

CHAPTER 2

JUVENILE JUSTICE EDUCATION LEGISLATION

2.1 Introduction

Over the last several decades, social service providers have experienced increased demands for accountability. In the social services fields of education and criminal justice, and at all levels of government, there has been an ideological shift from fostering autonomy to a more accountability-oriented policy. This accountability movement is perhaps most apparent in the “tough love” policies aimed at criminal offenders, welfare reform, and the more recent enactment of the *No Child Left Behind Act* (NCLB). In Florida, this trend continued in 2004 with state legislation that requires the Florida Department of Education (DOE), among others, to develop strategies regarding the implementation of NCLB in juvenile justice schools and to implement a uniform entry and exit assessment for the purpose of calculating academic gains of students committed to juvenile justice schools. This shift toward accountability is being driven by several factors, including the scientific desire to know what works and the economic quest for service efficiency and cost effectiveness, along with enhanced technology that allows for more sophisticated data collection and analysis of large social programs such as the criminal justice system and the public education system. The Juvenile Justice Educational Enhancement Program (JJEED) was designed to operate within such a system and, in turn, this environment has played an important role in shaping JJEED’s goals.

Since its inception in 1998, JJEED has been able to positively embrace and implement this demand for increased accountability. The DOE contracts with the Florida State University School of Criminology and Criminal Justice to monitor and conduct research on Florida’s nearly 200 juvenile justice schools. Through this contract, JJEED is continuing to develop a research-driven system of identifying and implementing best practices in juvenile justice schools throughout the state of Florida. There are significant benefits to collaboration between a state agency and a university. First, it allows the research expertise within the university to provide meaningful information to state policy makers. Second, university research centers are often more flexible in adjusting to new legislation than are larger bureaucratic government organizations, allowing for the program to be proactive to legislative changes affecting juvenile justice education.

This chapter summarizes major legislation that has influenced juvenile justice education since 1998, with emphasis on JJEED’s role in influencing policy and ensuring statewide compliance. Section 2.2 provides a summary of legislation since the establishment of JJEED, including House Bill (HB) 349 (1999), Senate Bill (SB) 2464 (2000), Rule 6A-6.05281, HB 267, and the “Just Read, Florida!” initiative. Section 2.3 focuses on the continuing implementation of NCLB legislation, including efforts to create a uniform assessment mechanism and meet NCLB highly qualified teacher requirements. Section 2.4 provides a summary of 2004 legislation affecting juvenile justice educational programs, including

overviews of HB 1989, SB 354, SB 364, and legislative changes concerning the custody and care provided by juvenile justice programs. Section 2.5 provides an overview of committees formed among DOE, Department of Juvenile Justice (DJJ), JJEPP, school districts, and education providers. These committees include the uniform entry/exit assessment committee, the NCLB implementation committee for juvenile justice schools, a juvenile justice vocational education committee, and a transition services committee. A summary of the chapter is provided in Section 2.6 that highlights JJEPP's role in shaping accountability and policy.

2.2 State Legislation from 1998 to 2004

In 1998, the Florida Legislature requested reports from JJEPP, the Office of Program Policy Analysis and Government Accountability (OPPAGA), and the Juvenile Justice Accountability Board (JJAB) for the purpose of reforming juvenile justice education legislation. In response to these reports and a desire to increase accountability throughout Florida's juvenile justice system, the Legislature passed several bills over the following years that revised and improved educational services provided to Florida's juvenile justice population.

1999 Legislation

In 1999, the Florida Legislature passed HB 349. This bill required extensive reform in Florida's juvenile justice educational programs and maintained weighted funding for juvenile justice schools. The impact of HB 349 was felt at the state, district, and school levels and established an overall increase in accountability and responsibility. The major impact at the state level was to clearly place the accountability for and responsibility of juvenile justice education under the authority of the DOE and to establish a mechanism to ensure that research, quality assurance (QA), and technical assistance would be conducted to improve the quality of that education. While these activities and principles were already guiding JJEPP's mission, HB 349 established them as law. More specifically, the bill required that research be conducted to identify best practices in juvenile justice education, allowed for sanctions to be placed on low performing schools, and mandated that technical assistance be provided to schools as needed. In addition, HB 349 intended to clearly establish the responsibility of the school districts in overseeing the operation of juvenile justice schools.

