

1 A bill to be entitled
2 An act relating to juvenile justice education
3 programs; amending s. 1003.01, F.S.; redefining the
4 term "juvenile justice education programs or schools";
5 amending s. 1003.51, F.S.; increasing the percentage
6 of certain funds that must be spent on specified
7 costs; clarifying that Department of Juvenile Justice
8 education programs are entitled to certain funds;
9 requiring such funds to be spent in a certain manner;
10 amending 1003.52, F.S.; requiring that contracts
11 between district school boards and juvenile justice
12 education programs be in writing; requiring that
13 district school boards provide proposed contracts to
14 juvenile justice education programs by a specified
15 date; providing a timeframe within which district
16 school boards and juvenile justice education programs
17 must negotiate and execute their contracts;
18 authorizing an extension of time; requiring the
19 Department of Education to provide mediation services
20 for certain disputes; requiring district school boards
21 satisfy certain invoices within a specified timeframe;
22 requiring district school boards that fail to timely
23 issue a warrant for payment to also pay interest at a
24 specified rate to the juvenile justice education
25 program; prohibiting school boards from delaying

26 certain payments pending receipt of local funds;
 27 conforming a cross-reference; providing an effective
 28 date.

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

32 Section 1. Paragraph (a) of subsection (11) of section
 33 1003.01, Florida Statutes, is amended to read:

34 1003.01 Definitions.—As used in this chapter, the term:

35 (11) (a) "Juvenile justice education programs or schools"
 36 means programs or schools operating for the purpose of providing
 37 educational services to youth in Department of Juvenile Justice
 38 programs, for a school year composed ~~comprised~~ of 250 days of
 39 instruction, or the equivalent expressed in hours as specified
 40 in State Board of Education rule, distributed over 12 months. If
 41 the period of operation is expressed in hours, the State Board
 42 of Education must review the calculation annually. At the
 43 request of the provider, a district school board may decrease
 44 the minimum number of days or hours, as applicable, of
 45 instruction by up to 10 days or equivalent hours as specified in
 46 the State Board of Education rule for teacher planning for
 47 residential programs and up to 20 days or equivalent hours as
 48 specified in the State Board of Education rule for teacher
 49 planning for nonresidential programs, subject to the approval of
 50 the Department of Juvenile Justice and the Department of

51 Education.

52 Section 2. Paragraph (i) of subsection (2) of section
53 1003.51, Florida Statutes, is amended to read:

54 1003.51 Other public educational services.—

55 (2) The State Board of Education shall adopt rules
56 articulating expectations for effective education programs for
57 students in Department of Juvenile Justice programs, including,
58 but not limited to, education programs in juvenile justice
59 prevention, day treatment, residential, and detention programs.
60 The rule shall establish policies and standards for education
61 programs for students in Department of Juvenile Justice programs
62 and shall include the following:

63 (i) Funding requirements, which must provide ~~shall include~~
64 ~~the requirement~~ that at least 95 ~~90~~ percent of the FEFP funds
65 generated by students in Department of Juvenile Justice programs
66 or in an education program for juveniles under s. 985.19 must be
67 spent on instructional costs for those students. Department of
68 Juvenile Justice education programs are entitled to 100 ~~one~~
69 ~~hundred~~ percent of the formula-based categorical funds generated
70 by students in Department of Juvenile Justice programs. Such
71 funds must be spent on appropriate categoricals, such as
72 instructional materials and public school technology for those
73 students.

74 Section 3. Present paragraphs (a) and (b) of subsection
75 (3) of section 1003.52, Florida Statutes, are redesignated as

HB 723

2021

76 paragraphs (c) and (d), respectively, and new paragraphs (a) and
77 (b) are added to that subsection, and paragraph (a) of
78 subsection (17) is amended, to read:

79 1003.52 Educational services in Department of Juvenile
80 Justice programs.—

81 (3) The district school board of the county in which the
82 juvenile justice education prevention, day treatment,
83 residential, or detention program is located shall provide or
84 contract for appropriate educational assessments and an
85 appropriate program of instruction and special education
86 services.

87 (a) All contracts between a district school board desiring
88 to contract directly with juvenile justice education programs to
89 provide academic instruction for students in such programs must
90 be in writing. A district school board shall provide a juvenile
91 justice education program with proposed new or renewal contracts
92 by each April 1. Unless both parties agree to an extension of
93 time, the district school board and the juvenile justice
94 education program shall negotiate and execute the new or renewal
95 contract within 40 days after the district school board provides
96 the proposal to the juvenile justice education program. The
97 Department of Education shall provide mediation services for any
98 disputes relating to this paragraph.

99 (b) District school boards shall satisfy invoices issued
100 by juvenile justice education programs within 10 working days

101 after receipt. If a district school board does not timely issue
102 a warrant for payment, it must pay to the juvenile justice
103 education program interest at a rate of 1 percent per month,
104 calculated on a daily basis, on the unpaid balance until such
105 time as a warrant is issued for the invoice and accrued interest
106 amount. The district school board may not delay payment to a
107 juvenile justice education program of any portion of funds owed
108 pending the district's receipt of local funds.

109 (17) The department, in collaboration with the Department
110 of Juvenile Justice, shall collect data and report on
111 commitment, day treatment, prevention, and detention programs.
112 The report shall be submitted to the President of the Senate,
113 the Speaker of the House of Representatives, and the Governor by
114 February 1 of each year. The report must include, at a minimum:

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

116 1. Return to an alternative school, middle school, or high
117 school upon release and the attendance rate of such students
118 before and after participation in juvenile justice education
119 programs.

120 2. Receive a standard high school diploma or a high school
121 equivalency diploma.

122 3. Receive industry certification.

123 4. Enroll in a postsecondary educational institution.

124 5. Complete a juvenile justice education program without
125 reoffending.

HB 723

2021

126 6. Reoffend within 1 year after completion of a day
127 treatment or residential commitment program.

128 7. Remain employed 1 year after completion of a day
129 treatment or residential commitment program.

130 8. Demonstrate learning gains pursuant to paragraph (3) (d)
131 ~~(3) (b)~~.

132 Section 4. This act shall take effect July 1, 2021.