

20237014e1

1 A bill to be entitled
2 An act relating to juvenile justice; amending s.
3 20.316, F.S.; requiring that the secretary of the
4 Department of Juvenile Justice oversee the
5 establishment of the Florida Scholars Academy;
6 revising a duty of the secretary; creating s. 985.619,
7 F.S.; requiring that the department establish the
8 academy; specifying the academy's mission; requiring
9 the academy to provide students with greater access to
10 secondary and postsecondary educational opportunities;
11 providing requirements for the contractual agreement
12 entered into by the department with an education
13 service provider; requiring that the superintendent of
14 the academy be approved by the secretary; requiring
15 that the academy be governed by a board of trustees;
16 providing for board membership; specifying the powers
17 and duties of the board; specifying funding sources
18 for the academy; providing requirements related to
19 funding; prohibiting the pledging of the state's
20 credit on behalf of the academy; requiring annual
21 financial audits of the academy; providing audit
22 requirements; providing requirements for an audit
23 report; authorizing the department to adopt rules;
24 amending s. 1000.04, F.S.; specifying that the academy
25 is a component of the delivery of public education
26 within Florida's Early Learning-20 education system;
27 amending s. 1013.53, F.S.; requiring the department to
28 provide early notice to school districts regarding the
29 siting of new juvenile justice detention facilities;

20237014e1

30 requiring that school districts be consulted regarding
31 the types of students expected to be assigned to
32 detention facilities, rather than commitment
33 facilities; deleting requirements of the department
34 related to commitment facilities; providing an
35 appropriation; providing an effective date.
36

37 Be It Enacted by the Legislature of the State of Florida:
38

39 Section 1. Paragraph (c) of subsection (1) of section
40 20.316, Florida Statutes, is amended to read:

41 20.316 Department of Juvenile Justice.—There is created a
42 Department of Juvenile Justice.

43 (1) SECRETARY OF JUVENILE JUSTICE.—

44 (c) The Secretary of Juvenile Justice shall:

45 1. Ensure that juvenile justice continuum programs and
46 services are implemented according to legislative intent; state
47 and federal laws, rules, and regulations; statewide program
48 standards; and performance objectives by reviewing and
49 monitoring regional and circuit program operations and providing
50 technical assistance to those programs.

51 2. Identify the need for and recommend the funding and
52 implementation of an appropriate mix of programs and services
53 within the juvenile justice continuum, including prevention,
54 diversion, nonresidential and residential commitment programs,
55 training schools, and conditional release programs and services,
56 with an overlay of educational, career and technical education
57 ~~vocational~~, alcohol, drug abuse, and mental health services
58 where appropriate.

20237014e1

59 3. Oversee the establishment of the Florida Scholars
60 Academy created under s. 985.619.

61 ~~4.3.~~ Provide for program research, development, and
62 planning.

63 ~~5.4.~~ Develop staffing and workload standards and coordinate
64 staff development and training.

65 ~~6.5.~~ Develop budget and resource allocation methodologies
66 and strategies.

67 ~~7.6.~~ Establish program policies and rules and ensure that
68 those policies and rules encourage cooperation, collaboration,
69 and information sharing with community partners in the juvenile
70 justice system to the extent authorized by law.

71 ~~8.7.~~ Develop funding sources external to state government.

72 ~~9.8.~~ Obtain, approve, monitor, and coordinate research and
73 program development grants.

74 ~~10.9.~~ Enter into contracts.

75 ~~11.10.~~ Monitor all state-funded programs, grants,
76 appropriations, or activities that are designed to prevent
77 juvenile crime, delinquency, gang membership, or status offense
78 behaviors and all state-funded programs, grants, appropriations,
79 or activities that are designed to prevent a child from becoming
80 a "child in need of services," as defined in chapter 984, in
81 order to effect the goals and policies of the State
82 Comprehensive Plan regarding children and regarding governmental
83 efficiency, and in order to determine:

84 a. The number of youth served by such state-funded
85 programs, grants, appropriations, or activities;

86 b. The number of youth who complete such state-funded
87 programs, grants, appropriations, or activities;

20237014e1

88 c. The number and percentage of youth who are referred for
89 delinquency while participating in such state-funded programs,
90 grants, appropriations, or activities;

91 d. The number and percentage of youth who are referred for
92 delinquency within 6 months after completing such state-funded
93 programs, grants, appropriations, or activities.

