

1                                   A bill to be entitled  
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

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 | promotional and educational materials for specified  
 34 | purposes; amending s. 985.664, F.S.; substantially  
 35 | revising provisions relating to juvenile justice  
 36 | circuit advisory boards; amending ss. 985.668 and  
 37 | 985.676, F.S.; conforming provisions to changes made  
 38 | by the act; amending s. 1003.51, F.S.; revising  
 39 | provisions concerning education programs for students  
 40 | in Department of Juvenile Justice programs; amending  
 41 | s. 1003.52, F.S.; deleting provisions concerning  
 42 | certain performance measures; deleting provisions  
 43 | concerning CAPE programs; amending s. 1001.42, F.S.;  
 44 | revising a cross-reference; providing an effective  
 45 | date.

46 |  
 47 | Be It Enacted by the Legislature of the State of Florida:

48 |  
 49 | Section 1. Paragraph (a) of subsection (2) of section  
 50 | 330.41, Florida Statutes, is amended to read:

51           330.41 Unmanned Aircraft Systems Act.—  
 52           (2) DEFINITIONS.—As used in this act, the term:  
 53           (a) "Critical infrastructure facility" means any of the  
 54 following, if completely enclosed by a fence or other physical  
 55 barrier that is obviously designed to exclude intruders, or if  
 56 clearly marked with a sign or signs which indicate that entry is  
 57 forbidden and which are posted on the property in a manner  
 58 reasonably likely to come to the attention of intruders:  
 59           1. A power generation or transmission facility,  
 60 substation, switching station, or electrical control center.  
 61           2. A chemical or rubber manufacturing or storage facility.  
 62           3. A water intake structure, water treatment facility,  
 63 wastewater treatment plant, or pump station.  
 64           4. A mining facility.  
 65           5. A natural gas or compressed gas compressor station,  
 66 storage facility, or natural gas or compressed gas pipeline.  
 67           6. A liquid natural gas or propane gas terminal or storage  
 68 facility.  
 69           7. Any portion of an aboveground oil or gas pipeline.  
 70           8. A refinery.  
 71           9. A gas processing plant, including a plant used in the  
 72 processing, treatment, or fractionation of natural gas.  
 73           10. A wireless communications facility, including the  
 74 tower, antennae, support structures, and all associated ground-  
 75 based equipment.

76 11. A seaport as listed in s. 311.09(1), which need not be  
 77 completely enclosed by a fence or other physical barrier and  
 78 need not be marked with a sign or signs indicating that entry is  
 79 forbidden.

80 12. An inland port or other facility or group of  
 81 facilities serving as a point of intermodal transfer of freight  
 82 in a specific area physically separated from a seaport.

83 13. An airport as defined in s. 330.27.

84 14. A spaceport territory as defined in s. 331.303(18).

85 15. A military installation as defined in 10 U.S.C. s.  
 86 2801(c)(4) and an armory as defined in s. 250.01.

87 16. A dam as defined in s. 373.403(1) or other structures,  
 88 such as locks, floodgates, or dikes, which are designed to  
 89 maintain or control the level of navigable waterways.

90 17. A state correctional institution as defined in s.  
 91 944.02 or a private correctional facility authorized under  
 92 chapter 957.

93 18. A secure detention center or facility as defined in s.  
 94 985.03, or a moderate-risk ~~nonscure~~ residential facility, a  
 95 high-risk residential facility, or a maximum-risk residential  
 96 facility as those terms are described in s. 985.03(44).

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

98 20. A critical infrastructure facility as defined in s.  
 99 692.201.

100 Section 2. Paragraph (d) is added to subsection (4) of

101 section 381.887, Florida Statutes, to read:

102 381.887 Emergency treatment for suspected opioid  
103 overdose.—

104 (4) The following persons are authorized to possess,  
105 store, and administer emergency opioid antagonists as clinically  
106 indicated and are immune from any civil liability or criminal  
107 liability as a result of administering an emergency opioid  
108 antagonist:

109 (d) Personnel of the Department of Juvenile Justice and of  
110 any contracted provider with direct contact with youth  
111 authorized under chapters 984 and 985.

112 Section 3. Paragraphs (c) and (j) of subsection (3),  
113 paragraph (a) of subsection (10), and paragraph (f) of  
114 subsection (12) of section 553.865, Florida Statutes, are  
115 amended to read:

116 553.865 Private spaces.—

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

118 (c) "Covered entity" means any:

- 119 1. Correctional institution;
- 120 2. Detention facility;
- 121 3. Educational institution;

122 4. Maximum risk residential facility ~~Juvenile correctional~~  
123 ~~facility or juvenile prison~~ as described in s. 985.465, any  
124 detention center or facility designated by the Department of  
125 Juvenile Justice to provide secure detention as defined in s.

126 985.03(18) (a), and any facility used for a residential program  
 127 as described in s. 985.03(44) ~~985.03(44) (b), (c), or (d)~~; or

128 5. Public building.

129 (j) "Public building" means a building comfort-conditioned  
 130 for occupancy which is owned or leased by the state, a state  
 131 agency, or a political subdivision. The term does not include a  
 132 correctional institution, a detention facility, an educational  
 133 institution, a maximum risk residential facility ~~juvenile~~  
 134 ~~correctional facility or juvenile prison~~ as described in s.  
 135 985.465, a detention center or facility designated by the  
 136 Department of Juvenile Justice to provide secure detention as  
 137 defined in s. 985.03(18) (a), or any facility used for a  
 138 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~  
 139 ~~(c), or (d)~~.

140 (10) (a) Each maximum risk residential facility ~~juvenile~~  
 141 ~~correctional facility or juvenile prison~~ as described in s.  
 142 985.465, each detention center or facility designated by the  
 143 Department of Juvenile Justice to provide secure detention as  
 144 defined in s. 985.03(18) (a), and each facility used for a  
 145 residential program as described in s. 985.03(44) ~~985.03(44) (b),~~  
 146 ~~(c), or (d)~~ shall establish disciplinary procedures for any  
 147 juvenile as defined in s. 985.03(7) who willfully enters, for a  
 148 purpose other than those listed in subsection (6), a restroom or  
 149 changing facility designated for the opposite sex in such  
 150 maximum risk residential facility ~~juvenile correctional~~

151 ~~facility, juvenile prison,~~ secure detention center or facility,  
 152 or residential program facility and refuses to depart when asked  
 153 to do so by delinquency program staff, detention staff, or  
 154 residential program staff.

155 (12) A covered entity that is:

156 (f) A maximum risk residential facility ~~juvenile~~  
 157 ~~correctional facility or juvenile prison~~ as described in s.  
 158 985.465, a detention center or facility designated by the  
 159 Department of Juvenile Justice to provide secure detention as  
 160 defined in s. 985.03(18)(a), or a facility used for a  
 161 residential program as described in s. 985.03(44) ~~985.03(44)(b),~~  
 162 ~~(c), or (d)~~ shall submit documentation to the Department of  
 163 Juvenile Justice regarding compliance with subsections (4) and  
 164 (5), as applicable, within 1 year after being established or, if  
 165 such institution or facility was established before July 1,  
 166 2023, no later than April 1, 2024.

167 Section 4. Paragraph (c) of subsection (4) of section  
 168 790.22, Florida Statutes, is amended to read:

169 790.22 Use of BB guns, air or gas-operated guns, or  
 170 electric weapons or devices by minor under 16; limitation;  
 171 possession of firearms by minor under 18 prohibited; penalties.-

172 (4)

173 (c) The ~~juvenile justice circuit advisory boards or the~~  
 174 Department of Juvenile Justice shall establish appropriate  
 175 community service programs to be available to the alternative

176 sanctions coordinators of the circuit courts in implementing  
 177 this subsection. The boards or department shall propose the  
 178 implementation of a community service program in each circuit,  
 179 and may submit a circuit plan, to be implemented upon approval  
 180 of the circuit alternative sanctions coordinator.

181 Section 5. Subsection (4) of section 938.17, Florida  
 182 Statutes, is amended to read:

183 938.17 County delinquency prevention; juvenile assessment  
 184 centers and school board suspension programs.—

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

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

193 943.0515 Retention of criminal history records of minors.—

194 (1)(a) The Criminal Justice Information Program shall  
 195 retain the criminal history record of a minor who is classified  
 196 as a serious or habitual juvenile offender or committed to a  
 197 maximum risk residential facility ~~juvenile correctional facility~~  
 198 ~~or juvenile prison~~ under chapter 985 for 5 years after the date  
 199 the offender reaches 21 years of age, at which time the record  
 200 shall be expunged unless it meets the criteria of paragraph



201 (2) (a) or paragraph (2) (b).

