Original

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1	A bill to be entitled
2	An act relating to juvenile justice education
3	programs; amending s. 985.622, F.S.; revising
4	provisions to be included in the multiagency education
5	plan for students in juvenile justice education
6	programs, including virtual education as an option;
7	amending s. 985.632, F.S.; requiring the Department of
8	Juvenile Justice to provide cost and effectiveness
9	information for program and program activities to the
10	Legislature and the public; deleting legislative
11	intent language; requiring implementation of an
12	accountability system to ensure client needs are met;
13	requiring the department and Department of Education
14	to submit an annual report that includes data on
15	program costs and effectiveness and student
16	achievement and recommendations for elimination or
17	modification of programs; amending s. 1001.31, F.S.;
18	authorizing instructional personnel at all juvenile
19	justice facilities to access specific student records
20	at the district; amending s. 1003.51, F.S.; revising
21	terminology; revising requirements for rules to be
22	maintained by the State Board of Education; providing
23	expectations for effective education programs for
24	students in Department of Juvenile Justice programs;
25	revising requirements for contract and cooperative
26	agreements for the delivery of appropriate education
27	services to students in Department of Juvenile Justice
28	programs; requiring the Department of Education to
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29	ensure that juvenile justice students who are eligible
30	have access to high school equivalency testing and
31	assist juvenile justice education programs with
32	becoming high school equivalency testing centers;
33	revising requirements for an accountability system all
34	juvenile justice education programs; revising
35	requirements to district school boards; amending s.
36	1003.52, F.S.; revising requirements for activities to
37	be coordinated by the coordinators for juvenile
38	justice education programs; authorizing contracting
39	for educational assessments; revising requirements for
40	assessments; authorizing access to local virtual
41	education courses; requiring that an education program
42	shall be based on each student's transition plan and
43	assessed educational needs; providing requirements for
44	prevention and day treatment juvenile justice
45	education programs; requiring progress monitoring
46	plans for all students not classified as exceptional
47	student education students; revising requirements for
48	such plans; requiring that the Department of
49	Education, in partnership with the Department of
50	Juvenile Justice, ensure that school districts and
51	juvenile justice education providers develop
52	individualized transition plans; providing
53	requirements for such plans; providing that the
54	Secretary of Juvenile Justice or the director of a
55	juvenile justice program may request that a school
56	district teacher's performance be reviewed by the
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57 district and that the teacher be reassigned in certain 58 circumstances; correcting a cross-reference; requiring 59 the Department of Education to establish by rule 60 objective and measurable student performance measures 61 and program performance ratings; providing 62 requirements for such ratings; requiring a comprehensive accountability and program improvement 63 process; providing requirements for such a process; 64 deleting provisions for minimum thresholds for the 65 standards and key indicators for education programs in 66 juvenile justice facilities; deleting a requirement 67 68 for an annual report; requiring data collection; 69 deleting provisions concerning the Arthur Dozier 70 School for Boys; requiring rulemaking; amending s. 71 1001.42, F.S.; revising terminology; revising a cross-72 reference; providing a directive to the Division of 73 Law Revision and Information; providing an effective 74 date. 75 76 Be It Enacted by the Legislature of the State of Florida: 77 78 Section 1. Section 985.622, Florida Statutes, is amended 79 to read:

80

80 985.622 Multiagency plan for <u>career</u> vocational education.81 (1) The Department of Juvenile Justice and the Department

82 of Education shall, in consultation with the statewide Workforce 83 Development Youth Council, school districts, providers, and 84 others, jointly develop a multiagency plan for <u>career</u> vocational

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PCS for HB 441 CODING: Words stricken are deletions; words underlined are additions.

	PCS for HB 441 Original 2013
85	education that establishes the curriculum, goals, and outcome
86	measures for <u>career</u> vocational programs in juvenile <u>justice</u>
87	education programs commitment facilities. The plan must include:
88	(a) Provisions for maximizing appropriate state and
89	federal funding sources, including funds under the Workforce
90	Investment Act and the Perkins Act $_{.} au$
91	(b) Provisions for eliminating barriers to increasing
92	occupation-specific job training and high school equivalency
93	examination preparation opportunities.
94	<u>(c)</u> The responsibilities of both departments and all
95	other appropriate entities.; and
96	(d) (c) A detailed implementation schedule.
97	(2) The plan must define <u>career</u> vocational programming
98	that is appropriate based upon:
99	(a) The age and assessed educational abilities and goals
100	of the <u>student</u> youth to be served; and
101	(b) The typical length of stay and custody characteristics
102	at the juvenile justice education commitment program to which
103	each <u>student</u> youth is assigned.
104	(3) The plan must include a definition of <u>career</u>
105	vocational programming that includes the following
106	classifications of juvenile justice education programs
107	commitment facilities that will offer career vocational
108	programming by one of the following types:
109	(a) Type APrograms that teach personal accountability
110	skills and behaviors that are appropriate for <u>students</u> youth in
111	all age groups and ability levels and that lead to work habits
112	that help maintain employment and living standards.
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(b) Type B.-Programs that include Type A program content and an orientation to the broad scope of career choices, based upon personal abilities, aptitudes, and interests. Exploring and gaining knowledge of occupation options and the level of effort required to achieve them are essential prerequisites to skill training.

(c) Type C.-Programs that include Type A program content and the <u>career</u> vocational competencies or the prerequisites needed for entry into a specific occupation.

122 The plan must also address strategies to facilitate (4) 123 involvement of business and industry in the design, delivery, 124 and evaluation of career vocational programming in juvenile 125 justice education commitment facilities and conditional release 126 programs, including apprenticeship and work experience programs, 127 mentoring and job shadowing, and other strategies that lead to 128 postrelease employment. Incentives for business involvement, 129 such as tax breaks, bonding, and liability limits should be investigated, implemented where appropriate, or recommended to 130 the Legislature for consideration. 131

132 (5) The plan must also evaluate the effect of students' 133 mobility between juvenile justice education programs and school 134 districts on the students' educational outcomes and whether the 135 continuity of the students' education can be better addressed 136 through virtual education.

