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1
 2 An act relating to juvenile justice; amending s.
 3 330.41, F.S.; conforming provisions to changes made by
 4 the act; amending s. 381.887, F.S.; authorizing
 5 certain employees of Department of Juvenile Justice
 6 and contracted providers to possess and administer
 7 opioid antagonists; providing immunity from liability
 8 for administration; amending ss. 553.865, 790.22,
 9 938.17, 943.0515, and 948.51, F.S.; conforming
 10 provisions to changes made by the act; amending s.
 11 985.02, F.S.; replacing the term "gender-specific"
 12 with "sex-specific"; conforming provisions; amending
 13 s. 985.03, F.S.; eliminating the minimum-risk
 14 nonresidential restrictiveness level; redesignating
 15 the nonsecure residential restrictiveness level as the
 16 "moderate-risk residential level"; revising the
 17 components of the maximum-risk residential
 18 restrictiveness level; defining "sex"; amending s.
 19 985.039, F.S.; conforming provisions to changes made
 20 by the act; amending s. 985.115, F.S.; providing that
 21 juvenile assessment centers are not facilities that
 22 are permitted to receive certain children; amending
 23 ss. 985.126 and 985.17, F.S.; conforming provisions to
 24 changes made by the act; amending s. 985.26, F.S.;
 25 revising provisions concerning transitioning a child

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26 to and from secure detention care and supervised
 27 release detention care; amending ss. 985.27, 985.441,
 28 and 985.455, F.S.; conforming provisions to changes
 29 made by the act; amending s. 985.465, F.S.; replacing
 30 the term "juvenile correctional facility or juvenile
 31 prison" with "maximum-risk residential facilities";
 32 amending s. 985.601, F.S.; authorizing the purchase of
 33 certain materials; amending s. 985.619, F.S.;
 34 providing the board of trustees of the Florida
 35 Scholars Academy the power and duty to review and
 36 approve an annual academic calendar; authorizing the
 37 board of trustees to decrease the minimum number of
 38 days for instruction; amending s. 985.664, F.S.;
 39 substantially revising provisions relating to juvenile
 40 justice circuit advisory boards; amending ss. 985.668,
 41 985.676, and 1001.42, F.S.; conforming provisions to
 42 changes made by the act; amending s. 1003.01, F.S.;
 43 revising the definition of the term "juvenile justice
 44 education programs or schools"; amending s. 1003.51,
 45 F.S.; revising requirements for certain State Board of
 46 Education rules to establish policies and standards
 47 for certain education programs; revising requirements
 48 for the Department of Education, in partnership with
 49 the Department of Juvenile Justice, district school
 50 boards, and education providers, to develop and

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51 | implement certain contract requirements and to
52 | maintain standardized required content of education
53 | records; revising district school board requirements;
54 | revising departmental requirements relating to
55 | juvenile justice education programs; amending s.
56 | 1003.52, F.S.; revising the role of Coordinators for
57 | Juvenile Justice Education Programs in collecting
58 | certain information and developing certain protocols;
59 | deleting provisions relating to career and
60 | professional education (CAPE); requiring district
61 | school boards to select appropriate academic and
62 | career assessments to be administered at the time of
63 | program entry and exit; deleting provisions related to
64 | requiring residential juvenile justice education
65 | programs to provide certain CAPE courses; requiring
66 | each district school board to make provisions for high
67 | school level students to earn credits toward high
68 | school graduation while in juvenile justice detention,
69 | prevention, or day treatment programs; authorizing
70 | district school boards to contract with private
71 | providers for education programs for students in such
72 | programs; requiring each district school board to
73 | negotiate a cooperative agreement with the department
74 | on the delivery of educational services to students in
75 | such programs; revising requirements for such

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76 | agreements; deleting provisions requiring the
 77 | Department of Education, in consultation with the
 78 | Department of Juvenile Justice, to adopt rules and
 79 | collect data and report on certain programs; deleting
 80 | a provision requiring that specified entities jointly
 81 | develop a multiagency plan for CAPE; conforming
 82 | provisions to changes made by the act; reenacting ss.
 83 | 985.25(1), 985.255(3), 985.475(2)(h), 985.565(4)(b),
 84 | and 985.721, F.S., relating to detention intakes,
 85 | detention criteria and detention hearings, juvenile
 86 | sexual offenders, juvenile sanctions, and escapes from
 87 | secure detention or residential commitment facilities,
 88 | respectively, to incorporate the amendments made by
 89 | the act; providing an effective date.

90 |

91 | Be It Enacted by the Legislature of the State of Florida:

92 |

93 | Section 1. Paragraph (a) of subsection (2) of section
 94 | 330.41, Florida Statutes, is amended to read:

95 | 330.41 Unmanned Aircraft Systems Act.—

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

97 | (a) "Critical infrastructure facility" means any of the
 98 | following, if completely enclosed by a fence or other physical
 99 | barrier that is obviously designed to exclude intruders, or if
 100 | clearly marked with a sign or signs which indicate that entry is

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101 forbidden and which are posted on the property in a manner
 102 reasonably likely to come to the attention of intruders:

- 103 1. A power generation or transmission facility,
 104 substation, switching station, or electrical control center.
- 105 2. A chemical or rubber manufacturing or storage facility.
- 106 3. A water intake structure, water treatment facility,
 107 wastewater treatment plant, or pump station.
- 108 4. A mining facility.
- 109 5. A natural gas or compressed gas compressor station,
 110 storage facility, or natural gas or compressed gas pipeline.
- 111 6. A liquid natural gas or propane gas terminal or storage
 112 facility.
- 113 7. Any portion of an aboveground oil or gas pipeline.
- 114 8. A refinery.
- 115 9. A gas processing plant, including a plant used in the
 116 processing, treatment, or fractionation of natural gas.
- 117 10. A wireless communications facility, including the
 118 tower, antennae, support structures, and all associated ground-
 119 based equipment.
- 120 11. A seaport as listed in s. 311.09(1), which need not be
 121 completely enclosed by a fence or other physical barrier and
 122 need not be marked with a sign or signs indicating that entry is
 123 forbidden.
- 124 12. An inland port or other facility or group of
 125 facilities serving as a point of intermodal transfer of freight

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126 | in a specific area physically separated from a seaport.
 127 | 13. An airport as defined in s. 330.27.
 128 | 14. A spaceport territory as defined in s. 331.303(18).
 129 | 15. A military installation as defined in 10 U.S.C. s.
 130 | 2801(c)(4) and an armory as defined in s. 250.01.
 131 | 16. A dam as defined in s. 373.403(1) or other structures,
 132 | such as locks, floodgates, or dikes, which are designed to
 133 | maintain or control the level of navigable waterways.
 134 | 17. A state correctional institution as defined in s.
 135 | 944.02 or a private correctional facility authorized under
 136 | chapter 957.
 137 | 18. A secure detention center or facility as defined in s.
 138 | 985.03, or a moderate-risk ~~nonsecure~~ residential facility, a
 139 | high-risk residential facility, or a maximum-risk residential
 140 | facility as those terms are described in s. 985.03(44).
 141 | 19. A county detention facility as defined in s. 951.23.
 142 | 20. A critical infrastructure facility as defined in s.
 143 | 692.201.
 144 | Section 2. Paragraph (d) is added to subsection (4) of
 145 | section 381.887, Florida Statutes, to read:
 146 | 381.887 Emergency treatment for suspected opioid
 147 | overdose.—
 148 | (4) The following persons are authorized to possess,
 149 | store, and administer emergency opioid antagonists as clinically
 150 | indicated and are immune from any civil liability or criminal

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151 liability as a result of administering an emergency opioid
 152 antagonist:

153 (d) Personnel of the Department of Juvenile Justice and of
 154 any contracted provider with direct contact with youth
 155 authorized under chapters 984 and 985.

156 Section 3. Paragraphs (c) and (j) of subsection (3),
 157 paragraph (a) of subsection (10), and paragraph (f) of
 158 subsection (12) of section 553.865, Florida Statutes, are
 159 amended to read:

160 553.865 Private spaces.—

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

162 (c) "Covered entity" means any:

163 1. Correctional institution;

164 2. Detention facility;

165 3. Educational institution;

166 4. Maximum risk residential facility ~~Juvenile correctional~~
 167 ~~facility or juvenile prison~~ as described in s. 985.465, any
 168 detention center or facility designated by the Department of
 169 Juvenile Justice to provide secure detention as defined in s.
 170 985.03(18) (a), and any facility used for a residential program
 171 as described in s. 985.03(44) ~~985.03(44) (b), (c), or (d);~~ or

172 5. Public building.

173 (j) "Public building" means a building comfort-conditioned
 174 for occupancy which is owned or leased by the state, a state
 175 agency, or a political subdivision. The term does not include a

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176 | correctional institution, a detention facility, an educational
 177 | institution, a maximum risk residential facility ~~juvenile~~
 178 | ~~correctional facility or juvenile prison~~ as described in s.
 179 | 985.465, a detention center or facility designated by the
 180 | Department of Juvenile Justice to provide secure detention as
 181 | defined in s. 985.03(18)(a), or any facility used for a
 182 | residential program as described in s. 985.03(44) ~~985.03(44)(b),~~
 183 | ~~(c), or (d)~~.

184 | (10) (a) Each maximum risk residential facility ~~juvenile~~
 185 | ~~correctional facility or juvenile prison~~ as described in s.
 186 | 985.465, each detention center or facility designated by the
 187 | Department of Juvenile Justice to provide secure detention as
 188 | defined in s. 985.03(18)(a), and each facility used for a
 189 | residential program as described in s. 985.03(44) ~~985.03(44)(b),~~
 190 | ~~(c), or (d)~~ shall establish disciplinary procedures for any
 191 | juvenile as defined in s. 985.03(7) who willfully enters, for a
 192 | purpose other than those listed in subsection (6), a restroom or
 193 | changing facility designated for the opposite sex in such
 194 | maximum risk residential facility ~~juvenile correctional~~
 195 | ~~facility, juvenile prison,~~ secure detention center or facility,
 196 | or residential program facility and refuses to depart when asked
 197 | to do so by delinquency program staff, detention staff, or
 198 | residential program staff.

199 | (12) A covered entity that is:

200 | (f) A maximum risk residential facility ~~juvenile~~

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201 ~~correctional facility or juvenile prison~~ as described in s.
 202 985.465, a detention center or facility designated by the
 203 Department of Juvenile Justice to provide secure detention as
 204 defined in s. 985.03(18)(a), or a facility used for a
 205 residential program as described in s. 985.03(44) ~~985.03(44)(b)~~,
 206 ~~(c), or (d)~~ shall submit documentation to the Department of
 207 Juvenile Justice regarding compliance with subsections (4) and
 208 (5), as applicable, within 1 year after being established or, if
 209 such institution or facility was established before July 1,
 210 2023, no later than April 1, 2024.

211 Section 4. Paragraph (c) of subsection (4) of section
 212 790.22, Florida Statutes, is amended to read:

213 790.22 Use of BB guns, air or gas-operated guns, or
 214 electric weapons or devices by minor under 16; limitation;
 215 possession of firearms by minor under 18 prohibited; penalties.—

216 (4)

217 (c) ~~The juvenile justice circuit advisory boards or the~~
 218 Department of Juvenile Justice shall establish appropriate
 219 community service programs to be available to the alternative
 220 sanctions coordinators of the circuit courts in implementing
 221 this subsection. ~~The boards or~~ department shall propose the
 222 implementation of a community service program in each circuit,
 223 and may submit a circuit plan, to be implemented upon approval
 224 of the circuit alternative sanctions coordinator.