94 Section 2. Section 985.619, Florida Statutes, is created to
95 read:

96 985.619 Florida Scholars Academy.—

97 (1) ESTABLISHMENT.—

98 (a) The department shall establish the Florida Scholars
99 Academy to deliver educational opportunities to students served
100 in residential commitment programs under this chapter.

101 (b) Each residential program site established, authorized,
102 or designated by the department is considered a campus of the
103 Florida Scholars Academy.

104 (c) Students sentenced by a court to adult facilities under
105 chapter 944 are not eligible to enroll in the Florida Scholars
106 Academy.

107 (2) MISSION.—The mission of the Florida Scholars Academy is
108 to provide a free and appropriate high-quality education to
109 eligible students within the juvenile justice system, and to
110 prepare students for gainful employment as productive citizens
111 upon their reentry into the community. Educational pathways will
112 include a K-12 education, a high school equivalency diploma, a
113 career and technical education credential pursuant to s.
114 1003.4282(10), and enrollment in a degree program at a state
115 college or university, with an emphasis on attaining an
116 industry-recognized credential of value from the Master

20237014e1

117 Credentials List under s. 445.004(4)(h).

118 (3) REQUIRED CONTRACTING.—

119 (a) The department shall enter into a contractual agreement
120 with an education service provider with a proven track record of
121 success to operate, provide, or supplement full-time instruction
122 and instructional support services for students to earn a high
123 school diploma or high school equivalency diploma, enroll in a
124 degree program at a state college or university, and earn
125 industry-recognized credentials of value from the Master
126 Credentials List. The contracted education service provider is
127 responsible for the administration of all educational services
128 to students enrolled in the academy.

129 (b) The superintendent of the Florida Scholars Academy must
130 be approved by the secretary of the department. The
131 superintendent is responsible for the management and day-to-day
132 operations of the Florida Scholars Academy.

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

134 (a)1. The Florida Scholars Academy shall be governed by a
135 board of trustees, composed of the following five members:

136 a. The secretary of the department, or his or her designee.

137 b. Four members appointed by the Governor.

138 2. The secretary of the department or his or her designee
139 shall be the initial chair of the board and shall serve a term
140 of 4 years. Members of the board of trustees shall serve without
141 compensation but may be reimbursed for per diem and travel
142 expenses pursuant to s. 112.061.

143 (b) The board of trustees shall have the following powers
144 and duties:

145 1. Meet at least 4 times each year, upon the call of the

20237014e1

146 chair, or at the request of a majority of the membership.

147 2. Be responsible for the Florida Scholars Academy's
148 development of an education delivery system that is cost-
149 effective, high-quality, educationally sound, and capable of
150 sustaining an effective delivery system.

151 3.a. Identify appropriate performance measures and
152 standards based on student achievement which reflect the
153 school's statutory mission and priorities, and implement an
154 accountability system approved by the State Board of Education
155 for the school by the 2024-2025 school year which includes an
156 assessment of its effectiveness and efficiency in providing
157 quality services that encourage high student achievement,
158 seamless articulation, and maximum access to career
159 opportunities.

160 b. For the 2024-2025 school year, the results of the
161 accountability system must serve as an informative baseline for
162 the academy as it works to improve performance in future years.

163 4. Administer and maintain the educational programs of the
164 Florida Scholars Academy in accordance with law and department
165 rules, in consultation with the State Board of Education.

166 5. With the approval of the secretary of the department or
167 his or her designee, determine the compensation, including
168 salaries and fringe benefits, and other conditions of employment
169 for such personnel, in alignment with the Florida Scholars
170 Academy's provider contracts.

171 6. The employment of all Florida Scholars Academy
172 administrative and instructional personnel are subject to
173 rejection for cause by the secretary of the department or his or
174 her designee and are subject to policies established by the

20237014e1

175 board of trustees.

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

178 8. Maintain the financial records and accounts of the
179 Florida Scholars Academy in compliance with rules adopted by the
180 State Board of Education for the uniform system of financial
181 records and accounts for the schools of this state.

