

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

604-03135-24

20241352c1

1                                   A bill to be entitled  
2       An act relating to juvenile justice; amending s.  
3       381.887, F.S.; authorizing personnel of the Department  
4       of Juvenile Justice and of certain contracted  
5       providers to possess, store, and administer emergency  
6       opioid antagonists and providing immunity from civil  
7       or criminal liability for such personnel; amending s.  
8       790.22, F.S.; deleting a provision requiring the  
9       juvenile justice circuit advisory board to establish  
10      certain community service programs; amending s.  
11      938.17, F.S.; requiring sheriffs' offices to submit an  
12      annual report regarding certain received proceeds to  
13      the department, rather than the juvenile justice  
14      circuit advisory board; amending s. 948.51, F.S.;  
15      requiring the public safety coordinating council to  
16      cooperate with the department, rather than the  
17      juvenile justice circuit advisory board, to prepare a  
18      comprehensive public safety plan; amending s. 985.02,  
19      F.S.; revising the legislative intent for the juvenile  
20      justice system relating to general protections for  
21      children and sex-specific, rather than gender-  
22      specific, programming; amending s. 985.03, F.S.;  
23      revising definitions and defining the term "sex";  
24      amending s. 985.115, F.S.; prohibiting juvenile  
25      assessment centers from being considered facilities  
26      that can receive children under specified  
27      circumstances; amending s. 985.126, F.S.; revising the  
28      information a diversion program is required to report  
29      about each minor from his or her gender to his or her

604-03135-24

20241352c1

30 sex; requiring the department to compile and  
31 semiannually publish certain data in a format that is  
32 searchable by sex rather than by gender; amending s.  
33 985.17, F.S.; revising the programming focus for the  
34 department's prevention services for youth at risk of  
35 becoming delinquent to include sex-specific services  
36 rather than gender-specific services; amending s.  
37 985.26, F.S.; authorizing that transitions from secure  
38 detention care and supervised release detention care  
39 be initiated upon a court's own motion or upon a  
40 motion from the child or the state; amending s.  
41 985.27, F.S.; revising the required court placement in  
42 secure detention for children who are adjudicated and  
43 awaiting placement in a moderate-risk, rather than  
44 nonsecure, residential commitment program; reenacting  
45 and amending s. 985.441, F.S.; authorizing a court to  
46 commit certain children to a moderate-risk, rather  
47 than nonsecure, residential placement under certain  
48 circumstances; amending s. 985.465, F.S.; revising the  
49 physically secure residential commitment program to  
50 send specified children to maximum-risk residential  
51 facilities rather than juvenile correctional  
52 facilities or prisons; amending s. 985.601, F.S.;  
53 revising certain required programs for rehabilitative  
54 treatment to include sex-specific programming rather  
55 than gender-specific programming; authorizing the  
56 department to use state or federal funds to purchase  
57 and distribute promotional and educational materials  
58 that are consistent with the dignity and integrity of

604-03135-24

20241352c1

59 the state for specified purposes; amending s. 985.619,  
60 F.S.; providing the board of trustees of the Florida  
61 Scholars Academy the power and duty to review and  
62 approve an annual academic calendar; authorizing the  
63 board of trustees to decrease the minimum number of  
64 days for instruction; amending s. 985.664, F.S.;  
65 requiring, rather than authorizing, each judicial  
66 circuit to have a juvenile justice circuit advisory  
67 board; requiring the juvenile justice circuit advisory  
68 board to work with the chief probation officer of the  
69 circuit to use data to inform policy and practices  
70 that better improve the juvenile justice continuum;  
71 deleting provisions relating to the juvenile justice  
72 circuit advisory board's purpose, duties, and  
73 responsibilities; decreasing the minimum number of  
74 members that each juvenile justice circuit advisory  
75 board is required to have; requiring that each member  
76 of the juvenile justice circuit advisory board be  
77 approved by the chief probation officer of the  
78 circuit, rather than the Secretary of Juvenile  
79 Justice; requiring the chief probation officer in each  
80 circuit to serve as the chair of the juvenile justice  
81 circuit advisory board for that circuit; deleting  
82 provisions relating to board membership and vacancies;  
83 deleting provisions relating to quorums and the  
84 passing of measures; deleting provisions requiring the  
85 establishment of executive committees and having  
86 bylaws; amending s. 985.676, F.S.; revising the  
87 required contents of a grant proposal applicants must

604-03135-24

20241352c1

88 submit to be considered for funding from an annual  
89 community juvenile justice partnership grant;  
90 requiring the department to consider the  
91 recommendations of community stakeholders, rather than  
92 the juvenile justice circuit advisory board, as to  
93 certain priorities; deleting the juvenile justice  
94 circuit advisory board from the entities to which each  
95 awarded grantee is required to submit an annual  
96 evaluation report; conforming a provision to changes  
97 made by the act; amending s. 1003.01, F.S.; revising  
98 the definition of the term "juvenile justice education  
99 programs or schools"; amending s. 1003.51, F.S.;  
100 revising requirements for certain State Board of  
101 Education rules to establish policies and standards  
102 for certain education programs; revising requirements  
103 for the Department of Education, in partnership with  
104 the Department of Juvenile Justice, the district  
105 school boards, and education providers, to develop and  
106 implements certain contract requirements and to  
107 maintain standardized required content of education  
108 records; revising district school board requirements;  
109 revising departmental requirements relating to  
110 juvenile justice education programs; amending s.  
111 1003.52, F.S.; revising the role of Coordinators for  
112 Juvenile Justice Education Programs in collecting  
113 certain information and developing certain protocols;  
114 deleting provisions relating to career and  
115 professional education (CAPE); requiring district  
116 school boards to select appropriate academic and

604-03135-24

20241352c1

117 career assessments to be administered at the time of  
118 program entry and exit; deleting provisions related to  
119 requiring residential juvenile justice education  
120 programs to provide certain CAPE courses; requiring  
121 each district school board to make provisions for high  
122 school level students to earn credits toward high  
123 school graduation while in juvenile justice detention,  
124 prevention, or day treatment programs; authorizing  
125 district school boards to contract with private  
126 providers for the provision of education programs to  
127 students placed in such programs; requiring each  
128 district school board to negotiate a cooperative  
129 agreement with the department on the delivery of  
130 educational services to students in such programs;  
131 revising requirements for such agreements; deleting  
132 provisions requiring the Department of Education, in  
133 consultation with the Department of Juvenile Justice,  
134 to adopt rules and collect data and report on certain  
135 programs; deleting a provision requiring that  
136 specified entities jointly develop a multiagency plan  
137 for CAPE; conforming provisions to changes made by the  
138 act; amending s. 330.41, F.S.; conforming a provision  
139 to changes made by the act; amending s. 553.865, F.S.;  
140 conforming cross-references and provisions to changes  
141 made by the act; amending s. 1001.42, F.S.; conforming  
142 a provision to changes made by the act; reenacting s.  
143 985.721, F.S., relating to escapes from secure  
144 detention or residential commitment facilities, to  
145 incorporate the amendment made to s. 985.03, F.S., in

604-03135-24

20241352c1

146 a reference thereto; reenacting s. 985.25(1), F.S.,  
147 relating to detention intakes, to incorporate the  
148 amendment made to s. 985.115, F.S., in a reference  
149 thereto; reenacting s. 985.255(3), F.S., relating to  
150 detention criteria and detention hearings, to  
151 incorporate the amendment made to s. 985.27, F.S., in  
152 a reference thereto; reenacting ss. 985.475(2)(h) and  
153 985.565(4)(b), F.S., relating to juvenile sexual  
154 offenders and juvenile sanctions, respectively, to  
155 incorporate the amendment made to s. 985.441, F.S., in  
156 references thereto; providing an effective date.

157  
158 Be It Enacted by the Legislature of the State of Florida:

159  
160 Section 1. Subsection (4) of section 381.887, Florida  
161 Statutes, is amended to read:

162 381.887 Emergency treatment for suspected opioid overdose.—

163 (4) The following persons are authorized to possess, store,  
164 and administer emergency opioid antagonists as clinically  
165 indicated and are immune from any civil liability or criminal  
166 liability as a result of administering an emergency opioid  
167 antagonist:

168 (a) Emergency responders, including, but not limited to,  
169 law enforcement officers, paramedics, and emergency medical  
170 technicians.

171 (b) Crime laboratory personnel for the statewide criminal  
172 analysis laboratory system as described in s. 943.32, including,  
173 but not limited to, analysts, evidence intake personnel, and  
174 their supervisors.

604-03135-24

20241352c1

175 (c) Personnel of a law enforcement agency or an other  
176 agency, including, but not limited to, correctional probation  
177 officers and child protective investigators who, while acting  
178 within the scope or course of employment, come into contact with  
179 a controlled substance or persons at risk of experiencing an  
180 opioid overdose.

181 (d) Personnel of the Department of Juvenile Justice and of  
182 any contracted provider with direct contact with youth  
183 authorized under chapter 984 or chapter 985.

184 Section 2. Subsection (4) of section 790.22, Florida  
185 Statutes, is amended to read:

186 790.22 Use of BB guns, air or gas-operated guns, or  
187 electric weapons or devices by minor under 16; limitation;  
188 possession of firearms by minor under 18 prohibited; penalties.-

189 (4) (a) Any parent or guardian of a minor, or other adult  
190 responsible for the welfare of a minor, who knowingly and  
191 willfully permits the minor to possess a firearm in violation of  
192 subsection (3) commits a felony of the third degree, punishable  
193 as provided in s. 775.082, s. 775.083, or s. 775.084.

194 (b) Any natural parent or adoptive parent, whether  
195 custodial or noncustodial, or any legal guardian or legal  
196 custodian of a minor, if that minor possesses a firearm in  
197 violation of subsection (3) may, if the court finds it  
198 appropriate, be required to participate in classes on parenting  
199 education which are approved by the Department of Juvenile  
200 Justice, upon the first conviction of the minor. Upon any  
201 subsequent conviction of the minor, the court may, if the court  
202 finds it appropriate, require the parent to attend further  
203 parent education classes or render community service hours

604-03135-24

20241352c1

204 together with the child.

205 (c) The ~~juvenile justice circuit advisory boards or the~~  
206 Department of Juvenile Justice shall establish appropriate  
207 community service programs to be available to the alternative  
208 sanctions coordinators of the circuit courts in implementing  
209 this subsection. The boards or department shall propose the  
210 implementation of a community service program in each circuit,  
211 and may submit a circuit plan, to be implemented upon approval  
212 of the circuit alternative sanctions coordinator.

213 (d) For the purposes of this section, community service may  
214 be provided on public property as well as on private property  
215 with the expressed permission of the property owner. Any  
216 community service provided on private property is limited to  
217 such things as removal of graffiti and restoration of vandalized  
218 property.

219 Section 3. Subsection (4) of section 938.17, Florida  
220 Statutes, is amended to read:

221 938.17 County delinquency prevention; juvenile assessment  
222 centers and school board suspension programs.—

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

229 Section 4. Subsection (2) of section 948.51, Florida  
230 Statutes, is amended to read:

231 948.51 Community corrections assistance to counties or  
232 county consortiums.—

604-03135-24

20241352c1

233 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A  
234 county, or a consortium of two or more counties, may contract  
235 with the Department of Corrections for community corrections  
236 funds as provided in this section. In order to enter into a  
237 community corrections partnership contract, a county or county  
238 consortium must have a public safety coordinating council  
239 established under s. 951.26 and must designate a county officer  
240 or agency to be responsible for administering community  
241 corrections funds received from the state. The public safety  
242 coordinating council shall prepare, develop, and implement a  
243 comprehensive public safety plan for the county, or the  
244 geographic area represented by the county consortium, and shall  
245 submit an annual report to the Department of Corrections  
246 concerning the status of the program. In preparing the  
247 comprehensive public safety plan, the public safety coordinating  
248 council shall cooperate with the Department of Juvenile Justice  
249 ~~juvenile justice circuit advisory board established under s.~~  
250 ~~985.664~~ in order to include programs and services for juveniles  
251 in the plan. To be eligible for community corrections funds  
252 under the contract, the initial public safety plan must be  
253 approved by the governing board of the county, or the governing  
254 board of each county within the consortium, and the Secretary of  
255 Corrections based on the requirements of this section. If one or  
256 more other counties develop a unified public safety plan, the  
257 public safety coordinating council shall submit a single  
258 application to the department for funding. Continued contract  
259 funding shall be pursuant to subsection (5). The plan for a  
260 county or county consortium must cover at least a 5-year period  
261 and must include:

604-03135-24

20241352c1

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

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

267 (c) Specific goals and objectives for reducing the  
268 projected percentage of commitments to the state prison system  
269 of persons with low total sentencing scores pursuant to the  
270 Criminal Punishment Code.