225 Section 5. Subsection (4) of section 938.17, Florida

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226 Statutes, is amended to read:

227 938.17 County delinquency prevention; juvenile assessment
228 centers and school board suspension programs.—

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

235 Section 6. Subsection (1) of section 943.0515, Florida
236 Statutes, is amended to read:

237 943.0515 Retention of criminal history records of minors.—

238 (1)(a) The Criminal Justice Information Program shall
239 retain the criminal history record of a minor who is classified
240 as a serious or habitual juvenile offender or committed to a
241 maximum risk residential facility ~~juvenile correctional facility~~
242 ~~or juvenile prison~~ under chapter 985 for 5 years after the date
243 the offender reaches 21 years of age, at which time the record
244 shall be expunged unless it meets the criteria of paragraph
245 (2)(a) or paragraph (2)(b).

246 (b)1. If the minor is not classified as a serious or
247 habitual juvenile offender or committed to a maximum risk
248 residential facility ~~juvenile correctional facility~~ ~~or juvenile~~
249 ~~prison~~ under chapter 985, the program shall retain the minor's
250 criminal history record for 2 years after the date the minor

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251 reaches 19 years of age, at which time the record shall be
252 expunged unless it meets the criteria of paragraph (2)(a) or
253 paragraph (2)(b).

254 2. A minor described in subparagraph 1. may apply to the
255 department to have his or her criminal history record expunged
256 before the minor reaches 21 years of age. To be eligible for
257 expunction under this subparagraph, the minor must be 18 years
258 of age or older and less than 21 years of age and have not been
259 charged by the state attorney with or found to have committed
260 any criminal offense within the 5-year period before the
261 application date. The only offenses eligible to be expunged
262 under this subparagraph are those that the minor committed
263 before the minor reached 18 years of age. A criminal history
264 record expunged under this subparagraph requires the approval of
265 the state attorney for each circuit in which an offense
266 specified in the criminal history record occurred. A minor
267 seeking to expunge a criminal history record under this
268 subparagraph shall apply to the department for expunction in the
269 manner prescribed by rule. An application for expunction under
270 this subparagraph shall include:

271 a. A processing fee of \$75 to the department for placement
272 in the Department of Law Enforcement Operating Trust Fund,
273 unless such fee is waived by the executive director.

274 b. A full set of fingerprints of the applicant taken by a
275 law enforcement agency for purposes of identity verification.

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276 c. A sworn, written statement from the minor seeking
 277 relief that he or she is no longer under court supervision
 278 applicable to the disposition of the arrest or alleged criminal
 279 activity to which the application to expunge pertains and that
 280 he or she has not been charged with or found to have committed a
 281 criminal offense, in any jurisdiction of the state or within the
 282 United States, within the 5-year period before the application
 283 date. A person who knowingly provides false information on the
 284 sworn statement required by this sub-subparagraph commits a
 285 misdemeanor of the first degree, punishable as provided in s.
 286 775.082 or s. 775.083.

287 3. A minor who applies, but who is not approved for early
 288 expunction in accordance with subparagraph 2., shall have his or
 289 her criminal history record expunged at age 21 if eligible under
 290 subparagraph 1.

291 Section 7. Subsection (2) of section 948.51, Florida
 292 Statutes, is amended to read:

293 948.51 Community corrections assistance to counties or
 294 county consortiums.—

295 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A
 296 county, or a consortium of two or more counties, may contract
 297 with the Department of Corrections for community corrections
 298 funds as provided in this section. In order to enter into a
 299 community corrections partnership contract, a county or county
 300 consortium must have a public safety coordinating council

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301 established under s. 951.26 and must designate a county officer
 302 or agency to be responsible for administering community
 303 corrections funds received from the state. The public safety
 304 coordinating council shall prepare, develop, and implement a
 305 comprehensive public safety plan for the county, or the
 306 geographic area represented by the county consortium, and shall
 307 submit an annual report to the Department of Corrections
 308 concerning the status of the program. In preparing the
 309 comprehensive public safety plan, the public safety coordinating
 310 council shall cooperate with the Department of Juvenile Justice
 311 ~~juvenile justice circuit advisory board established under s.~~
 312 ~~985.664~~ in order to include programs and services for juveniles
 313 in the plan. To be eligible for community corrections funds
 314 under the contract, the initial public safety plan must be
 315 approved by the governing board of the county, or the governing
 316 board of each county within the consortium, and the Secretary of
 317 Corrections based on the requirements of this section. If one or
 318 more other counties develop a unified public safety plan, the
 319 public safety coordinating council shall submit a single
 320 application to the department for funding. Continued contract
 321 funding shall be pursuant to subsection (5). The plan for a
 322 county or county consortium must cover at least a 5-year period
 323 and must include:

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

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

329 (c) Specific goals and objectives for reducing the
 330 projected percentage of commitments to the state prison system
 331 of persons with low total sentencing scores pursuant to the
 332 Criminal Punishment Code.

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

337 (e) The assessment of population status by the public
 338 safety coordinating council of all correctional facilities owned
 339 or contracted for by the county or by each county within the
 340 consortium.

341 (f) The assessment of bed space that is available for
 342 substance abuse intervention and treatment programs and the
 343 assessment of offenders in need of treatment who are committed
 344 to each correctional facility owned or contracted for by the
 345 county or by each county within the consortium.

346 (g) A description of program costs and sources of funds
 347 for each community corrections program, including community
 348 corrections funds, loans, state assistance, and other financial
 349 assistance.

350 Section 8. Paragraph (h) of subsection (1) and subsection

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351 (7) of section 985.02, Florida Statutes, are amended to read:
 352 985.02 Legislative intent for the juvenile justice
 353 system.—

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

357 (h) Sex-specific ~~Gender-specific~~ programming and sex-
 358 specific ~~gender-specific~~ program models and services that
 359 comprehensively address the needs of either sex ~~a targeted~~
 360 ~~gender group~~.

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

362 (a) The Legislature finds that the needs of children
 363 served by the juvenile justice system are sex-specific ~~gender-~~
 364 ~~specific~~. A sex-specific ~~gender-specific~~ approach is one in
 365 which programs, services, and treatments comprehensively address
 366 the unique developmental needs of either sex ~~a targeted gender~~
 367 ~~group~~ under the care of the department. Young women and men have
 368 different pathways to delinquency, display different patterns of
 369 offending, and respond differently to interventions, treatment,
 370 and services.

371 (b) Sex-specific ~~Gender-specific~~ interventions focus on
 372 the differences between young females' and young males' social
 373 roles and responsibilities, access to and use of resources,
 374 history of trauma, and reasons for interaction with the juvenile
 375 justice system. Sex-specific ~~Gender-specific~~ programs increase

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376 | the effectiveness of programs by making interventions more
 377 | appropriate to the specific needs of young women and men and
 378 | ensuring that these programs do not unknowingly create,
 379 | maintain, or reinforce sex ~~gender~~ roles or relations that may be
 380 | damaging.

381 | Section 9. Subsections (46) through (54) of section
 382 | 985.03, Florida Statutes, are renumbered as subsections (47)
 383 | through (55), respectively, subsections (14) and (44) and
 384 | present subsection (50) are amended, and a new subsection (46)
 385 | is added to that section, to read:

386 | 985.03 Definitions.—As used in this chapter, the term:

387 | (14) "Day treatment" means a nonresidential, community-
 388 | based program designed to provide therapeutic intervention to
 389 | youth who are served by the department or, placed on probation
 390 | or conditional release, ~~or committed to the minimum-risk~~
 391 | ~~nonresidential level~~. A day treatment program may provide
 392 | educational and career and technical education services and
 393 | shall provide case management services; individual, group, and
 394 | family counseling; training designed to address delinquency risk
 395 | factors; and monitoring of a youth's compliance with, and
 396 | facilitation of a youth's completion of, sanctions if ordered by
 397 | the court. Program types may include, but are not limited to,
 398 | career programs, marine programs, juvenile justice alternative
 399 | schools, training and rehabilitation programs, and sex-specific
 400 | ~~gender-specific~~ programs.

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401 (44) "Restrictiveness level" means the level of
 402 programming and security provided by programs that service the
 403 supervision, custody, care, and treatment needs of committed
 404 children. Sections 985.601(10) and 985.721 apply to children
 405 placed in programs at any residential commitment level. The
 406 restrictiveness levels of commitment are as follows:

407 ~~(a) Minimum-risk nonresidential.—Programs or program~~
 408 ~~models at this commitment level work with youth who remain in~~
 409 ~~the community and participate at least 5 days per week in a day~~
 410 ~~treatment program. Youth assessed and classified for programs at~~
 411 ~~this commitment level represent a minimum risk to themselves and~~
 412 ~~public safety and do not require placement and services in~~
 413 ~~residential settings. Youth in this level have full access to,~~
 414 ~~and reside in, the community. Youth who have been found to have~~
 415 ~~committed delinquent acts that involve firearms, that are sexual~~
 416 ~~offenses, or that would be life felonies or first degree~~
 417 ~~felonies if committed by an adult may not be committed to a~~
 418 ~~program at this level.~~

419 ~~(a) (b)~~ Moderate-risk ~~Nonsecure~~ residential.—Programs or
 420 program models at this commitment level are residential but may
 421 allow youth to have supervised access to the community.
 422 Facilities at this commitment level are either environmentally
 423 secure, staff secure, or are hardware-secure with walls,
 424 fencing, or locking doors. Residential facilities at this
 425 commitment level shall have no more than 90 beds each, including

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426 campus-style programs, unless those campus-style programs
427 include more than one treatment program using different
428 treatment protocols, and have facilities that coexist separately
429 in distinct locations on the same property. Facilities at this
430 commitment level shall provide 24-hour awake supervision,
431 custody, care, and treatment of residents. Youth assessed and
432 classified for placement in programs at this commitment level
433 represent a low or moderate risk to public safety and require
434 close supervision. The staff at a facility at this commitment
435 level may seclude a child who is a physical threat to himself or
436 herself or others. Mechanical restraint may also be used when
437 necessary.

438 (b)~~(e)~~ High-risk residential.—Programs or program models
439 at this commitment level are residential and do not allow youth
440 to have access to the community, except that temporary release
441 providing community access for up to 72 continuous hours may be
442 approved by a court for a youth who has made successful progress
443 in his or her program in order for the youth to attend a family
444 emergency or, during the final 60 days of his or her placement,
445 to visit his or her home, enroll in school or a career and
446 technical education program, complete a job interview, or
447 participate in a community service project. High-risk
448 residential facilities are hardware-secure with perimeter
449 fencing and locking doors. Residential facilities at this
450 commitment level shall have no more than 90 beds each, including

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451 campus-style programs, unless those campus-style programs
 452 include more than one treatment program using different
 453 treatment protocols, and have facilities that coexist separately
 454 in distinct locations on the same property. Facilities at this
 455 commitment level shall provide 24-hour awake supervision,
 456 custody, care, and treatment of residents. Youth assessed and
 457 classified for this level of placement require close supervision
 458 in a structured residential setting. Placement in programs at
 459 this level is prompted by a concern for public safety that
 460 outweighs placement in programs at lower commitment levels. The
 461 staff at a facility at this commitment level may seclude a child
 462 who is a physical threat to himself or herself or others.
 463 Mechanical restraint may also be used when necessary. The
 464 facility may provide for single cell occupancy, except that
 465 youth may be housed together during prerelease transition.

466 (c) ~~(d)~~ Maximum-risk residential. ~~Programs or program~~
 467 ~~models at this commitment level include juvenile correctional~~
 468 ~~facilities and juvenile prisons.~~ The programs at this commitment
 469 level are long-term residential and do not allow youth to have
 470 access to the community. Facilities at this commitment level are
 471 maximum-custody, hardware-secure with perimeter security fencing
 472 and locking doors. Residential facilities at this commitment
 473 level shall have no more than 90 beds each, including campus-
 474 style programs, unless those campus-style programs include more
 475 than one treatment program using different treatment protocols,

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476 and have facilities that coexist separately in distinct
 477 locations on the same property. Facilities at this commitment
 478 level shall provide 24-hour awake supervision, custody, care,
 479 and treatment of residents. The staff at a facility at this
 480 commitment level may seclude a child who is a physical threat to
 481 himself or herself or others. Mechanical restraint may also be
 482 used when necessary. Facilities at this commitment level shall
 483 provide for single cell occupancy, except that youth may be
 484 housed together during prerelease transition. Youth assessed and
 485 classified for this level of placement require close supervision
 486 in a maximum security residential setting. Placement in a
 487 program at this level is prompted by a demonstrated need to
 488 protect the public.