The legislation emphasized that it is the school districts' responsibility to ensure that students enrolled in juvenile justice schools are provided with services equitable to those offered in public schools in the same district. These responsibilities include providing contract management of private educational providers, ensuring appropriate student and assessment services, maintaining accurate academic records, and transmitting student records from school to school.

The major impact of HB 349 at the school level included requirements for year-round schooling, waiving General Educational Development (GED) testing fees, developing academic improvement plans (AIPs) for all students, conducting specific academic record keeping, providing transition services and activities, developing a school improvement plan (SIP), and delivering appropriate curriculum and instruction to every student based on his or her individual requirements and needs.

Overall, this legislation clearly provided the beginning of a comprehensive structure and accountability system for Florida's juvenile justice education and established Florida as a national leader in juvenile justice education. Further, the passage of this bill, as well as other legislation has resulted not only in increasingly stringent accountability mechanisms but also in more positive outcomes for Florida's delinquent youths.

2000 Legislation

SB 2464 (2000) clarified, modified, and/or amended provisions in HB 349 (1999). In addition, the bill focused on three major studies conducted by DOE with assistance from JJEPP: a vocational/technical education study for incarcerated youths, a funding study to identify an appropriate funding level for juvenile justice education, and a facility space study to determine the available or needed classroom space for educational programs in DJJ facilities.

The vocational education study established the curriculum, goals, and outcome measures for vocational/technical programs in juvenile justice schools. The *State Plan for Vocational Education for Youth in Juvenile Justice Commitment Facilities* was completed and implemented during fall 2001. The plan outlined juvenile justice school requirements for offering vocational programming and increased JJEPP's QA monitoring of vocational curriculum and instruction. Recent 2004 legislation requires that this plan be modified and updated annually.

The purpose of the funding study was to determine the precise funding level necessary to provide educational services in DJJ facilities. The study was submitted to the Governor of Florida and the Florida Legislature in 2001, recommending a cost factor of 1.602 for all non-special-education students and students with disabilities currently funded at levels I and II. No legislative action was taken for an increased, unique cost factor for juvenile justice students. The study's second recommendation required a QA standard for monitoring funding. Since 2001, JJEPP has required school districts to monitor educational funding, and DOE has annually reported the actual dollars spent in each juvenile justice school.

DOE conducted the facility space study to determine the adequacy of educational space within each juvenile justice facility. The study included permanent classrooms, vocational labs, resource rooms, supplemental instruction, observation booths, time-out rooms, media centers, and administrative areas. As a result, DOE and DJJ developed a three-year plan to address any facility deficiencies found. Recommendations for addressing these deficiencies included renovations/replacements and new construction/additions; these totaled either \$106,628,265 at an 18:1 student-to-teacher ratio or \$153,483,106 at a 10:1 student-to-teacher

ratio. Again, the Florida Legislature did not fund these recommendations, which resulted in continued problems concerning the lack of sufficient educational space. JJEPP continues to address adequate educational space in facilities; however, since space is the responsibility of DJJ, both JJEPP and DOE are limited in monitoring and resolving issues regarding adequate educational space. Clearly, educational space is a continuing problem area that warrants more attention both in terms of funding for expanded space and designating DOE rather than DJJ as responsible for monitoring educational space related issues.

SB 2464 also added several new requirements, including: (1) the development of a cooperative agreement between DJJ and DOE for the enhancement of juvenile justice educational services, (2) the requirement that youths who have not received a high school diploma or the equivalent participate in vocational/technical education (contingent upon funding availability) if they are not employed while in a DJJ program, and (3) the provision of educational services for minors in adult county jails.