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

275 (e) The assessment of population status by the public  
276 safety coordinating council of all correctional facilities owned  
277 or contracted for by the county or by each county within the  
278 consortium.

279 (f) The assessment of bed space that is available for  
280 substance abuse intervention and treatment programs and the  
281 assessment of offenders in need of treatment who are committed  
282 to each correctional facility owned or contracted for by the  
283 county or by each county within the consortium.

284 (g) A description of program costs and sources of funds for  
285 each community corrections program, including community  
286 corrections funds, loans, state assistance, and other financial  
287 assistance.

288 Section 5. Subsections (1) and (7) of section 985.02,  
289 Florida Statutes, are amended to read:

290 985.02 Legislative intent for the juvenile justice system.-

604-03135-24

20241352c1

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

294 (a) Protection from abuse, neglect, and exploitation.

295 (b) A permanent and stable home.

296 (c) A safe and nurturing environment which will preserve a  
297 sense of personal dignity and integrity.

298 (d) Adequate nutrition, shelter, and clothing.

299 (e) Effective treatment to address physical, social, and  
300 emotional needs, regardless of geographical location.

301 (f) Equal opportunity and access to quality and effective  
302 education, which will meet the individual needs of each child,  
303 and to recreation and other community resources to develop  
304 individual abilities.

305 (g) Access to prevention programs and services.

306 (h) Sex-specific ~~Gender-specific~~ programming and sex-  
307 specific ~~gender-specific~~ program models and services that  
308 comprehensively address the needs of either sex ~~a targeted~~  
309 ~~gender group~~.

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

311 (a) The Legislature finds that the needs of children served  
312 by the juvenile justice system are sex-specific ~~gender-specific~~.  
313 A sex-specific ~~gender-specific~~ approach is one in which  
314 programs, services, and treatments comprehensively address the  
315 unique developmental needs of either sex ~~a targeted gender group~~  
316 under the care of the department. Young women and men have  
317 different pathways to delinquency, display different patterns of  
318 offending, and respond differently to interventions, treatment,  
319 and services.

604-03135-24

20241352c1

320 (b) Sex-specific ~~Gender-specific~~ interventions focus on the  
321 differences between young females' and young males' social roles  
322 and responsibilities, access to and use of resources, history of  
323 trauma, and reasons for interaction with the juvenile justice  
324 system. Sex-specific ~~Gender-specific~~ programs increase the  
325 effectiveness of programs by making interventions more  
326 appropriate to the specific needs of young women and men and  
327 ensuring that these programs do not unknowingly create,  
328 maintain, or reinforce sex ~~gender~~ roles or relations that may be  
329 damaging.

330 Section 6. Present subsections (46) through (54) of section  
331 985.03, Florida Statutes, are redesignated as subsections (47)  
332 through (55), respectively, a new subsection (46) is added to  
333 that section, and subsections (14) and (44) and present  
334 subsection (50) of that section are amended, to read:

335 985.03 Definitions.—As used in this chapter, the term:

336 (14) "Day treatment" means a nonresidential, community-  
337 based program designed to provide therapeutic intervention to  
338 youth who are served by the department or, placed on probation  
339 or conditional release, ~~or committed to the minimum-risk~~  
340 ~~nonresidential level~~. A day treatment program may provide  
341 educational and career and technical education services and  
342 shall provide case management services; individual, group, and  
343 family counseling; training designed to address delinquency risk  
344 factors; and monitoring of a youth's compliance with, and  
345 facilitation of a youth's completion of, sanctions if ordered by  
346 the court. Program types may include, but are not limited to,  
347 career programs, marine programs, juvenile justice alternative  
348 schools, training and rehabilitation programs, and sex-specific

604-03135-24

20241352c1

349 ~~gender-specific~~ programs.

350 (44) "Restrictiveness level" means the level of programming  
351 and security provided by programs that service the supervision,  
352 custody, care, and treatment needs of committed children.  
353 Sections 985.601(10) and 985.721 apply to children placed in  
354 programs at any residential commitment level. The  
355 restrictiveness levels of commitment are as follows:

356 (a) ~~*Minimum risk nonresidential.*~~ ~~Programs or program models~~  
357 ~~at this commitment level work with youth who remain in the~~  
358 ~~community and participate at least 5 days per week in a day~~  
359 ~~treatment program. Youth assessed and classified for programs at~~  
360 ~~this commitment level represent a minimum risk to themselves and~~  
361 ~~public safety and do not require placement and services in~~  
362 ~~residential settings. Youth in this level have full access to,~~  
363 ~~and reside in, the community. Youth who have been found to have~~  
364 ~~committed delinquent acts that involve firearms, that are sexual~~  
365 ~~offenses, or that would be life felonies or first degree~~  
366 ~~felonies if committed by an adult may not be committed to a~~  
367 ~~program at this level.~~

368 (b) *Moderate-risk Nonsecure residential.*—Programs or  
369 program models at this commitment level are residential but may  
370 allow youth to have supervised access to the community.  
371 Facilities at this commitment level are either environmentally  
372 secure, staff secure, or are hardware-secure with walls,  
373 fencing, or locking doors. Residential facilities at this  
374 commitment level shall have no more than 90 beds each, including  
375 campus-style programs, unless those campus-style programs  
376 include more than one treatment program using different  
377 treatment protocols, and have facilities that coexist separately

604-03135-24

20241352c1

378 in distinct locations on the same property. Facilities at this  
379 commitment level shall provide 24-hour awake supervision,  
380 custody, care, and treatment of residents. Youth assessed and  
381 classified for placement in programs at this commitment level  
382 represent a low or moderate risk to public safety and require  
383 close supervision. The staff at a facility at this commitment  
384 level may seclude a child who is a physical threat to himself or  
385 herself or others. Mechanical restraint may also be used when  
386 necessary.

387 (b)~~(e)~~ *High-risk residential.*—Programs or program models at  
388 this commitment level are residential and do not allow youth to  
389 have access to the community, except that temporary release  
390 providing community access for up to 72 continuous hours may be  
391 approved by a court for a youth who has made successful progress  
392 in his or her program in order for the youth to attend a family  
393 emergency or, during the final 60 days of his or her placement,  
394 to visit his or her home, enroll in school or a career and  
395 technical education program, complete a job interview, or  
396 participate in a community service project. High-risk  
397 residential facilities are hardware-secure with perimeter  
398 fencing and locking doors. Residential facilities at this  
399 commitment level shall have no more than 90 beds each, including  
400 campus-style programs, unless those campus-style programs  
401 include more than one treatment program using different  
402 treatment protocols, and have facilities that coexist separately  
403 in distinct locations on the same property. Facilities at this  
404 commitment level shall provide 24-hour awake supervision,  
405 custody, care, and treatment of residents. Youth assessed and  
406 classified for this level of placement require close supervision

604-03135-24

20241352c1

407 in a structured residential setting. Placement in programs at  
408 this level is prompted by a concern for public safety that  
409 outweighs placement in programs at lower commitment levels. The  
410 staff at a facility at this commitment level may seclude a child  
411 who is a physical threat to himself or herself or others.  
412 Mechanical restraint may also be used when necessary. The  
413 facility may provide for single cell occupancy, except that  
414 youth may be housed together during prerelease transition.

415 (c) ~~(d)~~ *Maximum-risk residential.* ~~Programs or program models~~  
416 ~~at this commitment level include juvenile correctional~~  
417 ~~facilities and juvenile prisons.~~ The programs at this commitment  
418 level are long-term residential and do not allow youth to have  
419 access to the community. Facilities at this commitment level are  
420 maximum-custody, hardware-secure with perimeter security fencing  
421 and locking doors. Residential facilities at this commitment  
422 level shall have no more than 90 beds each, including campus-  
423 style programs, unless those campus-style programs include more  
424 than one treatment program using different treatment protocols,  
425 and have facilities that coexist separately in distinct  
426 locations on the same property. Facilities at this commitment  
427 level shall provide 24-hour awake supervision, custody, care,  
428 and treatment of residents. The staff at a facility at this  
429 commitment level may seclude a child who is a physical threat to  
430 himself or herself or others. Mechanical restraint may also be  
431 used when necessary. Facilities at this commitment level shall  
432 provide for single cell occupancy, except that youth may be  
433 housed together during prerelease transition. Youth assessed and  
434 classified for this level of placement require close supervision  
435 in a maximum security residential setting. Placement in a

604-03135-24

20241352c1

436 program at this level is prompted by a demonstrated need to  
437 protect the public.

438 (46) "Sex" has the same meaning as in s. 553.865.

439 (51)~~(50)~~ "Temporary release" means the terms and conditions  
440 under which a child is temporarily released from a residential  
441 commitment facility or allowed home visits. If the temporary  
442 release is from a moderate-risk ~~nonsecure~~ residential facility,  
443 a high-risk residential facility, or a maximum-risk residential  
444 facility, the terms and conditions of the temporary release must  
445 be approved by the child, the court, and the facility.

446 Section 7. Subsection (2) of section 985.115, Florida  
447 Statutes, is amended to read:

448 985.115 Release or delivery from custody.—

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

453 (a) To the child's parent, guardian, or legal custodian or,  
454 if the child's parent, guardian, or legal custodian is  
455 unavailable, unwilling, or unable to provide supervision for the  
456 child, to any responsible adult. Prior to releasing the child to  
457 a responsible adult, other than the parent, guardian, or legal  
458 custodian, the person taking the child into custody may conduct  
459 a criminal history background check of the person to whom the  
460 child is to be released. If the person has a prior felony  
461 conviction, or a conviction for child abuse, drug trafficking,  
462 or prostitution, that person is not a responsible adult for the  
463 purposes of this section. The person to whom the child is  
464 released shall agree to inform the department or the person

604-03135-24

20241352c1

465 releasing the child of the child's subsequent change of address  
466 and to produce the child in court at such time as the court may  
467 direct, and the child shall join in the agreement.

468 (b) Contingent upon specific appropriation, to a shelter  
469 approved by the department or to an authorized agent.

470 (c) If the child is believed to be suffering from a serious  
471 physical condition which requires either prompt diagnosis or  
472 prompt treatment, to a law enforcement officer who shall deliver  
473 the child to a hospital for necessary evaluation and treatment.

474 (d) If the child is believed to be mentally ill as defined  
475 in s. 394.463(1), to a law enforcement officer who shall take  
476 the child to a designated public receiving facility as defined  
477 in s. 394.455 for examination under s. 394.463.

478 (e) If the child appears to be intoxicated and has  
479 threatened, attempted, or inflicted physical harm on himself or  
480 herself or another, or is incapacitated by substance abuse, to a  
481 law enforcement officer who shall deliver the child to a  
482 hospital, addictions receiving facility, or treatment resource.

483 (f) If available, to a juvenile assessment center equipped  
484 and staffed to assume custody of the child for the purpose of  
485 assessing the needs of the child in custody. The center may then  
486 release or deliver the child under this section with a copy of  
487 the assessment. A juvenile assessment center may not be  
488 considered a facility that can receive a child under paragraph  
489 (c), paragraph (d), or paragraph (e).

490 Section 8. Subsections (3) and (4) of section 985.126,  
491 Florida Statutes, are amended to read:

492 985.126 Diversion programs; data collection; denial of  
493 participation or expunged record.—

604-03135-24

20241352c1

494 (3) (a) Beginning October 1, 2018, each diversion program  
495 shall submit data to the department which identifies for each  
496 minor participating in the diversion program:

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

498 2. The offense committed, including the specific law  
499 establishing the offense.