202 (b)1. If the minor is not classified as a serious or  
203 habitual juvenile offender or committed to a maximum risk  
204 residential facility ~~juvenile correctional facility or juvenile~~  
205 ~~prison~~ under chapter 985, the program shall retain the minor's  
206 criminal history record for 2 years after the date the minor  
207 reaches 19 years of age, at which time the record shall be  
208 expunged unless it meets the criteria of paragraph (2) (a) or  
209 paragraph (2) (b).

210 2. A minor described in subparagraph 1. may apply to the  
211 department to have his or her criminal history record expunged  
212 before the minor reaches 21 years of age. To be eligible for  
213 expunction under this subparagraph, the minor must be 18 years  
214 of age or older and less than 21 years of age and have not been  
215 charged by the state attorney with or found to have committed  
216 any criminal offense within the 5-year period before the  
217 application date. The only offenses eligible to be expunged  
218 under this subparagraph are those that the minor committed  
219 before the minor reached 18 years of age. A criminal history  
220 record expunged under this subparagraph requires the approval of  
221 the state attorney for each circuit in which an offense  
222 specified in the criminal history record occurred. A minor  
223 seeking to expunge a criminal history record under this  
224 subparagraph shall apply to the department for expunction in the  
225 manner prescribed by rule. An application for expunction under

226 | this subparagraph shall include:

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

230 |       b. A full set of fingerprints of the applicant taken by a  
 231 | law enforcement agency for purposes of identity verification.

232 |       c. A sworn, written statement from the minor seeking  
 233 | relief that he or she is no longer under court supervision  
 234 | applicable to the disposition of the arrest or alleged criminal  
 235 | activity to which the application to expunge pertains and that  
 236 | he or she has not been charged with or found to have committed a  
 237 | criminal offense, in any jurisdiction of the state or within the  
 238 | United States, within the 5-year period before the application  
 239 | date. A person who knowingly provides false information on the  
 240 | sworn statement required by this sub-subparagraph commits a  
 241 | misdemeanor of the first degree, punishable as provided in s.  
 242 | 775.082 or s. 775.083.

243 |       3. A minor who applies, but who is not approved for early  
 244 | expunction in accordance with subparagraph 2., shall have his or  
 245 | her criminal history record expunged at age 21 if eligible under  
 246 | subparagraph 1.

247 |       Section 7. Subsection (2) of section 948.51, Florida  
 248 | Statutes, is amended to read:

249 |       948.51 Community corrections assistance to counties or  
 250 | county consortiums.—

251 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A  
 252 county, or a consortium of two or more counties, may contract  
 253 with the Department of Corrections for community corrections  
 254 funds as provided in this section. In order to enter into a  
 255 community corrections partnership contract, a county or county  
 256 consortium must have a public safety coordinating council  
 257 established under s. 951.26 and must designate a county officer  
 258 or agency to be responsible for administering community  
 259 corrections funds received from the state. The public safety  
 260 coordinating council shall prepare, develop, and implement a  
 261 comprehensive public safety plan for the county, or the  
 262 geographic area represented by the county consortium, and shall  
 263 submit an annual report to the Department of Corrections  
 264 concerning the status of the program. In preparing the  
 265 comprehensive public safety plan, the public safety coordinating  
 266 council shall cooperate with the Department of Juvenile Justice  
 267 ~~juvenile justice circuit advisory board established under s.~~  
 268 ~~985.664~~ in order to include programs and services for juveniles  
 269 in the plan. To be eligible for community corrections funds  
 270 under the contract, the initial public safety plan must be  
 271 approved by the governing board of the county, or the governing  
 272 board of each county within the consortium, and the Secretary of  
 273 Corrections based on the requirements of this section. If one or  
 274 more other counties develop a unified public safety plan, the  
 275 public safety coordinating council shall submit a single

276 application to the department for funding. Continued contract  
277 funding shall be pursuant to subsection (5). The plan for a  
278 county or county consortium must cover at least a 5-year period  
279 and must include:

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

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

285 (c) Specific goals and objectives for reducing the  
286 projected percentage of commitments to the state prison system  
287 of persons with low total sentencing scores pursuant to the  
288 Criminal Punishment Code.

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

293 (e) The assessment of population status by the public  
294 safety coordinating council of all correctional facilities owned  
295 or contracted for by the county or by each county within the  
296 consortium.

297 (f) The assessment of bed space that is available for  
298 substance abuse intervention and treatment programs and the  
299 assessment of offenders in need of treatment who are committed  
300 to each correctional facility owned or contracted for by the

301 county or by each county within the consortium.

302 (g) A description of program costs and sources of funds  
 303 for each community corrections program, including community  
 304 corrections funds, loans, state assistance, and other financial  
 305 assistance.

306 Section 8. Paragraph (h) of subsection (1) and subsection  
 307 (7) of section 985.02, Florida Statutes, are amended to read:

308 985.02 Legislative intent for the juvenile justice  
 309 system.—

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

313 (h) Sex-specific ~~Gender-specific~~ programming and sex-  
 314 specific ~~gender-specific~~ program models and services that  
 315 comprehensively address the needs of either sex ~~a targeted~~  
 316 ~~gender group~~.

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

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

326 and services.

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

337 Section 9. Subsections (46) through (54) of section  
338 985.03, Florida Statutes, are renumbered as subsections (47)  
339 through (55), respectively, subsections (14) and (44) and  
340 present subsection (50) are amended, and a new subsection (46)  
341 is added to that section, to read:

342 985.03 Definitions.—As used in this chapter, the term:

343 (14) "Day treatment" means a nonresidential, community-  
344 based program designed to provide therapeutic intervention to  
345 youth who are served by the department, or placed on probation  
346 or conditional release, ~~or committed to the minimum-risk~~  
347 ~~nonresidential level~~. A day treatment program may provide  
348 educational and career and technical education services and  
349 shall provide case management services; individual, group, and  
350 family counseling; training designed to address delinquency risk

351 factors; and monitoring of a youth's compliance with, and  
352 facilitation of a youth's completion of, sanctions if ordered by  
353 the court. Program types may include, but are not limited to,  
354 career programs, marine programs, juvenile justice alternative  
355 schools, training and rehabilitation programs, and sex-specific  
356 ~~gender-specific~~ programs.

357 (44) "Restrictiveness level" means the level of  
358 programming and security provided by programs that service the  
359 supervision, custody, care, and treatment needs of committed  
360 children. Sections 985.601(10) and 985.721 apply to children  
361 placed in programs at any residential commitment level. The  
362 restrictiveness levels of commitment are as follows:

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

375 (a)-(b) Moderate-risk Nonsecure residential.—Programs or

376 program models at this commitment level are residential but may  
377 allow youth to have supervised access to the community.  
378 Facilities at this commitment level are either environmentally  
379 secure, staff secure, or are hardware-secure with walls,  
380 fencing, or locking doors. Residential facilities at this  
381 commitment level shall have no more than 90 beds each, including  
382 campus-style programs, unless those campus-style programs  
383 include more than one treatment program using different  
384 treatment protocols, and have facilities that coexist separately  
385 in distinct locations on the same property. Facilities at this  
386 commitment level shall provide 24-hour awake supervision,  
387 custody, care, and treatment of residents. Youth assessed and  
388 classified for placement in programs at this commitment level  
389 represent a low or moderate risk to public safety and require  
390 close supervision. The staff at a facility at this commitment  
391 level may seclude a child who is a physical threat to himself or  
392 herself or others. Mechanical restraint may also be used when  
393 necessary.

