A Guide to the Florida Juvenile Justice System for Parents of Youth with Disabilities or Chronic Health Conditions

Developed by FloridaHATS and Project 10 in partnership with Florida Department of Juvenile Justice, Florida Department of Education, and Florida Department of Health, Children’s Medical Services

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Preface

This guide is designed to assist parents and caregivers of youth with disabilities or chronic health conditions who are referred to the Florida Department of Juvenile Justice (DJJ). It provides an overview of DJJ procedures and information about health and education services provided to these youth during their interaction with the DJJ system. Additional resources and web links are provided at the end of the guide.

The guide was developed collaboratively by a multi-agency group that was lead by Florida Health and Transition Services, or FloridaHATS (www.FloridaHATS.org) and Project 10: Transition Education Network (www.project10.info). Workgroup members include:

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Thanks to the many families, advocates and agency representatives who assisted in the development of this guide, and reviewed drafts for accuracy and clarity. If you have any questions or would like more information, please contact Janet Hess, FloridaHATS Project Director, University of South Florida, jhess@health.usf.edu, (813) 259-8604.
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Frequently Asked Questions and Answers

by DJJ Service Area
Prevention Services FAQs

Q. Are there services available for my child prior to getting charged?

A. Yes, there are prevention and intervention services available for youth who are having behavior issues and may be at risk of getting arrested. Some of the behavioral warning signs may include low academics, drug and alcohol issues, school attendance, runaway problems, anger management, negative peer association, disciplinary problems and mental health issues. You can call the Prevention Help Line at (866) 757-0634 for services available in your area.

Q. What services does Prevention provide?

A. Prevention provides an array of delinquency prevention and intervention services statewide through community based programs, Children in Need of Services/Families in Need of Services (CINS/FINS), and the Practical Academic Cultural Education (PACE) Center for Girls. Services include case management, needs assessments, mentoring, tutoring, mental health and substance abuse counseling, employment assistance, civil citation initiatives, and neighborhood accountability boards. CINS/FINS services are offered through the Florida Network of Youth and Family Services and gender specific services through PACE.

Q. Are services available in my area?

A. Prevention services are available throughout the state. Please call the Prevention Help Line to determine services available in your area.

Q. What services are provided through CINS/FINS?

A. Services include: shelter, non-residential counseling, case/service plan, case management services, adjudication services, CINS petition, staff secure services, physically secure services, and case termination.

Q. What is a CINS petition?

A. A written request to the court to find that your child is a CINS. It is filed if your child refuses services or continues to exhibit problem behaviors. Going to court is a last resort.

Q. What is PACE Center for Girls?

A. A nationally recognized not-for-profit organization that provides non-residential, prevention, intervention, and diversion services for at-risk girls and young women ages 12 to 17.

Q. What services are provided by PACE Center for Girls?

A. PACE provides assessments to identify each girl’s strengths and challenges, individual counseling, academic education in partnership with local public schools, gender-responsive life management curriculum, called “Spirited Girls!”, case management services, parental involvement, community volunteer service opportunities, and career preparation.

Q. How do I access CINS/FINS or PACE Center for Girls services?

A. You can contact the provider(s) in your area by going to http://www.djj.state.fl.us/Parents/youthprograms/index.html.
Probation Services FAQs

Q. A law enforcement agency issued my child a Civil Citation for a law violation. What happens now?

A. After a law enforcement agency issues a Civil Citation, you and your child will be contacted to schedule a meeting to talk with someone about the citation. During the discussion a needs assessment will be conducted with your child to help identify any needed services and referrals. An individualized service plan will be developed with you and your child to address referrals for service(s), which includes holding your child accountable to the victim and the community.

Q. My child was taken into custody (arrested) by law enforcement. What happens after my child is taken into custody?

A. After a law enforcement agency charges your child with a law violation, depending on the seriousness of the offense and the law enforcement officer’s view of what is needed to appropriately address the offense, the next steps may be:
• Your child is taken to a Juvenile Assessment Center (JAC) or a Juvenile Detention Center for detention intake screening.
• Screening assesses the risk your child may pose to the community and determines if some type of detention is necessary.
• Your child may be released to you or placed in a secure facility depending on the outcome of a detention risk assessment.
• Your child may be released to you with a direct referral to a diversion program.
• Charges are forwarded to the Clerk of the Court and the Probation Office.