500 3. The judicial circuit and county in which the offense was  
501 committed and the law enforcement agency that had contact with  
502 the minor for the offense.

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

506 (b) Beginning October 1, 2018, each law enforcement agency  
507 shall submit to the department data that identifies for each  
508 minor who was eligible for a diversion program, but was instead  
509 referred to the department, provided a notice to appear, or  
510 arrested:

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

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

514 a. Not offered such opportunity, the reason such offer was  
515 not made.

516 b. Offered such opportunity, whether the minor or his or  
517 her parent or legal guardian declined to participate in the  
518 diversion program.

519 (c) The data required pursuant to paragraph (a) shall be  
520 entered into the Juvenile Justice Information System Prevention  
521 Web within 7 days after the youth's admission into the program.

522 (d) The data required pursuant to paragraph (b) shall be

604-03135-24

20241352c1

523 submitted on or with the arrest affidavit or notice to appear.

524 (4) Beginning January 1, 2019, the department shall compile  
525 and semiannually publish the data required by subsection (3) on  
526 the department's website in a format that is, at a minimum,  
527 sortable by judicial circuit, county, law enforcement agency,  
528 race, ethnicity, sex ~~gender~~, age, and offense committed.

529 Section 9. Subsection (3) of section 985.17, Florida  
530 Statutes, is amended to read:

531 985.17 Prevention services.—

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

534 (a) Focus on preventing initial or further involvement of  
535 such youth in the juvenile justice system by including services  
536 such as literacy services, sex-specific ~~gender-specific~~  
537 programming, recreational services, and after-school services,  
538 and should include targeted services to troubled, truant,  
539 ungovernable, abused, trafficked, or runaway youth. To decrease  
540 the likelihood that a youth will commit a delinquent act, the  
541 department should use mentoring and may provide specialized  
542 services addressing the strengthening of families, job training,  
543 and substance abuse.

544 (b) Address the multiple needs of such youth in order to  
545 decrease the prevalence of disproportionate minority  
546 representation in the juvenile justice system.

547 Section 10. Paragraph (a) of subsection (2) of section  
548 985.26, Florida Statutes, is amended to read:

549 985.26 Length of detention.—

550 (2) (a) 1. A court may order a child to be placed on  
551 supervised release detention care for any time period until an

604-03135-24

20241352c1

552 adjudicatory hearing is completed. However, if a child has  
553 served 60 days on supervised release detention care, the court  
554 must conduct a hearing within 15 days after the 60th day, to  
555 determine the need for continued supervised release detention  
556 care. At the hearing, and upon good cause being shown that the  
557 nature of the charge requires additional time for the  
558 prosecution or defense of the case or that the totality of the  
559 circumstances, including the preservation of public safety,  
560 warrants an extension, the court may order the child to remain  
561 on supervised release detention care until the adjudicatory  
562 hearing is completed.

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

568 3. This section does not prohibit a court from  
569 transitioning a child to and from secure detention care and  
570 supervised release detention care, including electronic  
571 monitoring, when the court finds such a placement necessary, or  
572 no longer necessary, to preserve public safety or to ensure the  
573 child's safety, appearance in court, or compliance with a court  
574 order. Such transition may be initiated upon the court's own  
575 motion, or upon a motion of the child or of the state, and after  
576 considering any information provided by the department regarding  
577 the child's adjustment to detention supervision. Each period of  
578 secure detention care or supervised release detention care  
579 counts toward the time limitations in this subsection whether  
580 served consecutively or nonconsecutively.

604-03135-24

20241352c1

581 Section 11. Section 985.27, Florida Statutes, is amended to  
582 read:

583 985.27 Postdisposition detention while awaiting residential  
584 commitment placement.—The court must place all children who are  
585 adjudicated and awaiting placement in a moderate-risk ~~nonsecure~~,  
586 high-risk, or maximum-risk residential commitment program in  
587 secure detention care until the placement or commitment is  
588 accomplished.

589 Section 12. Subsection (2) of section 985.441, Florida  
590 Statutes, is amended, and paragraph (b) of subsection (1) and  
591 subsection (4) of that section are reenacted, to read:

592 985.441 Commitment.—

593 (1) The court that has jurisdiction of an adjudicated  
594 delinquent child may, by an order stating the facts upon which a  
595 determination of a sanction and rehabilitative program was made  
596 at the disposition hearing:

597 (b) Commit the child to the department at a restrictiveness  
598 level defined in s. 985.03. Such commitment must be for the  
599 purpose of exercising active control over the child, including,  
600 but not limited to, custody, care, training, monitoring for  
601 substance abuse, electronic monitoring, and treatment of the  
602 child and release of the child from residential commitment into  
603 the community in a postcommitment nonresidential conditional  
604 release program. If the child is not successful in the  
605 conditional release program, the department may use the transfer  
606 procedure under subsection (4).

607 (2) Notwithstanding subsection (1), the court having  
608 jurisdiction over an adjudicated delinquent child whose offense  
609 is a misdemeanor, or a child who is currently on probation for a

604-03135-24

20241352c1

610 misdemeanor, may not commit the child for any misdemeanor  
611 offense or any probation violation that is technical in nature  
612 and not a new violation of law at a restrictiveness level other  
613 than minimum-risk nonresidential. However, the court may commit  
614 such child to a moderate-risk ~~nonsecure~~ residential placement  
615 if:

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

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

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

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

627 (4) The department may transfer a child, when necessary to  
628 appropriately administer the child's commitment, from one  
629 facility or program to another facility or program operated,  
630 contracted, subcontracted, or designated by the department,  
631 including a postcommitment nonresidential conditional release  
632 program, except that the department may not transfer any child  
633 adjudicated solely for a misdemeanor to a residential program  
634 except as provided in subsection (2). The department shall  
635 notify the court that committed the child to the department and  
636 any attorney of record for the child, in writing, of its intent  
637 to transfer the child from a commitment facility or program to  
638 another facility or program of a higher or lower restrictiveness

604-03135-24

20241352c1

639 level. If the child is under the jurisdiction of a dependency  
640 court, the department shall also provide notice to the  
641 dependency court and the Department of Children and Families,  
642 and, if appointed, the Guardian Ad Litem Program and the child's  
643 attorney ad litem. The court that committed the child may agree  
644 to the transfer or may set a hearing to review the transfer. If  
645 the court does not respond within 10 days after receipt of the  
646 notice, the transfer of the child shall be deemed granted.

647 Section 13. Section 985.465, Florida Statutes, is amended  
648 to read:

649 985.465 Maximum-risk residential ~~Juvenile correctional~~  
650 ~~facilities or juvenile prison.~~—A maximum-risk juvenile  
651 ~~correctional~~ facility ~~or juvenile prison~~ is a physically secure  
652 residential commitment program with a designated length of stay  
653 from 18 months to 36 months, primarily serving children 13 years  
654 of age to 19 years of age or until the jurisdiction of the court  
655 expires. Each child committed to this level must meet one of the  
656 following criteria:

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

- 660 (a) Arson;
- 661 (b) Sexual battery;
- 662 (c) Robbery;
- 663 (d) Kidnapping;
- 664 (e) Aggravated child abuse;
- 665 (f) Aggravated assault;
- 666 (g) Aggravated stalking;
- 667 (h) Murder;

604-03135-24

20241352c1

668 (i) Manslaughter;

669 (j) Unlawful throwing, placing, or discharging of a  
670 destructive device or bomb;

671 (k) Armed burglary;

672 (l) Aggravated battery;

673 (m) Carjacking;

674 (n) Home-invasion robbery;

675 (o) Burglary with an assault or battery;

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

678 (q) Carrying, displaying, using, threatening to use, or  
679 attempting to use a weapon or firearm during the commission of a  
680 felony.

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

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

688 (4) The child is at least 13 years of age at the time of  
689 the disposition for the current offense, the child is eligible  
690 for prosecution as an adult for the current offense, and the  
691 current offense is ranked at level 7 or higher on the Criminal  
692 Punishment Code offense severity ranking chart pursuant to s.  
693 921.0022.

694 Section 14. Paragraph (a) of subsection (3) of section  
695 985.601, Florida Statutes, is amended, and subsection (12) is  
696 added to that section, to read:

604-03135-24

20241352c1

697 985.601 Administering the juvenile justice continuum.—  
698 (3) (a) The department shall develop or contract for  
699 diversified and innovative programs to provide rehabilitative  
700 treatment, including early intervention and prevention,  
701 diversion, comprehensive intake, case management, diagnostic and  
702 classification assessments, trauma-informed care, individual and  
703 family counseling, family engagement resources and programs,  
704 sex-specific ~~gender-specific~~ programming, shelter care,  
705 diversified detention care emphasizing alternatives to secure  
706 detention, diversified probation, halfway houses, foster homes,  
707 community-based substance abuse treatment services, community-  
708 based mental health treatment services, community-based  
709 residential and nonresidential programs, mother-infant programs,  
710 and environmental programs. The department may pay expenses in  
711 support of innovative programs and activities that address  
712 identified needs and the well-being of children in the  
713 department's care or under its supervision, subject to the  
714 requirements of chapters 215, 216, and 287. Each program shall  
715 place particular emphasis on reintegration and conditional  
716 release for all children in the program.

717 (12) The department may use state or federal funds to  
718 purchase and distribute promotional and educational materials  
719 that are consistent with the dignity and integrity of the state  
720 for all of the following purposes:

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

724 (b) Staff recruitment at job fairs, career fairs, community  
725 events, the Institute for Commercialization of Florida

604-03135-24

20241352c1

726 Technology, community college campuses, or state university  
727 campuses.

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

732 Section 15. Paragraph (b) of subsection (4) of section  
733 985.619, Florida Statutes, is amended to read:

734 985.619 Florida Scholars Academy.—

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

736 (b) The board of trustees shall have the following powers  
737 and duties:

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

740 2. Be responsible for the Florida Scholars Academy's  
741 development of an education delivery system that is cost-  
742 effective, high-quality, educationally sound, and capable of  
743 sustaining an effective delivery system.

744 3.a. Identify appropriate performance measures and  
745 standards based on student achievement which reflect the  
746 school's statutory mission and priorities, and implement an  
747 accountability system approved by the State Board of Education  
748 for the school by the 2024-2025 school year which includes an  
749 assessment of its effectiveness and efficiency in providing  
750 quality services that encourage high student achievement,  
751 seamless articulation, and maximum access to career  
752 opportunities.

753 b. For the 2024-2025 school year, the results of the  
754 accountability system must serve as an informative baseline for

604-03135-24

20241352c1

755 the academy as it works to improve performance in future years.

756 4. Administer and maintain the educational programs of the  
757 Florida Scholars Academy in accordance with law and department  
758 rules, in consultation with the State Board of Education.

759 5. With the approval of the secretary of the department or  
760 his or her designee, determine the compensation, including  
761 salaries and fringe benefits, and other conditions of employment  
762 for such personnel, in alignment with the Florida Scholars  
763 Academy's provider contracts.

764 6. The employment of all Florida Scholars Academy  
765 administrative and instructional personnel are subject to  
766 rejection for cause by the secretary of the department or his or  
767 her designee and are subject to policies established by the  
768 board of trustees.

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

771 8. Maintain the financial records and accounts of the  
772 Florida Scholars Academy in compliance with rules adopted by the  
773 State Board of Education for the uniform system of financial  
774 records and accounts for the schools of this state.

775 9. Is a body corporate with all the powers of a body  
776 corporate and may exercise such authority as is needed for the  
777 proper operation and improvement of the Florida Scholars  
778 Academy. The board of trustees is specifically authorized to  
779 adopt rules, policies, and procedures, consistent with law and  
780 State Board of Education rules related to governance, personnel,  
781 budget and finance, administration, programs, curriculum and  
782 instruction, travel and purchasing, technology, students,  
783 contracts and grants, and property as necessary for optimal,

604-03135-24

20241352c1

784 efficient operation of the Florida Scholars Academy.