137 <u>(6) (5)</u> The Department of Juvenile Justice and the 138 Department of Education shall each align its respective agency 139 policies, practices, technical manuals, contracts, quality-140 assurance standards, performance-based-budgeting measures, and

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PCS for HB 441 CODING: Words stricken are deletions; words underlined are additions.

	PCS for HB 441 Original 2013
141	outcome measures with the plan in juvenile justice education
142	programs commitment facilities by July 31, 2014 2001. Each
143	agency shall provide a report on the implementation of this
144	section to the Governor, the President of the Senate, and the
145	Speaker of the House of Representatives by August 31, 2014 2001 .
146	(7) (6) All provider contracts executed by the Department
147	of Juvenile Justice or the school districts after January 1,
148	2015 2002 , must be aligned with the plan.
149	(8) (7) The planning and execution of quality assurance
150	reviews conducted by the Department of Education or the
151	Department of Juvenile Justice after August 1, <u>2014</u> 2002 , must
152	be aligned with the plan.
153	(9) (8) Outcome measures reported by the Department of
154	Juvenile Justice and the Department of Education for <u>students</u>
155	youth released on or after January 1, <u>2015</u> 2002 , should include
156	outcome measures that conform to the plan.
157	Section 2. Subsections (1) and (3) of section 985.632,
158	Florida Statutes, are amended to read:
159	985.632 Quality assurance and cost-effectiveness
160	(1) The department shall:
161	(a) Provide cost and effectiveness information on programs
162	and program activities in order to compare, improve, or
163	eliminate a program or program activity if necessary.
164	(b) Provide program and program activity cost and
165	effectiveness data to the Legislature in order for resources to
166	be allocated for achieving desired performance outcomes.
167	(c) Provide information to the public concerning program
168	and program activity cost and effectiveness.
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	PCS for HB 441	Original	2013
169	(d) Imple	ement a system of accountability in order to	
170	provide the bes	st and most appropriate programs and activities	to
171	<u>meet client nee</u>	eds.	
172	(e) Cont	inue to improve service delivery. It is the int	ent
173	of the Legislat	ture that the department:	
174	(a) Ensu	re that information be provided to decisionmake	rs
175	in a timely man	nner so that resources are allocated to program	9
176	of the departme	ent which achieve desired performance levels.	
177	(b) Prov	de information about the cost of such programs	
178	and their diffe	erential effectiveness so that the quality of s	uch
179	programs can b	e compared and improvements made continually.	
180	(c) Prov	de information to aid in developing related	
181	policy issues a	and concerns.	
182	(d) Provi	de information to the public about the	
183	effectiveness of	of such programs in meeting established goals a	nd
184	objectives.		
185	(e) Prov	de a basis for a system of accountability so t	hat
186	each client is	afforded the best programs to meet his or her	
187	needs.		
188	(f) Impro	ove service delivery to clients.	
189	(g) Modi	fy or eliminate activities that are not effecti	ve.
190	(3) <u>By Ma</u>	arch 1st of each year, the department, in	
191	consultation w	th the Department of Education, shall publish	a
192	report on prog	cam costs and effectiveness. The report shall	
193	include uniform	n cost data for each program operated by the	
194	department or b	by providers under contract with the department	<u>•</u>
195	The Department	of Education shall provide the cost data on ea	ch
196	education prog	cam operated by a school district or a provider	
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	PCS for HB 441 Original 20	013
197	under contract with a school district. Cost data shall be	
198	formatted and presented in a manner approved by the Legislature	<u>.</u>
199	The report shall also include data on student learning gains, a	S
200	provided by the Department of Education, for all juvenile	
201	justice education programs as required under s. 1003.52(3)(b),	
202	information required under ss. 1003.52(17) and (21), the cost-	
203	effectiveness of each program offered, and recommendations for	
204	modification or elimination of programs or program activities	
205	The department shall annually collect and report cost data for	
206	every program operated or contracted by the department. The cos	ŧ
207	data shall conform to a format approved by the department and	
208	the Legislature. Uniform cost data shall be reported and	
209	collected for state-operated and contracted programs so that	
210	comparisons can be made among programs. The department shall	
211	ensure that there is accurate cost accounting for state-operate	d
212	services including market-equivalent rent and other shared cost	•
213	The cost of the educational program provided to a residential	
214	facility shall be reported and included in the cost of a	
215	program. The department shall submit an annual cost report to	
216	the President of the Senate, the Speaker of the House of	
217	Representatives, the Minority Leader of each house of the	
218	Legislature, the appropriate substantive and fiscal committees	
219	of each house of the Legislature, and the Governor, no later	
220	than December 1 of each year. Cost-benefit analysis for	
221	educational programs will be developed and implemented in	
222	collaboration with and in cooperation with the Department of	
223	Education, local providers, and local school districts. Cost	
224	data for the report shall include data collected by the	
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225 Department of Education for the purposes of preparing the annual 226 report required by s. 1003.52(19).

227 Section 3. Section 1001.31, Florida Statutes, is amended 228 to read:

229 1001.31 Scope of district system.-A district school system 230 shall include all public schools, classes, and courses of 231 instruction and all services and activities directly related to 232 education in that district which are under the direction of the 233 district school officials. A district school system may also 234 include alternative site schools for disruptive or violent 235 students youth. Such schools for disruptive or violent students 236 youth may be funded by each district or provided through 237 cooperative programs administered by a consortium of school 238 districts, private providers, state and local law enforcement 239 agencies, and the Department of Juvenile Justice. Pursuant to 240 cooperative agreement, a district school system shall provide 241 instructional personnel at juvenile justice facilities of 50 or 242 more beds or slots with access to the district school system 243 database for the purpose of accessing student academic, 244 immunization, and registration records for students assigned to 245 the programs. Such access shall be in the same manner as 246 provided to other schools in the district.