Q. My child was taken into custody (arrested) by law enforcement. How long after being taken into custody can I see my child?

A. Depending on the detention screening assessment your child may be released to your custody or placed in a secure facility pending a court hearing. You must contact the detention facility, and ask for the designated visiting hours. Special requests may be made through the youth’s case manager and/or program superintendent.

Q. What is a Juvenile Probation Officer and what does one do?

A. A Juvenile Probation Officer (JPO) provides important services:
1. Initial intake service on referrals from law enforcement for youth under the age of 18 at the time the offense was committed.
2. Assessment(s) and referrals for services based on youth risk and needs.
3. Community-based intervention services that may include supervision.
Q. What is the intake process?

A. Once your child is charged with a law violation, an intake JPO receives a copy of the law violation charge from law enforcement or from the Clerk of the Court. The JPO will contact you, your child and your family to conduct interviews and gather information.

- This information assists the JPO in making an assessment and developing a plan to address your child’s offense.
- The nature of the offense, the risk your child presents to the community, damages incurred to the victim by your child’s actions, and other needs your child may have are all considered.
- The JPO then makes a recommendation, presenting the assessment of information gathered and a plan to address the delinquent offense.
- This plan is tailored individually to protect the community, to hold your child accountable for offenses to the victim, and to provide a rehabilitative plan that addresses your child’s needs with the goal to help your child avoid breaking the law again.

Q. Why is my child assigned a JPO?

A. A JPO is assigned to all youth referred to DJJ. This does not mean that your child is or will be on probation.

- For the most part, your child’s JPO is the single-point of contact for you and your child as your child’s case moves through the juvenile justice system.
- The JPO is the staff member who recommends how to handle your child’s law violation, which may range from a non-judicial diversion program, probation supervision, or commitment, including residential commitment.
- If your child goes to a residential commitment program, then your single point of contact during that time will be your child’s residential social worker, who is a member of the treatment team at the residential program.

Q. What is a diversion program?

A. A diversion program is a form of non-judicial handling of your child’s case. Rather than going to court the JPO may recommend your child receive help through a diversion program. If your child successfully completes the program, no further court action will be pursued. However, if your child does not complete the diversion program, the State Attorney may file a petition with the Juvenile Division of the Circuit Court (Juvenile Court), formally charging your child with the delinquent offense.

Q. What is Juvenile Court or a “recommendation for court intervention”?

A. After gathering all of the necessary information and assessments, your child’s JPO may recommend that the State Attorney’s Office formally charge your child with a delinquent offense. This is a “recommendation for court intervention.” A recommendation for court intervention may include adult prosecution, if the offense is very serious or if your child has a history of law violations (habitual offender).

- If the State Attorney files a delinquency petition based on the charge it is sent to the Juvenile Division of the Circuit Court. This special division of the Court hears juvenile cases of law violations.
- Your child’s JPO cannot recommend a diversion program for your child after the case has been tried in Juvenile Court.
- If your child has committed a serious offense or is a habitual offender, the JPO’s recommendation may include prosecution of your child in Adult Court.
- Your child cannot be tried as an adult after being tried as a juvenile for the same crime.
Q. What happens if my child is referred to Adult Court?

A. With certain felony offenses, the law may require that your child’s law violation is heard in Adult Court. Your child’s case may be sent to the Adult Criminal Division of the Circuit Court (Adult Court) by “direct file,” “waiver,” or “indictment.” In these circumstances, it is possible that your child would be tried as an adult for the offense and receive adult sentencing.

- When this happens, the Florida Department of Corrections is involved in your child’s case, giving recommendations to Adult Court.
- In some circumstances, a juvenile may be found guilty in Adult Court but sentenced back to DJJ for sanctions to be carried out or for commitment to a residential program.

Q. What is the difference between “adjudicated” and “adjudication withheld”?

A. If your child is “adjudicated” then a judge has ruled that your child committed a delinquent act or violation of law and is therefore adjudicated delinquent. If your child has “adjudication withheld,” then a judge similarly concluded that your child committed a delinquent act or violation of law, but a formal pronouncement of delinquency should be withheld. Adjudication is significant, not simply due to the formal pronouncement of delinquency, but because only adjudicated delinquent youths may be committed to the Department.

