

By the Committee on Criminal Justice; and Senator Bean

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1 A bill to be entitled
2 An act relating to juvenile justice education
3 programs; amending s. 985.622, F.S.; revising
4 requirements for the multiagency education plan for
5 students in juvenile justice education programs,
6 including virtual education as an option; amending s.
7 1001.31, F.S.; authorizing instructional personnel at
8 all juvenile justice facilities to access specific
9 student records at the district; amending s. 1003.51,
10 F.S.; revising terminology; revising requirements for
11 rules to be maintained by the State Board of
12 Education; providing expectations for effective
13 education programs for students in Department of
14 Juvenile Justice programs; revising requirements for
15 contract and cooperative agreements for the delivery
16 of appropriate education services to students in
17 Department of Juvenile Justice programs; requiring the
18 Department of Education to ensure that juvenile
19 justice students who are eligible have access to high
20 school equivalency testing and assist juvenile justice
21 education programs with becoming high school
22 equivalency testing centers; revising requirements for
23 an accountability system for juvenile justice
24 education programs; revising requirements for district
25 school boards; amending s. 1003.52, F.S.; revising
26 requirements for activities to be coordinated by the
27 coordinators for juvenile justice education programs;
28 authorizing contracting for educational assessments;
29 revising requirements for assessments; authorizing

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30 access to local virtual education courses; requiring
31 that an education program shall be based on each
32 student's transition plan and assessed educational
33 needs; providing requirements for prevention and day
34 treatment juvenile justice education programs;
35 requiring progress monitoring plans for all students
36 not classified as exceptional student education
37 students; revising requirements for such plans;
38 requiring that the Department of Education, in
39 partnership with the Department of Juvenile Justice,
40 ensure that school districts and juvenile justice
41 education providers develop individualized transition
42 plans; providing requirements for such plans;
43 providing that the Secretary of Juvenile Justice or
44 the director of a juvenile justice program may request
45 that a school district teacher's performance be
46 reviewed by the district and that the teacher be
47 reassigned in certain circumstances; requiring the
48 Department of Education to establish by rule objective
49 and measurable student performance measures and
50 program performance ratings; providing requirements
51 for such ratings; requiring a comprehensive
52 accountability and program improvement process;
53 providing requirements for such a process; deleting
54 provisions for minimum thresholds for the standards
55 and key indicators for education programs in juvenile
56 justice facilities; revising data collection and
57 annual report requirements; deleting provisions
58 concerning the Arthur Dozier School for Boys;

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59 requiring rulemaking; amending ss. 985.632 and
 60 1001.42, F.S.; revising terminology; revising a cross-
 61 reference; providing an effective date.

62
 63 Be It Enacted by the Legislature of the State of Florida:

64
 65 Section 1. Section 985.622, Florida Statutes, is amended to
 66 read:

67 985.622 Multiagency plan for career ~~vocational~~ education.—

68 (1) The Department of Juvenile Justice and the Department
 69 of Education shall, in consultation with the statewide Workforce
 70 Development Youth Council, school districts, providers, and
 71 others, jointly develop a multiagency plan for career ~~vocational~~
 72 education that establishes the curriculum, goals, and outcome
 73 measures for career ~~vocational~~ programs in juvenile justice
 74 education programs ~~commitment facilities~~. The plan must be
 75 reviewed annually, revised as appropriate, and include:

76 (a) Provisions for maximizing appropriate state and federal
 77 funding sources, including funds under the Workforce Investment
 78 Act and the Perkins Act. ~~†~~

79 (b) Provisions for eliminating barriers to increasing
 80 occupation-specific job training and high school equivalency
 81 examination preparation opportunities.

82 (c) ~~(b)~~ The responsibilities of both departments and all
 83 other appropriate entities. ~~†~~ and

84 (d) ~~(e)~~ A detailed implementation schedule.

85 (2) The plan must define career ~~vocational~~ programming that
 86 is appropriate based upon:

87 (a) The age and assessed educational abilities and goals of

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88 the student ~~youth~~ to be served; and

89 (b) The typical length of stay and custody characteristics
90 at the juvenile justice education ~~commitment~~ program to which
91 each student ~~youth~~ is assigned.

92 (3) The plan must include a definition of career ~~vocational~~
93 programming that includes the following classifications of
94 juvenile justice education programs ~~commitment facilities~~ that
95 will offer career ~~vocational~~ programming by one of the following
96 types:

97 (a) Type 1 A.—Programs that teach personal accountability
98 skills and behaviors that are appropriate for students ~~youth~~ in
99 all age groups and ability levels and that lead to work habits
100 that help maintain employment and living standards.

101 (b) Type 2 B.—Programs that include Type 1 A program
102 content and an orientation to the broad scope of career choices,
103 based upon personal abilities, aptitudes, and interests.
104 Exploring and gaining knowledge of occupation options and the
105 level of effort required to achieve them are essential
106 prerequisites to skill training.

107 (c) Type 3 C.—Programs that include Type 1 A program
108 content and the career education ~~vocational~~ competencies or the
109 prerequisites needed for entry into a specific occupation.

110 (4) The plan must also address strategies to facilitate
111 involvement of business and industry in the design, delivery,
112 and evaluation of career ~~vocational~~ programming in juvenile
113 justice education ~~commitment facilities and conditional release~~
114 programs, including apprenticeship and work experience programs,
115 mentoring and job shadowing, and other strategies that lead to
116 postrelease employment. Incentives for business involvement,

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117 such as tax breaks, bonding, and liability limits should be
118 investigated, implemented where appropriate, or recommended to
119 the Legislature for consideration.

120 (5) The plan must also evaluate the effect of students'
121 mobility between juvenile justice education programs and school
122 districts on the students' educational outcomes and whether the
123 continuity of the students' education can be better addressed
124 through virtual education.