247 Section 4. Section 1003.51, Florida Statutes, is amended 248 to read:

249

1003.51 Other public educational services.-

(1) The general control of other public educational
services shall be vested in the State Board of Education except
as provided in this section herein. The State Board of Education

PCS for HB 441

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253 shall, at the request of the Department of Children and Families 254 Family Services and the Department of Juvenile Justice, advise as to standards and requirements relating to education to be met 255 256 in all state schools or institutions under their control which 257 provide educational programs. The Department of Education shall 258 provide supervisory services for the educational programs of all 259 such schools or institutions. The direct control of any of these 260 services provided as part of the district program of education shall rest with the district school board. These services shall 261 262 be supported out of state, district, federal, or other lawful 263 funds, depending on the requirements of the services being 264 supported.

265 (2)The State Board of Education shall adopt rules and 266 maintain an administrative rule articulating expectations for 267 effective education programs for students youth in Department of 268 Juvenile Justice programs, including, but not limited to, 269 education programs in juvenile justice prevention, day 270 treatment, residential, commitment and detention facilities. The rule shall establish articulate policies and standards for 271 272 education programs for students youth in Department of Juvenile 273 Justice programs and shall include the following:

(a) The interagency collaborative process needed to ensureeffective programs with measurable results.

(b) The responsibilities of the Department of Education,
the Department of Juvenile Justice, <u>Workforce Florida, Inc.</u>,
district school boards, and providers of education services to
<u>students</u> youth in Department of Juvenile Justice programs.
(c) Academic expectations.

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	PCS for HB 441 Original	2013
281	(d) Career and technical expectations.	
282	(e) Education transition planning and	services.
283	(f)(d) Service delivery options availa	ble to district
284	school boards, including direct service and	contracting.
285	(g) (e) Assessment procedures, which:	
286	1. Include appropriate academic and ca	reer assessments
287	administered at program entry and exit that	are selected by the
288	Department of Education in partnership with	representatives from
289	the Department of Juvenile Justice, district	school boards, and
290	education providers.	
291	2. Require district school boards to b	e responsible for
292	ensuring the completion of the assessment pr	ocess.
293	3. Require assessments for students in	detention who will
294	move on to commitment facilities, to be desi	gned to create the
295	foundation for developing the student's educ	ation program in the
296	assigned commitment facility.	
297	<u>2.4.</u> Require assessments of students <u>i</u>	n programs sent
298	directly to commitment facilities to be comp	leted within the
299	first 10 school days <u>after</u> of the student's	entry into the
300	program commitment.	
301		
302	The results of these assessments, together w	ith a portfolio
303	depicting the student's academic and career	accomplishments,
304	shall be included in the discharge <u>packet</u> pa	ckage assembled for
305	each <u>student</u> youth .	
306	(h) (f) Recommended instructional progr	ams, including, but
307	not limited to, <u>secondary education</u> , high sc	hool equivalency
308	examination preparation, postsecondary educa	tion, career
 [PCS for HB 441	

Original

309 training, and job preparation.

(i) (g) Funding requirements, which shall include the 310 311 requirement that at least 90 percent of the FEFP funds generated 312 by students in Department of Juvenile Justice programs or in an 313 education program for juveniles under s. 985.19 be spent on 314 instructional costs for those students. One hundred percent of the formula-based categorical funds generated by students in 315 316 Department of Juvenile Justice programs must be spent on 317 appropriate categoricals such as instructional materials and 318 public school technology for those students.

319 (j) (h) Qualifications of instructional staff, procedures 320 for the selection of instructional staff, and procedures for to 321 ensure consistent instruction and qualified staff year round. 322 Qualifications shall include those for career education instructors, standardized across the state, and shall be based 323 324 on state certification, local school district approval, and 325 industry-recognized credentials or industry training. Procedures 326 for the use of noncertified instructional personnel who possess 327 expert knowledge or experience in their fields of instruction 328 shall be established.

329 <u>(k) (i)</u> Transition services, including the roles and 330 responsibilities of appropriate personnel in <u>the juvenile</u> 331 <u>justice education program, the</u> school <u>district where the student</u> 332 <u>will reenter</u> districts, provider organizations, and the 333 Department of Juvenile Justice.

334 <u>(1)(j)</u> Procedures and timeframe for transfer of education 335 records when a <u>student</u> youth enters and leaves a <u>Department of</u> 336 <u>Juvenile Justice education program</u> facility.

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337 <u>(m)(k)</u> The requirement that each district school board 338 maintain an academic transcript for each student enrolled in a 339 juvenile justice <u>education program</u> facility that delineates each 340 course completed by the student as provided by the State Course 341 Code Directory.

342 <u>(n)(1)</u> The requirement that each district school board 343 make available and transmit a copy of a student's transcript in 344 the discharge packet when the student exits a <u>juvenile justice</u> 345 education program facility.

346

(o) (m) contract requirements.

347 <u>(p) (n)</u> Performance expectations for providers and district 348 school boards, including <u>student performance measures by type of</u> 349 program, education program performance ratings, school

350 <u>improvement</u>, and corrective action plans for low-performing 351 <u>programs</u> the provision of a progress monitoring plan as required 352 <u>in s. 1008.25</u>.

353 <u>(q)(o)</u> The role and responsibility of the district school 354 board in securing workforce development funds.