In addition to SB 2464, DOE (in conjunction with JJEPP, DJJ, school districts, and educational providers) developed the first State Board of Education Rule for juvenile justice education services. Rule 6A-6.05281, *Education Services in Department of Juvenile Justice Programs* was a key provision of HB 349 in 1999 and was enacted in 2000. The requirements established in this administrative rule include eligibility criteria for youths served in educational programs, the content and transfer of student records, entry and exit assessment, individual academic planning, transition services, instructional programming and academic expectations, qualifications of instructional staff, funding, contracting with private providers for the provision of educational services, interventions and sanctions for low performing programs, and interagency coordination. The requirements of this Rule closely followed the QA standards, which were developed based upon best practices identified in the literature. As a result, the Rule provided state administrative authority for the QA standards and indicators.

Overall, the legislation passed in 2000 continued Florida's efforts to develop an information-based accountability system for juvenile justice education and provided the means of holding low performing programs accountable. SB 2464 strengthened the provisions outlined in HB 349 (1999) and provided new initiatives in the areas of interagency coordination.

2001 Legislation

In 2001, there was little legislation specifically aimed at juvenile justice education. HB 267 (2001) required "no contact" orders for youths returning to school after release from DJJ. Under this bill, school districts are required to enter into a cooperative agreement with DJJ as a way of protecting victims. In particular, certain students are prohibited from attending the same school as their victim or their victim's siblings, and school principals are required to take specific actions when a student becomes the victim of a violent crime committed by a fellow student. These no contact orders are problematic for students returning to school as they possibly hinder the student's successful transition back into his or her community, but were felt to be necessary to protect victims.

In September 2001, Governor Bush authorized the *Just Read, Florida!* initiative. This initiative relies on scientifically based research to improve current reading programs, standards, teaching strategies, and course requirements. Similar to the federal *Reading First* requirements of NCLB, there are five key components emphasized in the initiative: phonemic awareness, phonics, fluency, comprehension, and vocabulary. While the federal legislation is aimed at kindergarten through third grade Title I schools, *Just Read, Florida!* initiative focuses on all schools and grade levels. The goals are to have all children reading fluently by the end of the third grade and “for all students in Florida to be able to read on grade level or higher by 2012” (DOE, 2001, p.1). Because juvenile justice students tend to have larger reading deficiencies as compared to children attending public schools, the goals established by the *Just Read, Florida!* initiative set a high bar for these students to meet. This initiative has led to the development of new QA standards for reading and numerous DOE technical assistance documents and trainings. In 2002, with assistance from DOE’s *Just Read, Florida!* office and the Hillsborough County School District, JJEEP designed a new QA standard for reading. The new requirements were added to the 2003 QA standards but were not scored during that year’s QA review cycle, allowing programs and school districts the opportunity to prepare for the new reading requirements. In 2004, juvenile justice schools received QA ratings on the new reading requirements. The current standard includes identifying students with reading deficiencies, providing evidence-based reading programs and instruction for these identified students, monitoring students’ reading progress and growth, and diagnostically assessing those students who are not making adequate progress in reading.

The *Just Read, Florida!* initiative was the first of a series of requirements related to NCLB and juvenile justice education. As Florida began to reform its juvenile justice education system over the past several years, a similar movement was underway at the federal level, ultimately resulting in the passage of a comprehensive education reform law.

2.3 Continuing Implementation of NCLB

In 2002 and 2003, major legislation affecting juvenile justice education resulted from the federal government enactment of NCLB. This legislation posed unprecedented challenges for the reform of the country’s school system. NCLB mandates that the country’s juvenile justice schools meet the same high standards as all other elementary and secondary public schools. Specifically, Title I, Part D, of NCLB contains critical provisions for juvenile justice schools. Overall, NCLB focuses on teacher qualifications, Adequate Yearly Progress (AYP) requirements, program evaluation standards, the implementation of scientifically based practices, transition services, an emphasis on students returning to school upon release from an institution, and the development of state education agency plans.

Under NCLB, juvenile justice teachers must meet highly qualified teacher requirements, which include holding a bachelor’s degree, having professional certification, and showing competency in each subject they teach. NCLB provides states with an outline of requirements to be followed in order for teachers to be considered highly qualified, yet allows a considerable amount of discretion in designing and defining the rules for certification and subject-area competency. NCLB allows states greater flexibility in meeting

the highly qualified teacher requirements through the High Objective Uniform State Standard of Evaluation (HOUSSE). The HOUSSE requirements allow veteran teachers to demonstrate that they are highly qualified through teaching experience and participation in professional development, leadership, and service activities or by taking a state certification examination.