489 (46) "Sex" has the same meaning as provided in s.
 490 553.865(3).

491 (51)~~(50)~~ "Temporary release" means the terms and
 492 conditions under which a child is temporarily released from a
 493 residential commitment facility or allowed home visits. If the
 494 temporary release is from a moderate-risk ~~nonscure~~ residential
 495 facility, a high-risk residential facility, or a maximum-risk
 496 residential facility, the terms and conditions of the temporary
 497 release must be approved by the child, the court, and the
 498 facility.

499 Section 10. Paragraph (a) of subsection (1) of section
 500 985.039, Florida Statutes, is amended to read:

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501 985.039 Cost of supervision; cost of care.—

502 (1) Except as provided in subsection (3) or subsection
503 (4):

504 (a) When any child is placed into supervised release
505 detention, probation, or other supervision status with the
506 department, ~~or is committed to the minimum-risk nonresidential~~
507 ~~restrictiveness level~~, the court shall order the parent of such
508 child to pay to the department a fee for the cost of the
509 supervision of such child in the amount of \$1 per day for each
510 day that the child is in such status.

511 Section 11. Paragraph (f) of subsection (2) of section
512 985.115, Florida Statutes, is amended to read:

513 985.115 Release or delivery from custody.—

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

518 (f) If available, to a juvenile assessment center equipped
519 and staffed to assume custody of the child for the purpose of
520 assessing the needs of the child in custody. The center may then
521 release or deliver the child under this section with a copy of
522 the assessment. A juvenile assessment center may not be
523 considered a facility that can receive a child under paragraph
524 (c), paragraph (d), or paragraph (e).

525 Section 12. Paragraphs (a) and (b) of subsection (3) and

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526 subsection (4) of section 985.126, Florida Statutes, are amended
 527 to read:

528 985.126 Diversion programs; data collection; denial of
 529 participation or expunged record.—

530 (3) (a) ~~Beginning October 1, 2018,~~ Each diversion program
 531 shall submit data to the department which identifies for each
 532 minor participating in the diversion program:

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

534 2. The offense committed, including the specific law
 535 establishing the offense.

536 3. The judicial circuit and county in which the offense
 537 was committed and the law enforcement agency that had contact
 538 with the minor for the offense.

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

542 (b) ~~Beginning October 1, 2018,~~ Each law enforcement agency
 543 shall submit to the department data that identifies for each
 544 minor who was eligible for a diversion program, but was instead
 545 referred to the department, provided a notice to appear, or
 546 arrested:

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

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

550 a. Not offered such opportunity, the reason such offer was

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551 not made.

552 b. Offered such opportunity, whether the minor or his or
553 her parent or legal guardian declined to participate in the
554 diversion program.

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

560 Section 13. Paragraph (a) of subsection (3) of section
561 985.17, Florida Statutes, is amended to read:

562 985.17 Prevention services.—

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

565 (a) Focus on preventing initial or further involvement of
566 such youth in the juvenile justice system by including services
567 such as literacy services, sex-specific ~~gender-specific~~
568 programming, recreational services, and after-school services,
569 and should include targeted services to troubled, truant,
570 ungovernable, abused, trafficked, or runaway youth. To decrease
571 the likelihood that a youth will commit a delinquent act, the
572 department should use mentoring and may provide specialized
573 services addressing the strengthening of families, job training,
574 and substance abuse.

575 Section 14. Paragraph (a) of subsection (2) of section

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576 | 985.26, Florida Statutes, is amended to read:

577 | 985.26 Length of detention.—

578 | (2)(a)1. A court may order a child to be placed on
 579 | supervised release detention care for any time period until an
 580 | adjudicatory hearing is completed. However, if a child has
 581 | served 60 days on supervised release detention care, the court
 582 | must conduct a hearing within 15 days after the 60th day, to
 583 | determine the need for continued supervised release detention
 584 | care. At the hearing, and upon good cause being shown that the
 585 | nature of the charge requires additional time for the
 586 | prosecution or defense of the case or that the totality of the
 587 | circumstances, including the preservation of public safety,
 588 | warrants an extension, the court may order the child to remain
 589 | on supervised release detention care until the adjudicatory
 590 | hearing is completed.

591 | 2. Except as provided in paragraph (b) or paragraph (c), a
 592 | child may not be held in secure detention care under a special
 593 | detention order for more than 21 days unless an adjudicatory
 594 | hearing for the case has been commenced in good faith by the
 595 | court.

596 | 3. This section does not prohibit a court from
 597 | transitioning a child to and from secure detention care and
 598 | supervised release detention care, including electronic
 599 | monitoring, when the court finds such a placement necessary, or
 600 | no longer necessary, to preserve public safety or to ensure the

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601 child's safety, appearance in court, or compliance with a court
 602 order. Such transition may be initiated upon the court's own
 603 motion, or upon motion of the child or of the state, and after
 604 considering any information provided by the department regarding
 605 the child's adjustment to detention supervision. Each period of
 606 secure detention care or supervised release detention care
 607 counts toward the time limitations in this subsection whether
 608 served consecutively or nonconsecutively.

609 Section 15. Section 985.27, Florida Statutes, is amended
 610 to read:

611 985.27 Postdisposition detention while awaiting
 612 residential commitment placement.—The court must place all
 613 children who are adjudicated and awaiting placement in a
 614 moderate-risk ~~nonsecure~~, high-risk, or maximum-risk residential
 615 commitment program in secure detention care until the placement
 616 or commitment is accomplished.

617 Section 16. Subsection (2) of section 985.441, Florida
 618 Statutes, is amended to read:

619 985.441 Commitment.—

620 (2) Notwithstanding subsection (1), the court having
 621 jurisdiction over an adjudicated delinquent child whose offense
 622 is a misdemeanor, or a child who is currently on probation for a
 623 misdemeanor, may not commit the child for any misdemeanor
 624 offense or any probation violation that is technical in nature
 625 and not a new violation of law ~~at a restrictiveness level other~~

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626 ~~than minimum-risk nonresidential~~. However, the court may commit
627 such child to a moderate-risk ~~nonsecure~~ residential placement
628 if:

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

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

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

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

640 Section 17. Subsection (3) of section 985.455, Florida
641 Statutes, is amended to read:

642 985.455 Other dispositional issues.—

643 (3) Any commitment of a delinquent child to the department
644 must be for an indeterminate period of time, which may include
645 periods of temporary release; however, the period of time may
646 not exceed the maximum term of imprisonment that an adult may
647 serve for the same offense, ~~except that the duration of a~~
648 ~~minimum-risk nonresidential commitment for an offense that is a~~
649 ~~misdemeanor of the second degree, or is equivalent to a~~
650 ~~misdemeanor of the second degree, may be for a period not to~~

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651 ~~exceed 6 months~~. The duration of the child's placement in a
652 commitment program of any restrictiveness level shall be based
653 on objective performance-based treatment planning. The child's
654 treatment plan progress and adjustment-related issues shall be
655 reported to the court quarterly, unless the court requests
656 monthly reports. If the child is under the jurisdiction of a
657 dependency court, the court may receive and consider any
658 information provided by the Guardian Ad Litem Program or the
659 child's attorney ad litem, if appointed. The child's length of
660 stay in a commitment program may be extended if the child fails
661 to comply with or participate in treatment activities. The
662 child's length of stay in the program shall not be extended for
663 purposes of sanction or punishment. Any temporary release from
664 such program must be approved by the court. Any child so
665 committed may be discharged from institutional confinement or a
666 program upon the direction of the department with the
667 concurrence of the court. The child's treatment plan progress
668 and adjustment-related issues must be communicated to the court
669 at the time the department requests the court to consider
670 releasing the child from the commitment program. The department
671 shall give the court that committed the child to the department
672 reasonable notice, in writing, of its desire to discharge the
673 child from a commitment facility. The court that committed the
674 child may thereafter accept or reject the request. If the court
675 does not respond within 10 days after receipt of the notice, the

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676 request of the department shall be deemed granted. This section
 677 does not limit the department's authority to revoke a child's
 678 temporary release status and return the child to a commitment
 679 facility for any violation of the terms and conditions of the
 680 temporary release.

681 Section 18. Section 985.465, Florida Statutes, is amended
 682 to read:

683 985.465 Maximum-risk residential facilities ~~Juvenile~~
 684 ~~correctional facilities or juvenile prison.~~—A maximum risk
 685 residential facility ~~juvenile correctional facility or juvenile~~
 686 ~~prison~~ is a physically secure residential commitment program
 687 with a designated length of stay from 18 months to 36 months,
 688 primarily serving children 13 years of age to 19 years of age or
 689 until the jurisdiction of the court expires. Each child
 690 committed to this level must meet one of the following criteria:

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

- 694 (a) Arson;
- 695 (b) Sexual battery;
- 696 (c) Robbery;
- 697 (d) Kidnapping;
- 698 (e) Aggravated child abuse;
- 699 (f) Aggravated assault;
- 700 (g) Aggravated stalking;

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- 701 (h) Murder;
- 702 (i) Manslaughter;
- 703 (j) Unlawful throwing, placing, or discharging of a
704 destructive device or bomb;
- 705 (k) Armed burglary;
- 706 (l) Aggravated battery;
- 707 (m) Carjacking;
- 708 (n) Home-invasion robbery;
- 709 (o) Burglary with an assault or battery;
- 710 (p) Any lewd or lascivious offense committed upon or in
711 the presence of a person less than 16 years of age; or
- 712 (q) Carrying, displaying, using, threatening to use, or
713 attempting to use a weapon or firearm during the commission of a
714 felony.
- 715 (2) The child is at least 13 years of age at the time of
716 the disposition, the current offense is a felony, and the child
717 has previously been committed three or more times to a
718 delinquency commitment program.
- 719 (3) The child is at least 13 years of age and is currently
720 committed for a felony offense and transferred from a moderate-
721 risk or high-risk residential commitment placement.
- 722 (4) The child is at least 13 years of age at the time of
723 the disposition for the current offense, the child is eligible
724 for prosecution as an adult for the current offense, and the
725 current offense is ranked at level 7 or higher on the Criminal

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726 Punishment Code offense severity ranking chart pursuant to s.
727 921.0022.

728 Section 19. Paragraph (a) of subsection (3) of section
729 985.601, Florida Statutes, is amended, and subsection (12) is
730 added to that section, to read:

731 985.601 Administering the juvenile justice continuum.—

732 (3)(a) The department shall develop or contract for
733 diversified and innovative programs to provide rehabilitative
734 treatment, including early intervention and prevention,
735 diversion, comprehensive intake, case management, diagnostic and
736 classification assessments, trauma-informed care, individual and
737 family counseling, family engagement resources and programs,
738 sex-specific ~~gender-specific~~ programming, shelter care,
739 diversified detention care emphasizing alternatives to secure
740 detention, diversified probation, halfway houses, foster homes,
741 community-based substance abuse treatment services, community-
742 based mental health treatment services, community-based
743 residential and nonresidential programs, mother-infant programs,
744 and environmental programs. The department may pay expenses in
745 support of innovative programs and activities that address
746 identified needs and the well-being of children in the
747 department's care or under its supervision, subject to the
748 requirements of chapters 215, 216, and 287. Each program shall
749 place particular emphasis on reintegration and conditional
750 release for all children in the program.

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751 (12) The department may use state or federal funds to
 752 purchase and distribute promotional and educational materials
 753 that are consistent with the dignity and integrity of the state
 754 for all of the following purposes:

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

758 (b) Staff recruitment at job fairs, career fairs,
 759 community events, the Institute for Commercialization of Florida
 760 Technology, community college campuses, or state university
 761 campuses.

