under s. 985.245, except that a
1767 child shall be placed in secure detention care until the child's
1768 detention hearing if the child meets the criteria specified in
1769 s. 985.255(1)(f), is charged with possessing or discharging a

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1770 firearm on school property in violation of s. 790.115, or is
1771 charged with any other offense involving the possession or use
1772 of a firearm.

1773 (c) If the final score on the child's risk assessment
1774 instrument indicates detention care is appropriate, but the
1775 department otherwise determines the child should be released,
1776 the department shall contact the state attorney, who may
1777 authorize release.

1778 (d) If the final score on the risk assessment instrument
1779 indicates detention is not appropriate, the child may be
1780 released by the department in accordance with ss. 985.115 and
1781 985.13.

1782
1783 Under no circumstances shall the department or the state
1784 attorney or law enforcement officer authorize the detention of
1785 any child in a jail or other facility intended or used for the
1786 detention of adults, without an order of the court.

1787 Section 29. For the purpose of incorporating the amendment
1788 made by this act to section 985.27, Florida Statutes, in a
1789 reference thereto, subsection (3) of section 985.255, Florida
1790 Statutes, is reenacted to read:

1791 985.255 Detention criteria; detention hearing.—

1792 (3) (a) The purpose of the detention hearing required under
1793 subsection (1) is to determine the existence of probable cause
1794 that the child has committed the delinquent act or violation of
1795 law that he or she is charged with and the need for continued
1796 detention. The court shall use the results of the risk
1797 assessment performed by the department and, based on the
1798 criteria in subsection (1), shall determine the need for

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1799 continued detention. If the child is a prolific juvenile
1800 offender who is detained under s. 985.26(2)(c), the court shall
1801 use the results of the risk assessment performed by the
1802 department and the criteria in subsection (1) or subsection (2)
1803 only to determine whether the prolific juvenile offender should
1804 be held in secure detention.

1805 (b) If the court orders a placement more restrictive than
1806 indicated by the results of the risk assessment instrument, the
1807 court shall state, in writing, clear and convincing reasons for
1808 such placement.

1809 (c) Except as provided in s. 790.22(8) or s. 985.27, when a
1810 child is placed into detention care, or into a respite home or
1811 other placement pursuant to a court order following a hearing,
1812 the court order must include specific instructions that direct
1813 the release of the child from such placement no later than 5
1814 p.m. on the last day of the detention period specified in s.
1815 985.26 or s. 985.27, whichever is applicable, unless the
1816 requirements of such applicable provision have been met or an
1817 order of continuance has been granted under s. 985.26(4). If the
1818 court order does not include a release date, the release date
1819 shall be requested from the court on the same date that the
1820 child is placed in detention care. If a subsequent hearing is
1821 needed to provide additional information to the court for safety
1822 planning, the initial order placing the child in detention care
1823 shall reflect the next detention review hearing, which shall be
1824 held within 3 calendar days after the child's initial detention
1825 placement.

1826 Section 30. For the purpose of incorporating the amendment
1827 made by this act to section 985.441, Florida Statutes, in a

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1828 reference thereto, paragraph (h) of subsection (2) of section
1829 985.475, Florida Statutes, is reenacted to read:

1830 985.475 Juvenile sexual offenders.—

1831 (2) Following a delinquency adjudicatory hearing under s.
1832 985.35, the court may on its own or upon request by the state or
1833 the department and subject to specific appropriation, determine
1834 whether a juvenile sexual offender placement is required for the
1835 protection of the public and what would be the best approach to
1836 address the treatment needs of the juvenile sexual offender.
1837 When the court determines that a juvenile has no history of a
1838 recent comprehensive assessment focused on sexually deviant
1839 behavior, the court may, subject to specific appropriation,
1840 order the department to conduct or arrange for an examination to
1841 determine whether the juvenile sexual offender is amenable to
1842 community-based treatment.

1843 (h) If the juvenile sexual offender violates any condition
1844 of the disposition or the court finds that the juvenile sexual
1845 offender is failing to make satisfactory progress in treatment,
1846 the court may revoke the community-based treatment alternative
1847 and order commitment to the department under s. 985.441.

1848 Section 31. For the purpose of incorporating the amendment
1849 made by this act to section 985.441, Florida Statutes, in a
1850 reference thereto, paragraph (b) of subsection (4) of section
1851 985.565, Florida Statutes, is reenacted to read:

1852 985.565 Sentencing powers; procedures; alternatives for
1853 juveniles prosecuted as adults.—

1854 (4) SENTENCING ALTERNATIVES.—

1855 (b) *Juvenile sanctions*.—For juveniles transferred to adult
1856 court but who do not qualify for such transfer under s.

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1857 985.556(3), the court may impose juvenile sanctions under this
1858 paragraph. If juvenile sentences are imposed, the court shall,
1859 under this paragraph, adjudge the child to have committed a
1860 delinquent act. Adjudication of delinquency may not be deemed a
1861 conviction, nor shall it operate to impose any of the civil
1862 disabilities ordinarily resulting from a conviction. The court
1863 shall impose an adult sanction or a juvenile sanction and may
1864 not sentence the child to a combination of adult and juvenile
1865 punishments. An adult sanction or a juvenile sanction may
1866 include enforcement of an order of restitution or probation
1867 previously ordered in any juvenile proceeding. However, if the
1868 court imposes a juvenile sanction and the department determines
1869 that the sanction is unsuitable for the child, the department
1870 shall return custody of the child to the sentencing court for
1871 further proceedings, including the imposition of adult
1872 sanctions. Upon adjudicating a child delinquent under subsection
1873 (1), the court may:

1874 1. Place the child in a probation program under the
1875 supervision of the department for an indeterminate period of
1876 time until the child reaches the age of 19 years or sooner if
1877 discharged by order of the court.

1878 2. Commit the child to the department for treatment in an
1879 appropriate program for children for an indeterminate period of
1880 time until the child is 21 or sooner if discharged by the
1881 department. The department shall notify the court of its intent
1882 to discharge no later than 14 days before discharge. Failure of
1883 the court to timely respond to the department's notice shall be
1884 considered approval for discharge.

1885 3. Order disposition under ss. 985.435, 985.437, 985.439,

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1886 985.441, 985.45, and 985.455 as an alternative to youthful
1887 offender or adult sentencing if the court determines not to
1888 impose youthful offender or adult sanctions.

1889
1890 It is the intent of the Legislature that the criteria and
1891 guidelines in this subsection are mandatory and that a
1892 determination of disposition under this subsection is subject to
1893 the right of the child to appellate review under s. 985.534.

1894 Section 32. For the purpose of incorporating the amendment
1895 made by this act to section 985.03, Florida Statutes, in a
1896 reference thereto, section 985.721, Florida Statutes, is
1897 reenacted to read:

1898 985.721 Escapes from secure detention or residential
1899 commitment facility.—An escape from:

1900 (1) Any secure detention facility maintained for the
1901 temporary detention of children, pending adjudication,
1902 disposition, or placement;

1903 (2) Any residential commitment facility described in s.
1904 985.03(44), maintained for the custody, treatment, punishment,
1905 or rehabilitation of children found to have committed delinquent
1906 acts or violations of law; or

1907 (3) Lawful transportation to or from any such secure
1908 detention facility or residential commitment facility,

1909
1910 constitutes escape within the intent and meaning of s. 944.40
1911 and is a felony of the third degree, punishable as provided in
1912 s. 775.082, s. 775.083, or s. 775.084.

1913 Section 33. This act shall take effect July 1, 2024.