125 (6)~~(5)~~ The Department of Juvenile Justice and the
126 Department of Education shall each align its respective agency
127 policies, practices, technical manuals, contracts, quality-
128 assurance standards, performance-based-budgeting measures, and
129 outcome measures with the plan in juvenile justice education
130 programs ~~commitment facilities~~ by July 31, 2015 ~~2001~~. Each
131 agency shall provide a report on the implementation of this
132 section to the Governor, the President of the Senate, and the
133 Speaker of the House of Representatives by August 31, 2015 ~~2001~~.

134 (7)~~(6)~~ All provider contracts executed by the Department of
135 Juvenile Justice or the school districts after January 1, 2015
136 ~~2002~~, must be aligned with the plan.

137 (8)~~(7)~~ The planning and execution of quality assurance
138 reviews conducted by the Department of Education or the
139 Department of Juvenile Justice after August 1, 2015 ~~2002~~, must
140 be aligned with the plan.

141 (9)~~(8)~~ Outcome measures reported by the Department of
142 Juvenile Justice and the Department of Education for students
143 ~~youth~~ released on or after January 1, 2016 ~~2002~~, should include
144 outcome measures that conform to the plan.

145 Section 2. Section 1001.31, Florida Statutes, is amended to

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146 read:

147 1001.31 Scope of district system.—A district school system
148 shall include all public schools, classes, and courses of
149 instruction and all services and activities directly related to
150 education in that district which are under the direction of the
151 district school officials. A district school system may also
152 include alternative site schools for disruptive or violent
153 students ~~youth~~. Such schools for disruptive or violent students
154 ~~youth~~ may be funded by each district or provided through
155 cooperative programs administered by a consortium of school
156 districts, private providers, state and local law enforcement
157 agencies, and the Department of Juvenile Justice. Pursuant to
158 cooperative agreement, a district school system shall provide
159 instructional personnel at juvenile justice facilities ~~of 50 or~~
160 ~~more beds or slots~~ with access to the district school system
161 database for the purpose of accessing student academic,
162 immunization, and registration records for students assigned to
163 the programs. Such access shall be in the same manner as
164 provided to other schools in the district.

165 Section 3. Section 1003.51, Florida Statutes, is amended to
166 read:

167 1003.51 Other public educational services.—

168 (1) The general control of other public educational
169 services shall be vested in the State Board of Education except
170 as provided in this section ~~herein~~. The State Board of Education
171 shall, at the request of the Department of Children and Families
172 ~~Family Services~~ and the Department of Juvenile Justice, advise
173 as to standards and requirements relating to education to be met
174 in all state schools or institutions under their control which

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175 provide educational programs. The Department of Education shall
176 provide supervisory services for the educational programs of all
177 such schools or institutions. The direct control of any of these
178 services provided as part of the district program of education
179 shall rest with the district school board. These services shall
180 be supported out of state, district, federal, or other ~~lawful~~
181 funds, depending on the requirements of the services being
182 supported.

183 (2) The State Board of Education shall adopt rules ~~and~~
184 ~~maintain an administrative rule~~ articulating expectations for
185 effective education programs for students ~~youth~~ in Department of
186 Juvenile Justice programs, including, but not limited to,
187 education programs in juvenile justice prevention, day
188 treatment, residential, commitment and detention facilities. The
189 rule shall establish ~~articulate~~ policies and standards for
190 education programs for students ~~youth~~ in Department of Juvenile
191 Justice programs and shall include the following:

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

194 (b) The responsibilities of the Department of Education,
195 the Department of Juvenile Justice, Workforce Florida, Inc.,
196 district school boards, and providers of education services to
197 students ~~youth~~ in Department of Juvenile Justice programs.

198 (c) Academic expectations.

199 (d) Career and technical expectations.

200 (e) Education transition planning and services.

201 (f) ~~(d)~~ Service delivery options available to district
202 school boards, including direct service and contracting.

203 (g) ~~(e)~~ Assessment procedures, which:

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204 1. For prevention, day treatment, and residential programs,
205 include appropriate academic and career assessments administered
206 at program entry and exit that are selected by the Department of
207 Education in partnership with representatives from the
208 Department of Juvenile Justice, district school boards, and
209 education providers. Assessments must be completed within the
210 first 10 school days after a student's entry into the program.

211 2. Provide for determination of the areas of academic need
212 and strategies for appropriate intervention and instruction for
213 each student in a detention facility within 5 school days after
214 the student's entry into the program and administer a research-
215 based assessment that will assist the student in determining his
216 or her educational and career options and goals within 22 school
217 days after the student's entry into the program ~~Require district~~
218 ~~school boards to be responsible for ensuring the completion of~~
219 ~~the assessment process.~~

220 3. ~~Require assessments for students in detention who will~~
221 ~~move on to commitment facilities, to be designed to create the~~
222 ~~foundation for developing the student's education program in the~~
223 ~~assigned commitment facility.~~

224 4. ~~Require assessments of students sent directly to~~
225 ~~commitment facilities to be completed within the first 10 school~~
226 ~~days of the student's commitment.~~

227
228 The results of these assessments, together with a portfolio
229 depicting the student's academic and career accomplishments,
230 shall be included in the discharge packet ~~package~~ assembled for
231 each student ~~youth~~.

232 (h) ~~(f)~~ Recommended instructional programs, including, but

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233 not limited to:^r

234 1. Secondary education.

235 2. High school equivalency examination preparation.

236 3. Postsecondary education.

237 4. Career training. ~~and~~

238 5. Job preparation.

239 6. Virtual education that:

240 a. Provides competency-based instruction that addresses the
241 unique academic needs of the student through delivery by an
242 entity accredited by AdvanceED or the Southern Association of
243 Colleges and Schools.

244 b. Confers certifications and diplomas.

245 c. Issues credit that articulates with and transcripts that
246 are recognized by secondary schools.