355 (r) (p) A series of graduated sanctions for district school 356 boards whose educational programs in Department of Juvenile 357 Justice programs facilities are considered to be unsatisfactory 358 and for instances in which district school boards fail to meet standards prescribed by law, rule, or State Board of Education 359 360 policy. These sanctions shall include the option of requiring a 361 district school board to contract with a provider or another 362 district school board if the educational program at the 363 Department of Juvenile Justice program is performing below 364 minimum standards facility has failed a quality assurance review

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	PCS for HB 441 Original 2013	
365	and, after 6 months, is still performing below minimum	
366	standards.	
367	(s) Curriculum, guidance counseling, transition, and	
368	education services expectations, including curriculum	
369	flexibility for detention centers operated by the Department of	
370	Juvenile Justice.	
371	<u>(t)</u> Other aspects of program operations.	
372	(3) The Department of Education in partnership with the	
373	Department of Juvenile Justice, the district school boards, and	
374	providers shall:	
375	(a) Develop and implement requirements for contracts and	
376	<u>cooperative agreements regarding</u> Maintain model contracts for	
377	the delivery of appropriate education services to <u>students</u> youth	
378	in Department of Juvenile Justice programs to be used for the	
379	development of future contracts. The minimum contract	
380	requirements shall include, but are not limited to, payment	
381	structure and amounts; access to district services; contract	
382	management provisions; data reporting requirements, including	
383	reporting of full-time equivalent student membership;	
384	administration of federal programs such as Title I, exceptional	
385	student education, and the Carl D. Perkins Career and Technical	
386	Education Act of 2006; and model contracts shall reflect the	
387	policy and standards included in subsection (2). The Department	
388	of Education shall ensure that appropriate district school board	
389	personnel are trained and held accountable for the management	
390	and monitoring of contracts for education programs for youth in	
391	juvenile justice residential and nonresidential facilities.	
392	(b) <u>Develop and implement</u> Maintain model procedures for	
I	Page 14 of 26	

PCS for HB 441 2013 Original 393 transitioning students youth into and out of Department of 394 Juvenile Justice education programs. These procedures shall 395 reflect the policy and standards adopted pursuant to subsection 396 (2). 397 (C) Maintain standardized required content of education 398 records to be included as part of a student's youth's commitment 399 record and procedures for securing the student's records. The 400 education records These requirements shall reflect the policy 401 and standards adopted pursuant to subsection (2) and shall 402 include, but not be limited to, the following: 403 A copy of the student's individual educational plan. 1. 404 A copy of the student's individualized progress 2. 405 monitoring plan. 3. A copy of the student's individualized transition plan. 406 4.2. Assessment data, including grade level proficiency in 407 408 reading, writing, and mathematics, and performance on tests 409 taken according to s. 1008.22. 410 5.3. A copy of the student's permanent cumulative record. 6.4. A copy of the student's academic transcript. 411 412 7.5. A portfolio reflecting the student's youth's academic and career and technical accomplishments, when age appropriate, 413 414 while in the Department of Juvenile Justice program. 415 Establish Maintain model procedures for securing the (d) 416 education record and the roles and responsibilities of the juvenile probation officer and others involved in the withdrawal 417 of the student from school and assignment to a juvenile justice 418 419 education program commitment or detention facility. District 420 school boards shall respond to requests for student education Page 15 of 36

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421 records received from another district school board or a 422 juvenile justice facility within 5 working days after receiving 423 the request.

424 (4) Each The Department of Education shall ensure that
425 district school board shall: boards

Notify students in juvenile justice education programs 426 (a) 427 residential or nonresidential facilities who attain the age of 428 16 years of the provisions of law regarding compulsory school 429 attendance and make available the option of enrolling in a 430 program to attain a Florida high school diploma by taking the 431 high school equivalency examination before General Educational 432 Development test prior to release from the program facility. 433 District school boards or Florida College System institutions, 434 or both, shall waive GED testing fees for youth in Department of 435 Juvenile Justice residential programs and shall, upon request, 436 designate schools operating for the purpose of providing 437 educational services to students youth in Department of Juvenile 438 Justice programs. The Department of Education shall assist juvenile justice education programs with becoming high school 439 440 equivalency examination centers as GED testing centers, subject 441 to GED testing center requirements. The administrative fees for 442 the General Educational Development test required by the 443 Department of Education are the responsibility of district 444 school boards and may be required of providers by contractual 445 agreement. 446 (b) Respond to requests for student education records

447 received from another district school board or a juvenile

448 justice education program within 5 working days after receiving

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	PCS for HB 441 Original	2013
449	the request.	
450	(c) Provide access to courses offered pursuant to ss.	
451	1002.37, 1002.45, and 1003.498. School districts and providers	3
452	may enter into cooperative agreements for the provision of	
453	curriculum associated with courses offered pursuant to s.	
454	1003.498 to enable providers to offer such courses.	
455	(d) Complete the assessment process required by subsect:	ion
456	<u>(2)</u> .	
457	(e) Monitor compliance with contracts for education	
458	programs for students in juvenile justice prevention, day	
459	treatment, residential, and detention programs.	
460	(5) The Department of Education shall establish and	
461	operate, either directly or indirectly through a contract, a	
462	mechanism to provide accountability measures that annually	
463	assesses and evaluates all juvenile justice education programs	3
464	using student performance data and program performance ratings	3
465	by type of program quality assurance reviews of all juvenile	
466	justice education programs and shall provide technical	
467	assistance and related research to district school boards and	
468	juvenile justice education providers on how to establish,	
469	develop, and operate educational programs that exceed the	
470	minimum quality assurance standards. The Department of	
471	Education, with input from the Department of Juvenile Justice,	<u>, </u>
472	school districts, and education providers shall develop annual	<u>L</u>
473	recommendations for system and school improvement.	
474	Section 5. Section 1003.52, Florida Statutes, is amended	t
475	to read:	
476	1003.52 Educational services in Department of Juvenile	
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Original

2013

477 Justice programs.-

478 The Legislature finds that education is the single (1)most important factor in the rehabilitation of adjudicated 479 480 delinquent youth in the custody of Department of Juvenile 481 Justice programs. It is the goal of the Legislature that youth 482 in the juvenile justice system continue to be allowed the 483 opportunity to obtain a high quality education. The Department 484 of Education shall serve as the lead agency for juvenile justice 485 education programs, curriculum, support services, and resources. 486 To this end, the Department of Education and the Department of 487 Juvenile Justice shall each designate a Coordinator for Juvenile 488 Justice Education Programs to serve as the point of contact for 489 resolving issues not addressed by district school boards and to provide each department's participation in the following 490 491 activities:

492 Training, collaborating, and coordinating with the (a) 493 Department of Juvenile Justice, district school boards, local 494 workforce boards and youth councils, educational contract 495 providers, and juvenile justice providers, whether state 496 operated or contracted.