Requirements for AYP include requiring programs to show a 95% participation rate in the Florida Comprehensive Assessment Test (FCAT), FCAT performance results, Florida Writes assessment results, and graduation results. Meeting these requirements is particularly difficult for many juvenile justice schools due to several factors, including the short length of stay, the mobility of the students, and disproportionate educational deficiencies. Title I, Part D, requires an accountability and program evaluation system compatible with the smaller numbers of students, mobility issues, and temporary placements found in juvenile justice schools. All juvenile justice schools must receive a program evaluation, which includes the monitoring of student performance in the areas of maintaining and improving educational achievement, accruing school credits for grade promotion, making a successful transition back to school after release, completing high school and obtaining employment after release, and/or participating in post-secondary education and job training.

Since one of the goals of Title I, Part D, is to successfully return students to public schools after their release from institutions, transition services are strongly emphasized in the legislation. State and local education agencies are required to provide transition services and a means for incarcerated students to successfully return to school upon release. Federal funds are to be used for such purposes, and states must demonstrate progress on the development of effective transition services.

To accomplish these multiple requirements, each state receiving Title I, Part D, funds must submit a plan to the Secretary of the United States Department of Education (USDOE) outlining how schools will provide these services and evaluate these programs. These plans include defining the program objectives, goals, and performance measures and are intended to ensure the effectiveness of the programs in improving the educational skills of juvenile justice students while providing them with the same opportunities as their public school counterparts. It is the responsibility of the state education agency (SEA) to ensure that the services that students in juvenile justice schools receive meet the state standards required for all public school students. As discussed in the following section, Florida has formed an interagency committee to assist and guide the state in its effort to effectively implement the numerous requirements of NCLB in its juvenile justice schools.

2.4 Education and Juvenile Justice Legislation in 2004

In 2004, the Florida Legislature enacted HB 1989, the first state bill in three years that is specific to juvenile justice education. Among other initiatives, this bill requires the formation of several interagency committees to address different areas in juvenile justice education. The Legislature also enacted numerous general education and custody care bills: two education bills that directly affect juvenile justice education through middle grades reform and accelerated graduation options and SB 2564, which requires local counties to fund juvenile detention centers.

House Bill 1989 (2004) – Juvenile Justice Education

In 2004, HB 1989 amended those sections of laws related to juvenile justice schools in relation to funding, an increase of educational options, recruitment and retention of teachers, the revision of the multi-agency career/technical education plan, student assessment, and creation of an NCLB workgroup.

The changes in funding brought about by HB 1989 include a percentage increase in the Florida Education Finance Program (FEFP) funding (from 80% to 90%), which must be spent on instructional costs for students. HB 1989 also requires that each juvenile justice educational program receive those federal funds for which the program is eligible. Changes in funding also occurred in the tuition reimbursement of full-time teachers. In addition to the critical teacher shortage tuition reimbursement program, HB 1989 allows teachers in both publicly and privately operated juvenile justice schools to be eligible for additional teacher recruitment and retention programs (DPS Memo 05-027). An increase in education options available to juvenile justice students also is addressed in HB 1989, including access to Florida Virtual School courses and the school district's provision of the GED Exit Option.

As previously mentioned, SB 2464 (2000) required the development of a multi-agency plan addressing career and technical education to be reviewed annually. HB 1989 expands the requirements and participants involved in this plan to include DJJ; DOE; Workforce Florida, Inc.; the statewide Workforce Development Youth Council; district school boards; community colleges; providers; and others. This multi-agency plan is designed to address the issues of funding, curriculum, transfer of credits, goals, and outcome measures, and HB 1989 requires that it be reviewed annually.

Furthermore, HB 1989 requires DOE, with the assistance of the school districts, to develop and select a uniform student assessment instrument and protocol for measuring learning gains and student progression while in juvenile justice educational programs (DPS Memo 05-027). The selection process for this assessment instrument is underway and should be completed during 2005.