785 10. Notwithstanding any rule to the contrary, review and  
786 approve an annual academic calendar to provide educational  
787 services to youth for a school year composed of 250 days or  
788 1,250 hours of instruction for students enrolled in a  
789 traditional K-12 education pathway, distributed over 12 months.  
790 The board of trustees may decrease the minimum number of days  
791 for instruction by up to 20 days or 100 hours for teacher  
792 planning.

793 Section 16. Section 985.664, Florida Statutes, is amended  
794 to read:

795 985.664 Juvenile justice circuit advisory boards.—

796 (1) Each judicial circuit in this state shall have ~~There is~~  
797 ~~authorized~~ a juvenile justice circuit advisory board ~~to be~~  
798 ~~established in each of the 20 judicial circuits.~~ The ~~Except in~~  
799 ~~single-county circuits,~~ each juvenile justice circuit advisory  
800 board shall work with the chief probation officer of the circuit  
801 to use data to inform policies and practices that better improve  
802 the juvenile justice continuum ~~have a county organization~~  
803 ~~representing each of the counties in the circuit. The county~~  
804 ~~organization shall report directly to the juvenile justice~~  
805 ~~circuit advisory board on the juvenile justice needs of the~~  
806 ~~county. The purpose of each juvenile justice circuit advisory~~  
807 ~~board is to provide advice and direction to the department in~~  
808 ~~the development and implementation of juvenile justice programs~~  
809 ~~and to work collaboratively with the department in seeking~~  
810 ~~program improvements and policy changes to address the emerging~~  
811 ~~and changing needs of Florida's youth who are at risk of~~  
812 ~~delinquency.~~

604-03135-24

20241352c1

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

815           ~~(a) Developing a comprehensive plan for the circuit. The~~  
816 ~~initial circuit plan shall be submitted to the department no~~  
817 ~~later than December 31, 2014, and no later than June 30 every 3~~  
818 ~~years thereafter. The department shall prescribe a format and~~  
819 ~~content requirements for the submission of the comprehensive~~  
820 ~~plan.~~

821           ~~(b) Participating in the facilitation of interagency~~  
822 ~~cooperation and information sharing.~~

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

826           ~~(d) Providing recommendations to the department in the~~  
827 ~~evaluation of prevention and early intervention grant programs,~~  
828 ~~including the Community Juvenile Justice Partnership Grant~~  
829 ~~program established in s. 985.676 and proceeds from the Invest~~  
830 ~~in Children license plate annual use fees.~~

831           ~~(e) Providing an annual report to the department describing~~  
832 ~~the board's activities. The department shall prescribe a format~~  
833 ~~and content requirements for submission of annual reports. The~~  
834 ~~annual report must be submitted to the department no later than~~  
835 ~~August 1 of each year.~~

836           ~~(3)~~ Each juvenile justice circuit advisory board shall have  
837 a minimum of 14 ~~16~~ members. The membership of each board must  
838 reflect:

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

840           (b) Diversity in the judicial circuit.

841           (3) ~~(4)~~ Each member of the juvenile justice circuit advisory

604-03135-24

20241352c1

842 board must be approved by the chief probation officer of the  
843 circuit ~~Secretary of Juvenile Justice~~, except those members  
844 listed in paragraphs (a), (b), (c), (e), (f), (g), and (h). The  
845 juvenile justice circuit advisory boards established under  
846 subsection (1) must include as members:

847 (a) The state attorney or his or her designee.

848 (b) The public defender or his or her designee.

849 (c) The chief judge or his or her designee.

850 (d) A representative of the corresponding circuit or  
851 regional entity of the Department of Children and Families.

852 (e) The sheriff or the sheriff's designee from each county  
853 in the circuit.

854 (f) A police chief or his or her designee from each county  
855 in the circuit.

856 (g) A county commissioner or his or her designee from each  
857 county in the circuit.

858 (h) The superintendent of each school district in the  
859 circuit or his or her designee.

860 (i) A representative from the workforce organization of  
861 each county in the circuit.

862 (j) A representative of the business community.

863 (k) A youth representative who has had an experience with  
864 the juvenile justice system and is not older than 21 years of  
865 age.

866 (l) A representative of the faith community.

867 (m) A health services representative who specializes in  
868 mental health care, victim-service programs, or victims of  
869 crimes.

870 (n) A parent or family member of a youth who has been

604-03135-24

20241352c1

871 involved with the juvenile justice system.

872 (o) Up to three ~~five~~ representatives from ~~any of the~~  
873 community ~~following who are not otherwise represented in this~~  
874 ~~subsection:~~

875 ~~1. Community leaders.~~

876 ~~2. Youth-serving coalitions.~~

877 ~~(4)(5) The chief probation officer in each circuit shall~~  
878 ~~serve as the chair of the juvenile justice circuit advisory~~  
879 ~~board for that circuit When a vacancy in the office of the chair~~  
880 ~~occurs, the juvenile justice circuit advisory board shall~~  
881 ~~appoint a new chair, who must meet the board membership~~  
882 ~~requirements in subsection (4). The chair shall appoint members~~  
883 ~~to vacant seats within 45 days after the vacancy and submit the~~  
884 ~~appointments to the department for approval. The chair shall~~  
885 ~~serve at the pleasure of the Secretary of Juvenile Justice.~~

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

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

896 ~~(8) In order for a juvenile justice circuit advisory board~~  
897 ~~measure or position to pass, it must receive more than 50~~  
898 ~~percent of the vote.~~

899 ~~(9) Each juvenile justice circuit advisory board must~~

604-03135-24

20241352c1

900 ~~provide for the establishment of an executive committee of not~~  
901 ~~more than 10 members. The duties and authority of the executive~~  
902 ~~committee must be addressed in the bylaws.~~

903 ~~(10) Each juvenile justice circuit advisory board shall~~  
904 ~~have bylaws. The department shall prescribe a format and content~~  
905 ~~requirements for the bylaws. All bylaws must be approved by the~~  
906 ~~department. The bylaws shall address at least the following~~  
907 ~~issues: election or appointment of officers; filling of vacant~~  
908 ~~positions; meeting attendance requirements; and the~~  
909 ~~establishment and duties of an executive committee.~~

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

912 Section 17. Subsections (1) and (2) of section 985.676,  
913 Florida Statutes, are amended to read:

914 985.676 Community juvenile justice partnership grants.—

915 (1) GRANTS; CRITERIA.—

916 (a) In order to encourage the development of a circuit  
917 juvenile justice plan ~~and the development and implementation of~~  
918 ~~circuit interagency agreements under s. 985.664~~, the community  
919 juvenile justice partnership grant program is established and  
920 shall be administered by the department.

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

923 1. The participation of the agencies and programs needed to  
924 implement the project or program for which the applicant is  
925 applying;

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

604-03135-24

20241352c1

929           3. The number of youths from 10 through 17 years of age  
930 within the geographic area to be served by the program, giving  
931 those geographic areas having the highest number of youths from  
932 10 to 17 years of age priority for selection;

933           4. The extent to which the program targets high-juvenile-  
934 crime neighborhoods and those public schools serving juveniles  
935 from high-crime neighborhoods;

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

937           6. The degree to which the program is located in and  
938 managed by local leaders of the target neighborhoods and public  
939 schools serving the target neighborhoods.

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

942           1. The circuit juvenile justice plan and any county  
943 juvenile justice plans that are referred to or incorporated into  
944 the circuit plan, including a list of individuals, groups, and  
945 public and private entities that participated in the development  
946 of the plan.

947           2. The diversity of community entities participating in the  
948 development of the circuit juvenile justice plan.

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

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

953           5. The criteria by which the grant program will be  
954 evaluated and, if deemed successful, the feasibility of  
955 implementation in other communities.

956           (2) GRANT APPLICATION PROCEDURES.—

957           (a) Each entity wishing to apply for an annual community

604-03135-24

20241352c1

958 juvenile justice partnership grant, which may be renewed for a  
959 maximum of 2 additional years for the same provision of  
960 services, shall submit a grant proposal for funding or continued  
961 funding to the department. The department shall establish the  
962 grant application procedures. In order to be considered for  
963 funding, the grant proposal shall include the following  
964 assurances and information:

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

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

971 ~~2.3.~~ A method for identification of the juveniles most  
972 likely to be involved in the juvenile justice system who will be  
973 the focus of the program.

974 ~~3.4.~~ Provisions for the participation of parents and  
975 guardians in the program.

976 ~~4.5.~~ Coordination with other community-based and social  
977 service prevention efforts, including, but not limited to, drug  
978 and alcohol abuse prevention and dropout prevention programs,  
979 that serve the target population or neighborhood.

980 ~~5.6.~~ An evaluation component to measure the effectiveness  
981 of the program in accordance with s. 985.632.

982 ~~6.7.~~ A program budget, including the amount and sources of  
983 local cash and in-kind resources committed to the budget. The  
984 proposal must establish to the satisfaction of the department  
985 that the entity will make a cash or in-kind contribution to the  
986 program of a value that is at least equal to 20 percent of the

604-03135-24

20241352c1

987 amount of the grant.

988 ~~7.8.~~ The necessary program staff.

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

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

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

1000 (e) Each entity that is awarded a grant as provided for in  
1001 this section shall submit an annual evaluation report to the  
1002 department and, the circuit juvenile justice manager, ~~and the~~  
1003 ~~juvenile justice circuit advisory board~~, by a date subsequent to  
1004 the end of the contract period established by the department,  
1005 documenting the extent to which the program objectives have been  
1006 met, the effect of the program on the juvenile arrest rate, and  
1007 any other information required by the department. The department  
1008 shall coordinate and incorporate all such annual evaluation  
1009 reports with s. 985.632. Each entity is also subject to a  
1010 financial audit and a performance audit.

1011 (f) The department may establish rules and policy  
1012 provisions necessary to implement this section.

1013 Section 18. Paragraph (a) of subsection (14) of section  
1014 1003.01, Florida Statutes, is amended to read:

1015 1003.01 Definitions.—As used in this chapter, the term:

604-03135-24

20241352c1

1016 (14) (a) "Juvenile justice education programs or schools"  
1017 means programs or schools operating for the purpose of providing  
1018 educational services to youth in Department of Juvenile Justice  
1019 programs, for a school year composed of 250 days of instruction,  
1020 or the equivalent expressed in hours as specified in State Board  
1021 of Education rule, distributed over 12 months. If the period of  
1022 operation is expressed in hours, the State Board of Education  
1023 must review the calculation annually. ~~The use of the equivalent~~  
1024 ~~expressed in hours is only applicable to nonresidential~~  
1025 ~~programs. At the request of the provider,~~ A district school  
1026 board, including an educational entity under s. 985.619, may  
1027 decrease the minimum number of days of instruction by ~~up to 10~~  
1028 ~~days for teacher planning for residential programs~~ and up to 20  
1029 days or equivalent hours as specified in the State Board of  
1030 Education rule for teacher planning ~~for nonresidential programs,~~  
1031 subject to the approval of the Department of Juvenile Justice  
1032 and the Department of Education.

1033 Section 19. Subsections (2) through (5) of section 1003.51,  
1034 Florida Statutes, are amended to read:

1035 1003.51 Other public educational services.—

1036 (2) The State Board of Education shall adopt rules  
1037 articulating expectations for effective education programs for  
1038 students in Department of Juvenile Justice programs, including,  
1039 but not limited to, education programs in juvenile justice  
1040 prevention, day treatment, ~~residential,~~ and detention programs.  
1041 The rules ~~rule~~ shall establish policies and standards for  
1042 education programs for students in Department of Juvenile  
1043 Justice programs and shall include the following:

1044 (a) The interagency collaborative process needed to ensure

604-03135-24

20241352c1

1045 effective programs with measurable results.

1046 (b) The responsibilities of the Department of Education,  
1047 the Department of Juvenile Justice, CareerSource Florida, Inc.,  
1048 district school boards, and providers of education services to  
1049 students in Department of Juvenile Justice programs.

1050 (c) Academic expectations.

1051 (d) Career expectations.

1052 (e) Education transition planning and services.

1053 (f) Service delivery options available to district school  
1054 boards, including direct service and contracting.