394 (b) ~~(c)~~ High-risk residential.—Programs or program models  
395 at this commitment level are residential and do not allow youth  
396 to have access to the community, except that temporary release  
397 providing community access for up to 72 continuous hours may be  
398 approved by a court for a youth who has made successful progress  
399 in his or her program in order for the youth to attend a family  
400 emergency or, during the final 60 days of his or her placement,



401 to visit his or her home, enroll in school or a career and  
402 technical education program, complete a job interview, or  
403 participate in a community service project. High-risk  
404 residential facilities are hardware-secure with perimeter  
405 fencing and locking doors. Residential facilities at this  
406 commitment level shall have no more than 90 beds each, including  
407 campus-style programs, unless those campus-style programs  
408 include more than one treatment program using different  
409 treatment protocols, and have facilities that coexist separately  
410 in distinct locations on the same property. Facilities at this  
411 commitment level shall provide 24-hour awake supervision,  
412 custody, care, and treatment of residents. Youth assessed and  
413 classified for this level of placement require close supervision  
414 in a structured residential setting. Placement in programs at  
415 this level is prompted by a concern for public safety that  
416 outweighs placement in programs at lower commitment levels. The  
417 staff at a facility at this commitment level may seclude a child  
418 who is a physical threat to himself or herself or others.  
419 Mechanical restraint may also be used when necessary. The  
420 facility may provide for single cell occupancy, except that  
421 youth may be housed together during prerelease transition.

422 (c)~~(d)~~ Maximum-risk residential. ~~Programs or program~~  
423 ~~models at this commitment level include juvenile correctional~~  
424 ~~facilities and juvenile prisons.~~ The programs at this commitment  
425 level are long-term residential and do not allow youth to have

426 access to the community. Facilities at this commitment level are  
 427 maximum-custody, hardware-secure with perimeter security fencing  
 428 and locking doors. Residential facilities at this commitment  
 429 level shall have no more than 90 beds each, including campus-  
 430 style programs, unless those campus-style programs include more  
 431 than one treatment program using different treatment protocols,  
 432 and have facilities that coexist separately in distinct  
 433 locations on the same property. Facilities at this commitment  
 434 level shall provide 24-hour awake supervision, custody, care,  
 435 and treatment of residents. The staff at a facility at this  
 436 commitment level may seclude a child who is a physical threat to  
 437 himself or herself or others. Mechanical restraint may also be  
 438 used when necessary. Facilities at this commitment level shall  
 439 provide for single cell occupancy, except that youth may be  
 440 housed together during prerelease transition. Youth assessed and  
 441 classified for this level of placement require close supervision  
 442 in a maximum security residential setting. Placement in a  
 443 program at this level is prompted by a demonstrated need to  
 444 protect the public.

445 (46) "Sex" means has the same meaning as provided in s.  
 446 553.865(3).

447 (51)~~(50)~~ "Temporary release" means the terms and  
 448 conditions under which a child is temporarily released from a  
 449 residential commitment facility or allowed home visits. If the  
 450 temporary release is from a moderate-risk ~~nonsecure~~ residential

451 facility, a high-risk residential facility, or a maximum-risk  
 452 residential facility, the terms and conditions of the temporary  
 453 release must be approved by the child, the court, and the  
 454 facility.

455 Section 10. Paragraph (a) of subsection (1) of section  
 456 985.039, Florida Statutes, is amended to read:

457 985.039 Cost of supervision; cost of care.—

458 (1) Except as provided in subsection (3) or subsection  
 459 (4):

460 (a) When any child is placed into supervised release  
 461 detention, probation, or other supervision status with the  
 462 department, ~~or is committed to the minimum-risk nonresidential~~  
 463 ~~restrictiveness level~~, the court shall order the parent of such  
 464 child to pay to the department a fee for the cost of the  
 465 supervision of such child in the amount of \$1 per day for each  
 466 day that the child is in such status.

467 Section 11. Paragraph (f) of subsection (2) of section  
 468 985.115, Florida Statutes, is amended to read:

469 985.115 Release or delivery from custody.—

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

474 (f) If available, to a juvenile assessment center equipped  
 475 and staffed to assume custody of the child for the purpose of

476 assessing the needs of the child in custody. The center may then  
 477 release or deliver the child under this section with a copy of  
 478 the assessment. A juvenile assessment center is not to be  
 479 considered a facility that is permitted to receive a child as  
 480 described in paragraph (c), paragraph (d), or paragraph (e).

481 Section 12. Paragraphs (a) and (b) of subsection (3) and  
 482 subsection (4) of section 985.126, Florida Statutes, are amended  
 483 to read:

484 985.126 Diversion programs; data collection; denial of  
 485 participation or expunged record.—

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

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

490 2. The offense committed, including the specific law  
 491 establishing the offense.

492 3. The judicial circuit and county in which the offense  
 493 was committed and the law enforcement agency that had contact  
 494 with the minor for the offense.

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

498 (b) ~~Beginning October 1, 2018,~~ Each law enforcement agency  
 499 shall submit to the department data that identifies for each  
 500 minor who was eligible for a diversion program, but was instead

501 referred to the department, provided a notice to appear, or  
 502 arrested:

- 503 1. The data required pursuant to paragraph (a).
- 504 2. Whether the minor was offered the opportunity to  
 505 participate in a diversion program. If the minor was:
  - 506 a. Not offered such opportunity, the reason such offer was  
 507 not made.
  - 508 b. Offered such opportunity, whether the minor or his or  
 509 her parent or legal guardian declined to participate in the  
 510 diversion program.

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

516 Section 13. Paragraph (a) of subsection (3) of section  
 517 985.17, Florida Statutes, is amended to read:

518 985.17 Prevention services.—

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

- 521 (a) Focus on preventing initial or further involvement of  
 522 such youth in the juvenile justice system by including services  
 523 such as literacy services, sex-specific ~~gender-specific~~  
 524 programming, recreational services, and after-school services,  
 525 and should include targeted services to troubled, truant,

526 | ungovernable, abused, trafficked, or runaway youth. To decrease  
527 | the likelihood that a youth will commit a delinquent act, the  
528 | department should use mentoring and may provide specialized  
529 | services addressing the strengthening of families, job training,  
530 | and substance abuse.

531 |       Section 14. Paragraph (a) of subsection (2) of section  
532 | 985.26, Florida Statutes, is amended to read:

533 |       985.26 Length of detention.—

534 |       (2)(a)1. A court may order a child to be placed on  
535 | supervised release detention care for any time period until an  
536 | adjudicatory hearing is completed. However, if a child has  
537 | served 60 days on supervised release detention care, the court  
538 | must conduct a hearing within 15 days after the 60th day, to  
539 | determine the need for continued supervised release detention  
540 | care. At the hearing, and upon good cause being shown that the  
541 | nature of the charge requires additional time for the  
542 | prosecution or defense of the case or that the totality of the  
543 | circumstances, including the preservation of public safety,  
544 | warrants an extension, the court may order the child to remain  
545 | on supervised release detention care until the adjudicatory  
546 | hearing is completed.

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

551 court.

552 3. This section does not prohibit a court from  
 553 transitioning a child to and from secure detention care and  
 554 supervised release detention care, including electronic  
 555 monitoring, when the court finds such a placement necessary, or  
 556 no longer necessary, to preserve public safety or to ensure the  
 557 child's safety, appearance in court, or compliance with a court  
 558 order. Such transfer may be upon the court's own motion, or upon  
 559 motion of the child or the state, and after considering any  
 560 information provided by the department regarding the child's  
 561 adjustment to detention supervision. Each period of secure  
 562 detention care or supervised release detention care counts  
 563 toward the time limitations in this subsection whether served  
 564 consecutively or nonconsecutively.

565 Section 15. Section 985.27, Florida Statutes, is amended  
 566 to read:

567 985.27 Postdisposition detention while awaiting  
 568 residential commitment placement.—The court must place all  
 569 children who are adjudicated and awaiting placement in a  
 570 moderate-risk ~~nonsecure,~~ high-risk, or maximum-risk residential  
 571 commitment program in secure detention care until the placement  
 572 or commitment is accomplished.