497 (b) Collecting information on the academic, career 498 education, and transition performance of students in juvenile 499 justice programs and reporting on the results.

500 (C) Developing academic and career education protocols 501 that provide guidance to district school boards and juvenile 502 justice education providers in all aspects of education 503 programming, including records transfer and transition. Implementing a joint accountability, program (d)

504

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505 performance, and program improvement process Prescribing the 506 roles of program personnel and interdepartmental district school 507 board or provider collaboration strategies. 508 509 Annually, a cooperative agreement and plan for juvenile justice 510 education service enhancement shall be developed between the 511 Department of Juvenile Justice and the Department of Education 512 and submitted to the Secretary of Juvenile Justice and the 513 Commissioner of Education by June 30. The plan shall include, at 514 a minimum, each agency's role regarding educational program 515 accountability, technical assistance, training, and coordination 516 of services. 517 Students participating in Department of Juvenile (2) 518 Justice programs pursuant to chapter 985 which are sponsored by 519 a community-based agency or are operated or contracted for by 520 the Department of Juvenile Justice shall receive education 521 educational programs according to rules of the State Board of Education. These students shall be eligible for services 522 afforded to students enrolled in programs pursuant to s. 1003.53 523 524 and all corresponding State Board of Education rules. 525 (3) The district school board of the county in which the 526 juvenile justice education prevention, day treatment, 527 residential, or detention program residential or nonresidential 528 care facility or juvenile assessment facility is located shall 529 provide or contract for appropriate educational assessments and 530 an appropriate program of instruction and special education 531 services.

532

(a) The district school board shall make provisions for

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533 each student to participate in basic, career education, and 534 exceptional student programs as appropriate. Students served in 535 Department of Juvenile Justice programs shall have access to the 536 appropriate courses and instruction to prepare them for the high 537 school equivalency examination GED test. Students participating in high school equivalency examination GED preparation programs 538 539 shall be funded at the basic program cost factor for Department 540 of Juvenile Justice programs in the Florida Education Finance 541 Program. Each program shall be conducted according to applicable 542 law providing for the operation of public schools and rules of 543 the State Board of Education. School districts shall provide the 544 high school equivalency examination GED exit option for all 545 juvenile justice programs.

546 By October 1, 2004, The Department of Education, with (b) 547 the assistance of the school districts and juvenile justice 548 education providers, shall select a common student assessment 549 instrument and protocol for measuring student learning gains and 550 student progression while a student is in a juvenile justice 551 education program. The assessment instrument and protocol must 552 be implemented in all juvenile justice education programs in this state by January 1, 2005. 553

(4) Educational services shall be provided at times of the
day most appropriate for the juvenile justice program. School
programming in juvenile justice detention, prevention, day
<u>treatment, and residential</u> commitment, and rehabilitation
programs shall be made available by the local school district
during the juvenile justice school year, as provided defined in
s. 1003.01(11). In addition, students in juvenile justice

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	PCS for HB 441	Original	2013
561	education program	s shall have access to <u>courses o</u>	ffered pursuant
562	to ss. 1002.37, 1	002.45, and 1003.498 Florida Vir	tual School
563	courses . The Depa	rtment of Education and the scho	ol districts
564	shall adopt polic	ies necessary to <u>provide</u> ensure	such access.
565	(5) The edu	cational program shall <u>provide i</u>	nstruction
566	based on each stu	dent's individualized transition	plan, assessed
567	educational needs	, and the education programs ava	ilable in the
568	<u>school district i</u>	n which the student will return.	Depending on
569	the student's nee	ds, educational programming may	consist of
570	remedial courses,	consist of appropriate basic ac	ademic <u>courses</u>
571	required for grad	e advancement, career education	courses, high
572	school equivalenc	y examination preparation, or ex	ceptional
573	student education	curricula and related services	which support
574	the <u>transition</u> tr	eatment goals and reentry and wh	ich may lead to
575	completion of the	requirements for receipt of a h	igh school
576	diploma or its eq	uivalent. <u>Prevention and day tre</u>	atment juvenile
577	justice education	programs, at a minimum, shall p	rovide career
578	readiness and exp	loration opportunities as well a	s truancy and
579	dropout preventio	n intervention services. Residen	tial juvenile
580	justice education	programs with a contracted mini	mum length of
581	stay of 9 months	shall provide career education c	ourses that
582	lead to preappren	tice certifications, industry ce	rtifications,
583	occupational comp	letion points, or work-related c	ertifications.
584	Residential progr	ams with contracted lengths of s	tay of less
585	than 9 months may	provide career education course	s that lead to
586	preapprentice cer	tifications, industry certificat	ions,
587	occupational comp	letion points, or work-related c	ertifications.
588	If the duration o	f a program is less than 40 days	, the
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PCS for HB 441Original2013589educational component may be limited to tutorial remediation590activities, and career employability skills instruction,591education counseling, and transition services that prepare592students for a return to school, the community, and their home593settings based on the students' needs.

594 Participation in the program by students of compulsory (6) 595 school-attendance age as provided for in s. 1003.21 shall be 596 mandatory. All students of noncompulsory school-attendance age 597 who have not received a high school diploma or its equivalent 598 shall participate in the educational program, unless the student 599 files a formal declaration of his or her intent to terminate 600 school enrollment as described in s. 1003.21 and is afforded the 601 opportunity to take the general educational development test and 602 attain a Florida high school diploma before prior to release 603 from a juvenile justice education program facility. A student 604 youth who has received a high school diploma or its equivalent 605 and is not employed shall participate in workforce development 606 or other career or technical education or Florida College System 607 institution or university courses while in the program, subject 608 to available funding.