247 d. Allows the student to continue to access and progress
248 through the program once the student leaves the juvenile justice
249 system.

250 ~~(i)-(g)~~ Funding requirements, which shall include the
251 requirement that at least 90 percent of the FEFP funds generated
252 by students in Department of Juvenile Justice programs or in an
253 education program for juveniles under s. 985.19 be spent on
254 instructional costs for those students. One hundred percent of
255 the formula-based categorical funds generated by students in
256 Department of Juvenile Justice programs must be spent on
257 appropriate categoricals such as instructional materials and
258 public school technology for those students.

259 ~~(j)-(h)~~ Qualifications of instructional staff, procedures
260 for the selection of instructional staff, and procedures for to
261 ~~ensure~~ consistent instruction and qualified staff year round.

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262 Qualifications shall include those for career education
263 instructors, standardized across the state, and shall be based
264 on state certification, local school district approval, and
265 industry-recognized credentials or industry training. Procedures
266 for the use of noncertified instructional personnel who possess
267 expert knowledge or experience in their fields of instruction
268 shall be established.

269 (k)~~(i)~~ Transition services, including the roles and
270 responsibilities of appropriate personnel in the juvenile
271 justice education program, the school district where the student
272 will reenter districts, provider organizations, and the
273 Department of Juvenile Justice.

274 (l)~~(j)~~ Procedures and timeframe for transfer of education
275 records when a student youth enters and leaves a Department of
276 Juvenile Justice education program facility.

277 (m)~~(k)~~ The requirement that each district school board
278 maintain an academic transcript for each student enrolled in a
279 juvenile justice education program facility that delineates each
280 course completed by the student as provided by the State Course
281 Code Directory.

282 (n)~~(l)~~ The requirement that each district school board make
283 available and transmit a copy of a student's transcript in the
284 discharge packet when the student exits a juvenile justice
285 education program facility.

286 (o)~~(m)~~ Contract requirements.

287 (p)~~(n)~~ Performance expectations for providers and district
288 school boards, including student performance measures by type of
289 program, education program performance ratings, school
290 improvement, and corrective action plans for low-performing

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291 ~~programs the provision of a progress monitoring plan as required~~
292 ~~in s. 1008.25.~~

293 (q)~~(e)~~ The role and responsibility of the district school
294 board in securing workforce development funds.

295 (r)~~(p)~~ A series of graduated sanctions for district school
296 boards whose educational programs in Department of Juvenile
297 Justice programs ~~facilities~~ are considered to be unsatisfactory
298 and for instances in which district school boards fail to meet
299 standards prescribed by law, rule, or State Board of Education
300 policy. These sanctions shall include the option of requiring a
301 district school board to contract with a provider or another
302 district school board if the educational program at the
303 Department of Juvenile Justice program is performing below
304 minimum standards ~~facility has failed a quality assurance review~~
305 and, after 6 months, is still performing below minimum
306 standards.

307 (s) Curriculum, guidance counseling, transition, and
308 education services expectations, including curriculum
309 flexibility for detention centers operated by the Department of
310 Juvenile Justice.

311 (t)~~(q)~~ Other aspects of program operations.

312 (3) The Department of Education in partnership with the
313 Department of Juvenile Justice, the district school boards, and
314 providers shall:

315 (a) Develop and implement requirements for contracts and
316 cooperative agreements regarding ~~Maintain model contracts for~~
317 the delivery of appropriate education services to students youth
318 in Department of Juvenile Justice programs ~~to be used for the~~
319 ~~development of future contracts.~~ The minimum contract

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320 requirements shall include, but are not limited to, payment
321 structure and amounts; access to district services; contract
322 management provisions; data reporting requirements, including
323 reporting of full-time equivalent student membership;
324 administration of federal programs such as Title I, exceptional
325 student education, and the Carl D. Perkins Career and Technical
326 Education Act of 2006; and ~~model contracts shall reflect the~~
327 policy and standards included in subsection (2). ~~The Department~~
328 of Education shall ensure that appropriate district school board
329 personnel are trained and held accountable for the management
330 and monitoring of contracts for education programs for youth in
331 juvenile justice residential and nonresidential facilities.

332 (b) Develop and implement ~~Maintain model~~ procedures for
333 transitioning students ~~youth~~ into and out of Department of
334 Juvenile Justice education programs. These procedures shall
335 reflect the policy and standards adopted pursuant to subsection
336 (2).

337 (c) Maintain standardized required content of education
338 records to be included as part of a student's ~~youth's~~ commitment
339 record and procedures for securing the student's records. ~~The~~
340 education records ~~These requirements shall reflect the policy~~
341 ~~and standards adopted pursuant to subsection (2) and shall~~
342 include, but not be limited to, the following:

343 1. A copy of the student's individual educational plan.

344 2. A copy of the student's individualized progress
345 monitoring plan.

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

347 4.2. ~~Data on student performance on assessments taken~~
348 according to s. 1008.22.

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349 ~~5.3.~~ A copy of the student's permanent cumulative record.

350 ~~6.4.~~ A copy of the student's academic transcript.

351 ~~7.5.~~ A portfolio reflecting the student's youth's academic
352 and career and technical accomplishments, when age appropriate,
353 while in the Department of Juvenile Justice program.