1055 (g) Assessment procedures, which:

1056 1. For prevention and 7 day treatment, ~~and residential~~  
1057 ~~programs~~, include appropriate academic and career assessments  
1058 administered at program entry and exit that are selected by the  
1059 district school board ~~Department of Education~~ in partnership  
1060 with representatives from the Department of Education, the  
1061 Department of Juvenile Justice, ~~district school boards~~, and  
1062 education providers. ~~Assessments must be completed within the~~  
1063 ~~first 10 school days after a student's entry into the program.~~

1064 2. Provide for determination of the areas of academic need  
1065 and strategies for appropriate intervention and instruction for  
1066 each student in a detention facility within 5 school days after  
1067 the student's entry into the program and administer a research-  
1068 based assessment that will assist the student in determining his  
1069 or her educational and career options and goals ~~within 22 school~~  
1070 ~~days after the student's entry into the program.~~

1071  
1072 The results of these assessments, together with a portfolio  
1073 depicting the student's academic and career accomplishments,

604-03135-24

20241352c1

1074 shall be included in the discharge packet assembled for each  
1075 student.

1076 (h) Recommended instructional programs, using course  
1077 delivery models aligned to the state academic standards. Options  
1078 may include direct instruction, blended learning pursuant to s.  
1079 1011.61(1), or district virtual instruction programs, virtual  
1080 charter schools, Florida Virtual School (FLVS), virtual course  
1081 offerings, and district franchises of FLVS pursuant to ss.  
1082 1002.33, 1002.37, 1002.45, 1002.455, 1003.498, and 1011.62(1),  
1083 and credit recovery course procedures including, but not limited  
1084 to:

- 1085 1. Secondary education.
- 1086 2. High school equivalency examination preparation.
- 1087 3. Postsecondary education.
- 1088 4. Career and technical ~~professional~~ education ~~(CAPE)~~.
- 1089 5. Job preparation.
- 1090 6. Virtual education that:

1091 a. Provides competency-based instruction that addresses the  
1092 unique academic needs of the student through delivery by an  
1093 entity accredited by a Department of Education-approved  
1094 accrediting body ~~AdvanceED or the Southern Association of~~  
1095 ~~Colleges and Schools.~~

1096 b. Confers certifications and diplomas.

1097 c. Issues credit that articulates with and transcripts that  
1098 are recognized by secondary schools.

1099 d. Allows the student to continue to access and progress  
1100 through the program once the student leaves the juvenile justice  
1101 system.

1102 (i) Funding requirements, which must provide that at least

604-03135-24

20241352c1

1103 95 percent of the FEFP funds generated by students in Department  
1104 of Juvenile Justice programs or in an education program for  
1105 juveniles under s. 985.19 must be spent on instructional costs  
1106 for those students. Department of Juvenile Justice education  
1107 programs are entitled to 100 percent of the formula-based  
1108 categorical funds generated by students in Department of  
1109 Juvenile Justice programs. Such funds must be spent on  
1110 appropriate categoricals, such as instructional materials and  
1111 public school technology for those students.

1112 (j) Qualifications of instructional staff, procedures for  
1113 the selection of instructional staff, and procedures for  
1114 consistent instruction and qualified staff year-round.  
1115 Qualifications shall include those for instructors of career and  
1116 technical education ~~CAPE~~ courses, standardized across the state,  
1117 and shall be based on state certification, local school district  
1118 approval, and industry-recognized certifications as identified  
1119 on the Master Credential ~~CAPE Industry Certification Funding~~  
1120 List. Procedures for the use of noncertified instructional  
1121 personnel who possess expert knowledge or experience in their  
1122 fields of instruction shall be established.

1123 (k) Transition services, including the roles and  
1124 responsibilities of appropriate personnel in the juvenile  
1125 justice education program, the school district where the student  
1126 will reenter, provider organizations, and the Department of  
1127 Juvenile Justice.

1128 (l) Procedures and timeframe for transfer of education  
1129 records when a student enters and leaves a Department of  
1130 Juvenile Justice education program.

1131 (m) The requirement that each district school board

604-03135-24

20241352c1

1132 maintain an academic transcript for each student enrolled in a  
1133 juvenile justice education program that delineates each course  
1134 completed by the student as provided by the State Course Code  
1135 Directory.

1136 (n) The requirement that each district school board make  
1137 available and transmit a copy of a student's transcript in the  
1138 discharge packet when the student exits a juvenile justice  
1139 education program.

1140 (o) Contract requirements.

1141 (p) Accountability and school improvement requirements as  
1142 public alternative schools pursuant to ss. 1008.31, 1008.34,  
1143 1008.341, and 1008.345 ~~Performance expectations for providers~~  
1144 ~~and district school boards, including student performance~~  
1145 ~~measures by type of program, education program performance~~  
1146 ~~ratings, school improvement, and corrective action plans for~~  
1147 ~~low-performing programs.~~

1148 (q) The role and responsibility of the district school  
1149 board in securing workforce development funds.

1150 ~~(r) A series of graduated sanctions for district school~~  
1151 ~~boards whose educational programs in Department of Juvenile~~  
1152 ~~Justice programs are considered to be unsatisfactory and for~~  
1153 ~~instances in which district school boards fail to meet standards~~  
1154 ~~prescribed by law, rule, or State Board of Education policy.~~  
1155 ~~These sanctions shall include the option of requiring a district~~  
1156 ~~school board to contract with a provider or another district~~  
1157 ~~school board if the educational program at the Department of~~  
1158 ~~Juvenile Justice program is performing below minimum standards~~  
1159 ~~and, after 6 months, is still performing below minimum~~  
1160 ~~standards.~~

604-03135-24

20241352c1

1161 ~~(s)~~ Curriculum, school guidance counseling, transition, and  
1162 education services expectations, including curriculum  
1163 flexibility for detention centers operated by the Department of  
1164 Juvenile Justice.

1165 (s) ~~(t)~~ Other aspects of program operations.

1166 (3) The Department of Education in partnership with the  
1167 Department of Juvenile Justice, the district school boards, and  
1168 providers shall:

1169 (a) Develop and implement requirements for contracts and  
1170 cooperative agreements regarding the delivery of appropriate  
1171 education services to students in Department of Juvenile Justice  
1172 education programs. The minimum contract requirements shall  
1173 include, but are not limited to, payment structure and amounts;  
1174 access to district services; contract management provisions;  
1175 data reporting requirements, including reporting of full-time  
1176 equivalent student membership; accountability requirements and  
1177 corrective action plans, if needed; administration of federal  
1178 programs such as Title I, exceptional student education, and the  
1179 federal Strengthening Career and Technical Education for the  
1180 21st Century Act ~~Carl D. Perkins Career and Technical Education~~  
1181 ~~Act of 2006~~; and the policy and standards included in subsection  
1182 (2).

1183 (b) Develop and implement procedures for transitioning  
1184 students into and out of Department of Juvenile Justice  
1185 education programs. These procedures shall reflect the policy  
1186 and standards adopted pursuant to subsection (2).

1187 (c) Maintain standardized required content of education  
1188 records to be included as part of a student's commitment record  
1189 and procedures for securing the student's records. The education

604-03135-24

20241352c1

1190 records shall include, but not be limited to, the following:

1191 1. A copy of the student's individual educational plan,  
1192 Section 504 plan, or behavioral plan, if applicable.

1193 2. A copy of the student's individualized progress  
1194 monitoring plan.

1195 3. A copy of the student's individualized transition plan.

1196 4. Data on student performance on assessments taken  
1197 according to s. 1008.22.

1198 5. A copy of the student's permanent cumulative record.

1199 6. A copy of the student's academic transcript.

1200 7. A portfolio reflecting the student's academic  
1201 accomplishments and industry certification earned, when age  
1202 appropriate, while in the Department of Juvenile Justice  
1203 program.

1204 (d) Establish the roles and responsibilities of the  
1205 juvenile probation officer and others involved in the withdrawal  
1206 of the student from school and assignment to a juvenile justice  
1207 education program.

1208 (4) Each district school board shall:

1209 (a) Notify students in juvenile justice education programs  
1210 who attain the age of 16 years of the law regarding compulsory  
1211 school attendance and make available the option of enrolling in  
1212 an education program to attain a Florida high school diploma by  
1213 taking the high school equivalency examination before release  
1214 from the program. The Department of Education shall assist  
1215 juvenile justice education programs with becoming high school  
1216 equivalency examination centers.

1217 (b) Respond to requests for student education records  
1218 received from another district school board or a juvenile

604-03135-24

20241352c1

1219 justice education program within 3 ~~5~~ working days after  
1220 receiving the request.

1221 (c) Provide access to courses offered pursuant to ss.  
1222 1002.37, 1002.45, 1002.455, and 1003.498. School districts and  
1223 providers may enter into cooperative agreements for the  
1224 provision of curriculum associated with courses offered pursuant  
1225 to s. 1003.498 to enable providers to offer such courses.

1226 (d) Complete the assessment process required by subsection  
1227 (2).

1228 (e) Monitor compliance with contracts for education  
1229 programs for students in juvenile justice prevention, day  
1230 treatment, ~~residential~~, and detention programs.

1231 (5) The Department of Education shall issue an alternative  
1232 school improvement rating for prevention and day treatment  
1233 prevention juvenile justice education programs, pursuant to s.  
1234 1008.341 ~~establish and operate, either directly or indirectly~~  
1235 ~~through a contract, a mechanism to provide accountability~~  
1236 ~~measures that annually assesses and evaluates all juvenile~~  
1237 ~~justice education programs using student performance data and~~  
1238 ~~program performance ratings by type of program and shall provide~~  
1239 ~~technical assistance and related research to district school~~  
1240 ~~boards and juvenile justice education providers. The Department~~  
1241 ~~of Education, with input from the Department of Juvenile~~  
1242 ~~Justice, school districts, and education providers, shall~~  
1243 ~~develop annual recommendations for system and school~~  
1244 ~~improvement.~~

1245 Section 20. Section 1003.52, Florida Statutes, is amended  
1246 to read:

1247 1003.52 Educational services in Department of Juvenile

604-03135-24

20241352c1

1248 Justice programs.—

1249 (1) The Department of Education shall serve as the lead  
1250 agency for juvenile justice education programs, curriculum,  
1251 support services, and resources. To this end, the Department of  
1252 Education and the Department of Juvenile Justice shall each  
1253 designate a Coordinator for Juvenile Justice Education Programs  
1254 to serve as the point of contact for resolving issues not  
1255 addressed by district school boards and to provide each  
1256 department's participation in the following activities:

1257 (a) Training, collaborating, and coordinating with district  
1258 school boards, local workforce development boards, ~~and local~~  
1259 ~~youth councils~~, educational contract providers, and juvenile  
1260 justice providers, whether state operated or contracted.

1261 (b) Collecting information on the academic, career and  
1262 technical professional education ~~(CAPE)~~, and transition  
1263 performance of students in juvenile justice programs and  
1264 reporting on the results.

1265 (c) Developing academic and career and technical education  
1266 ~~CAPE~~ protocols that provide guidance to district school boards  
1267 and juvenile justice education providers in all aspects of  
1268 education programming, including records transfer and  
1269 transition.

1270 ~~(d) Implementing a joint accountability, program~~  
1271 ~~performance, and program improvement process.~~

1272  
1273 Annually, a cooperative agreement and plan for juvenile justice  
1274 education service enhancement shall be developed between the  
1275 Department of Juvenile Justice and the Department of Education  
1276 and submitted to the Secretary of Juvenile Justice and the

604-03135-24

20241352c1

1277 Commissioner of Education by June 30. The plan shall include, at  
1278 a minimum, each agency's role regarding educational program  
1279 accountability, technical assistance, training, and coordination  
1280 of services.

1281 (2) Students participating in Department of Juvenile  
1282 Justice education programs pursuant to chapter 985 which are  
1283 sponsored by a community-based agency or are operated or  
1284 contracted for by the Department of Juvenile Justice shall  
1285 receive education programs according to rules of the State Board  
1286 of Education. These students shall be eligible for services  
1287 afforded to students enrolled in programs pursuant to s. 1003.53  
1288 and all corresponding State Board of Education rules.

1289 (3) The district school board of the county in which the  
1290 juvenile justice education prevention, day treatment,  
1291 ~~residential~~, or detention program is located shall provide or  
1292 contract for appropriate educational assessments and an  
1293 appropriate program of instruction and special education  
1294 services.