Finally, HB 1989 creates a new section of law requiring a workgroup to be formed between DOE and DJJ (with help from school districts, juvenile justice education providers, and the Florida Juvenile Justice Association) to discuss strategies for meeting NCLB requirements and rewarding those programs that demonstrate positive student outcomes (DPS Memo 05-027). The suggestions of the workgroup are to be reported by DOE to the legislative leadership in January 2005. The committees' work and recommendations are discussed in detail in the following section.

General Education Legislation

The 2004 Florida Legislature also passed SB 354 (2004) and SB 364 (2004), both of which affect general education as well as juvenile justice education. SB 354 focuses attention on middle grades reform. The key provisions of SB 354 include a review of reading and language arts curricula and course work, a comprehensive middle grades reform study, rigorous reading requirements (RRR) in middle grade schools, and personalized middle school success plans for middle grade students.

SB 364 (2004) revises the Accelerated Graduation Options available to ninth graders entering the 2004-05 school year. Students may choose among the options of completing the general 24 credit requirements for high school graduation, a revised 18-credit program, a three-year college preparatory program, or a revised three-year career preparatory program with a minimum of 18 credits.

Juvenile Justice Legislation Relating to Custody and Care

In addition to the changes HB 1989 mandated for juvenile justice schools, the legislation also included changes to the custody and care of juvenile justice programs. HB 1989 recognizes the different interests and needs of young women and men through gender-specific programs that focus on the differing roles and responsibilities of the two genders, their positions in society, their access to and use of resources, and the different social codes governing their behavior.

Specifically, OPPAGA is to conduct an analysis of programs within DJJ facilities that serve females. The analysis is to focus on the nature of female youths offending in Florida, the percentage of female youths incarcerated for status offenses and violations of probation, and whether less costly community-based programs are a more appropriate alternative for serving the needs of many females incarcerated for these offenses. Additionally, OPPAGA will consider the costs of providing gender-specific services and whether existing juvenile justice programs are currently able to meet gender-specific needs. OPPAGA is currently conducting this analysis, and a report will be available early in 2005.

A more controversial bill, SB 2564 (2004) asserts that both the state and the counties have a joint obligation to financially support the costs of providing detention care for juveniles; as a result, counties, unless fiscally constrained, are now required to pay DJJ for the cost of providing pre-disposition detention services (DJJ, 2004). The author of the bill, Senator Victor Crist, stated that the bill is designed to re-balance the funding obligations of the state and the counties. Specifically, the state has taken over the county court system and now the counties will take over the pre-trial detention of juveniles (Langley, 2004). The counties are responsible for paying the estimated costs at the beginning of each month. At the month's end, the actual cost is calculated, and any differences between the two are reconciled at the end of the year (DJJ, 2004).

Backed by the House of Representatives, Florida counties expressed some concerns about the bill. First, SB 2564 forces Florida counties to pay approximately \$90 million for housing pre-trial juveniles (Stephens, 2004). Additionally, although the counties are now responsible for the bill, the state manages the money and the facilities (Ogles, 2004). Moreover, it could be necessary for counties to raise taxes or shift funds from other areas, like education, to comply with this new law (Langley, 2004).

In response, Governor Jeb Bush granted the counties a three-month planning period, during which they may adjust their budgets before the implementation of SB 2564. Also, proponents of the bill argued that the fund shift serves to increase the similarity between the adult justice system and the juvenile justice system: adult criminals first go to county jails and, if convicted, then go into the state system (Ogles, 2004). Finally, a weekly workgroup was established to assist the counties (DJJ, 2004). The workgroup includes representatives from a variety of agencies, such as the Florida Association of Counties, the Small County Coalition, the DJJ, the Department of Revenue, and the Children's Campaign, Inc. (DJJ, 2004).

The effect of this shift in funding responsibility for juvenile detention centers from the state to the local level remains unclear. As counties shift local tax revenues and funds to pay for the costs of operating their juvenile detention centers, other county services may be reduced or local taxes may increase. Furthermore, most detention centers serve students from numerous surrounding counties, which may place additional financial burdens on the counties where the detention centers are located. Some argue, however, that local counties will assume more responsibility for the services provided to their local delinquent youths when they are fiscally responsible for their care in detention.