609 An individualized A progress monitoring plan shall be (7)610 developed for all students not classified as exceptional 611 education students upon entry in a juvenile justice education 612 program and upon reentry in the school district who score below 613 the level specified in district school board policy in reading, 614 writing, and mathematics or below the level specified by the 615 Commissioner of Education on statewide assessments as required 616 s. 1008.25. These plans shall address academic, literacy, and hv

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617 <u>career and technical</u> life skills and shall include provisions
618 for intensive remedial instruction in the areas of weakness.

Each district school board shall maintain an academic 619 (8) 620 record for each student enrolled in a juvenile justice program 621 facility as prescribed by s. 1003.51. Such record shall 622 delineate each course completed by the student according to 623 procedures in the State Course Code Directory. The district 624 school board shall include a copy of a student's academic record 625 in the discharge packet when the student exits the program 626 facility.

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

(10) School districts and juvenile justice education 633 providers shall develop individualized transition plans during 634 the course of a student's stay in a juvenile justice education 635 636 program to coordinate academic, career and technical, and 637 secondary and postsecondary services that assist the student in 638 successful community reintegration upon release. Development of 639 the transition plan shall be a collaboration of the personnel in 640 the juvenile justice education program, reentry personnel, 641 personnel from the school district where the student will 642 return, the student, the student's family, and Department of 643 Juvenile Justice personnel for committed students. 644 Transition planning must begin upon a student's (a)

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645	placement in the program. The transition plan must include, at a
646	minimum:
647	1. Services and interventions that address the student's
648	assessed educational needs and postrelease education plans.
649	2. Services to be provided during the program stay and
650	services to be implemented upon release, including, but not
651	limited to, continuing education in secondary school, career and
652	technical programs, postsecondary education, or employment,
653	based on the student's needs.
654	3. Specific monitoring responsibilities to determine
655	whether the individualized transition plan is being implemented
656	and the student is provided access to support services that will
657	sustain the student's success by individuals who are responsible
658	for reintegration shall coordinate activities.
659	(b) For the purpose of transition planning and reentry
660	services, representatives from the school district and the one
661	stop center where the student will return shall participate as
662	members of the local Department of Juvenile Justice reentry
663	teams. The school district, upon return of a student from a
664	juvenile justice education program, must consider the individual
665	needs and circumstances of the student and the transition plan
666	recommendations when reenrolling a student in a public school. A
667	local school district may not maintain a standardized policy for
668	all students returning from a juvenile justice program but place
669	students based on their needs and their performance in the
670	program.
671	(c) The Department of Education and the Department of
672	Juvenile Justice shall provide oversight and guidance to school
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PCS for HB 441 2013 Original 673 districts, education providers, and reentry personnel on how to 674 implement effective educational transition planning and 675 services. 676 (11) (10) The district school board shall recruit and train 677 teachers who are interested, qualified, or experienced in 678 educating students in juvenile justice programs. Students in 679 juvenile justice programs shall be provided a wide range of 680 education educational programs and opportunities including 681 textbooks, technology, instructional support, and other 682 resources commensurate with resources provided available to 683 students in public schools, including textbooks and access to 684 technology. If the district school board operates a juvenile 685 justice education program at a juvenile justice facility, the district school board, in consultation with the director of the 686 687 juvenile justice facility, shall select the instructional 688 personnel assigned to that program. The Secretary of Juvenile 689 Justice or the director of a juvenile justice program may 690 request that the performance of a teacher assigned by the 691 district to a juvenile justice education program be reviewed by 692 the district and that the teacher be reassigned based upon an 693 evaluation conducted pursuant to s. 1012.34 or for inappropriate 694 behavior Teachers assigned to educational programs in juvenile 695 justice settings in which the district school board operates the 696 educational program shall be selected by the district school

board in consultation with the director of the juvenile justice
 facility. Educational programs in Juvenile justice education
 programs facilities shall have access to the substitute teacher

pool used utilized by the district school board.

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701 (12) (11) District school boards may contract with a private provider for the provision of education educational 702 programs to students youths placed with the Department of 703 704 Juvenile Justice and shall generate local, state, and federal 705 funding, including funding through the Florida Education Finance 706 Program for such students. The district school board's planning 707 and budgeting process shall include the needs of Department of 708 Juvenile Justice programs in the district school board's plan 709 for expenditures for state categorical and federal funds.

710 <u>(13) (12) (a)</u> Funding for eligible students enrolled in 711 juvenile justice education programs shall be provided through 712 the Florida Education Finance Program as provided in s. 1011.62 713 and the General Appropriations Act. Funding shall include, at a 714 minimum:

715 1. Weighted program funding or the basic amount for 716 current operation multiplied by the district cost differential 717 as provided in s. <u>1011.62(1)(s)</u> 1011.62(1)(r) and (2);

718 2. The supplemental allocation for juvenile justice719 education as provided in s. 1011.62(10);

720 3. A proportionate share of the district's exceptional 721 student education guaranteed allocation, the supplemental 722 academic instruction allocation, and the instructional materials 723 allocation;

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

a. If the district levies the maximum discretionary local
effort and the district's discretionary local effort per FTE is

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

735 If the district does not levy the maximum discretionary b. 736 local effort and the district's actual discretionary local 737 effort per FTE is less than the state average potential 738 discretionary local effort per FTE, the proportionate share 739 shall be equal to the district's actual discretionary local 740 effort per FTE. If the district's actual discretionary local 741 effort per FTE is greater than the state average per FTE, the 742 proportionate share shall be equal to the state average 743 potential local effort per FTE; and

744 5. A proportionate share of the district's proration to745 funds available, if necessary.

(b) Juvenile justice <u>education</u> educational programs to
receive the appropriate FEFP funding for Department of Juvenile
Justice programs shall include those operated through a contract
with the Department of Juvenile Justice and which are under
purview of the Department of Juvenile Justice quality assurance
standards for education.