354 (d) ~~Establish Maintain model procedures for securing the~~
355 ~~education record and the roles and responsibilities of the~~
356 ~~juvenile probation officer and others involved in the withdrawal~~
357 ~~of the student from school and assignment to a juvenile justice~~
358 ~~education program commitment or detention facility. District~~
359 ~~school boards shall respond to requests for student education~~
360 ~~records received from another district school board or a~~
361 ~~juvenile justice facility within 5 working days after receiving~~
362 ~~the request.~~

363 (4) ~~Each~~ The Department of Education shall ensure that
364 district school board shall: ~~boards~~

365 (a) Notify students in juvenile justice education programs
366 ~~residential or nonresidential facilities~~ who attain the age of
367 16 years of the ~~provisions of~~ law regarding compulsory school
368 attendance and make available the option of enrolling in a
369 program to attain a Florida high school diploma by taking the
370 high school equivalency examination before General Educational
371 ~~Development test prior to release from the program facility. The~~
372 Department of Education shall assist juvenile justice education
373 programs with becoming high school equivalency examination
374 centers ~~District school boards or Florida College System~~
375 ~~institutions, or both, shall waive GED testing fees for youth in~~
376 ~~Department of Juvenile Justice residential programs and shall,~~
377 ~~upon request, designate schools operating for the purpose of~~

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378 ~~providing educational services to youth in Department of~~
379 ~~Juvenile Justice programs as GED testing centers, subject to GED~~
380 ~~testing center requirements. The administrative fees for the~~
381 ~~General Educational Development test required by the Department~~
382 ~~of Education are the responsibility of district school boards~~
383 ~~and may be required of providers by contractual agreement.~~

384 (b) Respond to requests for student education records
385 received from another district school board or a juvenile
386 justice education program within 5 working days after receiving
387 the request.

388 (c) Provide access to courses offered pursuant to ss.
389 1002.37, 1002.45, and 1003.498. School districts and providers
390 may enter into cooperative agreements for the provision of
391 curriculum associated with courses offered pursuant to s.
392 1003.498 to enable providers to offer such courses.

393 (d) Complete the assessment process required by subsection
394 (2).

395 (e) Monitor compliance with contracts for education
396 programs for students in juvenile justice prevention, day
397 treatment, residential, and detention programs.

398 (5) The Department of Education shall establish and
399 operate, either directly or indirectly through a contract, a
400 mechanism to provide accountability measures that annually
401 assesses and evaluates all juvenile justice education programs
402 using student performance data and program performance ratings
403 by type of program ~~quality assurance reviews of all juvenile~~
404 ~~justice education programs~~ and shall provide technical
405 assistance and related research to district school boards and
406 juvenile justice education providers ~~on how to establish,~~

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407 ~~develop, and operate educational programs that exceed the~~
408 ~~minimum quality assurance standards. The Department of~~
409 ~~Education, with input from the Department of Juvenile Justice,~~
410 ~~school districts, and education providers shall develop annual~~
411 ~~recommendations for system and school improvement.~~

412 Section 4. Section 1003.52, Florida Statutes, is amended to
413 read:

414 1003.52 Educational services in Department of Juvenile
415 Justice programs.—

416 (1) ~~The Legislature finds that education is the single most~~
417 ~~important factor in the rehabilitation of adjudicated delinquent~~
418 ~~youth in the custody of Department of Juvenile Justice programs.~~
419 ~~It is the goal of the Legislature that youth in the juvenile~~
420 ~~justice system continue to be allowed the opportunity to obtain~~
421 ~~a high quality education. The Department of Education shall~~
422 ~~serve as the lead agency for juvenile justice education~~
423 ~~programs, curriculum, support services, and resources. To this~~
424 ~~end, the Department of Education and the Department of Juvenile~~
425 ~~Justice shall each designate a Coordinator for Juvenile Justice~~
426 ~~Education Programs to serve as the point of contact for~~
427 ~~resolving issues not addressed by district school boards and to~~
428 ~~provide each department's participation in the following~~
429 ~~activities:~~

430 (a) Training, collaborating, and coordinating with ~~the~~
431 ~~Department of Juvenile Justice, district school boards, local~~
432 ~~workforce boards and youth councils, educational contract~~
433 ~~providers, and juvenile justice providers, whether state~~
434 ~~operated or contracted.~~

435 (b) Collecting information on the academic, career

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436 education, and transition performance of students in juvenile
437 justice programs and reporting on the results.

438 (c) Developing academic and career education protocols that
439 provide guidance to district school boards and juvenile justice
440 education providers in all aspects of education programming,
441 including records transfer and transition.

442 (d) Implementing a joint accountability, program
443 performance, and program improvement process ~~Prescribing the~~
444 ~~roles of program personnel and interdepartmental district school~~
445 ~~board or provider collaboration strategies.~~

446
447 Annually, a cooperative agreement and plan for juvenile justice
448 education service enhancement shall be developed between the
449 Department of Juvenile Justice and the Department of Education
450 and submitted to the Secretary of Juvenile Justice and the
451 Commissioner of Education by June 30. The plan shall include, at
452 a minimum, each agency's role regarding educational program
453 accountability, technical assistance, training, and coordination
454 of services.

455 (2) Students participating in Department of Juvenile
456 Justice programs pursuant to chapter 985 which are sponsored by
457 a community-based agency or are operated or contracted for by
458 the Department of Juvenile Justice shall receive education
459 ~~educational~~ programs according to rules of the State Board of
460 Education. These students shall be eligible for services
461 afforded to students enrolled in programs pursuant to s. 1003.53
462 and all corresponding State Board of Education rules.

463 (3) The district school board of the county in which the
464 juvenile justice education prevention, day treatment,

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465 residential, or detention program ~~residential or nonresidential~~
466 ~~care facility or juvenile assessment facility~~ is located shall
467 provide or contract for appropriate educational assessments and
468 an appropriate program of instruction and special education
469 services.

470 (a) The district school board shall make provisions for
471 each student to participate in basic, career education, and
472 exceptional student programs as appropriate. Students served in
473 Department of Juvenile Justice programs shall have access to the
474 appropriate courses and instruction to prepare them for the high
475 school equivalency examination ~~GED test~~. Students participating
476 in high school equivalency examination ~~GED~~ preparation programs
477 shall be funded at the basic program cost factor for Department
478 of Juvenile Justice programs in the Florida Education Finance
479 Program. Each program shall be conducted according to applicable
480 law providing for the operation of public schools and rules of
481 the State Board of Education. School districts shall provide the
482 high school equivalency examination ~~GED~~ exit option for all
483 juvenile justice programs.