1295 (a) All contracts between a district school board desiring  
1296 to contract directly with juvenile justice education programs to  
1297 provide academic instruction for students in such programs must  
1298 be in writing and reviewed by the Department of Juvenile  
1299 Justice. Unless both parties agree to an extension of time, the  
1300 district school board and the juvenile justice education program  
1301 shall negotiate and execute a new or renewal contract within 40  
1302 days after the district school board provides the proposal to  
1303 the juvenile justice education program. The Department of  
1304 Education shall provide mediation services for any disputes  
1305 relating to this paragraph.

604-03135-24

20241352c1

1306 (b) District school boards shall satisfy invoices issued by  
1307 juvenile justice education programs within 15 working days after  
1308 receipt. If a district school board does not timely issue a  
1309 warrant for payment, it must pay to the juvenile justice  
1310 education program interest at a rate of 1 percent per month,  
1311 calculated on a daily basis, on the unpaid balance until such  
1312 time as a warrant is issued for the invoice and accrued interest  
1313 amount. The district school board may not delay payment to a  
1314 juvenile justice education program of any portion of funds owed  
1315 pending the district's receipt of local funds.

1316 (c) The district school board shall make provisions for  
1317 each student to participate in basic career and technical  
1318 education, ~~CAPE~~, and exceptional student programs, as  
1319 appropriate. Students served in Department of Juvenile Justice  
1320 education programs shall have access to the appropriate courses  
1321 and instruction to prepare them for the high school equivalency  
1322 examination. Students participating in high school equivalency  
1323 examination preparation programs shall be funded at the basic  
1324 program cost factor for Department of Juvenile Justice programs  
1325 in the Florida Education Finance Program. Each program shall be  
1326 conducted according to applicable law providing for the  
1327 operation of public schools and rules of the State Board of  
1328 Education. School districts shall provide the high school  
1329 equivalency examination exit option for all juvenile justice  
1330 education programs, except for residential programs operated  
1331 under s. 985.619.

1332 (d) The district school board shall select appropriate  
1333 academic and career assessments to be administered at the time  
1334 of program entry and exit for the purpose of developing goals

604-03135-24

20241352c1

1335 for education transition plans, progress monitoring plans,  
1336 individual education plans, as applicable, and federal  
1337 reporting, as applicable ~~The Department of Education, with the~~  
1338 ~~assistance of the school districts and juvenile justice~~  
1339 ~~education providers, shall select a common student assessment~~  
1340 ~~instrument and protocol for measuring student learning gains and~~  
1341 ~~student progression while a student is in a juvenile justice~~  
1342 ~~education program. The Department of Education and the~~  
1343 ~~Department of Juvenile Justice shall jointly review the~~  
1344 ~~effectiveness of this assessment and implement changes as~~  
1345 ~~necessary.~~

1346 (4) Educational services shall be provided at times of the  
1347 day most appropriate for the juvenile justice program. School  
1348 programming in juvenile justice detention, prevention, or day  
1349 treatment, ~~and residential~~ programs shall be made available by  
1350 the local school district during the juvenile justice school  
1351 year, as provided in s. 1003.01(14). In addition, students in  
1352 juvenile justice education programs shall have access to courses  
1353 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The  
1354 Department of Education and the school districts shall adopt  
1355 policies necessary to provide such access.

1356 (5) The educational program shall provide instruction based  
1357 on each student's individualized transition plan, assessed  
1358 educational needs, and the education programs available in the  
1359 school district in which the student will return. Depending on  
1360 the student's needs, educational programming may consist of  
1361 remedial courses, academic courses required for grade  
1362 advancement, career and technical education ~~CAPE~~ ~~courses~~, high  
1363 school equivalency examination preparation, or exceptional

604-03135-24

20241352c1

1364 student education curricula and related services which support  
1365 the transition goals and reentry and which may lead to  
1366 completion of the requirements for receipt of a high school  
1367 diploma or its equivalent. Prevention and day treatment juvenile  
1368 justice education programs, at a minimum, shall provide career  
1369 readiness and exploration opportunities as well as truancy and  
1370 dropout prevention intervention services. Residential juvenile  
1371 justice education programs with a contracted minimum length of  
1372 stay of 9 months shall provide CAPE courses that lead to  
1373 ~~preapprentice certifications and industry certifications.~~  
1374 ~~Programs with contracted lengths of stay of less than 9 months~~  
1375 ~~may provide career education courses that lead to preapprentice~~  
1376 ~~certifications and CAPE industry certifications. If the duration~~  
1377 ~~of a program is less than 40 days, the educational component may~~  
1378 ~~be limited to tutorial remediation activities, career~~  
1379 ~~employability skills instruction, education counseling, and~~  
1380 ~~transition services that prepare students for a return to~~  
1381 ~~school, the community, and their home settings based on the~~  
1382 ~~students' needs.~~

1383 (6) Participation in the program by students of compulsory  
1384 school-attendance age as provided for in s. 1003.21 shall be  
1385 mandatory. All students of noncompulsory school-attendance age  
1386 who have not received a high school diploma or its equivalent  
1387 shall participate in the educational program, unless the student  
1388 files a formal declaration of his or her intent to terminate  
1389 school enrollment as described in s. 1003.21 and is afforded the  
1390 opportunity to take the high school equivalency examination and  
1391 attain a Florida high school diploma before release from a  
1392 juvenile justice education program. A student who has received a

604-03135-24

20241352c1

1393 high school diploma or its equivalent and is not employed shall  
1394 participate in workforce development ~~or other CAPE education~~ or  
1395 Florida College System institution or university courses while  
1396 in the program, subject to available funding.

1397 (7) An individualized progress monitoring plan shall be  
1398 developed for all students ~~not classified as exceptional~~  
1399 ~~education students~~ upon entry in a juvenile justice education  
1400 program and upon reentry in the school district. These plans  
1401 shall address academic, literacy, and career and technical  
1402 skills and shall include provisions for intensive remedial  
1403 instruction in the areas of weakness.

1404 (8) Each district school board shall maintain an academic  
1405 record for each student enrolled in a juvenile justice education  
1406 program as prescribed by s. 1003.51. Such record shall delineate  
1407 each course completed by the student according to procedures in  
1408 the State Course Code Directory. The district school board shall  
1409 include a copy of a student's academic record in the discharge  
1410 packet when the student exits the program.

1411 (9) Each district school board shall make provisions for  
1412 high school level students to earn credits toward high school  
1413 graduation while in ~~residential and nonresidential~~ juvenile  
1414 justice detention, prevention, or day treatment education  
1415 programs. Provisions must be made for the transfer of credits  
1416 and partial credits earned.

1417 (10) School districts and juvenile justice education  
1418 providers shall develop individualized transition plans during  
1419 the course of a student's stay in a juvenile justice education  
1420 program to coordinate academic, career and technical, and  
1421 secondary and postsecondary services that assist the student in

604-03135-24

20241352c1

1422 successful community reintegration upon release. Development of  
1423 the transition plan shall be a collaboration of the personnel in  
1424 the juvenile justice education program, reentry personnel,  
1425 personnel from the school district where the student will  
1426 return, the student, the student's family, and the Department of  
1427 Juvenile Justice ~~personnel for committed students~~.

1428 (a) Transition planning must begin upon a student's  
1429 placement in the program. The transition plan must include, at a  
1430 minimum:

1431 1. Services and interventions that address the student's  
1432 assessed educational needs and postrelease education plans.

1433 2. Services to be provided during the program stay and  
1434 services to be implemented upon release, including, but not  
1435 limited to, continuing education in secondary school, career and  
1436 technical education ~~CAPE programs~~, postsecondary education, or  
1437 employment, based on the student's needs.

1438 3. Specific monitoring responsibilities to determine  
1439 whether the individualized transition plan is being implemented  
1440 and the student is provided access to support services that will  
1441 sustain the student's success by individuals who are responsible  
1442 for the reintegration and coordination of these activities.

1443 (b) For the purpose of transition planning and reentry  
1444 services, representatives from the school district and the one-  
1445 stop center where the student will return shall participate as  
1446 members of the local Department of Juvenile Justice reentry  
1447 teams. The school district, upon return of a student from a  
1448 juvenile justice education program, must consider the individual  
1449 needs and circumstances of the student and the transition plan  
1450 recommendations when reenrolling a student in a public school. A

604-03135-24

20241352c1

1451 local school district may not maintain a standardized policy for  
1452 all students returning from a juvenile justice program but place  
1453 students based on their needs and their performance in the  
1454 juvenile justice education program, including any virtual  
1455 education options.

1456 (c) The Department of Education and the Department of  
1457 Juvenile Justice shall provide oversight and guidance to school  
1458 districts, education providers, and reentry personnel on how to  
1459 implement effective educational transition planning and  
1460 services.

1461 (11) The district school board shall recruit and train  
1462 teachers who are ~~interested,~~ qualified, ~~or experienced~~ in  
1463 educating students in juvenile justice programs. Students in  
1464 juvenile justice programs shall be provided a wide range of  
1465 education programs and opportunities including instructional  
1466 materials ~~textbooks,~~ technology, instructional support, and  
1467 resources commensurate with resources provided to students in  
1468 public schools, including instructional materials ~~textbooks~~ and  
1469 access to technology. If the district school board operates a  
1470 juvenile justice education program at a juvenile justice  
1471 facility, the district school board, in consultation with the  
1472 director of the juvenile justice facility, shall select the  
1473 instructional personnel assigned to that program. The Secretary  
1474 of Juvenile Justice or the director of a juvenile justice  
1475 program may request that the performance of a teacher assigned  
1476 by the district to a juvenile justice education program be  
1477 reviewed by the district and that the teacher be reassigned  
1478 based upon an evaluation conducted pursuant to s. 1012.34 or for  
1479 inappropriate behavior. Juvenile justice education programs

604-03135-24

20241352c1

1480 shall have access to the substitute teacher pool used by the  
1481 district school board.

1482 (12) District school boards may contract with a private  
1483 provider for the provision of education programs to students  
1484 placed in juvenile justice detention, prevention, or day  
1485 treatment programs with the Department of Juvenile Justice and  
1486 shall generate local, state, and federal funding, including  
1487 funding through the Florida Education Finance Program for such  
1488 students. The district school board's planning and budgeting  
1489 process shall include the needs of Department of Juvenile  
1490 Justice education programs in the district school board's plan  
1491 for expenditures for state categorical and federal funds.

1492 (13) (a) Eligible students enrolled in juvenile justice  
1493 detention, prevention, or day treatment education programs shall  
1494 be funded the same as students enrolled in traditional public  
1495 schools funded in the Florida Education Finance Program and as  
1496 specified in s. 1011.62 and the General Appropriations Act.

1497 (b) Juvenile justice education programs to receive the  
1498 appropriate FEFP funding for Department of Juvenile Justice  
1499 education programs shall include those operated through a  
1500 contract with the Department of Juvenile Justice.

1501 (c) Consistent with the rules of the State Board of  
1502 Education, district school boards shall request an alternative  
1503 FTE survey for Department of Juvenile Justice education programs  
1504 experiencing fluctuations in student enrollment.

1505 (d) FTE count periods shall be prescribed in rules of the  
1506 State Board of Education and shall be the same for programs of  
1507 the Department of Juvenile Justice as for other public school  
1508 programs. The summer school period for students in Department of

604-03135-24

20241352c1

1509 Juvenile Justice education programs shall begin on the day  
1510 immediately following the end of the regular school year and end  
1511 on the day immediately preceding the subsequent regular school  
1512 year. Students shall be funded for no more than 25 hours per  
1513 week of direct instruction.

1514 (e) Each juvenile justice education program must receive  
1515 all federal funds for which the program is eligible.

1516 (14) Each district school board shall negotiate a  
1517 cooperative agreement with the Department of Juvenile Justice on  
1518 the delivery of educational services to students in juvenile  
1519 justice detention, prevention, or day treatment programs under  
1520 the jurisdiction of the Department of Juvenile Justice. Such  
1521 agreement must include, but is not limited to:

1522 (a) Roles and responsibilities of each agency, including  
1523 the roles and responsibilities of contract providers.