2.5 Interagency Committees

As a result of these various legislative mandates, new committees have been formed among DOE, JJEPP, DJJ, the Florida Juvenile Justice Association, school districts, and education providers. These committees are focusing their efforts on developing a standard and academic assessment instrument, the implementation of NCLB requirements, transition service planning for students in juvenile justice facilities, and vocational education for those students. It is through these committees that policy recommendations are submitted and implementation strategies are formed.

Uniform Assessment Committee

As stated in HB 1989, DOE, with the assistance of the school districts, must develop a standard student assessment instrument and protocol. A committee of members from DOE, DJJ, JJEPP, local school districts, and other education providers met on August 16, 2004, to review the current and most commonly used assessment instruments and methods. Representatives from local school districts and other educational providers, including members from Dade, Desoto, Volusia, Leon, and Duval school districts; DISC Village representatives from private providers, including Eckerd Youth Alternatives; PACE Center

for Girls; and Outward Bound also participated. While reviewing the current assessment processes, the committee discussed issues likely to hinder the selection of a standard assessment test. These issues include the mobility of the juvenile justice population, the brief duration that students stay in a given program, and inconsistencies in the administration of tests. After reviewing the current assessment instruments and discussing the possible problems with assessment procedures, the committee submitted its conclusions to the assessment office at DOE.

In addition to the workgroup's proposals, DOE is consulting with a school psychologist from the University of South Florida (USF) to critique the validity and reliability of assessment tests. With suggestions from both the assessment workgroup and USF, DOE will select one assessment test for the purpose of measuring student academic progress in juvenile justice educational programs throughout the state. Once implemented, this will enable Florida to better capture the academic progress of students while they are incarcerated, and it will allow comparisons of academic gains among different program and provider types. More specifically, the statewide use of one academic assessment instrument will enable comparison of program QA scores and student academic gains, return to school, and rearrest outcomes. In sum, we will be able to validate the QA system.

NCLB Committee

The NCLB committee is comprised of a variety of state and local agency representatives from DOE, JJEEP, DJJ, Florida Juvenile Justice Association, local school districts, and other education providers. Representatives from school districts include members from Desoto, Broward, Orange, and Collier. Representatives from other education providers include members of DISC Village, Police Athletic League Charter Schools of Manatee, Associated Marine Institutes, Eckerd Youth Alternatives, and PACE Center for Girls. This committee is developing strategies for meeting the NCLB requirements, such as the state education agency (SEA) plan described in Title I, Part D; program evaluation requirements and uniform evaluation model; transition services; highly qualified teachers; and Adequate Yearly Progress (AYP). This committee also is considering rewards for high performing programs.

The NCLB committee convened four times during November. These meetings occurred on November 9, 10, 22, and 23. The findings from these meetings were reported to the President of the Florida Senate and the Speaker of the Florida House of Representatives in January 2005.

The NCLB committee identified key issues and policy recommendations regarding several aspects of NCLB. Title I, Part A; AYP; and highly qualified teachers were discussed. Under Title I, Part D, state and local education agency plans, program evaluation, and transition were discussed. Issues and recommendations regarding small juvenile justice educational programs were also provided.

The NCLB committee found that the main problems associated with evaluating AYP were the relatively small school sizes of many juvenile justice schools and the ever fluctuating student population; namely, that the frequent movement of children in and among school districts and programs makes verification of attendance and testing difficult. Typically, students are not at juvenile justice schools for a full academic year. To overcome this problem, the committee made three recommendations, including the development of a reliable data collection process, ensuring that juvenile justice schools have the opportunity to validate the data, and increasing collaboration between juvenile justice programs and school districts. The issues regarding highly qualified teachers include the low retention rates of qualified teachers, difficulties in recruiting new highly qualified teachers, and the reality that many teachers in small juvenile justice schools are required to teach multiple grade levels and subjects. A variety of recommendations were offered, such as allowing DJJ schools two additional years to meet the requirements, implementing a retention strategy (e.g., incentives such as tuition waivers for professional development) for teachers hired after 2006, and expanding and using the middle grades integrated curriculum certification for middle school courses and eligible basic high school courses.