484 (b) ~~By October 1, 2004,~~ The Department of Education, with
485 the assistance of the school districts and juvenile justice
486 education providers, shall select a common student assessment
487 instrument and protocol for measuring student learning gains and
488 student progression while a student is in a juvenile justice
489 education program. The Department of Education and Department of
490 Juvenile Justice shall jointly review the effectiveness of this
491 assessment and implement changes as necessary ~~The assessment~~
492 ~~instrument and protocol must be implemented in all juvenile~~
493 ~~justice education programs in this state by January 1, 2005.~~

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494 (4) Educational services shall be provided at times of the
495 day most appropriate for the juvenile justice program. School
496 programming in juvenile justice detention, prevention, day
497 treatment, and residential ~~commitment, and rehabilitation~~
498 programs shall be made available by the local school district
499 during the juvenile justice school year, as provided ~~defined~~ in
500 s. 1003.01(11). In addition, students in juvenile justice
501 education programs shall have access to courses offered pursuant
502 to ss. 1002.37, 1002.45, and 1003.498 ~~Florida Virtual School~~
503 ~~courses~~. The Department of Education and the school districts
504 shall adopt policies necessary to provide ~~ensure~~ such access.

505 (5) The educational program shall provide instruction based
506 on each student's individualized transition plan, assessed
507 educational needs, and the education programs available in the
508 school district in which the student will return. Depending on
509 the student's needs, educational programming may consist of
510 remedial courses, consist of appropriate basic academic courses
511 required for grade advancement, career education courses, high
512 school equivalency examination preparation, or exceptional
513 student education curricula and related services which support
514 the transition ~~treatment~~ goals and reentry and which may lead to
515 completion of the requirements for receipt of a high school
516 diploma or its equivalent. Prevention and day treatment juvenile
517 justice education programs, at a minimum, shall provide career
518 readiness and exploration opportunities as well as truancy and
519 dropout prevention intervention services. Residential juvenile
520 justice education programs with a contracted minimum length of
521 stay of 9 months shall provide career education courses that
522 lead to preapprentice certifications, industry certifications,

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523 occupational completion points, or work-related certifications.
524 Residential programs with contracted lengths of stay of less
525 than 9 months may provide career education courses that lead to
526 preapprentice certifications, industry certifications,
527 occupational completion points, or work-related certifications.
528 If the duration of a program is less than 40 days, the
529 educational component may be limited to tutorial remediation
530 activities, and career employability skills instruction,
531 education counseling, and transition services that prepare
532 students for a return to school, the community, and their home
533 settings based on the students' needs.

534 (6) Participation in the program by students of compulsory
535 school-attendance age as provided for in s. 1003.21 shall be
536 mandatory. All students of noncompulsory school-attendance age
537 who have not received a high school diploma or its equivalent
538 shall participate in the educational program, unless the student
539 files a formal declaration of his or her intent to terminate
540 school enrollment as described in s. 1003.21 and is afforded the
541 opportunity to take the general educational development test and
542 attain a Florida high school diploma before ~~prior to~~ release
543 from a juvenile justice education program facility. A student
544 ~~youth~~ who has received a high school diploma or its equivalent
545 and is not employed shall participate in workforce development
546 or other career ~~or technical~~ education or Florida College System
547 institution or university courses while in the program, subject
548 to available funding.

549 (7) An individualized ~~A~~ progress monitoring plan shall be
550 developed for all students not classified as exceptional
551 education students upon entry in a juvenile justice education

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552 ~~program and upon reentry in the school district who score below~~
553 ~~the level specified in district school board policy in reading,~~
554 ~~writing, and mathematics or below the level specified by the~~
555 ~~Commissioner of Education on statewide assessments as required~~
556 ~~by s. 1008.25. These plans shall address academic, literacy, and~~
557 ~~career and technical life skills and shall include provisions~~
558 ~~for intensive remedial instruction in the areas of weakness.~~

559 (8) Each district school board shall maintain an academic
560 record for each student enrolled in a juvenile justice program
561 ~~facility~~ as prescribed by s. 1003.51. Such record shall
562 delineate each course completed by the student according to
563 procedures in the State Course Code Directory. The district
564 school board shall include a copy of a student's academic record
565 in the discharge packet when the student exits the program
566 ~~facility~~.

567 (9) ~~Each The Department of Education shall ensure that all~~
568 ~~district school board shall boards~~ make provisions for high
569 school level students ~~youth~~ to earn credits toward high school
570 graduation while in residential and nonresidential juvenile
571 justice programs ~~facilities~~. Provisions must be made for the
572 transfer of credits and partial credits earned.

573 (10) School districts and juvenile justice education
574 providers shall develop individualized transition plans during
575 the course of a student's stay in a juvenile justice education
576 program to coordinate academic, career and technical, and
577 secondary and postsecondary services that assist the student in
578 successful community reintegration upon release. Development of
579 the transition plan shall be a collaboration of the personnel in
580 the juvenile justice education program, reentry personnel,

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581 personnel from the school district where the student will
582 return, the student, the student's family, and Department of
583 Juvenile Justice personnel for committed students.

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

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

589 2. Services to be provided during the program stay and
590 services to be implemented upon release, including, but not
591 limited to, continuing education in secondary school, career and
592 technical programs, postsecondary education, or employment,
593 based on the student's needs.

594 3. Specific monitoring responsibilities to determine
595 whether the individualized transition plan is being implemented
596 and the student is provided access to support services that will
597 sustain the student's success by individuals who are responsible
598 for the reintegration and coordination of these activities.

