

Governor's Budget Recommendation Conforming Bill
Florida Scholars Academy

A bill to be entitled

An act relating to juvenile justice; amending s. 20.316, F.S.; authorizing the Secretary of the Department of Juvenile Justice to establish the Florida Scholars Academy within the department; creating s. 985.619, F.S.; establishing the Florida Scholars Academy at the Department of Juvenile Justice; authorizing the department to deliver educational services to certain students served in residential programs; providing a mission statement; authorizing the department to enter into a contractual agreement with third party to administer services; requiring the Secretary to confirm the superintendent; providing duties for the superintendent of the Florida Scholars Academy; establishing a board of trustees; providing for membership, powers, and duties of the board; authorizing the department to seek funds through the general appropriations act; authorizing the department to seek funds for the Florida Scholars Academy; establishing financial reporting requirements; requiring an annual financial audit; amending s. 1000.04, F.S.; establishing the Florida Scholars Academy in the Florida Early Learning-20 education system; amending s. 1013.53, F.S.; requiring the department to notify the Department of Education on the establishment of detention facilities; removing references to commitment facilities; providing an effective date.

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

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30 Section 1. Section 20.316, Florida Statutes, is amended to
31 read:

32 20.316 Department of Juvenile Justice.—There is created a
33 Department of Juvenile Justice.

34 (1) SECRETARY OF JUVENILE JUSTICE.—

35 (c) The Secretary of Juvenile Justice shall:

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

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

49 3. Oversee the establishment of the Florida Scholars
50 Academy pursuant to s. 985.619.

51 ~~4.3.~~ Provide for program research, development, and
52 planning.

53 ~~5.4.~~ Develop staffing and workload standards and coordinate
54 staff development and training.

55 ~~6.5.~~ Develop budget and resource allocation methodologies
56 and strategies.

57 ~~7.6.~~ Establish program policies and rules and ensure that
58 those policies and rules encourage cooperation, collaboration,

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59 and information sharing with community partners in the juvenile
60 justice system to the extent authorized by law.

61 ~~8.7.~~ Develop funding sources external to state government.

62 ~~9.8.~~ Obtain, approve, monitor, and coordinate research and
63 program development grants.

64 ~~10.9.~~ Enter into contracts.

65 ~~11.10.~~ Monitor all state-funded programs, grants,
66 appropriations, or activities that are designed to prevent
67 juvenile crime, delinquency, gang membership, or status offense
68 behaviors and all state-funded programs, grants, appropriations,
69 or activities that are designed to prevent a child from becoming
70 a "child in need of services," as defined in chapter 984, in
71 order to effect the goals and policies of the State
72 Comprehensive Plan regarding children and regarding governmental
73 efficiency, and in order to determine:

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

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

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

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

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

86 985.619 Florida Scholars Academy.—

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87 (1) (a) The department shall establish the Florida Scholars
88 Academy to deliver educational opportunities for students served
89 in residential commitment programs under chapter 985.

90 (b) Each residential program site established, authorized,
91 or designated by the department shall be considered a campus of
92 the Florida Scholars Academy.

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

96 (2) MISSION.—To provide a free and appropriate high-quality
97 education for eligible students within the juvenile justice
98 system. The academy shall provide students with greater access
99 to secondary and postsecondary educational opportunities,
100 including pathways to attain a high school diploma including the
101 career and technical education graduation pathway option
102 pursuant to s. 1003.4282(10), a high school equivalency diploma,
103 enroll in a degree program at a Florida state college or
104 university, and earn an industry-recognized credential of value
105 from the Master Credentials List, to prepare them to be
106 gainfully employed and productive citizens upon their exit from
107 Florida's system of juvenile justice.

108 (3) (a) The department shall enter into a contractual
109 agreement with an education service provider with a proven track
110 record of success to operate, provide, or supplement full-time
111 instruction and instructional support services for students to
112 earn a high school diploma or high school equivalency diploma,
113 enroll in a degree program at a Florida college or university,
114 and earn industry-recognized credentials of value from the
115 Master Credentials List. The contracted education service

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116 provider shall be responsible for the administration of all
117 educational services to students enrolled in the academy.

118 (b)1. The secretary shall approve the superintendent of the
119 Florida Scholars Academy. The superintendent shall be
120 responsible for the management and day-to-day operation of the
121 Florida Scholars Academy.

122 2. The superintendent shall report to the secretary or
123 their designee to ensure the effectiveness and efficacy of the
124 academy.

125 (4) (a) The Florida Scholars Academy shall be governed by a
126 board of trustees, comprised of five members. The members of the
127 board shall be comprised of:

128 1. The Secretary of the Department of Juvenile Justice, or
129 their designee.

130 2. The superintendent of the Florida Scholars Academy.

131 3. Three members appointed by the governor.

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

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

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

140 3.a. Identify appropriate performance measures and
141 standards based on student achievement that reflect the school's
142 statutory mission and priorities, and shall implement an
143 accountability system approved by the State Board of Education
144 for the school by the 2024-2025 school year that includes an

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145 assessment of its effectiveness and efficiency in providing
146 quality services that encourage high student achievement,
147 seamless articulation, and maximum access to career
148 opportunities.