(c) Consistent with the rules of the State Board of
Education, district school boards are required to request an
alternative FTE survey for Department of Juvenile Justice
programs experiencing fluctuations in student enrollment.
(d) FTE count periods shall be prescribed in rules of the

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PCS for HB 441 2013 Original 757 State Board of Education and shall be the same for programs of 758 the Department of Juvenile Justice as for other public school programs. The summer school period for students in Department of 759 760 Juvenile Justice programs shall begin on the day immediately 761 following the end of the regular school year and end on the day 762 immediately preceding the subsequent regular school year. 763 Students shall be funded for no more than 25 hours per week of 764 direct instruction. 765 Each juvenile justice education program must receive (e) 766 all federal funds for which the program is eligible. 767 (14) (13) Each district school board shall negotiate a 768 cooperative agreement with the Department of Juvenile Justice on 769 the delivery of educational services to students youths under 770 the jurisdiction of the Department of Juvenile Justice. Such 771 agreement must include, but is not limited to:

772 Roles and responsibilities of each agency, including (a) 773 the roles and responsibilities of contract providers.

774 Administrative issues including procedures for sharing (b) 775 information.

776 (c) Allocation of resources including maximization of 777 local, state, and federal funding.

778 (d) Procedures for educational evaluation for educational exceptionalities and special needs. 779

780

Curriculum and delivery of instruction. (e)

781 (f) Classroom management procedures and attendance policies. 782

783 Procedures for provision of qualified instructional (a) 784 personnel, whether supplied by the district school board or

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PCS for HB 441 2013 Original 785 provided under contract by the provider, and for performance of 786 duties while in a juvenile justice setting. Provisions for improving skills in teaching and 787 (h) 788 working with students referred to juvenile justice programs 789 delinguents. 790 (i) Transition plans for students moving into and out of 791 juvenile programs facilities. 792 Procedures and timelines for the timely documentation (j) of credits earned and transfer of student records. 793 Methods and procedures for dispute resolution. 794 (k) 795 Provisions for ensuring the safety of education (1) 796 personnel and support for the agreed-upon education program. 797 Strategies for correcting any deficiencies found (m) 798 through the accountability and evaluation system and student performance measures quality assurance process. 799 800 (15) (14) Nothing in this section or in a cooperative 801 agreement requires shall be construed to require the district 802 school board to provide more services than can be supported by 803 the funds generated by students in the juvenile justice 804 programs. 805 (16) (15) (a) The Department of Education, in consultation 806 with the Department of Juvenile Justice, district school boards, 807 and providers, shall adopt rules establishing: establish 808 Objective and measurable student performance measures (a) 809 to evaluate a student's educational progress while participating 810 in a prevention, day treatment, or residential program. The 811 student performance measures must be based on appropriate 812 outcomes for all students in juvenile justice education

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813	programs, taking into consideration the student's length of stay
814	in the program. Performance measures shall include outcomes that
815	relate to student achievement of career education goals,
816	acquisition of employability skills, receipt of a high school
817	diploma, and grade advancement.
818	(b) A performance rating system to be used by the
819	Department of Education to evaluate quality assurance standards
820	for the delivery of educational services within each of the
821	juvenile justice programs. The performance rating shall be
822	primarily based on data regarding student performance as
823	described in paragraph (a) component of residential and
824	nonresidential juvenile justice facilities.
825	(c) The timeframes, procedures, and resources to be used
826	to improve a low-rated educational program or to terminate or
827	reassign the program These standards shall rate the district
828	school board's performance both as a provider and contractor.
829	The quality assurance rating for the educational component shall
830	be disaggregated from the overall quality assurance score and
831	reported separately.
832	(d) (b) The Department of Education, in partnership with
833	the Department of Juvenile Justice, shall develop a
834	comprehensive accountability and program improvement quality
835	assurance review process. The accountability and program
836	improvement process shall be based on student performance
837	measures by type of program and shall rate education program
838	performance. The accountability system shall identify and
839	recognize high-performing education programs. The Department of
840	Education, in partnership with the Department of Juvenile
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841	Justice, shall i	identify low-performing programs.	Low-performing
842	education programs shall receive an onsite program evaluation		
843	from the Departm	ment of Juvenile Justice. School	improvement,
844	technical assist	cance, or the reassignment of the	program shall
845	be based, in par	rt, on the results of the program	evaluation.
846	Through a correc	ctive action process, low-perform	ing programs
847	must demonstrate	e improvement or reassign the pro-	gram and
848	schedule for the	e evaluation of the educational e	əmponent_in
849	juvenile justice	e programs. The Department of Juv	enile Justice
850	quality assurance	ce site visit and the education q	uality assurance
851	site visit shall	L be conducted during the same vi	sit .
852	(c) The De	epartment of Education, in consul	tation with
853	district school	boards and providers, shall esta	blish minimum
854	thresholds for t	the standards and key indicators	for educational
855	programs in juve	enile justice facilities. If a di	strict school
856	board fails to m	neet the established minimum stan	dards, it will
857	be given 6 mont h	ns to achieve compliance with the	-standards. If
858	after 6 months,	the district school board's perf	ərmance is still
859	below minimum st	candards, the Department of Educa	tion shall
860	exercise sanctic	ons as prescribed by rules adopte	d by the State
861	Board of Educati	lon. If a provider, under contrac	t with the
862	district school	board, fails to meet minimum sta	ndards, such
863	failure shall ca	nuse the district school board to	-cancel the
864	provider's cont r	ract unless the provider achieves	-compliance
865	within 6 months	or unless there are documented e	xtenuating
866	circumstances.		
867	(d) The re	equirements in paragraphs (a), (b), and (c) shall
868	be implemented t	to the extent that funds are avai	lable.
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869	(17)	The department, in collaboration with the Departmen	nt
870	of Juvenil	e Justice, shall monitor and report on the education	nal
871	performance of students in commitment, day treatment,		
872	prevention, and detention programs. The report by the Department		
873	of Education must include, at a minimum, the number and		
874	percentage of students who:		
875	(a)	Return to an alternative school, middle school, or	
876	high school upon release and the attendance rate of such		
877	students before and after participation in juvenile justice		
878	education	programs.	
879	(b)	Receive a standard high school diploma or a high	
880	school equ	ivalency diploma.	
881	(C)	Receive industry certification.	
882	(d)	Receive occupational completion points.	
883	(e)	Enroll in a postsecondary educational institution.	
884	(f)	Complete a juvenile justice education program without	ut
885	reoffending.		
886	(g)	Reoffend within 1 year after completion of a day	
887	treatment	or residential commitment program.	
888	(h)	Remain employed 1 year after completion of a day	
889	treatment	or residential commitment program.	
890			
891	The result	s of this report shall be included in the report	
892	<u>required</u> b	by s. 985.632.	
893	<u>(18)</u>	(16) The district school board shall not be charged	
894	any rent,	maintenance, utilities, or overhead on such	
895	facilities. Maintenance, repairs, and remodeling of existing		
896	facilities shall be provided by the Department of Juvenile		
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897 Justice.