599 (b) For the purpose of transition planning and reentry
600 services, representatives from the school district and the one
601 stop center where the student will return shall participate as
602 members of the local Department of Juvenile Justice reentry
603 teams. The school district, upon return of a student from a
604 juvenile justice education program, must consider the individual
605 needs and circumstances of the student and the transition plan
606 recommendations when reenrolling a student in a public school. A
607 local school district may not maintain a standardized policy for
608 all students returning from a juvenile justice program but place
609 students based on their needs and their performance in the

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610 program.

611 (c) The Department of Education and the Department of
612 Juvenile Justice shall provide oversight and guidance to school
613 districts, education providers, and reentry personnel on how to
614 implement effective educational transition planning and
615 services.

616 (11)~~(10)~~ The district school board shall recruit and train
617 teachers who are interested, qualified, or experienced in
618 educating students in juvenile justice programs. Students in
619 juvenile justice programs shall be provided a wide range of
620 education ~~educational~~ programs and opportunities including
621 textbooks, technology, instructional support, and ~~other~~
622 resources commensurate with resources provided available to
623 students in public schools, including textbooks and access to
624 technology. If the district school board operates a juvenile
625 justice education program at a juvenile justice facility, the
626 district school board, in consultation with the director of the
627 juvenile justice facility, shall select the instructional
628 personnel assigned to that program. The Secretary of Juvenile
629 Justice or the director of a juvenile justice program may
630 request that the performance of a teacher assigned by the
631 district to a juvenile justice education program be reviewed by
632 the district and that the teacher be reassigned based upon an
633 evaluation conducted pursuant to s. 1012.34 or for inappropriate
634 behavior ~~Teachers assigned to educational programs in juvenile~~
635 ~~justice settings in which the district school board operates the~~
636 ~~educational program shall be selected by the district school~~
637 ~~board in consultation with the director of the juvenile justice~~
638 ~~facility. Educational programs in Juvenile justice education~~

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639 programs ~~facilities~~ shall have access to the substitute teacher
640 pool used ~~utilized~~ by the district school board.

641 (12) ~~(11)~~ District school boards may contract with a private
642 provider for the provision of education ~~educational~~ programs to
643 students ~~youths~~ placed with the Department of Juvenile Justice
644 and shall generate local, state, and federal funding, including
645 funding through the Florida Education Finance Program for such
646 students. The district school board's planning and budgeting
647 process shall include the needs of Department of Juvenile
648 Justice programs in the district school board's plan for
649 expenditures for state categorical and federal funds.

650 (13) ~~(12)~~ (a) Funding for eligible students enrolled in
651 juvenile justice education programs shall be provided through
652 the Florida Education Finance Program as provided in s. 1011.62
653 and the General Appropriations Act. Funding shall include, at a
654 minimum:

655 1. Weighted program funding or the basic amount for current
656 operation multiplied by the district cost differential as
657 provided in s. 1011.62(1)(s) and (2);

658 2. The supplemental allocation for juvenile justice
659 education as provided in s. 1011.62(10);

660 3. A proportionate share of the district's exceptional
661 student education guaranteed allocation, the supplemental
662 academic instruction allocation, and the instructional materials
663 allocation;

664 4. An amount equivalent to the proportionate share of the
665 state average potential discretionary local effort for
666 operations, which shall be determined as follows:

667 a. If the district levies the maximum discretionary local

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668 effort and the district's discretionary local effort per FTE is
669 less than the state average potential discretionary local effort
670 per FTE, the proportionate share shall include both the
671 discretionary local effort and the compression supplement per
672 FTE. If the district's discretionary local effort per FTE is
673 greater than the state average per FTE, the proportionate share
674 shall be equal to the state average; or

675 b. If the district does not levy the maximum discretionary
676 local effort and the district's actual discretionary local
677 effort per FTE is less than the state average potential
678 discretionary local effort per FTE, the proportionate share
679 shall be equal to the district's actual discretionary local
680 effort per FTE. If the district's actual discretionary local
681 effort per FTE is greater than the state average per FTE, the
682 proportionate share shall be equal to the state average
683 potential local effort per FTE; and

684 5. A proportionate share of the district's proration to
685 funds available, if necessary.

686 (b) Juvenile justice education ~~educational~~ programs to
687 receive the appropriate FEFP funding for Department of Juvenile
688 Justice programs shall include those operated through a contract
689 with the Department of Juvenile Justice ~~and which are under~~
690 ~~purview of the Department of Juvenile Justice quality assurance~~
691 ~~standards for education.~~

692 (c) Consistent with the rules of the State Board of
693 Education, district school boards are required to request an
694 alternative FTE survey for Department of Juvenile Justice
695 programs experiencing fluctuations in student enrollment.

696 (d) FTE count periods shall be prescribed in rules of the

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697 State Board of Education and shall be the same for programs of
698 the Department of Juvenile Justice as for other public school
699 programs. The summer school period for students in Department of
700 Juvenile Justice programs shall begin on the day immediately
701 following the end of the regular school year and end on the day
702 immediately preceding the subsequent regular school year.
703 Students shall be funded for no more than 25 hours per week of
704 direct instruction.

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

707 (14)~~(13)~~ Each district school board shall negotiate a
708 cooperative agreement with the Department of Juvenile Justice on
709 the delivery of educational services to students ~~youths~~ under
710 the jurisdiction of the Department of Juvenile Justice. Such
711 agreement must include, but is not limited to:

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

714 (b) Administrative issues including procedures for sharing
715 information.

716 (c) Allocation of resources including maximization of
717 local, state, and federal funding.

718 (d) Procedures for educational evaluation for educational
719 exceptionalities and special needs.

720 (e) Curriculum and delivery of instruction.

721 (f) Classroom management procedures and attendance
722 policies.

723 (g) Procedures for provision of qualified instructional
724 personnel, whether supplied by the district school board or
725 provided under contract by the provider, and for performance of

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726 duties while in a juvenile justice setting.