149 b. For the 2024-2025 school year, the results of the
150 accountability system shall serve as an informative baseline for
151 the academy to work toward improved performance in future years.

152 4. Administer and maintain the educational programs of the
153 Florida Scholars Academy in accordance with law and rules
154 established by the department, in consultation with the State
155 Board of Education.

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

161 6. The employment of all Florida Scholars Academy
162 administrative and instructional personnel shall be subject to
163 rejection for cause by the secretary or his or her designee and
164 shall be subject to policies established by the board of
165 trustees.

166 7. Provide for the content and custody of student records
167 pursuant to s. 1002.22.

168 8. The financial records and accounts of the Florida
169 Scholars Academy shall be maintained under rules adopted by the
170 State Board of Education for the uniform system of financial
171 records and accounts for the schools of the state.

172 9. The secretary or his or her designee shall be the
173 initial chair of the board of trustees to serve a term of 4

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174 years. Members of the board of trustees shall serve without
175 compensation but may be reimbursed for per diem and travel
176 expenses pursuant to s. 112.061. The board of trustees shall be
177 a body corporate with all the powers of a body corporate and
178 such authority as is needed for the proper operation and
179 improvement of the Florida Scholars Academy. The board of
180 trustees is specifically authorized to adopt rules, policies,
181 and procedures, consistent with law and rules of the State Board
182 of Education related to governance, personnel, budget and
183 finance, administration, programs, curriculum and instruction,
184 travel and purchasing, technology, students, contracts and
185 grants, and property as necessary for optimal, efficient
186 operation of the Florida Scholars Academy. Tangible personal
187 property owned by the board of trustees shall be subject to the
188 provisions of chapter 273.

189 (5) FUNDING.-

190 (a)1. Funding for the operational and instructional
191 services for all students enrolled in the Florida Scholars
192 Academy shall be provided through the General Appropriations
193 Act.

194 2. The Florida Scholars Academy shall receive all federal
195 funds for which it is eligible.

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

201 (c) The fiscal year for the Florida Scholars Academy shall
202 be the state fiscal year as provided in s. 216.011 (1) (o).

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203 (d) Notwithstanding the provisions of s. 216.301 and
204 pursuant to s. 216.351, all unexpended funds appropriated for
205 the Florida Scholars Academy shall be carried forward and
206 included as the balance forward for that fund in the approved
207 operating budget for the following year.

208 (e)1. The Florida Scholars Academy shall maintain a minimum
209 general fund ending fund balance of 3 percent that is sufficient
210 to address normal contingencies.

211 2. If at any time the portion of the general fund's ending
212 fund balance not classified as restricted, committed, or
213 nonspendable in the Florida Scholars Academy's approved
214 operating budget is projected to fall below 2 percent of
215 projected general fund revenues during the current fiscal year,
216 the secretary or his or her designee shall provide written
217 notification to the Commissioner of Education. Within 14 days
218 after receiving such notification, if the commissioner
219 determines that the Florida Scholars Academy does not have a
220 plan that is reasonably anticipated to avoid a financial
221 emergency as determined pursuant to s. 218.503, the commissioner
222 shall appoint a financial emergency board that shall operate
223 under the requirements, powers, and duties specified in s.
224 218.503 (3) (g) .

225 (6) Under no circumstance may the credit of the state be
226 pledged on behalf of the Florida Scholars Academy.

227 (7) ANNUAL AUDIT.—

228 (a) The Florida Scholars Academy shall have an annual
229 financial audit of its accounts and records conducted by an
230 independent auditor who is a certified public accountant
231 licensed under chapter 473. The independent auditor shall

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232 conduct the audit in accordance with rules adopted by the
233 Auditor General pursuant to s. 11.45 and, upon completion of the
234 audit, shall prepare an audit report in accordance with such
235 rules. The audit report must include a written statement by the
236 board of trustees describing corrective action to be taken in
237 response to each of the independent auditor's recommendations
238 included in the audit report.

239 (b) The independent auditor shall submit the audit report
240 to the board of trustees and the Auditor General no later than 9
241 months after the end of the preceding fiscal year.

242 (8) The department may establish rules to implement this
243 section.

244 Section 3. Section 1000.04, Florida Statutes, is amended to
245 read:

246 1000.04 Components for the delivery of public education
247 within the Florida Early Learning-20 education system.—Florida's
248 Early Learning-20 education system provides for the delivery of
249 early learning and public education through publicly supported
250 and controlled K-12 schools, Florida College System
251 institutions, state universities and other postsecondary
252 educational institutions, other educational institutions, and
253 other educational services as provided or authorized by the
254 Constitution and laws of the state.

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

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

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261 1013.53 Cooperative development of educational facilities
262 in juvenile justice programs.—

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

270 (2) The Department of Juvenile Justice shall notify, in
271 writing, the Department of Education when a request for
272 proposals is issued for the construction or operation of a
273 ~~commitment~~ or detention facility anywhere in the state. The
274 Department of Juvenile Justice shall notify, in writing, the
275 appropriate school district when a request for proposals is
276 issued for the construction or operation of a ~~commitment~~ or
277 detention facility when a county or site is specifically
278 identified.

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

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

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

286 Section 5. This act shall take effect July 1, 2023.