Q. Will my child be required to take a DNA test?

A. Effective September 1, 2011, deoxyribonucleic acid (DNA) sample collection is required in accordance with § 943.325, F.S., at disposition. In your child’s case, DNA collection is required for felonies and certain misdemeanors once your child has been arrested by law enforcement—even if your child’s case has not gone before a judge. Being found guilty of certain felony offenses may result in a court order that your child must cooperate with DNA testing. DNA test results are kept on file with the Florida Department of Law Enforcement (FDLE).

Q. What about court fees and “cost of care”?

A. In certain circumstances that your child’s JPO can explain, you and your child may be responsible for costs. These costs may include court fees and, if your child is or was in the custody of DJJ for detention or commitment, the costs may include a per-day charge for your child’s cost of care while in DJJ custody.

Q. If the court orders my child to pay restitution, what does that mean and how are payments made?

A. The court may determine that your child or additional co-defendants are “jointly” responsible for damages caused in the offense that led to your child’s arrest. As a result, the court may order your child to pay for those damages (pay restitution) to the victim of that crime. In the case of joint responsibility for damages, each co-defendant(s) will share responsibility for paying restitution. If the other co-defendant(s) do not pay their share of the damages, then your child may be responsible to pay all of the restitution.

- Restitution payments and other court fees are payable to the Clerk of the Circuit Court. Under no circumstances are DJJ employees or contracted agents authorized to accept restitution payments in any form. Do not give restitution money to your child’s JPO or other contracted agent providing supervision of your child.
Q. What are my responsibilities if my child is on probation or supervision?

A. We need your help to ensure that your child’s needs are being met and to ensure that he/she is successful in achieving the treatment goals and sanctions in the court order. You can help ensure your child’s success by doing the following:

• Maintain regular contact with your child’s JPO and keep him informed of your child’s successes and struggles while on probation or supervision. The more information the JPO has, the better able we are to meet your child’s needs and help him/her succeed.

• Cooperate with school officials to help your child stay on task academically. Share concerns of poor attendance, performance, or behavior with your child’s JPO so the right steps can be taken to help your child succeed in school.

• Attend all court proceedings with your child.

• Ensure that you, your child and your family members attend any required counseling or therapy.

• Arrange for your child’s transportation to counseling, employment, community service work sites, and home from the residential commitment program. If transportation is a problem, contact your child’s JPO to discuss transportation options.

• Ensure that your child completes court-ordered goals and sanctions within the established timeframes.

• Provide a home for your child that is safe, nurturing and recognizes your child’s strengths and successes.

Q. How long will my child be on probation?

A. Only the court can terminate a youth’s probation supervision. Once your child has completed all court-ordered sanctions and met all of his treatment goals, the JPO will recommend to the court the termination of his probation.

• If your child is “adjudicated delinquent” by the court, the maximum term of supervision is limited by the maximum term applicable to the degree of the offense (e.g., 1 year for a first-degree misdemeanor). An exception exists for second-degree misdemeanors, which have a maximum supervisory term of 6 months, as opposed to the ordinary statutory maximum of 60 days. If your child has “adjudication withheld,” then the maximum term of supervision is not limited by the degree of the offense. However, whether your child is adjudicated or has adjudication withheld, supervision cannot extend beyond his or her 19th birthday.

Q. Will my child be supervised by DJJ after residential commitment?

A. Upon completion of a residential commitment program, your child may be expected to cooperate with “conditional release” or “supervised after-care.” This is similar to being on probation except that your child is still committed to DJJ. Thus, he could be returned to a residential commitment facility for violating the terms of his supervision. This is done administratively without further order of the court. Another type of supervision after completion of a residential commitment program is post-commitment probation. Violations of post-commitment supervision are heard by the Circuit Court.

Q. If my child successfully completes a diversion program, does he have to let a possible employer know that he was arrested?

A. That depends on how the employment application is worded.
Q. When my child fills out an application for employment or school, does he have to disclose his juvenile arrest record?

A. Depending on the wording of the employment or school application, your child must disclose his arrest history unless the record has been sealed or expunged by court order.

- According to Florida law, your child can deny any arrest covered by a sealed or expunged record. However, §943.0585 and §943.059, F.S., impose certain exceptions that require acknowledgement of arrests when, for example, the individual seeks employment with a criminal justice agency, a licensed child care facility, and other sensitive positions.