727 (h) Provisions for improving skills in teaching and working
728 with students referred to juvenile justice programs ~~delinquents~~.

729 (i) Transition plans for students moving into and out of
730 juvenile programs ~~facilities~~.

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

733 (k) Methods and procedures for dispute resolution.

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

736 (m) Strategies for correcting any deficiencies found
737 through the accountability and evaluation system and student
738 performance measures ~~quality assurance process~~.

739 ~~(15)-(14)~~ Nothing in this section or in a cooperative
740 agreement requires ~~shall be construed to require~~ the district
741 school board to provide more services than can be supported by
742 the funds generated by students in the juvenile justice
743 programs.

744 ~~(16)-(15)-(a)~~ The Department of Education, in consultation
745 with the Department of Juvenile Justice, district school boards,
746 and providers, shall adopt rules establishing ~~establish~~

747 (a) Objective and measurable student performance measures
748 to evaluate a student's educational progress while participating
749 in a prevention, day treatment, or residential program. The
750 student performance measures must be based on appropriate
751 outcomes for all students in juvenile justice education
752 programs, taking into consideration the student's length of stay
753 in the program. Performance measures shall include outcomes that
754 relate to student achievement of career education goals,

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755 acquisition of employability skills, receipt of a high school
756 diploma, and grade advancement.

757 (b) A performance rating system to be used by the
758 Department of Education to evaluate ~~quality assurance standards~~
759 ~~for the delivery of educational services within each of the~~
760 juvenile justice programs. The performance rating shall be
761 primarily based on data regarding student performance as
762 described in paragraph (a) ~~component of residential and~~
763 ~~nonresidential juvenile justice facilities.~~

764 (c) The timeframes, procedures, and resources to be used to
765 improve a low-rated educational program or to terminate or
766 reassign the program ~~These standards shall rate the district~~
767 ~~school board's performance both as a provider and contractor.~~
768 ~~The quality assurance rating for the educational component shall~~
769 ~~be disaggregated from the overall quality assurance score and~~
770 ~~reported separately.~~

771 (d) ~~(b)~~ The Department of Education, in partnership with the
772 Department of Juvenile Justice, shall develop a comprehensive
773 accountability and program improvement ~~quality assurance review~~
774 process. The accountability and program improvement process
775 shall be based on student performance measures by type of
776 program and shall rate education program performance. The
777 accountability system shall identify and recognize high-
778 performing education programs. The Department of Education, in
779 partnership with the Department of Juvenile Justice, shall
780 identify low-performing programs. Low-performing education
781 programs shall receive an onsite program evaluation from the
782 Department of Juvenile Justice. School improvement, technical
783 assistance, or the reassignment of the program shall be based,

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784 in part, on the results of the program evaluation. Through a
785 corrective action process, low-performing programs must
786 demonstrate improvement or reassign the program and schedule for
787 ~~the evaluation of the educational component in juvenile justice~~
788 ~~programs. The Department of Juvenile Justice quality assurance~~
789 ~~site visit and the education quality assurance site visit shall~~
790 ~~be conducted during the same visit.~~

791 ~~(c) The Department of Education, in consultation with~~
792 ~~district school boards and providers, shall establish minimum~~
793 ~~thresholds for the standards and key indicators for educational~~
794 ~~programs in juvenile justice facilities. If a district school~~
795 ~~board fails to meet the established minimum standards, it will~~
796 ~~be given 6 months to achieve compliance with the standards. If~~
797 ~~after 6 months, the district school board's performance is still~~
798 ~~below minimum standards, the Department of Education shall~~
799 ~~exercise sanctions as prescribed by rules adopted by the State~~
800 ~~Board of Education. If a provider, under contract with the~~
801 ~~district school board, fails to meet minimum standards, such~~
802 ~~failure shall cause the district school board to cancel the~~
803 ~~provider's contract unless the provider achieves compliance~~
804 ~~within 6 months or unless there are documented extenuating~~
805 ~~circumstances.~~

806 ~~(d) The requirements in paragraphs (a), (b), and (c) shall~~
807 ~~be implemented to the extent that funds are available.~~

808 (17) The department, in collaboration with the Department
809 of Juvenile Justice, shall collect data and report on
810 commitment, day treatment, prevention, and detention programs.
811 The report shall be submitted to the President of the Senate,
812 the Speaker of the House of Representatives, and the Governor by

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813 February 1 of each year. The report must include, at a minimum:

814 (a) The number and percentage of students who:

815 1. Return to an alternative school, middle school, or high

816 school upon release and the attendance rate of such students

817 before and after participation in juvenile justice education

818 programs.

819 2. Receive a standard high school diploma or a high school

820 equivalency diploma.

821 3. Receive industry certification.

822 4. Receive occupational completion points.

823 5. Enroll in a postsecondary educational institution.

824 6. Complete a juvenile justice education program without

825 reoffending.

826 7. Reoffend within 1 year after completion of a day

827 treatment or residential commitment program.

828 8. Remain employed 1 year after completion of a day

829 treatment or residential commitment program.

830 9. Demonstrate learning gains pursuant to paragraph (3) (b).

831 (b) The following cost data for each juvenile justice

832 education program:

833 1. The amount of funding provided by district school boards

834 to juvenile justice programs and the amount retained for

835 administration, including documenting the purposes of such

836 expenses.

837 2. The status of the development of cooperative agreements.

838 3. Recommendations for system improvement.

839 4. Information on the identification of, and services

840 provided to, exceptional students, to determine whether these

841 students are properly reported for funding and are appropriately

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842 served.

843 (18)~~(16)~~ The district school board shall not be charged any
844 rent, maintenance, utilities, or overhead on such facilities.
845 Maintenance, repairs, and remodeling of existing facilities
846 shall be provided by the Department of Juvenile Justice.