182 9. Is a body corporate with all the powers of a body
183 corporate and may exercise such authority as is needed for the
184 proper operation and improvement of the Florida Scholars
185 Academy. The board of trustees is specifically authorized to
186 adopt rules, policies, and procedures, consistent with law and
187 State Board of Education rules related to governance, personnel,
188 budget and finance, administration, programs, curriculum and
189 instruction, travel and purchasing, technology, students,
190 contracts and grants, and property as necessary for optimal,
191 efficient operation of the Florida Scholars Academy.

192 (5) FUNDING.—

193 (a)1. Subject to appropriation, funding may be provided for
194 the operational and instructional services for students enrolled
195 in the Florida Scholars Academy.

196 2. The Florida Scholars Academy may receive all federal
197 funds for which it is eligible.

198 (b) The secretary of the department shall prepare and
199 submit a legislative budget request on behalf of the Florida
200 Scholars Academy as part of the department's legislative budget
201 request. The request of funds may be for operating and fixed
202 capital outlay, in accordance with chapter 216.

203 (c) The fiscal year for the Florida Scholars Academy is the

20237014e1

204 fiscal year of the state as defined in s. 216.011(1)(o).

205 (6) STATE CREDIT LIMITATION.—The credit of the state may
206 not be pledged under any circumstance on behalf of the Florida
207 Scholars Academy.

208 (7) ANNUAL AUDIT.—

209 (a) The Florida Scholars Academy must have an annual
210 financial audit of its accounts and records conducted by an
211 independent auditor who is a certified public accountant
212 licensed under chapter 473. The independent auditor shall
213 conduct the audit in accordance with rules adopted by the
214 Auditor General pursuant to s. 11.45 and shall, upon completion
215 of the audit, prepare an audit report in accordance with such
216 rules.

217 (b) The independent auditor shall submit the audit report
218 to the board of trustees and the Auditor General not later than
219 9 months after the end of the preceding fiscal year.

220 (c) The board of trustees shall respond to recommendations
221 included in the audit report or received directly from the
222 Auditor General with evidence of corrective action within 45
223 days after receipt of the recommendations.

224 (8) RULEMAKING.—The department may establish rules to
225 implement this section.

226 Section 3. Subsection (6) is added to section 1000.04,
227 Florida Statutes, to read:

228 1000.04 Components for the delivery of public education
229 within the Florida Early Learning-20 education system.—Florida's
230 Early Learning-20 education system provides for the delivery of
231 early learning and public education through publicly supported
232 and controlled K-12 schools, Florida College System

20237014e1

233 institutions, state universities and other postsecondary
234 educational institutions, other educational institutions, and
235 other educational services as provided or authorized by the
236 Constitution and laws of the state.

237 (6) FLORIDA SCHOLARS ACADEMY.—The Florida Scholars Academy
238 is a component of the delivery of public education within the
239 Florida Early Learning-20 education system.

240 Section 4. Section 1013.53, Florida Statutes, is amended to
241 read:

242 1013.53 Cooperative development of educational facilities
243 in juvenile justice programs.—

244 (1) The Department of Juvenile Justice shall provide early
245 notice to school districts regarding the siting of new juvenile
246 justice detention facilities. School districts shall include the
247 projected number of students in the districts' annual estimates.
248 School districts must be consulted regarding the types of
249 students expected to be assigned to detention ~~commitment~~
250 facilities for education planning and budgeting purposes.

251 (2) The Department of Juvenile Justice shall notify, in
252 writing, the Department of Education when a request for
253 proposals is issued for the construction or operation of a
254 ~~commitment~~ ~~or~~ detention facility anywhere in this ~~the~~ state. The
255 Department of Juvenile Justice shall notify, in writing, the
256 appropriate school district when a request for proposals is
257 issued for the construction or operation of a ~~commitment~~ ~~or~~
258 detention facility when a county or site is specifically
259 identified.

260 (3) The Department of Juvenile Justice shall also notify
261 the district school superintendent within 30 days after:

20237014e1

262 (a) The award of a contract for the construction or
263 operation of a ~~commitment~~ or detention facility within that
264 school district.

265 (b) Obtaining a permit to begin construction of a new
266 detention ~~or commitment~~ facility within that school district.

267 Section 5. For the 2023-2024 fiscal year, the recurring sum
268 of \$12 million is appropriated from the General Revenue Fund to
269 the Department of Juvenile Justice for the purpose of carrying
270 out this act.

271 Section 6. This act shall take effect July 1, 2023.