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

575 985.441 Commitment.—

576 (2) Notwithstanding subsection (1), the court having  
 577 jurisdiction over an adjudicated delinquent child whose offense  
 578 is a misdemeanor, or a child who is currently on probation for a  
 579 misdemeanor, may not commit the child for any misdemeanor  
 580 offense or any probation violation that is technical in nature  
 581 and not a new violation of law at a restrictiveness level other  
 582 than minimum-risk nonresidential. However, the court may commit  
 583 such child to a moderate-risk ~~nonsecure~~ residential placement  
 584 if:

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

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

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

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

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

598 985.455 Other dispositional issues.—

599 (3) Any commitment of a delinquent child to the department  
 600 must be for an indeterminate period of time, which may include



601 periods of temporary release; however, the period of time may  
602 not exceed the maximum term of imprisonment that an adult may  
603 serve for the same offense, ~~except that the duration of a~~  
604 ~~minimum-risk nonresidential commitment for an offense that is a~~  
605 ~~misdemeanor of the second degree, or is equivalent to a~~  
606 ~~misdemeanor of the second degree, may be for a period not to~~  
607 ~~exceed 6 months.~~ The duration of the child's placement in a  
608 commitment program of any restrictiveness level shall be based  
609 on objective performance-based treatment planning. The child's  
610 treatment plan progress and adjustment-related issues shall be  
611 reported to the court quarterly, unless the court requests  
612 monthly reports. If the child is under the jurisdiction of a  
613 dependency court, the court may receive and consider any  
614 information provided by the Guardian Ad Litem Program or the  
615 child's attorney ad litem, if appointed. The child's length of  
616 stay in a commitment program may be extended if the child fails  
617 to comply with or participate in treatment activities. The  
618 child's length of stay in the program shall not be extended for  
619 purposes of sanction or punishment. Any temporary release from  
620 such program must be approved by the court. Any child so  
621 committed may be discharged from institutional confinement or a  
622 program upon the direction of the department with the  
623 concurrence of the court. The child's treatment plan progress  
624 and adjustment-related issues must be communicated to the court  
625 at the time the department requests the court to consider

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626 releasing the child from the commitment program. The department  
627 shall give the court that committed the child to the department  
628 reasonable notice, in writing, of its desire to discharge the  
629 child from a commitment facility. The court that committed the  
630 child may thereafter accept or reject the request. If the court  
631 does not respond within 10 days after receipt of the notice, the  
632 request of the department shall be deemed granted. This section  
633 does not limit the department's authority to revoke a child's  
634 temporary release status and return the child to a commitment  
635 facility for any violation of the terms and conditions of the  
636 temporary release.

637 Section 18. Section 985.465, Florida Statutes, is amended  
638 to read:

639 985.465 Maximum-risk residential facilities ~~Juvenile~~  
640 ~~correctional facilities or juvenile prison.~~ -A maximum risk  
641 facility ~~juvenile correctional facility or juvenile prison~~ is a  
642 physically secure residential commitment program with a  
643 designated length of stay from 18 months to 36 months, primarily  
644 serving children 13 years of age to 19 years of age or until the  
645 jurisdiction of the court expires. Each child committed to this  
646 level must meet one of the following criteria:

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

650 (a) Arson;

- 651 (b) Sexual battery;
- 652 (c) Robbery;
- 653 (d) Kidnapping;
- 654 (e) Aggravated child abuse;
- 655 (f) Aggravated assault;
- 656 (g) Aggravated stalking;
- 657 (h) Murder;
- 658 (i) Manslaughter;
- 659 (j) Unlawful throwing, placing, or discharging of a
- 660 destructive device or bomb;
- 661 (k) Armed burglary;
- 662 (l) Aggravated battery;
- 663 (m) Carjacking;
- 664 (n) Home-invasion robbery;
- 665 (o) Burglary with an assault or battery;
- 666 (p) Any lewd or lascivious offense committed upon or in
- 667 the presence of a person less than 16 years of age; or
- 668 (q) Carrying, displaying, using, threatening to use, or
- 669 attempting to use a weapon or firearm during the commission of a
- 670 felony.
- 671 (2) The child is at least 13 years of age at the time of
- 672 the disposition, the current offense is a felony, and the child
- 673 has previously been committed three or more times to a
- 674 delinquency commitment program.
- 675 (3) The child is at least 13 years of age and is currently

676 committed for a felony offense and transferred from a moderate-  
677 risk or high-risk residential commitment placement.

678 (4) The child is at least 13 years of age at the time of  
679 the disposition for the current offense, the child is eligible  
680 for prosecution as an adult for the current offense, and the  
681 current offense is ranked at level 7 or higher on the Criminal  
682 Punishment Code offense severity ranking chart pursuant to s.  
683 921.0022.

684 Section 19. Subsection (12) is added to section 985.601,  
685 Florida Statutes, and paragraph (a) of subsection (3) of that  
686 section is amended, to read:

687 985.601 Administering the juvenile justice continuum.—

688 (3)(a) The department shall develop or contract for  
689 diversified and innovative programs to provide rehabilitative  
690 treatment, including early intervention and prevention,  
691 diversion, comprehensive intake, case management, diagnostic and  
692 classification assessments, trauma-informed care, individual and  
693 family counseling, family engagement resources and programs,  
694 sex-specific ~~gender-specific~~ programming, shelter care,  
695 diversified detention care emphasizing alternatives to secure  
696 detention, diversified probation, halfway houses, foster homes,  
697 community-based substance abuse treatment services, community-  
698 based mental health treatment services, community-based  
699 residential and nonresidential programs, mother-infant programs,  
700 and environmental programs. The department may pay expenses in

701 support of innovative programs and activities that address  
702 identified needs and the well-being of children in the  
703 department's care or under its supervision, subject to the  
704 requirements of chapters 215, 216, and 287. Each program shall  
705 place particular emphasis on reintegration and conditional  
706 release for all children in the program.

707 (12) The department may use state or federal funds to  
708 purchase and distribute promotional and educational materials  
709 consistent with the dignity and integrity of the state for the  
710 purposes of:

711 (a) Educating youth and families about the juvenile  
712 justice continuum, including local prevention programs or  
713 community services available for participation or enrollment.

714 (b) Staff recruitment at job fairs, career fairs,  
715 community events, and technical education program, community  
716 college, or state college campuses.

717 (c) Educating youth and families on youth-specific public  
718 safety issues, including, but not limited to, safe storage of  
719 adult-owned firearms, consequences of youth firearm offenses,  
720 human trafficking, and drug and alcohol abuse.

721 Section 20. Section 985.664, Florida Statutes, is amended  
722 to read:

723 985.664 Juvenile justice circuit advisory boards.—

724 (1) Each circuit shall have a juvenile justice circuit  
725 advisory board. The board shall work with the chief probation

726 officer of the circuit to use data to inform policy and practice  
727 which improves the juvenile justice continuum.

728 ~~(1) There is authorized a juvenile justice circuit~~  
729 ~~advisory board to be established in each of the 20 judicial~~  
730 ~~circuits. Except in single-county circuits, each juvenile~~  
731 ~~justice circuit advisory board shall have a county organization~~  
732 ~~representing each of the counties in the circuit. The county~~  
733 ~~organization shall report directly to the juvenile justice~~  
734 ~~circuit advisory board on the juvenile justice needs of the~~  
735 ~~county. The purpose of each juvenile justice circuit advisory~~  
736 ~~board is to provide advice and direction to the department in~~  
737 ~~the development and implementation of juvenile justice programs~~  
738 ~~and to work collaboratively with the department in seeking~~  
739 ~~program improvements and policy changes to address the emerging~~  
740 ~~and changing needs of Florida's youth who are at risk of~~  
741 ~~delinquency.~~

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

744 ~~(a) Developing a comprehensive plan for the circuit. The~~  
745 ~~initial circuit plan shall be submitted to the department no~~  
746 ~~later than December 31, 2014, and no later than June 30 every 3~~  
747 ~~years thereafter. The department shall prescribe a format and~~  
748 ~~content requirements for the submission of the comprehensive~~  
749 ~~plan.~~

750 ~~(b) Participating in the facilitation of interagency~~

751 ~~cooperation and information sharing.~~

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

755 ~~(d) Providing recommendations to the department in the~~  
756 ~~evaluation of prevention and early intervention grant programs,~~  
757 ~~including the Community Juvenile Justice Partnership Grant~~  
758 ~~program established in s. 985.676 and proceeds from the Invest~~  
759 ~~in Children license plate annual use fees.~~

760 ~~(e) Providing an annual report to the department~~  
761 ~~describing the board's activities. The department shall~~  
762 ~~prescribe a format and content requirements for submission of~~  
763 ~~annual reports. The annual report must be submitted to the~~  
764 ~~department no later than August 1 of each year.~~

765 ~~(2)-(3)~~ Each juvenile justice circuit advisory board shall  
766 have a minimum of 14 ~~16~~ members. The membership of each board  
767 must reflect:

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

769 (b) Diversity in the judicial circuit.