The NCLB committee found that state and local education agency plans did not fully address the needs of juvenile justice schools in meeting NCLB requirements. The allocation of Title I, Part D, funds also created some concern. To address these issues, the committee recommended creating an addendum to the state education plan that clearly addresses NCLB's requirements for juvenile justice schools. With regard to the allocation of funds, the committee recommended that local education agencies allocate funds directly to the schools. Several issues were identified regarding program evaluation. These generally focused on improving the educational attainment of students, aiding the transition from juvenile justice facilities to regular schools, and providing job training. Recommendations included implementing standard assessments for juvenile justice facilities and regular schools, including entry assessments and graduation requirements. A third area under Title I, Part D, concerns transition. The committee found coordination of transition to be lacking and, thus, recommended the identification of education transition specialists in each school district. Implementing this recommendation also would assist juveniles in finding employment.

In addition to these three areas of concern, the NCLB committee is working on developing a formula and plan for rewarding high performing programs. In short, the committee performed a well-rounded assessment of the implementation of NCLB and provided both creative and useful recommendations for improving Florida's compliance with the Act.

Vocational Education Committee

As mentioned in the previous sections, SB 2464 (2000) requires the development of a multi-agency plan addressing career and technical education, while HB 1989 (2004) reinforces and expands the requirements of the plan. The vocational plan must be revised annually, requiring an ongoing committee consisting of representatives from DOE, DJJ, JJEPP, and the Florida Juvenile Justice Association. This committee plans to begin meeting in 2005. It is anticipated that this committee will increase the requirements for vocational services in

juvenile justice schools. JJEEP plans to follow any recommendations from this committee and adjust the QA standards and processes as deemed necessary.

Transition Services Committee

The transition committee addressed the issue of transition services among programs and school districts. Unlike the previously mentioned committees that were formed as a result of legislation, the transition service committee was formed out of necessity. The transition of youths in and out of the juvenile justice system has always been problematic. Given the emphasis in NCLB on the importance of incarcerated youths returning to public school upon release and JJEEP's research findings relating to the positive relationship between return to school and reduction of rearrest, transition services that enhance youths' ability to successfully reenter their home schools and communities are vitally important. Members of the transition services committee include representatives from DOE, DJJ, JJEEP, Desoto County School District, Okaloosa County School District, Broward County School District, Volusia County School District, and Hillsborough County School District. The transition committee first met on May 26, 2004, and again at the Juvenile Justice Education Institute and Southern Conference on Corrections (JJEI) on July 13, 2004.

The first goal of the DOE/JJEEP transition committee was to develop a list of personnel from each school district to oversee education transition services. This list will be posted on the DOE, DJJ, and JJEEP websites to promote increased communication between programs and school districts.

The second goal of the transition committee was to update the DOE publication, *A Transition Guidebook for Educational Personnel of Juvenile Justice Programs (Transition Guidebook)*. The primary focus of the update was to include a formalized transition protocol for school districts transferring and receiving students from juvenile justice schools to improve the successful reintegration of delinquent youths. Six school districts were solicited to participate in this project, and five agreed. The participating school districts include a small district with a DJJ facility (Desoto County), a medium sized district with a DJJ facility (Okaloosa County), a large district with a DJJ facility (Broward County), a district with multiple DJJ facilities (Volusia County), and a district with high QA scores in transition services (Hillsborough County).

The DOE/JJEEP transition committee has developed a revised, updated edition of the *Transition Guidebook*. This new edition will provide a comprehensive overview of the transition process (from pre-commitment to post-commitment). It also will provide an in-depth guide to transition resources, from parental and family support and community resources to the development of academic and transition plans, and the most up-to-date statewide transition contact information. The *Transition Guidebook* will include school district best practices in the transition process and will be a valuable tool in helping educational programs provide the best transition services to their students.