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

766 Section 20. Paragraph (b) of subsection (4) of section
 767 985.619, Florida Statutes, is amended to read:

768 985.619 Florida Scholars Academy.—

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

770 (b) The board of trustees shall have the following powers
 771 and duties:

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

774 2. Be responsible for the Florida Scholars Academy's
 775 development of an education delivery system that is cost-

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776 effective, high-quality, educationally sound, and capable of
 777 sustaining an effective delivery system.

778 3.a. Identify appropriate performance measures and
 779 standards based on student achievement which reflect the
 780 school's statutory mission and priorities, and implement an
 781 accountability system approved by the State Board of Education
 782 for the school by the 2024-2025 school year which includes an
 783 assessment of its effectiveness and efficiency in providing
 784 quality services that encourage high student achievement,
 785 seamless articulation, and maximum access to career
 786 opportunities.

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

790 4. Administer and maintain the educational programs of the
 791 Florida Scholars Academy in accordance with law and department
 792 rules, in consultation with the State Board of Education.

793 5. With the approval of the secretary of the department or
 794 his or her designee, determine the compensation, including
 795 salaries and fringe benefits, and other conditions of employment
 796 for such personnel, in alignment with the Florida Scholars
 797 Academy's provider contracts.

798 6. The employment of all Florida Scholars Academy
 799 administrative and instructional personnel are subject to
 800 rejection for cause by the secretary of the department or his or

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801 her designee and are subject to policies established by the
802 board of trustees.

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

805 8. Maintain the financial records and accounts of the
806 Florida Scholars Academy in compliance with rules adopted by the
807 State Board of Education for the uniform system of financial
808 records and accounts for the schools of this state.

809 9. Is a body corporate with all the powers of a body
810 corporate and may exercise such authority as is needed for the
811 proper operation and improvement of the Florida Scholars
812 Academy. The board of trustees is specifically authorized to
813 adopt rules, policies, and procedures, consistent with law and
814 State Board of Education rules related to governance, personnel,
815 budget and finance, administration, programs, curriculum and
816 instruction, travel and purchasing, technology, students,
817 contracts and grants, and property as necessary for optimal,
818 efficient operation of the Florida Scholars Academy.

819 10. Notwithstanding any rule to the contrary, review and
820 approve an annual academic calendar to provide educational
821 services to youth for a school year composed of 250 days or
822 1,250 hours of instruction for students enrolled in a
823 traditional K-12 education pathway, distributed over 12 months.
824 The board of trustees may decrease the minimum number of days
825 for instruction by up to 20 days or 100 hours for teacher

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826 planning.

827 Section 21. Section 985.664, Florida Statutes, is amended
828 to read:

829 985.664 Juvenile justice circuit advisory boards.—

830 (1) Each circuit shall have a juvenile justice circuit
831 advisory board. The board shall work with the chief probation
832 officer of the circuit to use data to inform policy and practice
833 which improves the juvenile justice continuum.

834 ~~(1) There is authorized a juvenile justice circuit~~
835 ~~advisory board to be established in each of the 20 judicial~~
836 ~~circuits. Except in single-county circuits, each juvenile~~
837 ~~justice circuit advisory board shall have a county organization~~
838 ~~representing each of the counties in the circuit. The county~~
839 ~~organization shall report directly to the juvenile justice~~
840 ~~circuit advisory board on the juvenile justice needs of the~~
841 ~~county. The purpose of each juvenile justice circuit advisory~~
842 ~~board is to provide advice and direction to the department in~~
843 ~~the development and implementation of juvenile justice programs~~
844 ~~and to work collaboratively with the department in seeking~~
845 ~~program improvements and policy changes to address the emerging~~
846 ~~and changing needs of Florida's youth who are at risk of~~
847 ~~delinquency.~~

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

850 ~~(a) Developing a comprehensive plan for the circuit. The~~

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851 ~~initial circuit plan shall be submitted to the department no~~
852 ~~later than December 31, 2014, and no later than June 30 every 3~~
853 ~~years thereafter. The department shall prescribe a format and~~
854 ~~content requirements for the submission of the comprehensive~~
855 ~~plan.~~

856 ~~(b) Participating in the facilitation of interagency~~
857 ~~cooperation and information sharing.~~

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

861 ~~(d) Providing recommendations to the department in the~~
862 ~~evaluation of prevention and early intervention grant programs,~~
863 ~~including the Community Juvenile Justice Partnership Grant~~
864 ~~program established in s. 985.676 and proceeds from the Invest~~
865 ~~in Children license plate annual use fees.~~

866 ~~(e) Providing an annual report to the department~~
867 ~~describing the board's activities. The department shall~~
868 ~~prescribe a format and content requirements for submission of~~
869 ~~annual reports. The annual report must be submitted to the~~
870 ~~department no later than August 1 of each year.~~

871 (2)~~(3)~~ Each juvenile justice circuit advisory board shall
872 have a minimum of 14 ~~16~~ members. The membership of each board
873 must reflect:

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

875 (b) Diversity in the judicial circuit.

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876 ~~(3)-(4)~~ Each member of the juvenile justice circuit
 877 advisory board must be approved by the chief probation officer
 878 of the circuit ~~Secretary of Juvenile Justice~~, except those
 879 members listed in paragraphs (a), (b), (c), (e), (f), (g), and
 880 (h). Each ~~The~~ juvenile justice circuit advisory board ~~boards~~
 881 ~~established under subsection (1)~~ must include as members:
 882 (a) The state attorney or his or her designee.
 883 (b) The public defender or his or her designee.
 884 (c) The chief judge or his or her designee.
 885 (d) A representative of the corresponding circuit or
 886 regional entity of the Department of Children and Families.
 887 (e) The sheriff or the sheriff's designee from each county
 888 in the circuit.
 889 (f) A police chief or his or her designee from each county
 890 in the circuit.
 891 (g) A county commissioner or his or her designee from each
 892 county in the circuit.
 893 (h) The superintendent of each school district in the
 894 circuit or his or her designee.
 895 (i) A representative from the workforce organization of
 896 each county in the circuit.
 897 (j) A representative of the business community.
 898 (k) A youth representative who has had an experience with
 899 the juvenile justice system and is not older than 21 years of
 900 age.

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901 (1) A representative of the faith community.

902 (m) A health services representative who specializes in

903 mental health care, victim-service programs, or victims of

904 crimes.

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

906 involved with the juvenile justice system.

907 (o) Up to three ~~five~~ representatives from the community.

908 ~~any of the following who are not otherwise represented in this~~

909 ~~subsection:~~

910 ~~1. Community leaders.~~

911 ~~2. Youth-serving coalitions.~~

912 (4) The chief probation officer in each circuit shall

913 serve as the chair of the juvenile justice circuit advisory

914 board for that circuit.

915 ~~(5) When a vacancy in the office of the chair occurs, the~~

916 ~~juvenile justice circuit advisory board shall appoint a new~~

917 ~~chair, who must meet the board membership requirements in~~

918 ~~subsection (4). The chair shall appoint members to vacant seats~~

919 ~~within 45 days after the vacancy and submit the appointments to~~

920 ~~the department for approval. The chair shall serve at the~~

921 ~~pleasure of the Secretary of Juvenile Justice.~~

922 ~~(6) A member may not serve more than three consecutive 2-~~

923 ~~year terms, except those members listed in paragraphs (4)(a),~~

924 ~~(b), (c), (e), (f), (g), and (h). A former member who has not~~

925 ~~served on the juvenile justice circuit advisory board for 2~~

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926 | ~~years is eligible to serve on the juvenile justice circuit~~
 927 | ~~advisory board again.~~

928 | ~~(7) At least half of the voting members of the juvenile~~
 929 | ~~justice circuit advisory board constitutes a quorum. A quorum~~
 930 | ~~must be present in order for the board to vote on a measure or~~
 931 | ~~position.~~

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

935 | ~~(9) Each juvenile justice circuit advisory board must~~
 936 | ~~provide for the establishment of an executive committee of not~~
 937 | ~~more than 10 members. The duties and authority of the executive~~
 938 | ~~committee must be addressed in the bylaws.~~

939 | ~~(10) Each juvenile justice circuit advisory board shall~~
 940 | ~~have bylaws. The department shall prescribe a format and content~~
 941 | ~~requirements for the bylaws. All bylaws must be approved by the~~
 942 | ~~department. The bylaws shall address at least the following~~
 943 | ~~issues: election or appointment of officers; filling of vacant~~
 944 | ~~positions; meeting attendance requirements; and the~~
 945 | ~~establishment and duties of an executive committee.~~

946 | ~~(11) Members of juvenile justice circuit advisory boards~~
 947 | ~~are subject to part III of chapter 112.~~

948 | Section 22. Paragraph (a) of subsection (1) of section
 949 | 985.668, Florida Statutes, is amended to read:

950 | 985.668 Innovation zones.—The department shall encourage

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951 each of the juvenile justice circuit boards to propose at least
 952 one innovation zone within the circuit for the purpose of
 953 implementing any experimental, pilot, or demonstration project
 954 that furthers the legislatively established goals of the
 955 department. An innovation zone is a defined geographic area such
 956 as a circuit, commitment region, county, municipality, service
 957 delivery area, school campus, or neighborhood providing a
 958 laboratory for the research, development, and testing of the
 959 applicability and efficacy of model programs, policy options,
 960 and new technologies for the department.

961 (1) (a) The chief probation officer in each circuit
 962 ~~juvenile justice circuit board~~ shall submit a proposal for an
 963 innovation zone to the secretary. If the purpose of the proposed
 964 innovation zone is to demonstrate that specific statutory goals
 965 can be achieved more effectively by using procedures that
 966 require modification of existing rules, policies, or procedures,
 967 the proposal may request the secretary to waive such existing
 968 rules, policies, or procedures or to otherwise authorize use of
 969 alternative procedures or practices. Waivers of such existing
 970 rules, policies, or procedures must comply with applicable state
 971 or federal law.

972 Section 23. Subsections (1) and (2) of section 985.676,
 973 Florida Statutes, are amended to read:

974 985.676 Community juvenile justice partnership grants.—

975 (1) GRANTS; CRITERIA.—

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976 (a) In order to encourage the development of a circuit
 977 juvenile justice plan ~~and the development and implementation of~~
 978 ~~circuit interagency agreements under s. 985.664~~, the community
 979 juvenile justice partnership grant program is established and
 980 shall be administered by the department.

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

984 1. The participation of the agencies and programs needed
 985 to implement the project or program for which the applicant is
 986 applying;

987 2. The reduction of truancy and in-school and out-of-
 988 school suspensions and expulsions, the enhancement of school
 989 safety, and other delinquency early-intervention and diversion
 990 services;

991 3. The number of youths from 10 through 17 years of age
 992 within the geographic area to be served by the program, giving
 993 those geographic areas having the highest number of youths from
 994 10 to 17 years of age priority for selection;

995 4. The extent to which the program targets high-juvenile-
 996 crime neighborhoods and those public schools serving juveniles
 997 from high-crime neighborhoods;

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

999 6. The degree to which the program is located in and
 1000 managed by local leaders of the target neighborhoods and public

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1001 schools serving the target neighborhoods.

1002 (c) In addition, the department may consider the following

1003 criteria in awarding grants:

1004 1. The circuit juvenile justice plan and any county

1005 juvenile justice plans that are referred to or incorporated into

1006 the circuit plan, including a list of individuals, groups, and

1007 public and private entities that participated in the development

1008 of the plan.

1009 2. The diversity of community entities participating in

1010 the development of the circuit juvenile justice plan.

1011 3. The number of community partners who will be actively

1012 involved in the operation of the grant program.

1013 4. The number of students or youths to be served by the

1014 grant and the criteria by which they will be selected.

1015 5. The criteria by which the grant program will be

1016 evaluated and, if deemed successful, the feasibility of

1017 implementation in other communities.