770 ~~(3)-(4)~~ Each member of the juvenile justice circuit  
771 advisory board must be approved by the chief probation officer  
772 of the circuit ~~Secretary of Juvenile Justice~~, except those  
773 members listed in paragraphs (a), (b), (c), (e), (f), (g), and  
774 (h). Each ~~The~~ juvenile justice circuit advisory board ~~boards~~  
775 ~~established under subsection (1)~~ must include as members:

- 776 (a) The state attorney or his or her designee.
- 777 (b) The public defender or his or her designee.
- 778 (c) The chief judge or his or her designee.
- 779 (d) A representative of the corresponding circuit or
- 780 regional entity of the Department of Children and Families.
- 781 (e) The sheriff or the sheriff's designee from each county
- 782 in the circuit.
- 783 (f) A police chief or his or her designee from each county
- 784 in the circuit.
- 785 (g) A county commissioner or his or her designee from each
- 786 county in the circuit.
- 787 (h) The superintendent of each school district in the
- 788 circuit or his or her designee.
- 789 (i) A representative from the workforce organization of
- 790 each county in the circuit.
- 791 (j) A representative of the business community.
- 792 (k) A youth representative who has had an experience with
- 793 the juvenile justice system and is not older than 21 years of
- 794 age.
- 795 (l) A representative of the faith community.
- 796 (m) A health services representative who specializes in
- 797 mental health care, victim-service programs, or victims of
- 798 crimes.
- 799 (n) A parent or family member of a youth who has been
- 800 involved with the juvenile justice system.



801 (o) Up to three ~~five~~ representatives from the community.  
802 ~~any of the following who are not otherwise represented in this~~  
803 ~~subsection:~~

804 ~~1. Community leaders.~~

805 ~~2. Youth-serving coalitions.~~

806 (4) The chief probation officer in each circuit shall  
807 serve as the chair of the juvenile justice circuit advisory  
808 board for that circuit.

809 ~~(5) When a vacancy in the office of the chair occurs, the~~  
810 ~~juvenile justice circuit advisory board shall appoint a new~~  
811 ~~chair, who must meet the board membership requirements in~~  
812 ~~subsection (4). The chair shall appoint members to vacant seats~~  
813 ~~within 45 days after the vacancy and submit the appointments to~~  
814 ~~the department for approval. The chair shall serve at the~~  
815 ~~pleasure of the Secretary of Juvenile Justice.~~

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

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

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

829       ~~(9) Each juvenile justice circuit advisory board must~~  
830 ~~provide for the establishment of an executive committee of not~~  
831 ~~more than 10 members. The duties and authority of the executive~~  
832 ~~committee must be addressed in the bylaws.~~

833       ~~(10) Each juvenile justice circuit advisory board shall~~  
834 ~~have bylaws. The department shall prescribe a format and content~~  
835 ~~requirements for the bylaws. All bylaws must be approved by the~~  
836 ~~department. The bylaws shall address at least the following~~  
837 ~~issues: election or appointment of officers; filling of vacant~~  
838 ~~positions; meeting attendance requirements; and the~~  
839 ~~establishment and duties of an executive committee.~~

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

842       Section 21. Paragraph (a) of subsection (1) of section  
843 985.668, Florida Statutes, is amended to read:

844       985.668 Innovation zones.—The department shall encourage  
845 each of the juvenile justice circuit boards to propose at least  
846 one innovation zone within the circuit for the purpose of  
847 implementing any experimental, pilot, or demonstration project  
848 that furthers the legislatively established goals of the  
849 department. An innovation zone is a defined geographic area such  
850 as a circuit, commitment region, county, municipality, service

851 delivery area, school campus, or neighborhood providing a  
 852 laboratory for the research, development, and testing of the  
 853 applicability and efficacy of model programs, policy options,  
 854 and new technologies for the department.

855 (1) (a) The chief probation officer in each circuit  
 856 ~~juvenile justice circuit board~~ shall submit a proposal for an  
 857 innovation zone to the secretary. If the purpose of the proposed  
 858 innovation zone is to demonstrate that specific statutory goals  
 859 can be achieved more effectively by using procedures that  
 860 require modification of existing rules, policies, or procedures,  
 861 the proposal may request the secretary to waive such existing  
 862 rules, policies, or procedures or to otherwise authorize use of  
 863 alternative procedures or practices. Waivers of such existing  
 864 rules, policies, or procedures must comply with applicable state  
 865 or federal law.

866 Section 22. Subsection (2) of section 985.676, Florida  
 867 Statutes, is amended to read:

868 985.676 Community juvenile justice partnership grants.—

869 (2) GRANT APPLICATION PROCEDURES.—

870 (a) Each entity wishing to apply for an annual community  
 871 juvenile justice partnership grant, which may be renewed for a  
 872 maximum of 2 additional years for the same provision of  
 873 services, shall submit a grant proposal for funding or continued  
 874 funding to the department. The department shall establish the  
 875 grant application procedures. In order to be considered for

876 funding, the grant proposal shall include the following  
877 assurances and information:

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

882 1.2. A rationale and description of the program and the  
883 services to be provided, including goals and objectives.

884 2.3. A method for identification of the juveniles most  
885 likely to be involved in the juvenile justice system who will be  
886 the focus of the program.

887 3.4. Provisions for the participation of parents and  
888 guardians in the program.

889 4.5. Coordination with other community-based and social  
890 service prevention efforts, including, but not limited to, drug  
891 and alcohol abuse prevention and dropout prevention programs,  
892 that serve the target population or neighborhood.

893 5.6. An evaluation component to measure the effectiveness  
894 of the program in accordance with s. 985.632.

895 6.7. A program budget, including the amount and sources of  
896 local cash and in-kind resources committed to the budget. The  
897 proposal must establish to the satisfaction of the department  
898 that the entity will make a cash or in-kind contribution to the  
899 program of a value that is at least equal to 20 percent of the  
900 amount of the grant.

901            ~~7.8.~~ The necessary program staff.

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

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

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

913            (e) Each entity that is awarded a grant as provided for in  
 914 this section shall submit an annual evaluation report to the  
 915 department and, ~~the circuit juvenile justice manager, and the~~  
 916 ~~juvenile justice circuit advisory board~~, by a date subsequent to  
 917 the end of the contract period established by the department,  
 918 documenting the extent to which the program objectives have been  
 919 met, the effect of the program on the juvenile arrest rate, and  
 920 any other information required by the department. The department  
 921 shall coordinate and incorporate all such annual evaluation  
 922 reports with s. 985.632. Each entity is also subject to a  
 923 financial audit and a performance audit.

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

926 Section 23. Paragraphs (q), (s), and (t) of subsection (2)  
 927 section 1003.51, Florida Statutes, are redesignated as  
 928 paragraphs (p), (q), and (r), respectively, and present  
 929 paragraphs (g), (h), (p), and (r) of subsection (2) of that  
 930 section are amended, to read:

931 1003.51 Other public educational services.—

932 (2) The State Board of Education shall adopt rules  
 933 articulating expectations for effective education programs for  
 934 students in Department of Juvenile Justice programs, including,  
 935 but not limited to, education programs in juvenile justice  
 936 prevention, day treatment, residential, and detention programs.  
 937 The rule shall establish policies and standards for education  
 938 programs for students in Department of Juvenile Justice programs  
 939 and shall include the following:

940 (g) Assessment procedures, which:

941 1. For prevention and, day treatment, ~~and residential~~  
 942 programs, include appropriate academic and career assessments  
 943 administered at program entry and exit that are selected by the  
 944 Department of Education in partnership with representatives from  
 945 the Department of Juvenile Justice, district school boards, and  
 946 education providers. ~~Assessments must be completed within the~~  
 947 ~~first 10 school days after a student's entry into the program.~~

948 2. Provide for determination of the areas of academic need  
 949 and strategies for appropriate intervention and instruction for  
 950 each student in a detention facility within 5 school days after

951 the student's entry into the program and administer a research-  
 952 based assessment that will assist the student in determining his  
 953 or her educational and career options and goals within 22 school  
 954 days after the student's entry into the program.

955  
 956 The results of these assessments, together with a portfolio  
 957 depicting the student's academic and career accomplishments,  
 958 shall be included in the discharge packet assembled for each  
 959 student.