Q. What must my child know about completing an employment application?

A. It is essential to give complete and accurate information on an employment application.

- Most applications ask, “Have you ever been convicted of a felony?”
- A conviction is a term applicable to a child who has been tried and convicted or plead guilty in Adult Court.
- If your child pleads guilty or is found guilty as a juvenile in Juvenile Court, it is an adjudication of delinquency and not deemed a conviction §985.35(6), F.S.
- However, this does not mean that your child’s potential employer will not find out about his juvenile arrest record. Most employers conduct a comprehensive background search that is completed by FDLE, the state agency that keeps all records of criminal history in the State of Florida. A copy of this criminal record can be obtained from FDLE.

Q. Will my child have a criminal record?

A. Your child will have a delinquency record and there will be a record of his arrest even if he is not “adjudicated” or if “adjudication is withheld.” FDLE is the official keeper of criminal history records in the State of Florida per Ch. 943, F.S., and as such collects, processes, stores, maintains and disseminates criminal justice information and records that include records on minors.

Q. How can I have my child’s juvenile record sealed or expunged?

A. Your child’s criminal history records may be sealed (kept confidential) or expunged (destroyed) as governed by Ch. 943, F.S., which is administered by FDLE.

- While juvenile records are considered confidential, they are not automatically sealed and—in many instances—can be accessed by the general public through local law enforcement. For most, but not all purposes, the subject of a sealed or expunged criminal history record may lawfully deny or fail to acknowledge arrests that are covered by the sealing or expunction.
- Generally speaking, juveniles can have most misdemeanors (and some felonies) sealed and most misdemeanors expunged after successful completion of a diversion program that expressly authorizes that to be done. A print card and application, along with a fee, must be submitted to FDLE after the State Attorney’s Office certifies statutory eligibility (for expungements). After FDLE issues a certification of eligibility, a petition is filed with the court to have the record sealed or expunged. A lawyer may assist you in this process. FDLE’s website offers additional information on the process: http://www.fdle.state.fl.us/Content/Seal-and-Expunge-Process/Instructions-for-Applying-for-a-Juvenile-Diversion.aspx.

Q. My child is in custody and I have a complaint. What can I do?

A. Call the Florida Abuse Hotline at 1-800-962-2873.
Detention Services FAQs

Q. How soon will my child go to court?

A. Within 24 hours after being taken into custody, your child will appear in court and have a detention hearing before a judge who will authorize his/her detention status. If the judge continues his/her detention status, his length of stay may extend up to 21 days or more.

Q. Are boys and girls kept in the same detention centers?

A. Yes. Male and female youth are kept in the same detention centers. However, males and females are separated into different housing units.

Q. Will my family and I be able to visit him/her in the detention center?

A. Yes. Visitation is an important part of your child’s stay in detention. Parents, legal guardians and grandparents are encouraged to visit each child.
- Other family members may visit only if that visitation is ordered by the court or is specifically approved by the detention center’s superintendent or designee.
- Contact your child’s JPO to get approval of any visitation list additions and special visitation arrangements.
- Your child’s lawyer, DJJ probation staff, law enforcement officers, members of the clergy, and other professionals may visit your child at times other than scheduled visitation hours as necessary. Those visits are subject to any requirements regarding signing-in and contraband.
- All visitors are subject to electronic search. Visitors shall not bring personal items (e.g. keys, purses, cell phones, packages, etc.) into the secure area. The introduction of any unauthorized items into a detention facility is a Third Degree Felony and is punishable by law.

Q. What happens to my child’s possessions?

A. All of your child’s property is inventoried at admission to the detention center. Valuable property is stored in the facility’s safe. Other personal property (clothing, shoes, etc.) is stored in a locked storage room for the duration of your child’s stay. When your child is released from the detention center, his property is released.

Q. Will a mental health professional see my child while in detention?

A. Yes. Depending on your child’s needs, mental health professionals will ensure that any identified mental health, substance abuse or suicidal tendencies are addressed. Your child may be seen by licensed mental health professionals for screening, assessment, and crisis intervention services.

