

**STORAGE NAME:** h0395.jj  
**DATE:** February 8, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
JUVENILE JUSTICE  
ANALYSIS**

**BILL #:** HB 395  
**RELATING TO:** Juvenile Justice Education and Training  
**SPONSOR(S):** Representative Bullard  
**COMPANION BILL(S):**

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) JUVENILE JUSTICE
  - (2) CORRECTIONS
  - (3) CRIMINAL JUSTICE APPROPRIATIONS
  - (4)
  - (5)
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I. SUMMARY:

Amends s. 985.315, Florida Statutes by changing references to vocational training programs to "educational/technical and vocational work-related programs." Directs the Department of Juvenile Justice (DJJ) to require youth committed to high, maximum or serious habitual offender programs to participate in educational/technical or vocational work-related programs seven hours per day/seven days per week. Juveniles not adjusting to educational/training programs will not automatically be reassigned. Participation in educational/technical and vocational work-related programs is required for each juvenile seven hours a day/seven days a week with lights out at 8:00 p.m.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Local school districts provide educational and vocational instruction to youth committed to the DJJ programs. This instruction is currently funded through local school districts and can be administered by the districts or contracted to be delivered by private providers. Each school district also has a cooperative agreement with the DJJ to deliver educational and vocational instruction to juveniles in residential commitment programs. The instruction must be a minimum of five days per week and 25 hours weekly (300 minutes of instruction daily). (Chapter 230, Florida Statutes)

The vocational/work training available to youth in commitment programs is designed to assist youth in locating and maintaining employment after release in order to reduce the possibility of reentry into the justice system. (Section 985.315, F.S.) The programs provide relevant education, training and post-release job training.

Youth placed in high-risk, maximum-risk or serious/habitual offender programs may be required to participate in vocational work programs. In addition, the DJJ may also develop agricultural and industrial production and marketing programs to provide training facilities for such offenders. (Section 985.315, F.S.)

The Office of Program Policy Analysis and Government Accountability (OPPAGA) studied the education services offered to youth in the 150 juvenile justice residential facilities. The study found that in reading skills, 80% of youth were one or more years below the grade level appropriate for their age and in math skills, 90% of the youth scored one or more years below the grade level appropriate for their age. Even though the majority of youth improved by at least one grade level during their residential stay, most youth remained below their age-appropriate grade level when released.

In most cases the report found youth benefiting from the educational services offered at residential programs; however, the programs fail to assist youth in completing their high school education through alternative ways such as the General Equivalency Diploma (GED) or the General Equivalency Diploma/High School Competency Test (GED/HSCT). According to the OPPAGA report, 93% of youth leaving residential programs enter the workforce, and only 13 percent of youth earned a high school diploma during their commitment.

While reviewing the types of education programs offered, the report identified a lack of training in the area of vocational education. Most residential programs offered a range of subjects including math (87%), language (85%), life skills (69%), social studies (67%), science (64%), and vocational education (44%), with vocational education being the least offered training area. There are 24 programs that do not offer any vocational training.

Moreover, school districts are not held accountable for the educational services provided in residential commitment facilities. Many residential programs are not included in the Blueprint 2000 school improvement process nor are they subject to the Department of Education's critically low performing school list. The only standard reviews come from DJJ 's yearly Quality Assurance review of every juvenile justice program.

A last point of concern identified in the OPPAGA report is the lack of consistent, ongoing education classes. Thirty-one percent of the facilities surveyed reported that they were unable to provide instruction for extended periods of time due to school district calendars.

The 1998 Juvenile Justice Accountability Board (JJAB) Report of Findings on the Education of Juvenile Offenders documents many of the same findings listed in the OPPAGA report.

Florida statutes do not mandate a specific bedtime for youth in DJJ residential commitment facilities. Bedtime is determined by each program.

B. EFFECT OF PROPOSED CHANGES:

The bill would expand vocational programs by renaming them educational/technical and vocational work-related programs thereby enlarging the scope of these programs and the types of activities which could be taught.

The DJJ or DOE would need to create educational/technical or vocational work-related programs catering to the needs of youth in high risk, maximum risk or serious/habitual offender programs. The bill does not designate which agency would provide the additional instruction although the school districts now provide classroom instruction. According to the provisions of the bill, these youth would be required to attend classes seven hours a day/seven days a week. Currently youth spend five days a week and five hours a day in some type of educational training. DJJ estimates that there would be an increase in the amount of instruction that would have to be offered by 96%, thereby infringing upon the time available for other activities such as social skills training, mental health and substance abuse counseling, and recreational or religious activities. Furthermore, all youth participating in educational/technical and vocational work-related programs would be required to do so for seven hours per day/seven days a week.

Any juveniles not adjusting to the educational/technical and vocational work related programs could not be reassigned. Special accommodations would have to be made for these students.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The DOE or the DJJ would be required to provide additional classroom instruction to youth in DJJ facilities.

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Section 985.315, Florida Statutes

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Amends s. 985.315, F.S., changing references to vocational training programs to "educational/technical and vocational work-related programs." Directs DJJ to require youth committed to high, maximum or serious habitual offender programs to participate in educational/technical or vocational work-related programs 7 hours per day/7 days per week. Juveniles not adjusting to educational/training programs will not automatically be reassigned. Participation in educational/technical and vocational work-related programs shall be for 7 hours a day/7 days a week with lights out at 8:00 p.m.

Section 2. Provides an effective date of October 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

DJJ estimated non-recurring costs are \$1,025,000 FY 99-00 (41 programs by \$25,000)

2. Recurring Effects:

DJJ estimated recurring costs are based on an \$11 increase in per diem or

FY 99-00 \$8,335,140 (\$11 by 365 by 2,076 beds)

FY 00-01 \$8,335,140 (\$11 by 365 by 2,076 beds)

FY 01-02 \$8,335,140 (\$11 by 365 by 2,076 beds)

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

FY 99-00 \$9,360,140

FY 00-01 \$8,335,140

FY 01-02 \$8,335,140

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority of counties or municipalities to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties and municipalities.

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON JUVENILE JUSTICE:  
Prepared by:

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