898 (19) (17) When additional facilities are required, the district school board and the Department of Juvenile Justice 899 900 shall agree on the appropriate site based on the instructional 901 needs of the students. When the most appropriate site for 902 instruction is on district school board property, a special 903 capital outlay request shall be made by the commissioner in 904 accordance with s. 1013.60. When the most appropriate site is on 905 state property, state capital outlay funds shall be requested by 906 the Department of Juvenile Justice provided by s. 216.043 and 907 shall be submitted as specified by s. 216.023. Any instructional 908 facility to be built on state property shall have educational 909 specifications jointly developed by the district school board 910 and the Department of Juvenile Justice and approved by the 911 Department of Education. The size of space and occupant design 912 capacity criteria as provided by State Board of Education rules 913 shall be used for remodeling or new construction whether facilities are provided on state property or district school 914 915 board property.

916 <u>(20)(18)</u> The parent of an exceptional student shall have 917 the due process rights provided for in this chapter.

918 (21)(19) The Department of Education and the Department of 919 Juvenile Justice, after consultation with and assistance from 920 local providers and district school boards, shall <u>collect data</u> 921 report annually to the Legislature by February 1 on the progress 922 toward developing effective <u>education</u> educational programs for 923 juvenile delinquents, including the amount of funding provided 924 by district school boards to juvenile justice programs; the

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PCS for HB 441 2013 Original 925 amount retained for administration, including documenting the 926 purposes for such expenses; τ the status of the development of 927 cooperative agreements; τ education program performance the 928 results, including the identification of high and low-performing 929 programs and aggregate student performance results; of the 930 quality assurance reviews including recommendations for system 931 improvement; τ and information on the identification of, and 932 services provided to, exceptional students in juvenile justice 933 programs commitment facilities to determine whether these 934 students are properly reported for funding and are appropriately 935 served.

936 <u>(22)</u> (20) The <u>education</u> educational programs at the Arthur 937 Dozier School for Boys in Jackson County and the Florida School 938 for Boys in Okeechobee shall be operated by the Department of 939 Education, either directly or through grants or contractual 940 agreements with other public or duly accredited education 941 agencies approved by the Department of Education.

942 <u>(23)(21)</u> The State Board of Education <u>shall</u> may adopt any 943 rules necessary to implement the provisions of this section, 944 including uniform curriculum, funding, and second chance 945 schools. Such rules must require the minimum amount of paperwork 946 and reporting.

947 <u>(24)(22)</u> The Department of Juvenile Justice and the 948 Department of Education, in consultation with Workforce Florida, 949 Inc., the statewide Workforce Development Youth Council, 950 district school boards, Florida College System institutions, 951 providers, and others, shall jointly develop a multiagency plan 952 for career education which describes the funding, curriculum,

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953 transfer of credits, goals, and outcome measures for career 954 education programming in juvenile commitment facilities, 955 pursuant to s. 985.622. The plan must be reviewed annually.

956 Section 6. Paragraph (b) of subsection (18) of section 957 1001.42, Florida Statutes, is amended to read:

958 1001.42 Powers and duties of district school board.—The 959 district school board, acting as a board, shall exercise all 960 powers and perform all duties listed below:

961 IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.-(18)962 Maintain a state system of school improvement and education 963 accountability as provided by statute and State Board of 964 Education rule. This system of school improvement and education 965 accountability shall be consistent with, and implemented 966 through, the district's continuing system of planning and 967 budgeting required by this section and ss. 1008.385, 1010.01, 968 and 1011.01. This system of school improvement and education 969 accountability shall comply with the provisions of ss. 1008.33, 970 1008.34, 1008.345, and 1008.385 and include the following:

971 Public disclosure.-The district school board shall (b) 972 provide information regarding the performance of students and 973 educational programs as required pursuant to ss. 1008.22 and 974 1008.385 and implement a system of school reports as required by 975 statute and State Board of Education rule which shall include 976 schools operating for the purpose of providing educational 977 services to students youth in Department of Juvenile Justice 978 programs, and for those schools, report on the elements 979 specified in s. 1003.52(16) 1003.52(19). Annual public 980 disclosure reports shall be in an easy-to-read report card

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981	format and shall include the school's grade, high school
982	graduation rate calculated without <u>high school equivalency</u>
983	examinations GED tests, disaggregated by student ethnicity, and
984	performance data as specified in state board rule.
985	Section 7. The Division of Law Revision and Information is
986	requested to prepare a reviser's bill for the 2014 Regular
987	Session of the Legislature to change the terms "General
988	Educational Development test" or "GED test" to "high school
989	equivalency examination" and the terms "general education
990	diploma," "graduate equivalency diploma," or "GED" to "high
991	school equivalency diploma" wherever those terms appear in the
992	Florida Statutes.
993	Section 8. This act shall take effect July 1, 2013.
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