Q. What is Home Detention?

A. A Home Detention program allows eligible youth to await his/her next court appearance at home or at another appropriate placement.
- All detained youth are screened for Home Detention prior to a detention hearing. At the time of the detention hearing, the judge will specify whether the youth is to be held in secure detention, placed in Home Detention, or Released.
- When a youth is placed on Home Detention, a JPO will provide supervision.
- The parent or legal guardian and youth sign a supervision contract. If for any reason this contract is violated or the youth is charged with a new law violation, he/she can be transferred back to secure detention until their case is resolved.
Q. What are the different types of residential commitment programs?

A. There are four levels of residential commitment programs that all incorporate special behavioral skills training to help your child:

1. **Low-risk Residential**: A youth who is sent to a low-risk residential commitment program by a judge will stay in that program from 4 to 6 months. If your child is adjudicated to a low-risk program, he has been assessed as “low risk” to public safety yet he requires 24-hour supervision and monitoring.
   - With the court’s permission for your child, the low-risk program allows supervised and unsupervised access to the community contingent upon your child’s assessed risk to the public and his positive behavior while in the program.

2. **Moderate-risk Residential**: A youth who is sent to a moderate-risk residential commitment program by a judge will stay in the program from 6 to 9 months. If your child is adjudicated to a moderate-risk program, he has been assessed as a moderate risk to public safety. He will be supervised 24 hours a day by trained staff members who are awake even when your child sleeps. Moderate-risk facilities are staff-secure, environmentally-secure, or hardware-secure with walls, fencing or locking doors. Moderate-risk programs, with the court’s permission for your child, allow supervised and unsupervised access to the community contingent upon your child’s assessed risk to the public and his positive behavior while in the program.

3. **High-risk Residential**: A youth who is sent to a high-risk residential commitment program by a judge will stay in the program from 9 to 12 months. If your child is adjudicated to a high-risk program, he has been assessed as a high risk to public safety and requires close supervision in a structured residential setting that provides 24-hour secure custody and care. Placement in a high-risk program is prompted by a concern for public safety that outweighs placement in a program at a lower restrictiveness level. High-risk facilities are hardware-secure with perimeter fencing and locking doors.
   - If your child is placed in a high-risk residential commitment program, his access to the community is restricted to necessary off-site activities such as court appearances and health-related events.
   - However, with the court’s permission, your child may have unsupervised home visits as his program completion date nears to help him transition from the structured environment of the program to the home environment.
   - Unsupervised home visits may be granted only if your child is assessed as a minimum risk to the community and has demonstrated positive behavior while in the program.

4. **Maximum-risk Residential**: A youth who is sent to a maximum-risk residential commitment program by a judge will stay in the program from 18 to 36 months. If your child is adjudicated to a high-risk program, he has been assessed as a serious risk to public safety and requires 24-hour custody, care and close supervision in a maximum-security setting. Placement in a maximum-risk program is prompted by a demonstrated need to protect the public. Therefore, maximum-risk facilities are hardware-secure with perimeter security fencing and locking doors.
   - These programs feature single-person cells for sleeping arrangements except that youth may be housed together during the pre-release, transitional phase.
   - Except for necessary off-site, supervised activities—such as court appearances and health-related events—youth in maximum-risk programs are prohibited from having access to the community.
Q. Whom do I contact to find out when my child will go to a residential program?

A. After the judge of the Juvenile Court hears your child’s case and makes a ruling for commitment (adjudication), you may contact your child’s JPO and request information about your child’s anticipated placement. Sometimes, a youth may have to wait before there is a vacancy in a residential program that can adequately address his unique needs.

Q. How is a residential program supposed to help my child?

A. A multi-disciplinary treatment team—which includes a social worker, therapist, health care and mental health care professionals, and educators—plans and oversees your child’s treatment in the residential program.

• Your child is a member of this treatment team, as well as program staff and other service providers involved in his care and treatment.
• The program will notify you when treatment team meetings are scheduled and you are encouraged to participate. The treatment team values your involvement and input.
• Based on an assessment of your child’s prioritized needs, the treatment team develops an individualized performance plan with goals and objectives for your child to complete before being released from the program.
• Completion of these goals increases your child’s chances for success and decreases the likelihood that he or she will commit a new crime.

Q. How long will my child stay in a residential program?

A. The length of time a youth stays in a residential program depends on the type of program or risk level and his performance in the program. A program’s services are designed and delivered based on how long most youth take to successfully complete the program.