960 (h) Recommended instructional programs, including, but not  
 961 limited to:

- 962 1. Secondary education.
- 963 2. High school equivalency examination preparation.
- 964 3. Postsecondary education.
- 965 4. Career and professional education (CAPE).
- 966 5. Job preparation.
- 967 6. Virtual education that:
  - 968 a. Provides competency-based instruction that addresses
  - 969 the unique academic needs of the student through delivery by an
  - 970 entity accredited by an accrediting body approved by the
  - 971 Department of Education ~~Advanced or the Southern Association of~~
  - 972 ~~Colleges and Schools~~.
  - 973 b. Confers certifications and diplomas.
  - 974 c. Issues credit that articulates with and transcripts
  - 975 that are recognized by secondary schools.

976 d. Allows the student to continue to access and progress  
977 through the program once the student leaves the juvenile justice  
978 system.

979 ~~(p) Performance expectations for providers and district~~  
980 ~~school boards, including student performance measures by type of~~  
981 ~~program, education program performance ratings, school~~  
982 ~~improvement, and corrective action plans for low-performing~~  
983 ~~programs.~~

984 ~~(r) A series of graduated sanctions for district school~~  
985 ~~boards whose educational programs in Department of Juvenile~~  
986 ~~Justice programs are considered to be unsatisfactory and for~~  
987 ~~instances in which district school boards fail to meet standards~~  
988 ~~prescribed by law, rule, or State Board of Education policy.~~  
989 ~~These sanctions shall include the option of requiring a district~~  
990 ~~school board to contract with a provider or another district~~  
991 ~~school board if the educational program at the Department of~~  
992 ~~Juvenile Justice program is performing below minimum standards~~  
993 ~~and, after 6 months, is still performing below minimum~~  
994 ~~standards.~~

995 Section 24. Section 1003.52, Florida Statutes, is amended  
996 to read:

997 1003.52 Educational services in Department of Juvenile  
998 Justice programs.—

999 (1) The Department of Education shall serve as the lead  
1000 agency for juvenile justice education programs, curriculum,



1001 support services, and resources. To this end, the Department of  
 1002 Education and the Department of Juvenile Justice shall each  
 1003 designate a Coordinator for Juvenile Justice Education Programs  
 1004 to serve as the point of contact for resolving issues not  
 1005 addressed by district school boards and to provide each  
 1006 department's participation in the following activities:

1007 (a) Training, collaborating, and coordinating with  
 1008 district school boards, local workforce development boards, and  
 1009 local youth councils, educational contract providers, and  
 1010 juvenile justice providers, whether state operated or  
 1011 contracted.

1012 (b) Collecting information on the academic, career and  
 1013 technical ~~professional~~ education ~~(CAPE)~~, and transition  
 1014 performance of students in juvenile justice programs and  
 1015 reporting on the results.

1016 (c) Developing academic and career and technical education  
 1017 ~~CAPE~~ protocols that provide guidance to district school boards  
 1018 and juvenile justice education providers in all aspects of  
 1019 education programming, including records transfer and  
 1020 transition.

1021 (d) Implementing a joint accountability, program  
 1022 performance, and program improvement process.

1023  
 1024 Annually, a cooperative agreement and plan for juvenile justice  
 1025 education service enhancement shall be developed between the

1026 Department of Juvenile Justice and the Department of Education  
 1027 and submitted to the Secretary of Juvenile Justice and the  
 1028 Commissioner of Education by June 30. The plan shall include, at  
 1029 a minimum, each agency's role regarding educational program  
 1030 accountability, technical assistance, training, and coordination  
 1031 of services.

1032 (2) Students participating in Department of Juvenile  
 1033 Justice education programs pursuant to chapter 985 which are  
 1034 sponsored by a community-based agency or are operated or  
 1035 contracted for by the Department of Juvenile Justice shall  
 1036 receive education programs according to rules of the State Board  
 1037 of Education. These students shall be eligible for services  
 1038 afforded to students enrolled in programs pursuant to s. 1003.53  
 1039 and all corresponding State Board of Education rules.

1040 (3) The district school board of the county in which the  
 1041 juvenile justice education prevention, day treatment,  
 1042 ~~residential,~~ or detention program is located shall provide or  
 1043 contract for appropriate educational assessments and an  
 1044 appropriate program of instruction and special education  
 1045 services.

1046 (a) All contracts between a district school board desiring  
 1047 to contract directly with juvenile justice education programs to  
 1048 provide academic instruction for students in such programs must  
 1049 be in writing. Unless both parties agree to an extension of  
 1050 time, the district school board and the juvenile justice

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1051 education program shall negotiate and execute a new or renewal  
1052 contract within 40 days after the district school board provides  
1053 the proposal to the juvenile justice education program. The  
1054 Department of Education shall provide mediation services for any  
1055 disputes relating to this paragraph.

1056 (b) District school boards shall satisfy invoices issued  
1057 by juvenile justice education programs within 15 working days  
1058 after receipt. If a district school board does not timely issue  
1059 a warrant for payment, it must pay to the juvenile justice  
1060 education program interest at a rate of 1 percent per month,  
1061 calculated on a daily basis, on the unpaid balance until such  
1062 time as a warrant is issued for the invoice and accrued interest  
1063 amount. The district school board may not delay payment to a  
1064 juvenile justice education program of any portion of funds owed  
1065 pending the district's receipt of local funds.

1066 (c) The district school board shall make provisions for  
1067 each student to participate in basic career and technical  
1068 education, ~~CAPE~~, and exceptional student programs as  
1069 appropriate. Students served in Department of Juvenile Justice  
1070 education programs shall have access to the appropriate courses  
1071 and instruction to prepare them for the high school equivalency  
1072 examination. Students participating in high school equivalency  
1073 examination preparation programs shall be funded at the basic  
1074 program cost factor for Department of Juvenile Justice programs  
1075 in the Florida Education Finance Program. Each program shall be

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1076 conducted according to applicable law providing for the  
1077 operation of public schools and rules of the State Board of  
1078 Education. School districts shall provide the high school  
1079 equivalency examination exit option for all juvenile justice  
1080 education programs.

1081 (d) The Department of Education, with the assistance of  
1082 the school districts and juvenile justice education providers,  
1083 shall select a common student assessment instrument and protocol  
1084 for measuring student learning gains and student progression  
1085 while a student is in a juvenile justice education program. The  
1086 Department of Education and the Department of Juvenile Justice  
1087 shall jointly review the effectiveness of this assessment and  
1088 implement changes as necessary.

1089 (4) Educational services shall be provided at times of the  
1090 day most appropriate for the juvenile justice program. School  
1091 programming in juvenile justice detention, prevention or, day  
1092 ~~treatment, and residential~~ programs shall be made available by  
1093 the local school district during the juvenile justice school  
1094 year, as provided in s. 1003.01(14). In addition, students in  
1095 juvenile justice education programs shall have access to courses  
1096 offered pursuant to ss. 1002.37, 1002.45, and 1003.498. The  
1097 Department of Education and the school districts shall adopt  
1098 policies necessary to provide such access.

1099 (5) The educational program shall provide instruction  
1100 based on each student's individualized transition plan, assessed

1101 educational needs, and the education programs available in the  
 1102 school district in which the student will return. Depending on  
 1103 the student's needs, educational programming may consist of  
 1104 remedial courses, academic courses required for grade  
 1105 advancement, ~~CAPE courses,~~ high school equivalency examination  
 1106 preparation, or exceptional student education curricula and  
 1107 related services which support the transition goals and reentry  
 1108 and which may lead to completion of the requirements for receipt  
 1109 of a high school diploma or its equivalent. Prevention and day  
 1110 treatment juvenile justice education programs, at a minimum,  
 1111 shall provide career readiness and exploration opportunities as  
 1112 well as truancy and dropout prevention intervention services.  
 1113 ~~Residential juvenile justice education programs with a~~  
 1114 ~~contracted minimum length of stay of 9 months shall provide CAPE~~  
 1115 ~~courses that lead to preapprentice certifications and industry~~  
 1116 ~~certifications. Programs with contracted lengths of stay of less~~  
 1117 ~~than 9 months may provide career education courses that lead to~~  
 1118 ~~preapprentice certifications and CAPE industry certifications.~~  
 1119 ~~If the duration of a program is less than 40 days, the~~  
 1120 ~~educational component may be limited to tutorial remediation~~  
 1121 ~~activities, career employability skills instruction, education~~  
 1122 ~~counseling, and transition services that prepare students for a~~  
 1123 ~~return to school, the community, and their home settings based~~  
 1124 ~~on the students' needs.~~

1125 (6) Participation in the program by students of compulsory

1126 school-attendance age as provided for in s. 1003.21 shall be  
1127 mandatory. All students of noncompulsory school-attendance age  
1128 who have not received a high school diploma or its equivalent  
1129 shall participate in the educational program, unless the student  
1130 files a formal declaration of his or her intent to terminate  
1131 school enrollment as described in s. 1003.21 and is afforded the  
1132 opportunity to take the high school equivalency examination and  
1133 attain a Florida high school diploma before release from a  
1134 juvenile justice education program. A student who has received a  
1135 high school diploma or its equivalent and is not employed shall  
1136 participate in workforce development or other CAPE education or  
1137 Florida College System institution or university courses while  
1138 in the program, subject to available funding.