2.6 Summary Discussion

Over the past two decades, there has been an overall increase in demands for accountability in social services and education at both the state and federal levels. In 1999, with HB 349, the DOE became responsible for Florida's juvenile justice schools. (DOE is responsible for developing best practices in juvenile justice education, which include research, QA, and technical assistance.) The following year, SB 2464 (2000) modified HB 349 (1999) and directed reform efforts to vocational/technical education, identifying an appropriate funding level, and identifying available and needed classroom space. SB 2464 (2000) also mandated cooperation between DOE and DJJ. Another piece of legislation, HB 267 (2001) mandated "no contact" orders to be executed upon a student's release in order to protect his/her victim and/or the victim's siblings. In addition, HB 267 (2001) required that school principals take certain actions when one student victimizes another.

A landmark piece of federal legislation is NCLB. With regard to juvenile justice schools, NCLB is aimed at reforming juvenile justice schools so that they afford their students the same quality of education as do public and private schools. Among the specific requirements of NCLB are teacher qualifications, AYP requirements, program evaluation standards, scientifically based standards, and the provision of transition services.

HB 1989 provided for a funding increase at the school level from 80-90% for juvenile justice schools, better teacher benefits, and more educational options for students. In addition, HB 1989 directed that a collaborative workgroup between DOE and DJJ be formed and meet regularly to ensure that the NCLB requirements are met. It also emphasized the need for a multi-agency plan for career/technical education, a uniform assessment instrument, and gender-specific programs. SB 354 was aimed at middle grades reform, particularly in reading and language arts, while SB 364 focused on increasing graduation options for juvenile justice students in the 9th grade. SB 2564 decreed a funding shift: now counties, rather than the state, are required to provide the funds for juveniles on pretrial detention.

The various federal and state initiatives to improve education for delinquent youths have empowered JJEPP in its efforts to continuously improve Florida's juvenile justice education system. Along with the growth of JJEPP, there has been an emphasis on scientifically based research as a means of increasing accountability in Florida's juvenile justice educational programs. Since its creation in 1998, JJEPP has worked with local school districts, education providers, and DOE to annually monitor and assess the quality and effectiveness of educational services in every juvenile justice school in the state. Each school receives an annual on-site QA review, which is conducted by professional staff. The reviews are based on a set of standards addressing transition services; administration of academic and vocational assessments; academic curriculum; career and technical curriculum; individualized instruction; services for students with disabilities; teacher certification and in service training; student access to learning materials, technology, and resources; and local school district monitoring and self evaluation. If schools are not performing at a satisfactory level, technical assistance, corrective actions and, if necessary, interventions and sanctions are required at both the school and the school district level. These standards are reviewed and revised as new requirements are made of juvenile justice schools.

In addition to annual QA monitoring, JJEEP conducts longitudinal research on all juvenile justice commitment programs. This research focuses on educational opportunity and student achievement and community reintegration outcome measures, such as the annual QA monitoring results; academic, vocational, and elective credits earned while incarcerated; high school diplomas earned while incarcerated; return to public school after release; employment after release; and rearrest. Through its longitudinal research and case studies, JJEEP is able to help identify possible best practices in juvenile justice education. (More information concerning longitudinal research and case studies is presented in the following chapters.)

Throughout the course of the legislative reforms discussed previously, JJEEP has been able not only to adapt, but also to excel in meeting and surpassing new requirements. This has been possible due to JJEEP's dedication to policy-oriented research, uniform and rigorous statewide evaluations, and the collaboration of a multitude of educational and correctional agencies. JJEEP, therefore, has played a dual role in education reforms. This policy-driven research has guided the passage of many of the new bills that, once implemented, will produce associated outcomes that can be directly assessed. This dual role is possible because of JJEEP's flexibility in making different administrative adjustments. Moreover, the drive for increased accountability has met with little resistance among JJEEP personnel and partners, as is evidenced by the efforts of the various interagency committees. As will be discussed in more detail in later chapters (e.g., Chapter 6), such interagency cooperation, communication, and shared objectives are rare. In sum, by setting clear and attainable goals, Florida has been able to successfully react to increasing legislative demands by embracing the shift toward increased accountability, thereby solidifying and delineating the roles and responsibilities of its juvenile justice education agencies.