1524 (b) Administrative issues including procedures for sharing  
1525 information.

1526 (c) Allocation of resources including maximization of  
1527 local, state, and federal funding.

1528 (d) Procedures for educational evaluation for educational  
1529 exceptionalities and special needs.

1530 (e) Curriculum and delivery of instruction.

1531 (f) Classroom management procedures and attendance  
1532 policies.

1533 (g) Procedures for provision of qualified instructional  
1534 personnel, whether supplied by the district school board or  
1535 provided under contract by the provider, and for performance of  
1536 duties while in a juvenile justice setting.

1537 (h) Provisions for improving skills in teaching and working

604-03135-24

20241352c1

1538 with students referred to juvenile justice education programs.

1539 (i) Transition plans for students moving into and out of  
1540 juvenile justice education programs.

1541 (j) Procedures and timelines for the timely documentation  
1542 of credits earned and transfer of student records.

1543 (k) Methods and procedures for dispute resolution.

1544 (l) Provisions for ensuring the safety of education  
1545 personnel and support for the agreed-upon education program.

1546 (m) Strategies for correcting any deficiencies found  
1547 through the alternative school improvement rating accountability  
1548 ~~and evaluation system~~ and student performance measures.

1549 (n) Career and academic assessments selected by the  
1550 district pursuant to paragraph (3) (d).

1551 (15) Nothing in this section or in a cooperative agreement  
1552 requires the district school board to provide more services than  
1553 can be supported by the funds generated by students in the  
1554 juvenile justice programs.

1555 (16) ~~The Department of Education, in consultation with the~~  
1556 ~~Department of Juvenile Justice, district school boards, and~~  
1557 ~~providers, shall adopt rules establishing:~~

1558 (a) ~~Objective and measurable student performance measures~~  
1559 ~~to evaluate a student's educational progress while participating~~  
1560 ~~in a prevention, day treatment, or residential program. The~~  
1561 ~~student performance measures must be based on appropriate~~  
1562 ~~outcomes for all students in juvenile justice education~~  
1563 ~~programs, taking into consideration the student's length of stay~~  
1564 ~~in the program. Performance measures shall include outcomes that~~  
1565 ~~relate to student achievement of career education goals,~~  
1566 ~~acquisition of employability skills, receipt of a high school~~

604-03135-24

20241352c1

1567 ~~diploma or its equivalent, grade advancement, and the number of~~  
1568 ~~CAPE industry certifications earned.~~

1569 ~~(b) A performance rating system to be used by the~~  
1570 ~~Department of Education to evaluate the delivery of educational~~  
1571 ~~services within each of the juvenile justice programs. The~~  
1572 ~~performance rating shall be primarily based on data regarding~~  
1573 ~~student performance as described in paragraph (a).~~

1574 ~~(c) The timeframes, procedures, and resources to be used to~~  
1575 ~~improve a low-rated educational program or to terminate or~~  
1576 ~~reassign the program.~~

1577 ~~(d) The Department of Education, in partnership with the~~  
1578 ~~Department of Juvenile Justice, shall develop a comprehensive~~  
1579 ~~accountability and program improvement process. The~~  
1580 ~~accountability and program improvement process shall be based on~~  
1581 ~~student performance measures by type of program and shall rate~~  
1582 ~~education program performance. The accountability system shall~~  
1583 ~~identify and recognize high-performing education programs. The~~  
1584 ~~Department of Education, in partnership with the Department of~~  
1585 ~~Juvenile Justice, shall identify low-performing programs. Low-~~  
1586 ~~performing education programs shall receive an onsite program~~  
1587 ~~evaluation from the Department of Juvenile Justice. School~~  
1588 ~~improvement, technical assistance, or the reassignment of the~~  
1589 ~~program shall be based, in part, on the results of the program~~  
1590 ~~evaluation. Through a corrective action process, low-performing~~  
1591 ~~programs must demonstrate improvement or the programs shall be~~  
1592 ~~reassigned.~~

1593 ~~(17) The department, in collaboration with the Department~~  
1594 ~~of Juvenile Justice, shall collect data and report on~~  
1595 ~~commitment, day treatment, prevention, and detention programs.~~

604-03135-24

20241352c1

1596 ~~The report shall be submitted to the President of the Senate,~~  
1597 ~~the Speaker of the House of Representatives, and the Governor by~~  
1598 ~~February 1 of each year. The report must include, at a minimum:~~

1599 ~~(a) The number and percentage of students who:~~

1600 ~~1. Return to an alternative school, middle school, or high~~  
1601 ~~school upon release and the attendance rate of such students~~  
1602 ~~before and after participation in juvenile justice education~~  
1603 ~~programs.~~

1604 ~~2. Receive a standard high school diploma or a high school~~  
1605 ~~equivalency diploma.~~

1606 ~~3. Receive industry certification.~~

1607 ~~4. Enroll in a postsecondary educational institution.~~

1608 ~~5. Complete a juvenile justice education program without~~  
1609 ~~reoffending.~~

1610 ~~6. Reoffend within 1 year after completion of a day~~  
1611 ~~treatment or residential commitment program.~~

1612 ~~7. Remain employed 1 year after completion of a day~~  
1613 ~~treatment or residential commitment program.~~

1614 ~~8. Demonstrate learning gains pursuant to paragraph (3) (d).~~

1615 ~~(b) The following cost data for each juvenile justice~~  
1616 ~~education program:~~

1617 ~~1. The amount of funding provided by district school boards~~  
1618 ~~to juvenile justice programs and the amount retained for~~  
1619 ~~administration, including documenting the purposes of such~~  
1620 ~~expenses.~~

1621 ~~2. The status of the development of cooperative agreements.~~

1622 ~~3. Recommendations for system improvement.~~

1623 ~~4. Information on the identification of, and services~~  
1624 ~~provided to, exceptional students, to determine whether these~~

604-03135-24

20241352c1

1625 ~~students are properly reported for funding and are appropriately~~  
1626 ~~served.~~

1627 ~~(18)~~ The district school board shall not be charged any  
1628 rent, maintenance, utilities, or overhead on such facilities.  
1629 Maintenance, repairs, and remodeling of existing detention  
1630 facilities shall be provided by the Department of Juvenile  
1631 Justice.

1632 (17)~~(19)~~ When additional facilities are required for  
1633 juvenile justice detention, prevention, or day treatment  
1634 programs, the district school board and the Department of  
1635 Juvenile Justice shall agree on the appropriate site based on  
1636 the instructional needs of the students. When the most  
1637 appropriate site for instruction is on district school board  
1638 property, a special capital outlay request shall be made by the  
1639 commissioner in accordance with s. 1013.60. When the most  
1640 appropriate site is on state property, state capital outlay  
1641 funds shall be requested by the Department of Juvenile Justice  
1642 provided by s. 216.043 and shall be submitted as specified by s.  
1643 216.023. Any instructional facility to be built on state  
1644 property shall have educational specifications jointly developed  
1645 by the district school board and the Department of Juvenile  
1646 Justice and approved by the Department of Education. The size of  
1647 space and occupant design capacity criteria as provided by State  
1648 Board of Education rules shall be used for remodeling or new  
1649 construction whether facilities are provided on state property  
1650 or district school board property.

1651 (18)~~(20)~~ The parent of an exceptional student shall have  
1652 the due process rights provided for in this chapter.

1653 (19)~~(21)~~ The State Board of Education shall adopt rules

604-03135-24

20241352c1

1654 necessary to implement this section. Such rules must require the  
1655 minimum amount of paperwork and reporting.

1656 ~~(22) The Department of Juvenile Justice and the Department  
1657 of Education, in consultation with CareerSource Florida, Inc.,  
1658 the statewide Workforce Development Youth Council, district  
1659 school boards, Florida College System institutions, providers,  
1660 and others, shall jointly develop a multiagency plan for CAPE  
1661 which describes the funding, curriculum, transfer of credits,  
1662 goals, and outcome measures for career education programming in  
1663 juvenile commitment facilities, pursuant to s. 985.622. The plan  
1664 must be reviewed annually.~~

1665 Section 21. Paragraph (a) of subsection (2) of section  
1666 330.41, Florida Statutes, is amended to read:

1667 330.41 Unmanned Aircraft Systems Act.—

1668 (2) DEFINITIONS.—As used in this act, the term:

1669 (a) "Critical infrastructure facility" means any of the  
1670 following, if completely enclosed by a fence or other physical  
1671 barrier that is obviously designed to exclude intruders, or if  
1672 clearly marked with a sign or signs which indicate that entry is  
1673 forbidden and which are posted on the property in a manner  
1674 reasonably likely to come to the attention of intruders:

1675 1. A power generation or transmission facility, substation,  
1676 switching station, or electrical control center.

1677 2. A chemical or rubber manufacturing or storage facility.

1678 3. A water intake structure, water treatment facility,  
1679 wastewater treatment plant, or pump station.

1680 4. A mining facility.

1681 5. A natural gas or compressed gas compressor station,  
1682 storage facility, or natural gas or compressed gas pipeline.

604-03135-24

20241352c1

- 1683           6. A liquid natural gas or propane gas terminal or storage  
1684 facility.
- 1685           7. Any portion of an aboveground oil or gas pipeline.
- 1686           8. A refinery.
- 1687           9. A gas processing plant, including a plant used in the  
1688 processing, treatment, or fractionation of natural gas.
- 1689           10. A wireless communications facility, including the  
1690 tower, antennae, support structures, and all associated ground-  
1691 based equipment.
- 1692           11. A seaport as listed in s. 311.09(1), which need not be  
1693 completely enclosed by a fence or other physical barrier and  
1694 need not be marked with a sign or signs indicating that entry is  
1695 forbidden.
- 1696           12. An inland port or other facility or group of facilities  
1697 serving as a point of intermodal transfer of freight in a  
1698 specific area physically separated from a seaport.
- 1699           13. An airport as defined in s. 330.27.
- 1700           14. A spaceport territory as defined in s. 331.303(18).
- 1701           15. A military installation as defined in 10 U.S.C. s.  
1702 2801(c)(4) and an armory as defined in s. 250.01.
- 1703           16. A dam as defined in s. 373.403(1) or other structures,  
1704 such as locks, floodgates, or dikes, which are designed to  
1705 maintain or control the level of navigable waterways.
- 1706           17. A state correctional institution as defined in s.  
1707 944.02 or a private correctional facility authorized under  
1708 chapter 957.
- 1709           18. A secure detention center or facility as defined in s.  
1710 985.03, or a moderate-risk ~~nonsecure~~ residential facility, a  
1711 high-risk residential facility, or a maximum-risk residential

604-03135-24

20241352c1

1712 facility as those terms are described in s. 985.03(44).

1713 19. A county detention facility as defined in s. 951.23.

1714 20. A critical infrastructure facility as defined in s.  
1715 692.201.

1716 Section 22. Paragraphs (c) and (j) of subsection (3),  
1717 paragraph (a) of subsection (10), and paragraph (f) of  
1718 subsection (12) of section 553.865, Florida Statutes, are  
1719 amended to read:

1720 553.865 Private spaces.—

1721 (3) As used in this section, the term:

1722 (c) "Covered entity" means any:

1723 1. Correctional institution;

1724 2. Detention facility;

1725 3. Educational institution;

1726 4. Maximum-risk residential facilities ~~Juvenile~~  
1727 ~~correctional facility or juvenile prison~~ as described in s.  
1728 985.465, any detention center or facility designated by the  
1729 Department of Juvenile Justice to provide secure detention as  
1730 defined in s. 985.03(18)(a), and any facility used for a  
1731 residential program as described in s. 985.03(44) ~~s.~~  
1732 ~~985.03(44)(b), (c), or (d)~~; or

1733 5. Public building.

1734 (j) "Public building" means a building comfort-conditioned  
1735 for occupancy which is owned or leased by the state, a state  
1736 agency, or a political subdivision. The term does not include a  
1737 correctional institution, a detention facility, an educational  
1738 institution, a maximum-risk residential ~~juvenile correctional~~  
1739 ~~facility or juvenile prison~~ as described in s. 985.465, a  
1740 detention center or facility designated by the Department of

604-03135-24

20241352c1

1741 Juvenile Justice to provide secure detention as defined in s.  
1742 985.03(18) (a), or any facility used for a residential program as  
1743 described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~.