1139 (7) An individualized progress monitoring plan shall be  
1140 developed for all students not classified as exceptional  
1141 education students upon entry in a juvenile justice education  
1142 program and upon reentry in the school district. These plans  
1143 shall address academic, literacy, and career and technical  
1144 skills and shall include provisions for intensive remedial  
1145 instruction in the areas of weakness.

1146 (8) Each district school board shall maintain an academic  
1147 record for each student enrolled in a juvenile justice education  
1148 program as prescribed by s. 1003.51. Such record shall delineate  
1149 each course completed by the student according to procedures in  
1150 the State Course Code Directory. The district school board shall

1151 include a copy of a student's academic record in the discharge  
1152 packet when the student exits the program.

1153 (9) Each district school board shall make provisions for  
1154 high school level students to earn credits toward high school  
1155 graduation while in ~~residential and nonresidential~~ juvenile  
1156 justice detention, prevention, or day treatment ~~education~~  
1157 programs. Provisions must be made for the transfer of credits  
1158 and partial credits earned.

1159 (10) School districts and juvenile justice education  
1160 providers shall develop individualized transition plans during  
1161 the course of a student's stay in a juvenile justice education  
1162 program to coordinate academic, career and technical, and  
1163 secondary and postsecondary services that assist the student in  
1164 successful community reintegration upon release. Development of  
1165 the transition plan shall be a collaboration of the personnel in  
1166 the juvenile justice education program, reentry personnel,  
1167 personnel from the school district where the student will  
1168 return, the student, the student's family, and the Department of  
1169 Juvenile Justice ~~personnel for committed students~~.

1170 (a) Transition planning must begin upon a student's  
1171 placement in the program. The transition plan must include, at a  
1172 minimum:

- 1173 1. Services and interventions that address the student's  
1174 assessed educational needs and postrelease education plans.
- 1175 2. Services to be provided during the program stay and

1176 services to be implemented upon release, including, but not  
1177 limited to, continuing education in secondary school, ~~CAPE~~  
1178 ~~programs~~, postsecondary education, or employment, based on the  
1179 student's needs.

1180 3. Specific monitoring responsibilities to determine  
1181 whether the individualized transition plan is being implemented  
1182 and the student is provided access to support services that will  
1183 sustain the student's success by individuals who are responsible  
1184 for the reintegration and coordination of these activities.

1185 (b) For the purpose of transition planning and reentry  
1186 services, representatives from the school district and the one-  
1187 stop center where the student will return shall participate as  
1188 members of the local Department of Juvenile Justice reentry  
1189 teams. The school district, upon return of a student from a  
1190 juvenile justice education program, must consider the individual  
1191 needs and circumstances of the student and the transition plan  
1192 recommendations when reenrolling a student in a public school. A  
1193 local school district may not maintain a standardized policy for  
1194 all students returning from a juvenile justice program but place  
1195 students based on their needs and their performance in the  
1196 juvenile justice education program, including any virtual  
1197 education options.

1198 (c) The Department of Education and the Department of  
1199 Juvenile Justice shall provide oversight and guidance to school  
1200 districts, education providers, and reentry personnel on how to



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1201 implement effective educational transition planning and  
1202 services.

1203 (11) The district school board shall recruit and train  
1204 teachers who are interested, qualified, or experienced in  
1205 educating students in juvenile justice programs. Students in  
1206 juvenile justice programs shall be provided a wide range of  
1207 education programs and opportunities including textbooks,  
1208 technology, instructional support, and resources commensurate  
1209 with resources provided to students in public schools, including  
1210 textbooks and access to technology. If the district school board  
1211 operates a juvenile justice education program at a juvenile  
1212 justice facility, the district school board, in consultation  
1213 with the director of the juvenile justice facility, shall select  
1214 the instructional personnel assigned to that program. The  
1215 Secretary of Juvenile Justice or the director of a juvenile  
1216 justice program may request that the performance of a teacher  
1217 assigned by the district to a juvenile justice education program  
1218 be reviewed by the district and that the teacher be reassigned  
1219 based upon an evaluation conducted pursuant to s. 1012.34 or for  
1220 inappropriate behavior. Juvenile justice education programs  
1221 shall have access to the substitute teacher pool used by the  
1222 district school board.

1223 (12) District school boards may contract with a private  
1224 provider for the provision of education programs to students  
1225 placed in juvenile justice detention, prevention, or day

1226 treatment programs with the Department of Juvenile Justice and  
1227 shall generate local, state, and federal funding, including  
1228 funding through the Florida Education Finance Program for such  
1229 students. The district school board's planning and budgeting  
1230 process shall include the needs of Department of Juvenile  
1231 Justice education programs in the district school board's plan  
1232 for expenditures for state categorical and federal funds.

1233 (13) (a) Eligible students enrolled in juvenile justice  
1234 education programs shall be funded the same as students enrolled  
1235 in traditional public schools funded in the Florida Education  
1236 Finance Program and as specified in s. 1011.62 and the General  
1237 Appropriations Act.

1238 (b) Juvenile justice education programs to receive the  
1239 appropriate FEFP funding for Department of Juvenile Justice  
1240 education programs shall include those operated through a  
1241 contract with the Department of Juvenile Justice.

1242 (c) Consistent with the rules of the State Board of  
1243 Education, district school boards shall request an alternative  
1244 FTE survey for Department of Juvenile Justice education programs  
1245 experiencing fluctuations in student enrollment.

1246 (d) FTE count periods shall be prescribed in rules of the  
1247 State Board of Education and shall be the same for programs of  
1248 the Department of Juvenile Justice as for other public school  
1249 programs. The summer school period for students in Department of  
1250 Juvenile Justice education programs shall begin on the day

1251 immediately following the end of the regular school year and end  
1252 on the day immediately preceding the subsequent regular school  
1253 year. Students shall be funded for no more than 25 hours per  
1254 week of direct instruction.

1255 (e) Each juvenile justice education program must receive  
1256 all federal funds for which the program is eligible.

1257 (14) Each district school board shall negotiate a  
1258 cooperative agreement with the Department of Juvenile Justice on  
1259 the delivery of educational services to students in juvenile  
1260 justice detention, prevention, or day treatment programs under  
1261 the jurisdiction of the Department of Juvenile Justice. Such  
1262 agreement must include, but is not limited to:

1263 (a) Roles and responsibilities of each agency, including  
1264 the roles and responsibilities of contract providers.

1265 (b) Administrative issues including procedures for sharing  
1266 information.

1267 (c) Allocation of resources including maximization of  
1268 local, state, and federal funding.

1269 (d) Procedures for educational evaluation for educational  
1270 exceptionalities and special needs.

1271 (e) Curriculum and delivery of instruction.

1272 (f) Classroom management procedures and attendance  
1273 policies.

1274 (g) Procedures for provision of qualified instructional  
1275 personnel, whether supplied by the district school board or

1276 provided under contract by the provider, and for performance of  
 1277 duties while in a juvenile justice setting.

1278 (h) Provisions for improving skills in teaching and  
 1279 working with students referred to juvenile justice education  
 1280 programs.

1281 (i) Transition plans for students moving into and out of  
 1282 juvenile justice education programs.

1283 (j) Procedures and timelines for the timely documentation  
 1284 of credits earned and transfer of student records.

1285 (k) Methods and procedures for dispute resolution.

1286 (l) Provisions for ensuring the safety of education  
 1287 personnel and support for the agreed-upon education program.