• Release from the program is based on your child’s completion of the goals and objectives in his/her individualized treatment plan.
• The program will involve you in the development of this plan within 30 days of his/her admission to the residential commitment program.
• The program will communicate with you about your child’s progress in the program, as well as his anticipated release from the program. At least every 90 days, you will receive a performance summary that documents your child’s progress in each area of the plan.
• A youth may not be released from a residential program without the approval of the committing court.
• A youth cannot be held in a residential program longer than he would be imprisoned for an offense if he was an adult.
Q. Where can I find information on a specific residential program?

A. A written description of each program, its services, a map and directions, and contact information can be found on the DJJ website at [http://www.djj.state.fl.us/facilities/residential-facilities](http://www.djj.state.fl.us/facilities/residential-facilities).

Q. What can my child take to a residential program?

A. Although a residential program provides most or all of what a youth needs, each program is slightly different. Some programs may allow your child to have more personal items than others would. Typically, the program includes this information in a letter sent to you shortly after your child’s admission to the program. However, you may contact the program to ask about personal items your child is permitted to have while in the program.

Q. How will I know that my child has arrived safely at the residential program?

A. Within 24 hours of admission to the program, you will be contacted by telephone of your child’s arrival. Please keep in mind that transportation of youth to DJJ programs is provided through a transportation system, using transportation hubs for all youth who need it throughout the state. Therefore, it may take a day or two for your child to arrive at the residential program.

Q. Can I visit my child while he or she is in the residential program?

A. Yes. Each residential program has scheduled visitation days and times. The program will notify you of its visitation schedule. If you’re not able to visit during the scheduled days and times, contact your child’s social worker in the program to make other arrangements.

Q. Is there someone in the program I can talk to about my child?

A. Yes. The residential program should give you the name, telephone number and e-mail address of the person to contact about your child when you need information or when you have questions or concerns.

Q. How can I be involved with my child while he or she is in the residential program?

A. While in a residential program, your involvement with your child is encouraged and valued. Shortly after your child is admitted to the residential program, you will receive a letter about the procedures for you to telephone, write and visit your child.

- In addition, your child’s basic rights include at least one telephone call per week for 10 minutes.
- He also has the right to write at least two letters per week, at the expense of the program, no matter what level of restrictiveness your child is in.
- You can learn about your child’s treatment and progress by carefully reviewing the goals (performance plan) and progress reports (performance summaries) that the program sends to you.
- The program will notify you of scheduled treatment team meetings and encourage you to give your input, either in-person or by telephone.
Q. Will my child go to school while he is in the residential program? Will he earn credits? Who keeps track of his school records?

A. Yes. All residential programs provide educational services. Your child can earn credits based on his performance in an on-site classroom that provides a credit-earning curriculum. Your child’s former school records will be included in the planning of his treatment goals and objectives while he is in the residential program. While your child attends on-site classes, his educational records are maintained in the residential program. Educational transcripts are forwarded to the home school district when your child is released from the program.

- If your child already has a high school diploma or GED®, the residential program will involve your child in other constructive activities, including online college courses and vocational education if your child is interested in those opportunities and meets the requirements.

Q. What types of activities will the program offer my child?

A. In general, residential programs provide school, group sessions and other activities to help your child develop social and life skills, academic skills, employability skills and pre-vocational or vocational skills. Treatment services are provided as needed, including mental health and substance abuse treatment, health services, special education, and physical fitness.
# Educational Services FAQs

**Q.** Do students in DJJ detention, day treatment, or residential programs receive educational services?

**A.** Yes. All students placed in DJJ education programs will receive educational services.

**Q.** Will the DJJ school have access to my child’s records?

**A.** Yes. The school will immediately request your child’s records from his or her previous school to assist with placing your child in the right grade and enrolling him or her in the right classes.

**Q.** Do youth in juvenile justice programs receive credit while in school?

**A.** Yes. Students who are enrolled in credit-bearing courses can earn credit as long as they meet the course requirements.

**Q.** If my student is the recipient of a McKay Scholarship, how will this be affected?

**A.** A student is not eligible for a McKay Scholarship while he or she is enrolled in a school operating for the purpose of providing educational services to youth in DJJ commitment programs. In addition, students may forfeit the McKay Scholarship if the student enters a DJJ facility for a period of more than 21 days.