1018 (2) GRANT APPLICATION PROCEDURES.—

1019 (a) Each entity wishing to apply for an annual community

1020 juvenile justice partnership grant, which may be renewed for a

1021 maximum of 2 additional years for the same provision of

1022 services, shall submit a grant proposal for funding or continued

1023 funding to the department. The department shall establish the

1024 grant application procedures. In order to be considered for

1025 funding, the grant proposal shall include the following

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1026 | assurances and information:

1027 | ~~1.~~ A letter from the chair of the juvenile justice circuit
1028 | board confirming that the grant application has been reviewed
1029 | and found to support one or more purposes or goals of the
1030 | juvenile justice plan as developed by the board.

1031 | 1.2. A rationale and description of the program and the
1032 | services to be provided, including goals and objectives.

1033 | ~~2.3.~~ A method for identification of the juveniles most
1034 | likely to be involved in the juvenile justice system who will be
1035 | the focus of the program.

1036 | 3.4. Provisions for the participation of parents and
1037 | guardians in the program.

1038 | ~~4.5.~~ Coordination with other community-based and social
1039 | service prevention efforts, including, but not limited to, drug
1040 | and alcohol abuse prevention and dropout prevention programs,
1041 | that serve the target population or neighborhood.

1042 | ~~5.6.~~ An evaluation component to measure the effectiveness
1043 | of the program in accordance with s. 985.632.

1044 | ~~6.7.~~ A program budget, including the amount and sources of
1045 | local cash and in-kind resources committed to the budget. The
1046 | proposal must establish to the satisfaction of the department
1047 | that the entity will make a cash or in-kind contribution to the
1048 | program of a value that is at least equal to 20 percent of the
1049 | amount of the grant.

1050 | 7.8. The necessary program staff.

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1051 (b) The department shall consider the recommendations of
 1052 community stakeholders ~~the juvenile justice circuit advisory~~
 1053 ~~board~~ as to the priority that should be given to proposals
 1054 submitted by entities within a circuit in awarding such grants.

1055 (c) The department shall make available, to anyone wishing
 1056 to apply for such a grant, information on all of the criteria to
 1057 be used in the selection of the proposals for funding pursuant
 1058 to the provisions of this subsection.

1059 (d) The department shall review all program proposals
 1060 submitted. Entities submitting proposals shall be notified of
 1061 approval not later than June 30 of each year.

1062 (e) Each entity that is awarded a grant as provided for in
 1063 this section shall submit an annual evaluation report to the
 1064 department and, ~~the circuit juvenile justice manager, and the~~
 1065 ~~juvenile justice circuit advisory board~~, by a date subsequent to
 1066 the end of the contract period established by the department,
 1067 documenting the extent to which the program objectives have been
 1068 met, the effect of the program on the juvenile arrest rate, and
 1069 any other information required by the department. The department
 1070 shall coordinate and incorporate all such annual evaluation
 1071 reports with s. 985.632. Each entity is also subject to a
 1072 financial audit and a performance audit.

1073 (f) The department may establish rules and policy
 1074 provisions necessary to implement this section.

1075 Section 24. Paragraph (c) of subsection (18) of section

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1076 | 1001.42, Florida Statutes, is amended to read:

1077 | 1001.42 Powers and duties of district school board.—The
 1078 | district school board, acting as a board, shall exercise all
 1079 | powers and perform all duties listed below:

1080 | (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—
 1081 | Maintain a system of school improvement and education
 1082 | accountability as provided by statute and State Board of
 1083 | Education rule. This system of school improvement and education
 1084 | accountability shall be consistent with, and implemented
 1085 | through, the district's continuing system of planning and
 1086 | budgeting required by this section and ss. 1008.385, 1010.01,
 1087 | and 1011.01. This system of school improvement and education
 1088 | accountability shall comply with the provisions of ss. 1008.33,
 1089 | 1008.34, 1008.345, and 1008.385 and include the following:

1090 | (c) *Public disclosure.*—The district school board shall
 1091 | provide information regarding the performance of students and
 1092 | educational programs as required pursuant to ss. 1008.22 and
 1093 | 1008.385 and implement a system of school reports as required by
 1094 | statute and State Board of Education rule which shall include
 1095 | schools operating for the purpose of providing educational
 1096 | services to students in Department of Juvenile Justice programs,
 1097 | ~~and for those schools, report on the elements specified in s.~~
 1098 | ~~1003.52(17)~~. Annual public disclosure reports shall be in an
 1099 | easy-to-read report card format and shall include the school's
 1100 | grade, high school graduation rate calculated without high

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1101 school equivalency examinations, disaggregated by student
 1102 ethnicity, and performance data as specified in state board
 1103 rule.

1104 Section 25. Paragraph (a) of subsection (14) of section
 1105 1003.01, Florida Statutes, is amended to read:

1106 1003.01 Definitions.—As used in this chapter, the term:

1107 (14) (a) "Juvenile justice education programs or schools"
 1108 means programs or schools operating for the purpose of providing
 1109 educational services to youth in Department of Juvenile Justice
 1110 programs, for a school year composed of 250 days of instruction,
 1111 or the equivalent expressed in hours as specified in State Board
 1112 of Education rule, distributed over 12 months. If the period of
 1113 operation is expressed in hours, the State Board of Education
 1114 must review the calculation annually. ~~The use of the equivalent~~
 1115 ~~expressed in hours is only applicable to nonresidential~~
 1116 ~~programs. At the request of the provider,~~ A district school
 1117 board, including an educational entity under s. 985.619, may
 1118 decrease the minimum number of days of instruction by ~~up to 10~~
 1119 ~~days for teacher planning for residential programs and up to 20~~
 1120 days or equivalent hours as specified in the State Board of
 1121 Education rule for teacher planning ~~for nonresidential programs,~~
 1122 subject to the approval of the Department of Juvenile Justice
 1123 and the Department of Education.

1124 Section 26. Subsections (2) through (5) of section
 1125 1003.51, Florida Statutes, are amended to read:

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1126 1003.51 Other public educational services.—

1127 (2) The State Board of Education shall adopt rules

1128 articulating expectations for effective education programs for

1129 students in Department of Juvenile Justice programs, including,

1130 but not limited to, education programs in juvenile justice

1131 prevention, day treatment, residential, and detention programs.

1132 The rules ~~rule~~ shall establish policies and standards for

1133 education programs for students in Department of Juvenile

1134 Justice programs and shall include the following:

1135 (a) The interagency collaborative process needed to ensure

1136 effective programs with measurable results.

1137 (b) The responsibilities of the Department of Education,

1138 the Department of Juvenile Justice, CareerSource Florida, Inc.,

1139 district school boards, and providers of education services to

1140 students in Department of Juvenile Justice programs.

1141 (c) Academic expectations.

1142 (d) Career expectations.

1143 (e) Education transition planning and services.

1144 (f) Service delivery options available to district school

1145 boards, including direct service and contracting.

1146 (g) Assessment procedures that, ~~which~~:

1147 1. ~~For prevention, day treatment, and residential~~

1148 ~~programs, include appropriate academic and career assessments~~

1149 ~~administered at program entry and exit that are selected by the~~

1150 ~~Department of Education in partnership with representatives from~~

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1151 ~~the Department of Juvenile Justice, district school boards, and~~
 1152 ~~education providers. Assessments must be completed within the~~
 1153 ~~first 10 school days after a student's entry into the program.~~

1154 ~~2.~~ provide for determination of the areas of academic need
 1155 and strategies for appropriate intervention and instruction for
 1156 each student in a detention facility within 5 school days after
 1157 the student's entry into the program and administer a research-
 1158 based assessment that will assist the student in determining his
 1159 or her educational and career options and goals within 22 school
 1160 days after the student's entry into the program.

1161
 1162 The results of these assessments, together with a portfolio
 1163 depicting the student's academic and career accomplishments,
 1164 shall be included in the discharge packet assembled for each
 1165 student.

1166 (h) Recommended instructional programs, using course
 1167 delivery models aligned to the state academic standards. Options
 1168 may include direct instruction, blended learning under s.
 1169 1011.61(1), or district virtual instruction programs, virtual
 1170 charter schools, Florida Virtual School, virtual course
 1171 offerings, and district franchises of Florida Virtual School
 1172 pursuant to ss. 1002.33, 1002.37, 1002.45, 1002.455, 1003.498,
 1173 and 1011.62(1), and credit recovery course procedures,
 1174 including, but not limited to:

1175 1. Secondary education.

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- 1176 | 2. High school equivalency examination preparation.
- 1177 | 3. Postsecondary education.
- 1178 | 4. Career and technical ~~professional~~ education ~~(CAPE)~~.
- 1179 | 5. Job preparation.
- 1180 | 6. Virtual education that:
- 1181 | a. Provides competency-based instruction that addresses
- 1182 | the unique academic needs of the student through delivery by an
- 1183 | entity accredited by a Department of Education-approved
- 1184 | accrediting body ~~AdvanceED or the Southern Association of~~
- 1185 | ~~Colleges and Schools~~.
- 1186 | b. Confers certifications and diplomas.
- 1187 | c. Issues credit that articulates with and transcripts
- 1188 | that are recognized by secondary schools.
- 1189 | d. Allows the student to continue to access and progress
- 1190 | through the program once the student leaves the juvenile justice
- 1191 | system.
- 1192 | (i) Funding requirements, which must provide that at least
- 1193 | 95 percent of the FEFP funds generated by students in Department
- 1194 | of Juvenile Justice programs or in an education program for
- 1195 | juveniles under s. 985.19 must be spent on instructional costs
- 1196 | for those students. Department of Juvenile Justice education
- 1197 | programs are entitled to 100 percent of the formula-based
- 1198 | categorical funds generated by students in Department of
- 1199 | Juvenile Justice programs. Such funds must be spent on
- 1200 | appropriate categoricals, such as instructional materials and

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1201 public school technology for those students.

1202 (j) Qualifications of instructional staff, procedures for
 1203 the selection of instructional staff, and procedures for
 1204 consistent instruction and qualified staff year-round.
 1205 Qualifications shall include those for instructors of career and
 1206 technical education ~~CAPE~~ courses, standardized across the state,
 1207 and shall be based on state certification, local school district
 1208 approval, and industry-recognized certifications as identified
 1209 on the Master Credentials ~~CAPE Industry Certification Funding~~
 1210 List. Procedures for the use of noncertified instructional
 1211 personnel who possess expert knowledge or experience in their
 1212 fields of instruction shall be established.

1213 (k) Transition services, including the roles and
 1214 responsibilities of appropriate personnel in the juvenile
 1215 justice education program, the school district in which ~~where~~
 1216 the student will reenter, provider organizations, and the
 1217 Department of Juvenile Justice.

1218 (l) Procedures and timeframe for transfer of education
 1219 records when a student enters and leaves a Department of
 1220 Juvenile Justice education program.

1221 (m) The requirement that each district school board
 1222 maintain an academic transcript for each student enrolled in a
 1223 juvenile justice education program that delineates each course
 1224 completed by the student as provided by the State Course Code
 1225 Directory.

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1226 (n) The requirement that each district school board make
 1227 available and transmit a copy of a student's transcript in the
 1228 discharge packet when the student exits a juvenile justice
 1229 education program.

1230 (o) Contract requirements.

1231 (p) Accountability and school improvement requirements as
 1232 public alternative schools pursuant to ss. 1008.31, 1008.34,
 1233 1008.341, and 1008.345

1234 ~~(p) Performance expectations for providers and district~~
 1235 ~~school boards, including student performance measures by type of~~
 1236 ~~program, education program performance ratings, school~~
 1237 ~~improvement, and corrective action plans for low-performing~~
 1238 ~~programs.~~

1239 (q) The role and responsibility of the district school
 1240 board in securing workforce development funds.