1288 (m) Strategies for correcting any deficiencies found  
 1289 through the accountability and evaluation system and student  
 1290 performance measures.

1291 (15) Nothing in this section or in a cooperative agreement  
 1292 requires the district school board to provide more services than  
 1293 can be supported by the funds generated by students in the  
 1294 juvenile justice programs.

1295 ~~(16) The Department of Education, in consultation with the~~  
 1296 ~~Department of Juvenile Justice, district school boards, and~~  
 1297 ~~providers, shall adopt rules establishing:~~

1298 ~~(a) Objective and measurable student performance measures~~  
 1299 ~~to evaluate a student's educational progress while participating~~  
 1300 ~~in a prevention, day treatment, or residential program. The~~

1301 ~~student performance measures must be based on appropriate~~  
1302 ~~outcomes for all students in juvenile justice education~~  
1303 ~~programs, taking into consideration the student's length of stay~~  
1304 ~~in the program. Performance measures shall include outcomes that~~  
1305 ~~relate to student achievement of career education goals,~~  
1306 ~~acquisition of employability skills, receipt of a high school~~  
1307 ~~diploma or its equivalent, grade advancement, and the number of~~  
1308 ~~CAPE industry certifications earned.~~

1309 ~~(b) A performance rating system to be used by the~~  
1310 ~~Department of Education to evaluate the delivery of educational~~  
1311 ~~services within each of the juvenile justice programs. The~~  
1312 ~~performance rating shall be primarily based on data regarding~~  
1313 ~~student performance as described in paragraph (a).~~

1314 ~~(c) The timeframes, procedures, and resources to be used~~  
1315 ~~to improve a low-rated educational program or to terminate or~~  
1316 ~~reassign the program.~~

1317 ~~(d) The Department of Education, in partnership with the~~  
1318 ~~Department of Juvenile Justice, shall develop a comprehensive~~  
1319 ~~accountability and program improvement process. The~~  
1320 ~~accountability and program improvement process shall be based on~~  
1321 ~~student performance measures by type of program and shall rate~~  
1322 ~~education program performance. The accountability system shall~~  
1323 ~~identify and recognize high-performing education programs. The~~  
1324 ~~Department of Education, in partnership with the Department of~~  
1325 ~~Juvenile Justice, shall identify low-performing programs. Low-~~

1326 ~~performing education programs shall receive an onsite program~~  
 1327 ~~evaluation from the Department of Juvenile Justice. School~~  
 1328 ~~improvement, technical assistance, or the reassignment of the~~  
 1329 ~~program shall be based, in part, on the results of the program~~  
 1330 ~~evaluation. Through a corrective action process, low-performing~~  
 1331 ~~programs must demonstrate improvement or the programs shall be~~  
 1332 ~~reassigned.~~

1333 (16)~~(17)~~ The department, in collaboration with the  
 1334 Department of Juvenile Justice, shall collect data and report on  
 1335 ~~commitment~~, day treatment, prevention, and detention programs.  
 1336 The report shall be submitted to the President of the Senate,  
 1337 the Speaker of the House of Representatives, and the Governor by  
 1338 February 1 of each year. The report must include, at a minimum:

- 1339 (a) The number and percentage of students who:
- 1340 1. Return to an alternative school, middle school, or high
  - 1341 school upon release and the attendance rate of such students
  - 1342 before and after participation in juvenile justice education
  - 1343 programs.
  - 1344 2. Receive a standard high school diploma or a high school
  - 1345 equivalency diploma.
  - 1346 3. Receive industry certification.
  - 1347 4. Enroll in a postsecondary educational institution.
  - 1348 5. Complete a juvenile justice education program without
  - 1349 reoffending.
  - 1350 6. Reoffend within 1 year after completion of a day

1351 treatment ~~or residential commitment~~ program.

1352 7. Remain employed 1 year after completion of a day  
1353 treatment ~~or residential commitment~~ program.

1354 8. Demonstrate learning gains pursuant to paragraph  
1355 (3) (d).

1356 (b) The following cost data for each juvenile justice  
1357 education program:

1358 1. The amount of funding provided by district school  
1359 boards to juvenile justice programs and the amount retained for  
1360 administration, including documenting the purposes of such  
1361 expenses.

1362 2. The status of the development of cooperative  
1363 agreements.

1364 3. Recommendations for system improvement.

1365 4. Information on the identification of, and services  
1366 provided to, exceptional students, to determine whether these  
1367 students are properly reported for funding and are appropriately  
1368 served.

1369 ~~(17)-(18)~~ The district school board shall not be charged  
1370 any rent, maintenance, utilities, or overhead on such  
1371 facilities. Maintenance, repairs, and remodeling of existing  
1372 facilities shall be provided by the Department of Juvenile  
1373 Justice.

1374 ~~(18)-(19)~~ When additional facilities are required for  
1375 juvenile justice detention, prevention, or day treatment

1376 programs, the district school board and the Department of  
1377 Juvenile Justice shall agree on the appropriate site based on  
1378 the instructional needs of the students. When the most  
1379 appropriate site for instruction is on district school board  
1380 property, a special capital outlay request shall be made by the  
1381 commissioner in accordance with s. 1013.60. When the most  
1382 appropriate site is on state property, state capital outlay  
1383 funds shall be requested by the Department of Juvenile Justice  
1384 provided by s. 216.043 and shall be submitted as specified by s.  
1385 216.023. Any instructional facility to be built on state  
1386 property shall have educational specifications jointly developed  
1387 by the district school board and the Department of Juvenile  
1388 Justice and approved by the Department of Education. The size of  
1389 space and occupant design capacity criteria as provided by State  
1390 Board of Education rules shall be used for remodeling or new  
1391 construction whether facilities are provided on state property  
1392 or district school board property.

1393 (19)~~(20)~~ The parent of an exceptional student shall have  
1394 the due process rights provided for in this chapter.

1395 (20)~~(21)~~ The State Board of Education shall adopt rules  
1396 necessary to implement this section. Such rules must require the  
1397 minimum amount of paperwork and reporting.

1398 ~~(22) The Department of Juvenile Justice and the Department~~  
1399 ~~of Education, in consultation with CareerSource Florida, Inc.,~~  
1400 ~~the statewide Workforce Development Youth Council, district~~



1401 ~~school boards, Florida College System institutions, providers,~~  
 1402 ~~and others, shall jointly develop a multiagency plan for CAPE~~  
 1403 ~~which describes the funding, curriculum, transfer of credits,~~  
 1404 ~~goals, and outcome measures for career education programming in~~  
 1405 ~~juvenile commitment facilities, pursuant to s. 985.622. The plan~~  
 1406 ~~must be reviewed annually.~~

1407 Section 25. Paragraph (c) of subsection (18) of section  
 1408 1001.42, Florida Statutes, is amended to read:

1409 1001.42 Powers and duties of district school board.—The  
 1410 district school board, acting as a board, shall exercise all  
 1411 powers and perform all duties listed below:

1412 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—  
 1413 Maintain a system of school improvement and education  
 1414 accountability as provided by statute and State Board of  
 1415 Education rule. This system of school improvement and education  
 1416 accountability shall be consistent with, and implemented  
 1417 through, the district's continuing system of planning and  
 1418 budgeting required by this section and ss. 1008.385, 1010.01,  
 1419 and 1011.01. This system of school improvement and education  
 1420 accountability shall comply with the provisions of ss. 1008.33,  
 1421 1008.34, 1008.345, and 1008.385 and include the following:

1422 (c) Public disclosure.—The district school board shall  
 1423 provide information regarding the performance of students and  
 1424 educational programs as required pursuant to ss. 1008.22 and  
 1425 1008.385 and implement a system of school reports as required by

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1426 | statute and State Board of Education rule which shall include  
1427 | schools operating for the purpose of providing educational  
1428 | services to students in Department of Juvenile Justice programs,  
1429 | and for those schools, report on the elements specified in s.  
1430 | 1003.52(16) ~~1003.52(17)~~. Annual public disclosure reports shall  
1431 | be in an easy-to-read report card format and shall include the  
1432 | school's grade, high school graduation rate calculated without  
1433 | high school equivalency examinations, disaggregated by student  
1434 | ethnicity, and performance data as specified in state board  
1435 | rule.

1436 |       Section 26. This act shall take effect July 1, 2024.