847 (19)~~(17)~~ When additional facilities are required, the
848 district school board and the Department of Juvenile Justice
849 shall agree on the appropriate site based on the instructional
850 needs of the students. When the most appropriate site for
851 instruction is on district school board property, a special
852 capital outlay request shall be made by the commissioner in
853 accordance with s. 1013.60. When the most appropriate site is on
854 state property, state capital outlay funds shall be requested by
855 the Department of Juvenile Justice provided by s. 216.043 and
856 shall be submitted as specified by s. 216.023. Any instructional
857 facility to be built on state property shall have educational
858 specifications jointly developed by the district school board
859 and the Department of Juvenile Justice and approved by the
860 Department of Education. The size of space and occupant design
861 capacity criteria as provided by State Board of Education rules
862 shall be used for remodeling or new construction whether
863 facilities are provided on state property or district school
864 board property.

865 (20)~~(18)~~ The parent of an exceptional student shall have
866 the due process rights provided for in this chapter.

867 ~~(19) The Department of Education and the Department of~~
868 ~~Juvenile Justice, after consultation with and assistance from~~
869 ~~local providers and district school boards, shall report~~
870 ~~annually to the Legislature by February 1 on the progress toward~~

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871 ~~developing effective educational programs for juvenile~~
872 ~~delinquents, including the amount of funding provided by~~
873 ~~district school boards to juvenile justice programs, the amount~~
874 ~~retained for administration including documenting the purposes~~
875 ~~for such expenses, the status of the development of cooperative~~
876 ~~agreements, the results of the quality assurance reviews~~
877 ~~including recommendations for system improvement, and~~
878 ~~information on the identification of, and services provided to,~~
879 ~~exceptional students in juvenile justice commitment facilities~~
880 ~~to determine whether these students are properly reported for~~
881 ~~funding and are appropriately served.~~

882 (21)~~(20)~~ The education ~~educational~~ programs at ~~the Arthur~~
883 ~~Dozier School for Boys in Jackson County and the Florida School~~
884 ~~for Boys in Okeechobee shall be operated by the Department of~~
885 ~~Education, either directly or through grants or contractual~~
886 ~~agreements with other public or duly accredited education~~
887 ~~agencies approved by the Department of Education.~~

888 (22)~~(21)~~ The State Board of Education shall ~~may~~ adopt ~~any~~
889 ~~rules necessary to implement the provisions of this section,~~
890 ~~including uniform curriculum, funding, and second chance~~
891 ~~schools. Such rules must require the minimum amount of paperwork~~
892 ~~and reporting.~~

893 (23)~~(22)~~ The Department of Juvenile Justice and the
894 Department of Education, in consultation with Workforce Florida,
895 Inc., the statewide Workforce Development Youth Council,
896 district school boards, Florida College System institutions,
897 providers, and others, shall jointly develop a multiagency plan
898 for career education which describes the funding, curriculum,
899 transfer of credits, goals, and outcome measures for career

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900 education programming in juvenile commitment facilities,
901 pursuant to s. 985.622. The plan must be reviewed annually.

902 Section 5. Subsection (3) of section 985.632, Florida
903 Statutes, is amended to read:

904 985.632 Quality assurance and cost-effectiveness.—

905 (3) The department shall annually collect and report cost
906 data for every program operated or contracted by the department.
907 The cost data shall conform to a format approved by the
908 department and the Legislature. Uniform cost data shall be
909 reported and collected for state-operated and contracted
910 programs so that comparisons can be made among programs. The
911 department shall ensure that there is accurate cost accounting
912 for state-operated services including market-equivalent rent and
913 other shared cost. The cost of the educational program provided
914 to a residential facility shall be reported and included in the
915 cost of a program. The department shall submit an annual cost
916 report to the President of the Senate, the Speaker of the House
917 of Representatives, the Minority Leader of each house of the
918 Legislature, the appropriate substantive and fiscal committees
919 of each house of the Legislature, and the Governor, no later
920 than December 1 of each year. Cost-benefit analysis for
921 educational programs will be developed and implemented in
922 collaboration with and in cooperation with the Department of
923 Education, local providers, and local school districts. Cost
924 data for the report shall include data collected by the
925 Department of Education for the purposes of preparing the annual
926 report required by s. 1003.52(17) ~~1003.52(19)~~.

927 Section 6. Paragraph (b) of subsection (18) of section
928 1001.42, Florida Statutes, is amended to read:

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929 1001.42 Powers and duties of district school board.—The
930 district school board, acting as a board, shall exercise all
931 powers and perform all duties listed below:

932 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
933 Maintain a state system of school improvement and education
934 accountability as provided by statute and State Board of
935 Education rule. This system of school improvement and education
936 accountability shall be consistent with, and implemented
937 through, the district's continuing system of planning and
938 budgeting required by this section and ss. 1008.385, 1010.01,
939 and 1011.01. This system of school improvement and education
940 accountability shall comply with the provisions of ss. 1008.33,
941 1008.34, 1008.345, and 1008.385 and include the following:

942 (b) *Public disclosure.*—The district school board shall
943 provide information regarding the performance of students and
944 educational programs as required pursuant to ss. 1008.22 and
945 1008.385 and implement a system of school reports as required by
946 statute and State Board of Education rule which shall include
947 schools operating for the purpose of providing educational
948 services to students ~~youth~~ in Department of Juvenile Justice
949 programs, and for those schools, report on the elements
950 specified in s. 1003.52(16) ~~1003.52(19)~~. Annual public
951 disclosure reports shall be in an easy-to-read report card
952 format and shall include the school's grade, high school
953 graduation rate calculated without high school equivalency
954 examinations ~~GED tests~~, disaggregated by student ethnicity, and
955 performance data as specified in state board rule.

956 Section 7. This act shall take effect July 1, 2014.