1241 ~~(r) A series of graduated sanctions for district school~~
 1242 ~~boards whose educational programs in Department of Juvenile~~
 1243 ~~Justice programs are considered to be unsatisfactory and for~~
 1244 ~~instances in which district school boards fail to meet standards~~
 1245 ~~prescribed by law, rule, or State Board of Education policy.~~
 1246 ~~These sanctions shall include the option of requiring a district~~
 1247 ~~school board to contract with a provider or another district~~
 1248 ~~school board if the educational program at the Department of~~
 1249 ~~Juvenile Justice program is performing below minimum standards~~
 1250 ~~and, after 6 months, is still performing below minimum~~

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1251 ~~standards.~~

1252 (r)~~(s)~~ Curriculum, school ~~guidance~~ counseling, transition,

1253 and education services expectations, including curriculum

1254 flexibility for detention centers operated by the Department of

1255 Juvenile Justice.

1256 (s)~~(t)~~ Other aspects of program operations.

1257 (3) The Department of Education in partnership with the

1258 Department of Juvenile Justice, the district school boards, and

1259 providers shall:

1260 (a) Develop and implement requirements for contracts and

1261 cooperative agreements regarding the delivery of appropriate

1262 education services to students in Department of Juvenile Justice

1263 education programs. The minimum contract requirements shall

1264 include, but are not limited to, payment structure and amounts;

1265 access to district services; contract management provisions;

1266 data reporting requirements, including reporting of full-time

1267 equivalent student membership; accountability requirements and

1268 corrective action plans, if needed; administration of federal

1269 programs such as Title I, exceptional student education, and the

1270 federal Strengthening Career and Technical Education for the

1271 21st Century Act ~~Carl D. Perkins Career and Technical Education~~

1272 ~~Act of 2006;~~ and the policy and standards included in subsection

1273 (2).

1274 (b) Develop and implement procedures for transitioning

1275 students into and out of Department of Juvenile Justice

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1276 education programs. These procedures shall reflect the policy
1277 and standards adopted pursuant to subsection (2).

1278 (c) Maintain standardized required content of education
1279 records to be included as part of a student's commitment record
1280 and procedures for securing the student's records. The education
1281 records shall include, but not be limited to, the following:

1282 1. A copy of the student's individual educational plan, and
1283 Section 504 plan, or behavioral plan, if applicable.

1284 2. A copy of the student's individualized progress
1285 monitoring plan.

1286 3. A copy of the student's individualized transition plan.

1287 4. Data on student performance on assessments taken
1288 according to s. 1008.22.

1289 5. A copy of the student's permanent cumulative record.

1290 6. A copy of the student's academic transcript.

1291 7. A portfolio reflecting the student's academic
1292 accomplishments and industry certification earned, when age
1293 appropriate, while in the Department of Juvenile Justice
1294 program.

1295 (d) Establish the roles and responsibilities of the
1296 juvenile probation officer and others involved in the withdrawal
1297 of the student from school and assignment to a juvenile justice
1298 education program.

1299 (4) Each district school board shall:

1300 (a) Notify students in juvenile justice education programs

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1301 | who attain the age of 16 years of the law regarding compulsory
 1302 | school attendance and make available the option of enrolling in
 1303 | an education program to attain a Florida high school diploma by
 1304 | taking the high school equivalency examination before release
 1305 | from the program. The Department of Education shall assist
 1306 | juvenile justice education programs with becoming high school
 1307 | equivalency examination centers.

1308 | (b) Respond to requests for student education records
 1309 | received from another district school board or a juvenile
 1310 | justice education program within 3 ~~5~~ working days after
 1311 | receiving the request.

1312 | (c) Provide access to courses offered pursuant to ss.
 1313 | 1002.37, 1002.45, 1002.455, and 1003.498. School districts and
 1314 | providers may enter into cooperative agreements for the
 1315 | provision of curriculum associated with courses offered pursuant
 1316 | to s. 1003.498 to enable providers to offer such courses.

1317 | (d) Complete the assessment process required by subsection
 1318 | (2).

1319 | (e) Monitor compliance with contracts for education
 1320 | programs for students in juvenile justice prevention, day
 1321 | treatment, ~~residential~~, and detention programs.

1322 | (5) The Department of Education shall issue an alternative
 1323 | school improvement rating for prevention and day treatment
 1324 | prevention juvenile justice education programs, pursuant to s.
 1325 | 1008.341 ~~establish and operate, either directly or indirectly~~

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1326 | ~~through a contract, a mechanism to provide accountability~~
 1327 | ~~measures that annually assesses and evaluates all juvenile~~
 1328 | ~~justice education programs using student performance data and~~
 1329 | ~~program performance ratings by type of program and shall provide~~
 1330 | ~~technical assistance and related research to district school~~
 1331 | ~~boards and juvenile justice education providers. The Department~~
 1332 | ~~of Education, with input from the Department of Juvenile~~
 1333 | ~~Justice, school districts, and education providers, shall~~
 1334 | ~~develop annual recommendations for system and school~~
 1335 | ~~improvement.~~

1336 | Section 27. Section 1003.52, Florida Statutes, is amended
 1337 | to read:

1338 | 1003.52 Educational services in Department of Juvenile
 1339 | Justice programs.—

1340 | (1) The Department of Education shall serve as the lead
 1341 | agency for juvenile justice education programs, curriculum,
 1342 | support services, and resources. To this end, the Department of
 1343 | Education and the Department of Juvenile Justice shall each
 1344 | designate a Coordinator for Juvenile Justice Education Programs
 1345 | to serve as the point of contact for resolving issues not
 1346 | addressed by district school boards and to provide each
 1347 | department's participation in the following activities:

1348 | (a) Training, collaborating, and coordinating with
 1349 | district school boards, local workforce development boards, ~~and~~
 1350 | ~~local youth councils,~~ educational contract providers, and

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1351 juvenile justice providers, whether state operated or
 1352 contracted.

1353 (b) Collecting information on the academic, career and
 1354 technical ~~professional~~ education ~~(CAPE)~~, and transition
 1355 performance of students in juvenile justice programs and
 1356 reporting on the results.

1357 (c) Developing academic and career and technical education
 1358 ~~CAPE~~ protocols that provide guidance to district school boards
 1359 and juvenile justice education providers in all aspects of
 1360 education programming, including records transfer and
 1361 transition.

1362 ~~(d) Implementing a joint accountability, program~~
 1363 ~~performance, and program improvement process.~~

1364
 1365 Annually, a cooperative agreement and plan for juvenile justice
 1366 education service enhancement shall be developed between the
 1367 Department of Juvenile Justice and the Department of Education
 1368 and submitted to the Secretary of Juvenile Justice and the
 1369 Commissioner of Education by June 30. The plan shall include, at
 1370 a minimum, each agency's role regarding educational program
 1371 accountability, technical assistance, training, and coordination
 1372 of services.

1373 (2) Students participating in Department of Juvenile
 1374 Justice education programs pursuant to chapter 985 which are
 1375 sponsored by a community-based agency or are operated or

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1376 contracted for by the Department of Juvenile Justice shall
 1377 receive education programs according to rules of the State Board
 1378 of Education. These students shall be eligible for services
 1379 afforded to students enrolled in programs pursuant to s. 1003.53
 1380 and all corresponding State Board of Education rules.

1381 (3) The district school board of the county in which the
 1382 juvenile justice education prevention, day treatment,
 1383 ~~residential,~~ or detention program is located shall provide or
 1384 contract for appropriate educational assessments and an
 1385 appropriate program of instruction and special education
 1386 services.

1387 (a) All contracts between a district school board desiring
 1388 to contract directly with juvenile justice education programs to
 1389 provide academic instruction for students in such programs must
 1390 be in writing and reviewed by the Department of Juvenile
 1391 Justice. Unless both parties agree to an extension of time, the
 1392 district school board and the juvenile justice education program
 1393 shall negotiate and execute a new or renewal contract within 40
 1394 days after the district school board provides the proposal to
 1395 the juvenile justice education program. The Department of
 1396 Education shall provide mediation services for any disputes
 1397 relating to this paragraph.

1398 (b) District school boards shall satisfy invoices issued
 1399 by juvenile justice education programs within 15 working days
 1400 after receipt. If a district school board does not timely issue

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1401 a warrant for payment, it must pay to the juvenile justice
 1402 education program interest at a rate of 1 percent per month,
 1403 calculated on a daily basis, on the unpaid balance until such
 1404 time as a warrant is issued for the invoice and accrued interest
 1405 amount. The district school board may not delay payment to a
 1406 juvenile justice education program of any portion of funds owed
 1407 pending the district's receipt of local funds.

1408 (c) The district school board shall make provisions for
 1409 each student to participate in basic career and technical
 1410 education, ~~CAPE~~, and exceptional student programs, as
 1411 appropriate. Students served in Department of Juvenile Justice
 1412 education programs shall have access to the appropriate courses
 1413 and instruction to prepare them for the high school equivalency
 1414 examination. Students participating in high school equivalency
 1415 examination preparation programs shall be funded at the basic
 1416 program cost factor for Department of Juvenile Justice programs
 1417 in the Florida Education Finance Program. Each program shall be
 1418 conducted according to applicable law providing for the
 1419 operation of public schools and rules of the State Board of
 1420 Education. School districts shall provide the high school
 1421 equivalency examination exit option for all juvenile justice
 1422 education programs, except for residential programs operated
 1423 under s. 985.619.

1424 (d) The district school board shall select appropriate
 1425 academic and career assessments to be administered at the time

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1426 of program entry and exit for the purpose of developing goals
 1427 for education transition plans, progress monitoring plans,
 1428 individual education plans, as applicable, and federal
 1429 reporting, as applicable

1430 ~~(d) The Department of Education, with the assistance of~~
 1431 ~~the school districts and juvenile justice education providers,~~
 1432 ~~shall select a common student assessment instrument and protocol~~
 1433 ~~for measuring student learning gains and student progression~~
 1434 ~~while a student is in a juvenile justice education program. The~~
 1435 ~~Department of Education and the Department of Juvenile Justice~~
 1436 ~~shall jointly review the effectiveness of this assessment and~~
 1437 ~~implement changes as necessary.~~

1438 (4) Educational services shall be provided at times of the
 1439 day most appropriate for the juvenile justice program. School
 1440 programming in juvenile justice detention, prevention, or day
 1441 treatment, ~~and residential~~ programs shall be made available by
 1442 the local school district during the juvenile justice school
 1443 year, as provided in s. 1003.01(14). In addition, students in
 1444 juvenile justice education programs shall have access to courses
 1445 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The
 1446 Department of Education and the school districts shall adopt
 1447 policies necessary to provide such access.

1448 (5) The educational program shall provide instruction
 1449 based on each student's individualized transition plan, assessed
 1450 educational needs, and the education programs available in the

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1451 school district in which the student will return. Depending on
 1452 the student's needs, educational programming may consist of
 1453 remedial courses, academic courses required for grade
 1454 advancement, career and technical education ~~CAPE courses~~, high
 1455 school equivalency examination preparation, or exceptional
 1456 student education curricula and related services which support
 1457 the transition goals and reentry and which may lead to
 1458 completion of the requirements for receipt of a high school
 1459 diploma or its equivalent. Prevention and day treatment juvenile
 1460 justice education programs, at a minimum, shall provide career
 1461 readiness and exploration opportunities as well as truancy and
 1462 dropout prevention intervention services. ~~Residential juvenile~~
 1463 ~~justice education programs with a contracted minimum length of~~
 1464 ~~stay of 9 months shall provide CAPE courses that lead to~~
 1465 ~~preapprentice certifications and industry certifications.~~
 1466 ~~Programs with contracted lengths of stay of less than 9 months~~
 1467 ~~may provide career education courses that lead to preapprentice~~
 1468 ~~certifications and CAPE industry certifications. If the duration~~
 1469 ~~of a program is less than 40 days, the educational component may~~
 1470 ~~be limited to tutorial remediation activities, career~~
 1471 ~~employability skills instruction, education counseling, and~~
 1472 ~~transition services that prepare students for a return to~~
 1473 ~~school, the community, and their home settings based on the~~
 1474 ~~students' needs.~~

1475 (6) Participation in the program by students of compulsory

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1476 school-attendance age as provided for in s. 1003.21 shall be
1477 mandatory. All students of noncompulsory school-attendance age
1478 who have not received a high school diploma or its equivalent
1479 shall participate in the educational program, unless the student
1480 files a formal declaration of his or her intent to terminate
1481 school enrollment as described in s. 1003.21 and is afforded the
1482 opportunity to take the high school equivalency examination and
1483 attain a Florida high school diploma before release from a
1484 juvenile justice education program. A student who has received a
1485 high school diploma or its equivalent and is not employed shall
1486 participate in workforce development ~~or other CAPE education~~ or
1487 Florida College System institution or university courses while
1488 in the program, subject to available funding.