**Q.** Will exceptional student education services (ESE) be continued in a juvenile justice detention, day treatment, or residential program?

**A.** Yes. All students placed in a DJJ program who meet the eligibility criteria for exceptional student education shall be provided a free appropriate public education. Students with disabilities, as defined by Section 504 of the Rehabilitation Act, shall be provided the necessary aids and services.

**Q.** Will the DJJ school follow my child’s individual educational plan (IEP)?

**A.** The school will follow your child’s IEP, unless the services stated on the IEP, cannot be provided in this setting. If the services on the IEP need to be changed, an IEP meeting will be scheduled to discuss your child’s needs and change the IEP to reflect the services your child needs to receive while at the DJJ school.

**Q.** Will parents be included in the IEP meeting if scheduled at a juvenile justice school?

**A.** Yes. A written notice of the meeting must be provided to the parents and must indicate the purpose, time, and location of the meeting, and who, by title or position, will be attending.

**Q.** What if they are unable to attend?

**A.** If parents/guardians are unable to attend the meeting they may participate through a conference call, or by sending information prior to the meeting in writing. Parents/guardians who do not attend the IEP meeting will be mailed copies of the IEP.
## Health Services FAQs

### Q. Will my child receive medical services while in a DJJ detention or residential facility?

**A.** Yes. All youth receive an initial health screening within 24 hours of admission. A detailed health history is conducted by nursing staff and a physical examination is performed by the facility physician, ARNP or Physician Assistant. All DJJ detention and residential facilities have nursing staff on-site to meet the youth’s medical needs and issues, including medication delivery.

### Q. Will I be able to give my consent for the medical care my child receives?

**A.** Yes. The DJJ Authority for Evaluation and Treatment (AET) is the Department’s general parental consent form authorizing specific health care and treatment for youth in the custody of the Department. For the purpose of the AET document, departmental custody includes those DJJ facilities where youth are housed 24 hours per day, such as, Detention Centers and Residential Commitment Programs. The AET provides limited authority for youth in DJJ facility-based non-residential programs. There are certain types of care that require additional written consent that is not addressed in the Authority for Evaluation and Treatment. The AET, once signed by the parent or legal guardian, allows a DJJ facility to continue the medications your child is receiving prior to admission, conduct routine physical examinations, and provide necessary medical and mental health treatment. After admission to the facility, a written notification that requires parental/guardian consent is required if your child’s medical condition warrants either a new prescription medication or a significant dosage change, new health care treatment, or a new vaccination/immunization has been ordered. The nursing or medical staff at the facility may also notify you by phone of these changes for your verbal consent immediately prior to sending the written notification.

### Q. Can I bring my child’s medications to the facility?

**A.** Yes. Medications currently prescribed for your child will be continued at the facility once the medications have been verified as being a valid and current prescription. Under no circumstances may facility staff stop an appropriately prescribed medication that the child is receiving upon admission. The facility will accept your child’s medication only if it is a current prescription from a licensed pharmacy with the child’s name on the label, intact and on the original medication container.

### Q. My child has a chronic medical condition that requires medical follow-up. How will DJJ meet my child’s medical needs?

**A.** All children in a DJJ detention or residential facility with chronic medical conditions are required to have a focused medical evaluation by a physician, ARNP, or Physician Assistant. Youth are seen at least once every 3 months for focused medical evaluations, and are seen more frequently as determined by their medical condition.
Q. What happens when my child gets sick?

A. Every DJJ detention or residential facility conducts Sick Call for routine illnesses. The Sick Call process is established to respond to youth’s complaints of illness or injury that are non-emergent, but require nursing care and treatment. Procedures are in place to ensure that all youth have access to regularly scheduled Sick Call. An illness or injury considered an emergency is handled immediately and does not wait for the next scheduled Sick Call.

Q. Are DJJ youth eligible for Medicaid?

A. No. As of September 1, 2013, no youth who resides in a DJJ commitment program may receive Medicaid-reimbursable services. If the youth enters a DJJ residential program with an open family Medicaid plan, that youth’s span of eligibility for Medicaid will be closed for the duration of the residential commitment.

Q. My child already has Medicaid or SSI. What do I do when he is taken into custody or goes to a residential commitment program?

