

CHAPTER 2023-59

Committee Substitute for Senate Bill No. 7014

An act relating to juvenile justice; amending s. 20.316, F.S.; requiring that the secretary of the Department of Juvenile Justice oversee the establishment of the Florida Scholars Academy; revising a duty of the secretary; creating s. 985.619, F.S.; requiring that the department establish the academy; specifying the academy's mission; requiring the academy to provide students with greater access to secondary and postsecondary educational opportunities; providing requirements for the contractual agreement entered into by the department with an education service provider; requiring that the superintendent of the academy be approved by the secretary; requiring that the academy be governed by a board of trustees; providing for board membership; specifying the powers and duties of the board; specifying funding sources for the academy; providing requirements related to funding; prohibiting the pledging of the state's credit on behalf of the academy; requiring annual financial audits of the academy; providing audit requirements; providing requirements for an audit report; authorizing the department to adopt rules; amending s. 1000.04, F.S.; specifying that the academy is a component of the delivery of public education within Florida's Early Learning-20 education system; amending s. 1013.53, F.S.; requiring the department to provide early notice to school districts regarding the siting of new juvenile justice detention facilities; requiring that school districts be consulted regarding the types of students expected to be assigned to detention facilities, rather than commitment facilities; deleting requirements of the department related to commitment facilities; providing an appropriation; providing an effective date.

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

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

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

(1) SECRETARY OF JUVENILE JUSTICE.—

(c) The Secretary of Juvenile Justice shall:

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

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

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

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

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

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

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

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

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

~~10.9.~~ Enter into contracts.

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

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

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

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

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

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

985.619 Florida Scholars Academy.—

(1) ESTABLISHMENT.—

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

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

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

(2) MISSION.—The mission of the Florida Scholars Academy is to provide a free and appropriate high-quality education to eligible students within the juvenile justice system, and to prepare students for gainful employment as productive citizens upon their reentry into the community. Educational pathways will include a K-12 education, a high school equivalency diploma, a career and technical education credential pursuant to s. 1003.4282(10), and enrollment in a degree program at a state college or university, with an emphasis on attaining an industry-recognized credential of value from the Master Credentials List under s. 445.004(4)(h).

(3) REQUIRED CONTRACTING.—

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

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

(4) GOVERNING BODY; POWERS AND DUTIES.—

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

- a. The secretary of the department, or his or her designee.
- b. Four members appointed by the Governor.

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

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

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

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

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

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

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

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

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

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

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

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

(5) FUNDING.—

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

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

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

(c) The fiscal year for the Florida Scholars Academy is the fiscal year of the state as defined in s. 216.011(1)(o).

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

(7) ANNUAL AUDIT.—

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

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

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

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

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

1000.04 Components for the delivery of public education within the Florida Early Learning-20 education system.—Florida’s Early Learning-20 education system provides for the delivery of early learning and public education through publicly supported and controlled K-12 schools, Florida College System institutions, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

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

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

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

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

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

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

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

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

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

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

Approved by the Governor May 11, 2023.

Filed in Office Secretary of State May 11, 2023.