1489 (7) An individualized progress monitoring plan shall be
1490 developed for all students ~~not classified as exceptional~~
1491 ~~education students~~ upon entry in a juvenile justice education
1492 program and upon reentry in the school district. These plans
1493 shall address academic, literacy, and career and technical
1494 skills and shall include provisions for intensive remedial
1495 instruction in the areas of weakness.

1496 (8) Each district school board shall maintain an academic
1497 record for each student enrolled in a juvenile justice education
1498 program as prescribed by s. 1003.51. Such record shall delineate
1499 each course completed by the student according to procedures in
1500 the State Course Code Directory. The district school board shall

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1501 include a copy of a student's academic record in the discharge
 1502 packet when the student exits the program.

1503 (9) Each district school board shall make provisions for
 1504 high school level students to earn credits toward high school
 1505 graduation while in ~~residential and nonresidential~~ juvenile
 1506 justice detention, prevention, or day treatment ~~education~~
 1507 programs. Provisions must be made for the transfer of credits
 1508 and partial credits earned.

1509 (10) School districts and juvenile justice education
 1510 providers shall develop individualized transition plans during
 1511 the course of a student's stay in a juvenile justice education
 1512 program to coordinate academic, career and technical, and
 1513 secondary and postsecondary services that assist the student in
 1514 successful community reintegration upon release. Development of
 1515 the transition plan shall be a collaboration of the personnel in
 1516 the juvenile justice education program, reentry personnel,
 1517 personnel from the school district where the student will
 1518 return, the student, the student's family, and the Department of
 1519 Juvenile Justice ~~personnel for committed students~~.

1520 (a) Transition planning must begin upon a student's
 1521 placement in the program. The transition plan must include, at a
 1522 minimum:

- 1523 1. Services and interventions that address the student's
- 1524 assessed educational needs and postrelease education plans.
- 1525 2. Services to be provided during the program stay and

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1526 services to be implemented upon release, including, but not
 1527 limited to, continuing education in secondary school, career and
 1528 technical education ~~CAPE programs~~, postsecondary education, or
 1529 employment, based on the student's needs.

1530 3. Specific monitoring responsibilities to determine
 1531 whether the individualized transition plan is being implemented
 1532 and the student is provided access to support services that will
 1533 sustain the student's success by individuals who are responsible
 1534 for the reintegration and coordination of these activities.

1535 (b) For the purpose of transition planning and reentry
 1536 services, representatives from the school district and the one-
 1537 stop center where the student will return shall participate as
 1538 members of the local Department of Juvenile Justice reentry
 1539 teams. The school district, upon return of a student from a
 1540 juvenile justice education program, must consider the individual
 1541 needs and circumstances of the student and the transition plan
 1542 recommendations when reenrolling a student in a public school. A
 1543 local school district may not maintain a standardized policy for
 1544 all students returning from a juvenile justice program but place
 1545 students based on their needs and their performance in the
 1546 juvenile justice education program, including any virtual
 1547 education options.

1548 (c) The Department of Education and the Department of
 1549 Juvenile Justice shall provide oversight and guidance to school
 1550 districts, education providers, and reentry personnel on how to

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1551 implement effective educational transition planning and
1552 services.

1553 (11) The district school board shall recruit and train
1554 teachers who are ~~interested, qualified, or experienced~~ in
1555 educating students in juvenile justice programs. Students in
1556 juvenile justice programs shall be provided a wide range of
1557 education programs and opportunities, including instructional
1558 materials ~~textbooks~~, technology, instructional support, and
1559 resources commensurate with resources provided to students in
1560 public schools, including instructional materials ~~textbooks~~ and
1561 access to technology. If the district school board operates a
1562 juvenile justice education program at a juvenile justice
1563 facility, the district school board, in consultation with the
1564 director of the juvenile justice facility, shall select the
1565 instructional personnel assigned to that program. The Secretary
1566 of Juvenile Justice or the director of a juvenile justice
1567 program may request that the performance of a teacher assigned
1568 by the district to a juvenile justice education program be
1569 reviewed by the district and that the teacher be reassigned
1570 based upon an evaluation conducted pursuant to s. 1012.34 or for
1571 inappropriate behavior. Juvenile justice education programs
1572 shall have access to the substitute teacher pool used by the
1573 district school board.

1574 (12) District school boards may contract with a private
1575 provider for the provision of education programs to students

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1576 | placed in juvenile justice detention, prevention, or day
 1577 | treatment programs with the Department of Juvenile Justice and
 1578 | shall generate local, state, and federal funding, including
 1579 | funding through the Florida Education Finance Program for such
 1580 | students. The district school board's planning and budgeting
 1581 | process shall include the needs of Department of Juvenile
 1582 | Justice education programs in the district school board's plan
 1583 | for expenditures for state categorical and federal funds.

1584 | (13) (a) Eligible students enrolled in juvenile justice
 1585 | detention, prevention, or day treatment education programs shall
 1586 | be funded the same as students enrolled in traditional public
 1587 | schools funded in the Florida Education Finance Program and as
 1588 | specified in s. 1011.62 and the General Appropriations Act.

1589 | (b) Juvenile justice education programs to receive the
 1590 | appropriate FEFP funding for Department of Juvenile Justice
 1591 | education programs shall include those operated through a
 1592 | contract with the Department of Juvenile Justice.

1593 | (c) Consistent with the rules of the State Board of
 1594 | Education, district school boards shall request an alternative
 1595 | FTE survey for Department of Juvenile Justice education programs
 1596 | experiencing fluctuations in student enrollment.

1597 | (d) FTE count periods shall be prescribed in rules of the
 1598 | State Board of Education and shall be the same for programs of
 1599 | the Department of Juvenile Justice as for other public school
 1600 | programs. The summer school period for students in Department of

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1601 Juvenile Justice education programs shall begin on the day
 1602 immediately following the end of the regular school year and end
 1603 on the day immediately preceding the subsequent regular school
 1604 year. Students shall be funded for no more than 25 hours per
 1605 week of direct instruction.

1606 (e) Each juvenile justice education program must receive
 1607 all federal funds for which the program is eligible.

1608 (14) Each district school board shall negotiate a
 1609 cooperative agreement with the Department of Juvenile Justice on
 1610 the delivery of educational services to students in juvenile
 1611 justice detention, prevention, or day treatment programs under
 1612 the jurisdiction of the Department of Juvenile Justice. Such
 1613 agreement must include, but is not limited to:

1614 (a) Roles and responsibilities of each agency, including
 1615 the roles and responsibilities of contract providers.

1616 (b) Administrative issues including procedures for sharing
 1617 information.

1618 (c) Allocation of resources including maximization of
 1619 local, state, and federal funding.

1620 (d) Procedures for educational evaluation for educational
 1621 exceptionalities and special needs.

1622 (e) Curriculum and delivery of instruction.

1623 (f) Classroom management procedures and attendance
 1624 policies.

1625 (g) Procedures for provision of qualified instructional

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1626 personnel, whether supplied by the district school board or
 1627 provided under contract by the provider, and for performance of
 1628 duties while in a juvenile justice setting.

1629 (h) Provisions for improving skills in teaching and
 1630 working with students referred to juvenile justice education
 1631 programs.

1632 (i) Transition plans for students moving into and out of
 1633 juvenile justice education programs.

1634 (j) Procedures and timelines for the timely documentation
 1635 of credits earned and transfer of student records.

1636 (k) Methods and procedures for dispute resolution.

1637 (l) Provisions for ensuring the safety of education
 1638 personnel and support for the agreed-upon education program.

1639 (m) Strategies for correcting any deficiencies found
 1640 through the alternative school improvement rating accountability
 1641 ~~and evaluation system~~ and student performance measures.

1642 (n) Career and academic assessments selected by the
 1643 district pursuant to paragraph (3)(d).

1644 (15) Nothing in this section or in a cooperative agreement
 1645 requires the district school board to provide more services than
 1646 can be supported by the funds generated by students in the
 1647 juvenile justice programs.

1648 ~~(16) The Department of Education, in consultation with the~~
 1649 ~~Department of Juvenile Justice, district school boards, and~~
 1650 ~~providers, shall adopt rules establishing:~~

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1651 ~~(a) Objective and measurable student performance measures~~
1652 ~~to evaluate a student's educational progress while participating~~
1653 ~~in a prevention, day treatment, or residential program. The~~
1654 ~~student performance measures must be based on appropriate~~
1655 ~~outcomes for all students in juvenile justice education~~
1656 ~~programs, taking into consideration the student's length of stay~~
1657 ~~in the program. Performance measures shall include outcomes that~~
1658 ~~relate to student achievement of career education goals,~~
1659 ~~acquisition of employability skills, receipt of a high school~~
1660 ~~diploma or its equivalent, grade advancement, and the number of~~
1661 ~~CAPE industry certifications earned.~~

1662 ~~(b) A performance rating system to be used by the~~
1663 ~~Department of Education to evaluate the delivery of educational~~
1664 ~~services within each of the juvenile justice programs. The~~
1665 ~~performance rating shall be primarily based on data regarding~~
1666 ~~student performance as described in paragraph (a).~~

1667 ~~(c) The timeframes, procedures, and resources to be used~~
1668 ~~to improve a low-rated educational program or to terminate or~~
1669 ~~reassign the program.~~

1670 ~~(d) The Department of Education, in partnership with the~~
1671 ~~Department of Juvenile Justice, shall develop a comprehensive~~
1672 ~~accountability and program improvement process. The~~
1673 ~~accountability and program improvement process shall be based on~~
1674 ~~student performance measures by type of program and shall rate~~
1675 ~~education program performance. The accountability system shall~~

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1676 ~~identify and recognize high-performing education programs. The~~
 1677 ~~Department of Education, in partnership with the Department of~~
 1678 ~~Juvenile Justice, shall identify low-performing programs. Low-~~
 1679 ~~performing education programs shall receive an onsite program~~
 1680 ~~evaluation from the Department of Juvenile Justice. School~~
 1681 ~~improvement, technical assistance, or the reassignment of the~~
 1682 ~~program shall be based, in part, on the results of the program~~
 1683 ~~evaluation. Through a corrective action process, low-performing~~
 1684 ~~programs must demonstrate improvement or the programs shall be~~
 1685 ~~reassigned.~~

1686 ~~(17) The department, in collaboration with the Department~~
 1687 ~~of Juvenile Justice, shall collect data and report on~~
 1688 ~~commitment, day treatment, prevention, and detention programs.~~
 1689 ~~The report shall be submitted to the President of the Senate,~~
 1690 ~~the Speaker of the House of Representatives, and the Governor by~~
 1691 ~~February 1 of each year. The report must include, at a minimum:~~

1692 ~~(a) The number and percentage of students who:~~

1693 ~~1. Return to an alternative school, middle school, or high~~
 1694 ~~school upon release and the attendance rate of such students~~
 1695 ~~before and after participation in juvenile justice education~~
 1696 ~~programs.~~

1697 ~~2. Receive a standard high school diploma or a high school~~
 1698 ~~equivalency diploma.~~

1699 ~~3. Receive industry certification.~~

1700 ~~4. Enroll in a postsecondary educational institution.~~

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1701 ~~5. Complete a juvenile justice education program without~~
 1702 ~~reoffending.~~

1703 ~~6. Reoffend within 1 year after completion of a day~~
 1704 ~~treatment or residential commitment program.~~

1705 ~~7. Remain employed 1 year after completion of a day~~
 1706 ~~treatment or residential commitment program.~~

1707 ~~8. Demonstrate learning gains pursuant to paragraph~~
 1708 ~~(3)(d).~~

1709 ~~(b) The following cost data for each juvenile justice~~
 1710 ~~education program:~~

1711 ~~1. The amount of funding provided by district school~~
 1712 ~~boards to juvenile justice programs and the amount retained for~~
 1713 ~~administration, including documenting the purposes of such~~
 1714 ~~expenses.~~

1715 ~~2. The status of the development of cooperative~~
 1716 ~~agreements.~~

1717 ~~3. Recommendations for system improvement.~~

1718 ~~4. Information on the identification of, and services~~
 1719 ~~provided to, exceptional students, to determine whether these~~
 1720 ~~students are properly reported for funding and are appropriately~~
 1721 ~~served.~~

1722 (16) ~~(18)~~ The district school board shall not be charged
 1723 any rent, maintenance, utilities, or overhead on such
 1724 facilities. Maintenance, repairs, and remodeling of existing
 1725 detention facilities shall be provided by the Department of

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1726 Juvenile Justice.