1744 (10) (a) Each maximum-risk residential ~~juvenile correctional~~  
1745 ~~facility or juvenile prison~~ as described in s. 985.465, each  
1746 detention center or facility designated by the Department of  
1747 Juvenile Justice to provide secure detention as defined in s.  
1748 985.03(18) (a), and each facility used for a residential program  
1749 as described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~  
1750 shall establish disciplinary procedures for any juvenile as  
1751 defined in s. 985.03(7) who willfully enters, for a purpose  
1752 other than those listed in subsection (6), a restroom or  
1753 changing facility designated for the opposite sex in such  
1754 juvenile correctional facility, juvenile prison, secure  
1755 detention center or facility, or residential program facility  
1756 and refuses to depart when asked to do so by delinquency program  
1757 staff, detention staff, or residential program staff.

1758 (12) A covered entity that is:

1759 (f) A maximum-risk residential ~~juvenile correctional~~  
1760 ~~facility or juvenile prison~~ as described in s. 985.465, a  
1761 detention center or facility designated by the Department of  
1762 Juvenile Justice to provide secure detention as defined in s.  
1763 985.03(18) (a), or a facility used for a residential program as  
1764 described in s. 985.03(44) ~~s. 985.03(44) (b), (c), or (d)~~ shall  
1765 submit documentation to the Department of Juvenile Justice  
1766 regarding compliance with subsections (4) and (5), as  
1767 applicable, within 1 year after being established or, if such  
1768 institution or facility was established before July 1, 2023, no  
1769 later than April 1, 2024.

604-03135-24

20241352c1

1770 Section 23. Paragraph (c) of subsection (18) of section  
1771 1001.42, Florida Statutes, is amended to read:

1772 1001.42 Powers and duties of district school board.—The  
1773 district school board, acting as a board, shall exercise all  
1774 powers and perform all duties listed below:

1775 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
1776 Maintain a system of school improvement and education  
1777 accountability as provided by statute and State Board of  
1778 Education rule. This system of school improvement and education  
1779 accountability shall be consistent with, and implemented  
1780 through, the district's continuing system of planning and  
1781 budgeting required by this section and ss. 1008.385, 1010.01,  
1782 and 1011.01. This system of school improvement and education  
1783 accountability shall comply with the provisions of ss. 1008.33,  
1784 1008.34, 1008.345, and 1008.385 and include the following:

1785 (c) *Public disclosure*.—The district school board shall  
1786 provide information regarding the performance of students and  
1787 educational programs as required pursuant to ss. 1008.22 and  
1788 1008.385 and implement a system of school reports as required by  
1789 statute and State Board of Education rule which shall include  
1790 schools operating for the purpose of providing educational  
1791 services to students in Department of Juvenile Justice programs,  
1792 ~~and for those schools, report on the elements specified in s.~~  
1793 ~~1003.52(17)~~. Annual public disclosure reports shall be in an  
1794 easy-to-read report card format and shall include the school's  
1795 grade, high school graduation rate calculated without high  
1796 school equivalency examinations, disaggregated by student  
1797 ethnicity, and performance data as specified in state board  
1798 rule.

604-03135-24

20241352c1

1799 Section 24. For the purpose of incorporating the amendment  
1800 made by this act to section 985.03, Florida Statutes, in a  
1801 reference thereto, section 985.721, Florida Statutes, is  
1802 reenacted to read:

1803 985.721 Escapes from secure detention or residential  
1804 commitment facility.—An escape from:

1805 (1) Any secure detention facility maintained for the  
1806 temporary detention of children, pending adjudication,  
1807 disposition, or placement;

1808 (2) Any residential commitment facility described in s.  
1809 985.03(44), maintained for the custody, treatment, punishment,  
1810 or rehabilitation of children found to have committed delinquent  
1811 acts or violations of law; or

1812 (3) Lawful transportation to or from any such secure  
1813 detention facility or residential commitment facility,

1814  
1815 constitutes escape within the intent and meaning of s. 944.40  
1816 and is a felony of the third degree, punishable as provided in  
1817 s. 775.082, s. 775.083, or s. 775.084.

1818 Section 25. For the purpose of incorporating the amendment  
1819 made by this act to section 985.115, Florida Statutes, in a  
1820 reference thereto, subsection (1) of section 985.25, Florida  
1821 Statutes, is reenacted to read:

1822 985.25 Detention intake.—

1823 (1) The department shall receive custody of a child who has  
1824 been taken into custody from the law enforcement agency or court  
1825 and shall review the facts in the law enforcement report or  
1826 probable cause affidavit and make such further inquiry as may be  
1827 necessary to determine whether detention care is appropriate.

604-03135-24

20241352c1

1828 (a) During the period of time from the taking of the child  
1829 into custody to the date of the detention hearing, the initial  
1830 decision as to the child's placement into detention care shall  
1831 be made by the department under ss. 985.24 and 985.245(1).

1832 (b) The department shall base the decision whether to place  
1833 the child into detention care on an assessment of risk in  
1834 accordance with the risk assessment instrument and procedures  
1835 developed by the department under s. 985.245, except that a  
1836 child shall be placed in secure detention care until the child's  
1837 detention hearing if the child meets the criteria specified in  
1838 s. 985.255(1)(f), is charged with possessing or discharging a  
1839 firearm on school property in violation of s. 790.115, or is  
1840 charged with any other offense involving the possession or use  
1841 of a firearm.

1842 (c) If the final score on the child's risk assessment  
1843 instrument indicates detention care is appropriate, but the  
1844 department otherwise determines the child should be released,  
1845 the department shall contact the state attorney, who may  
1846 authorize release.

1847 (d) If the final score on the risk assessment instrument  
1848 indicates detention is not appropriate, the child may be  
1849 released by the department in accordance with ss. 985.115 and  
1850 985.13.

1851  
1852 Under no circumstances shall the department or the state  
1853 attorney or law enforcement officer authorize the detention of  
1854 any child in a jail or other facility intended or used for the  
1855 detention of adults, without an order of the court.

1856 Section 26. For the purpose of incorporating the amendment

604-03135-24

20241352c1

1857 made by this act to section 985.27, Florida Statutes, in a  
1858 reference thereto, subsection (3) of section 985.255, Florida  
1859 Statutes, is reenacted to read:

1860 985.255 Detention criteria; detention hearing.—

1861 (3) (a) The purpose of the detention hearing required under  
1862 subsection (1) is to determine the existence of probable cause  
1863 that the child has committed the delinquent act or violation of  
1864 law that he or she is charged with and the need for continued  
1865 detention. The court shall use the results of the risk  
1866 assessment performed by the department and, based on the  
1867 criteria in subsection (1), shall determine the need for  
1868 continued detention. If the child is a prolific juvenile  
1869 offender who is detained under s. 985.26(2)(c), the court shall  
1870 use the results of the risk assessment performed by the  
1871 department and the criteria in subsection (1) or subsection (2)  
1872 only to determine whether the prolific juvenile offender should  
1873 be held in secure detention.

1874 (b) If the court orders a placement more restrictive than  
1875 indicated by the results of the risk assessment instrument, the  
1876 court shall state, in writing, clear and convincing reasons for  
1877 such placement.

1878 (c) Except as provided in s. 790.22(8) or s. 985.27, when a  
1879 child is placed into detention care, or into a respite home or  
1880 other placement pursuant to a court order following a hearing,  
1881 the court order must include specific instructions that direct  
1882 the release of the child from such placement no later than 5  
1883 p.m. on the last day of the detention period specified in s.  
1884 985.26 or s. 985.27, whichever is applicable, unless the  
1885 requirements of such applicable provision have been met or an

604-03135-24

20241352c1

1886 order of continuance has been granted under s. 985.26(4). If the  
1887 court order does not include a release date, the release date  
1888 shall be requested from the court on the same date that the  
1889 child is placed in detention care. If a subsequent hearing is  
1890 needed to provide additional information to the court for safety  
1891 planning, the initial order placing the child in detention care  
1892 shall reflect the next detention review hearing, which shall be  
1893 held within 3 calendar days after the child's initial detention  
1894 placement.

1895 Section 27. For the purpose of incorporating the amendment  
1896 made by this act to section 985.441, Florida Statutes, in a  
1897 reference thereto, paragraph (h) of subsection (2) of section  
1898 985.475, Florida Statutes, is reenacted to read:

1899 985.475 Juvenile sexual offenders.—

1900 (2) Following a delinquency adjudicatory hearing under s.  
1901 985.35, the court may on its own or upon request by the state or  
1902 the department and subject to specific appropriation, determine  
1903 whether a juvenile sexual offender placement is required for the  
1904 protection of the public and what would be the best approach to  
1905 address the treatment needs of the juvenile sexual offender.  
1906 When the court determines that a juvenile has no history of a  
1907 recent comprehensive assessment focused on sexually deviant  
1908 behavior, the court may, subject to specific appropriation,  
1909 order the department to conduct or arrange for an examination to  
1910 determine whether the juvenile sexual offender is amenable to  
1911 community-based treatment.

1912 (h) If the juvenile sexual offender violates any condition  
1913 of the disposition or the court finds that the juvenile sexual  
1914 offender is failing to make satisfactory progress in treatment,

604-03135-24

20241352c1

1915 the court may revoke the community-based treatment alternative  
1916 and order commitment to the department under s. 985.441.

1917 Section 28. For the purpose of incorporating the amendment  
1918 made by this act to section 985.441, Florida Statutes, in a  
1919 reference thereto, paragraph (b) of subsection (4) of section  
1920 985.565, Florida Statutes, is reenacted to read:

1921 985.565 Sentencing powers; procedures; alternatives for  
1922 juveniles prosecuted as adults.—

1923 (4) SENTENCING ALTERNATIVES.—

1924 (b) *Juvenile sanctions*.—For juveniles transferred to adult  
1925 court but who do not qualify for such transfer under s.  
1926 985.556(3), the court may impose juvenile sanctions under this  
1927 paragraph. If juvenile sentences are imposed, the court shall,  
1928 under this paragraph, adjudge the child to have committed a  
1929 delinquent act. Adjudication of delinquency may not be deemed a  
1930 conviction, nor shall it operate to impose any of the civil  
1931 disabilities ordinarily resulting from a conviction. The court  
1932 shall impose an adult sanction or a juvenile sanction and may  
1933 not sentence the child to a combination of adult and juvenile  
1934 punishments. An adult sanction or a juvenile sanction may  
1935 include enforcement of an order of restitution or probation  
1936 previously ordered in any juvenile proceeding. However, if the  
1937 court imposes a juvenile sanction and the department determines  
1938 that the sanction is unsuitable for the child, the department  
1939 shall return custody of the child to the sentencing court for  
1940 further proceedings, including the imposition of adult  
1941 sanctions. Upon adjudicating a child delinquent under subsection  
1942 (1), the court may:

1943 1. Place the child in a probation program under the

604-03135-24

20241352c1

1944 supervision of the department for an indeterminate period of  
1945 time until the child reaches the age of 19 years or sooner if  
1946 discharged by order of the court.

1947 2. Commit the child to the department for treatment in an  
1948 appropriate program for children for an indeterminate period of  
1949 time until the child is 21 or sooner if discharged by the  
1950 department. The department shall notify the court of its intent  
1951 to discharge no later than 14 days before discharge. Failure of  
1952 the court to timely respond to the department's notice shall be  
1953 considered approval for discharge.

1954 3. Order disposition under ss. 985.435, 985.437, 985.439,  
1955 985.441, 985.45, and 985.455 as an alternative to youthful  
1956 offender or adult sentencing if the court determines not to  
1957 impose youthful offender or adult sanctions.

1958  
1959 It is the intent of the Legislature that the criteria and  
1960 guidelines in this subsection are mandatory and that a  
1961 determination of disposition under this subsection is subject to  
1962 the right of the child to appellate review under s. 985.534.

1963 Section 29. This act shall take effect July 1, 2024.