A. If your child already has Medicaid and he enters a DJJ program—whether he is in detention, a Juvenile Assessment Facility, or a residential commitment program—it is your legal responsibility to notify the Medicaid office of your child’s situation. If your child is receiving SSI (Supplemental Security Insurance) benefits from the Social Security Administration (SSA), it is your legal responsibility to notify SSA of your child’s situation by calling toll-free 1-800-772-1213.

**NOTE:** Failure to contact the Medicaid office or SSA may result in you having to pay monies back.

Q. If Medicaid services are terminated in detention centers and some residential programs will the family be charged back the medical costs?

A. No.

Q. Are parents responsible for the medical costs if Medicaid is terminated?

A. No, not while a youth is in secure detention or residential commitment.

Q. Who will pay for the medical treatment without Medicaid?

A. DJJ will pay if the youth is securely detained or committed to a residential facility.

Q. Can my private insurance company (not Medicaid) be billed by a medical provider while my child is in detention?

A. Yes, existing family insurance coverage will be used for billing.
Resources

**Children’s Medical Services**

[www.doh.state.fl.us/alternatesites/cms-kids/families/families.html](http://www.doh.state.fl.us/alternatesites/cms-kids/families/families.html)

Children’s Medical Services (CMS) is a collection of family-centered programs for eligible children with special needs. CMS has a variety of services for expecting moms, newborn babies, infants and toddlers, school-aged children, adolescents and young adults. All services are provided by highly qualified physicians, nurses, social workers and other health care providers around the state.

**Disability Rights of Florida**

[http://disabilityrightsflorida.org](http://disabilityrightsflorida.org)

Disability Rights Florida is the official, Governor-designated protection and advocacy system for the State of Florida. Disability Rights Florida has authority and responsibility under eight federal programs. It is a statewide, not-for-profit corporation that provides information and referrals as well as legal advice and representation to persons with disabilities.

**Florida Department of Education**

Services to Individuals with Disabilities Services: [www.fldoe.org/disability/](http://www.fldoe.org/disability/)


**Florida Department of Juvenile Justice**

Frequently Asked Questions about DJJ: [http://www.djj.state.fl.us/faqs](http://www.djj.state.fl.us/faqs)

Detention Services: [http://www.djj.state.fl.us/services/detention](http://www.djj.state.fl.us/services/detention)

Health Services: [http://www.djj.state.fl.us/services/health](http://www.djj.state.fl.us/services/health)

Office of Education: [http://www.djj.state.fl.us/services/office-of-education](http://www.djj.state.fl.us/services/office-of-education)

Prevention & Victim Services: [http://www.djj.state.fl.us/services/prevention](http://www.djj.state.fl.us/services/prevention)

Prevention Services Helpline: 1-866-757-0634

Probation & Community Intervention: [http://www.djj.state.fl.us/services/probation](http://www.djj.state.fl.us/services/probation)

Residential Services: [http://www.djj.state.fl.us/services/residential](http://www.djj.state.fl.us/services/residential)

**Florida Developmental Disabilities Council, Inc.**

[www.fddc.org](http://www.fddc.org)

Florida Developmental Disabilities Council (FDDC) engages in advocacy, capacity building, and systemic change activities that contribute to a coordinated, consumer and family centered, consumer and family directed, comprehensive system of community services and individualized supports that enable individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life.
Florida Health and Transition Services (FloridaHATS)

www.floridahats.org
FloridaHATS is a collaborative program of the Florida Department of Health, Children’s Medical Services Network, Florida Developmental Disabilities Council, and other partners throughout the state. FloridaHATS strives to ensure successful transition from pediatric to adult health care for all youth and young adults in Florida, including those with disabilities, chronic health conditions or other special health care needs.

Project 10: Transition Education Network

www.project10.info
Project 10 serves as the primary conduit between the Florida Department of Education, specifically the Bureau of Exceptional Education and Student Services (BEESS), and relevant school district personnel in addressing law and policy, effective practices, and research-based interventions in the area of transition services for youth with disabilities.

Office of Juvenile Justice and Delinquency Prevention

www.ojjdp.gov/about/about.html
OJJDP, a component of the Office of Justice Programs, U.S. Department of Justice, accomplishes its mission by supporting states, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for juveniles. The Office strives to strengthen the juvenile justice system’s efforts to protect public safety, hold offenders accountable, and provide services that address the needs of youth and their families.