1727 ~~(17)-(19)~~ When additional facilities are required for
1728 juvenile justice detention, prevention, or day treatment
1729 programs, the district school board and the Department of
1730 Juvenile Justice shall agree on the appropriate site based on
1731 the instructional needs of the students. When the most
1732 appropriate site for instruction is on district school board
1733 property, a special capital outlay request shall be made by the
1734 commissioner in accordance with s. 1013.60. When the most
1735 appropriate site is on state property, state capital outlay
1736 funds shall be requested by the Department of Juvenile Justice
1737 provided by s. 216.043 and shall be submitted as specified by s.
1738 216.023. Any instructional facility to be built on state
1739 property shall have educational specifications jointly developed
1740 by the district school board and the Department of Juvenile
1741 Justice and approved by the Department of Education. The size of
1742 space and occupant design capacity criteria as provided by State
1743 Board of Education rules shall be used for remodeling or new
1744 construction whether facilities are provided on state property
1745 or district school board property.

1746 ~~(18)-(20)~~ The parent of an exceptional student shall have
1747 the due process rights provided for in this chapter.

1748 ~~(19)-(21)~~ The State Board of Education shall adopt rules
1749 necessary to implement this section. Such rules must require the
1750 minimum amount of paperwork and reporting.

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1751 ~~(22) The Department of Juvenile Justice and the Department~~
 1752 ~~of Education, in consultation with CareerSource Florida, Inc.,~~
 1753 ~~the statewide Workforce Development Youth Council, district~~
 1754 ~~school boards, Florida College System institutions, providers,~~
 1755 ~~and others, shall jointly develop a multiagency plan for CAPE~~
 1756 ~~which describes the funding, curriculum, transfer of credits,~~
 1757 ~~goals, and outcome measures for career education programming in~~
 1758 ~~juvenile commitment facilities, pursuant to s. 985.622. The plan~~
 1759 ~~must be reviewed annually.~~

1760 Section 28. For the purpose of incorporating the amendment
 1761 made by this act to section 985.115, Florida Statutes, in a
 1762 reference thereto, subsection (1) of section 985.25, Florida
 1763 Statutes, is reenacted to read:

1764 985.25 Detention intake.—

1765 (1) The department shall receive custody of a child who
 1766 has been taken into custody from the law enforcement agency or
 1767 court and shall review the facts in the law enforcement report
 1768 or probable cause affidavit and make such further inquiry as may
 1769 be necessary to determine whether detention care is appropriate.

1770 (a) During the period of time from the taking of the child
 1771 into custody to the date of the detention hearing, the initial
 1772 decision as to the child's placement into detention care shall
 1773 be made by the department under ss. 985.24 and 985.245(1).

1774 (b) The department shall base the decision whether to
 1775 place the child into detention care on an assessment of risk in

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1776 accordance with the risk assessment instrument and procedures
1777 developed by the department under s. 985.245, except that a
1778 child shall be placed in secure detention care until the child's
1779 detention hearing if the child meets the criteria specified in
1780 s. 985.255(1)(f), is charged with possessing or discharging a
1781 firearm on school property in violation of s. 790.115, or is
1782 charged with any other offense involving the possession or use
1783 of a firearm.

1784 (c) If the final score on the child's risk assessment
1785 instrument indicates detention care is appropriate, but the
1786 department otherwise determines the child should be released,
1787 the department shall contact the state attorney, who may
1788 authorize release.

1789 (d) If the final score on the risk assessment instrument
1790 indicates detention is not appropriate, the child may be
1791 released by the department in accordance with ss. 985.115 and
1792 985.13.

1793
1794 Under no circumstances shall the department or the state
1795 attorney or law enforcement officer authorize the detention of
1796 any child in a jail or other facility intended or used for the
1797 detention of adults, without an order of the court.

1798 Section 29. For the purpose of incorporating the amendment
1799 made by this act to section 985.27, Florida Statutes, in a
1800 reference thereto, subsection (3) of section 985.255, Florida

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1801 Statutes, is reenacted to read:

1802 985.255 Detention criteria; detention hearing.—

1803 (3)(a) The purpose of the detention hearing required under
 1804 subsection (1) is to determine the existence of probable cause
 1805 that the child has committed the delinquent act or violation of
 1806 law that he or she is charged with and the need for continued
 1807 detention. The court shall use the results of the risk
 1808 assessment performed by the department and, based on the
 1809 criteria in subsection (1), shall determine the need for
 1810 continued detention. If the child is a prolific juvenile
 1811 offender who is detained under s. 985.26(2)(c), the court shall
 1812 use the results of the risk assessment performed by the
 1813 department and the criteria in subsection (1) or subsection (2)
 1814 only to determine whether the prolific juvenile offender should
 1815 be held in secure detention.

1816 (b) If the court orders a placement more restrictive than
 1817 indicated by the results of the risk assessment instrument, the
 1818 court shall state, in writing, clear and convincing reasons for
 1819 such placement.

1820 (c) Except as provided in s. 790.22(8) or s. 985.27, when
 1821 a child is placed into detention care, or into a respite home or
 1822 other placement pursuant to a court order following a hearing,
 1823 the court order must include specific instructions that direct
 1824 the release of the child from such placement no later than 5
 1825 p.m. on the last day of the detention period specified in s.

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1826 985.26 or s. 985.27, whichever is applicable, unless the
1827 requirements of such applicable provision have been met or an
1828 order of continuance has been granted under s. 985.26(4). If the
1829 court order does not include a release date, the release date
1830 shall be requested from the court on the same date that the
1831 child is placed in detention care. If a subsequent hearing is
1832 needed to provide additional information to the court for safety
1833 planning, the initial order placing the child in detention care
1834 shall reflect the next detention review hearing, which shall be
1835 held within 3 calendar days after the child's initial detention
1836 placement.

1837 Section 30. For the purpose of incorporating the amendment
1838 made by this act to section 985.441, Florida Statutes, in a
1839 reference thereto, paragraph (h) of subsection (2) of section
1840 985.475, Florida Statutes, is reenacted to read:

1841 985.475 Juvenile sexual offenders.—

1842 (2) Following a delinquency adjudicatory hearing under s.
1843 985.35, the court may on its own or upon request by the state or
1844 the department and subject to specific appropriation, determine
1845 whether a juvenile sexual offender placement is required for the
1846 protection of the public and what would be the best approach to
1847 address the treatment needs of the juvenile sexual offender.
1848 When the court determines that a juvenile has no history of a
1849 recent comprehensive assessment focused on sexually deviant
1850 behavior, the court may, subject to specific appropriation,

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1851 order the department to conduct or arrange for an examination to
 1852 determine whether the juvenile sexual offender is amenable to
 1853 community-based treatment.

1854 (h) If the juvenile sexual offender violates any condition
 1855 of the disposition or the court finds that the juvenile sexual
 1856 offender is failing to make satisfactory progress in treatment,
 1857 the court may revoke the community-based treatment alternative
 1858 and order commitment to the department under s. 985.441.

1859 Section 31. For the purpose of incorporating the amendment
 1860 made by this act to section 985.441, Florida Statutes, in a
 1861 reference thereto, paragraph (b) of subsection (4) of section
 1862 985.565, Florida Statutes, is reenacted to read:

1863 985.565 Sentencing powers; procedures; alternatives for
 1864 juveniles prosecuted as adults.—

1865 (4) SENTENCING ALTERNATIVES.—

1866 (b) *Juvenile sanctions.*—For juveniles transferred to adult
 1867 court but who do not qualify for such transfer under s.
 1868 985.556(3), the court may impose juvenile sanctions under this
 1869 paragraph. If juvenile sentences are imposed, the court shall,
 1870 under this paragraph, adjudge the child to have committed a
 1871 delinquent act. Adjudication of delinquency may not be deemed a
 1872 conviction, nor shall it operate to impose any of the civil
 1873 disabilities ordinarily resulting from a conviction. The court
 1874 shall impose an adult sanction or a juvenile sanction and may
 1875 not sentence the child to a combination of adult and juvenile

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1876 | punishments. An adult sanction or a juvenile sanction may
 1877 | include enforcement of an order of restitution or probation
 1878 | previously ordered in any juvenile proceeding. However, if the
 1879 | court imposes a juvenile sanction and the department determines
 1880 | that the sanction is unsuitable for the child, the department
 1881 | shall return custody of the child to the sentencing court for
 1882 | further proceedings, including the imposition of adult
 1883 | sanctions. Upon adjudicating a child delinquent under subsection
 1884 | (1), the court may:

1885 | 1. Place the child in a probation program under the
 1886 | supervision of the department for an indeterminate period of
 1887 | time until the child reaches the age of 19 years or sooner if
 1888 | discharged by order of the court.

1889 | 2. Commit the child to the department for treatment in an
 1890 | appropriate program for children for an indeterminate period of
 1891 | time until the child is 21 or sooner if discharged by the
 1892 | department. The department shall notify the court of its intent
 1893 | to discharge no later than 14 days before discharge. Failure of
 1894 | the court to timely respond to the department's notice shall be
 1895 | considered approval for discharge.

1896 | 3. Order disposition under ss. 985.435, 985.437, 985.439,
 1897 | 985.441, 985.45, and 985.455 as an alternative to youthful
 1898 | offender or adult sentencing if the court determines not to
 1899 | impose youthful offender or adult sanctions.

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1901 It is the intent of the Legislature that the criteria and
 1902 guidelines in this subsection are mandatory and that a
 1903 determination of disposition under this subsection is subject to
 1904 the right of the child to appellate review under s. 985.534.

1905 Section 32. For the purpose of incorporating the amendment
 1906 made by this act to section 985.03, Florida Statutes, in a
 1907 reference thereto, section 985.721, Florida Statutes, is
 1908 reenacted to read:

1909 985.721 Escapes from secure detention or residential
 1910 commitment facility.—An escape from:

1911 (1) Any secure detention facility maintained for the
 1912 temporary detention of children, pending adjudication,
 1913 disposition, or placement;

1914 (2) Any residential commitment facility described in s.
 1915 985.03(44), maintained for the custody, treatment, punishment,
 1916 or rehabilitation of children found to have committed delinquent
 1917 acts or violations of law; or

1918 (3) Lawful transportation to or from any such secure
 1919 detention facility or residential commitment facility,

1920
 1921 constitutes escape within the intent and meaning of s. 944.40
 1922 and is a felony of the third degree, punishable as provided in
 1923 s. 775.082, s. 775.083, or s. 775.084.

1924 Section 33. This act shall take effect July 1, 2024.