



HB 1121

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A bill to be entitled  
 An act relating to children in custody of the state;  
 requiring the Department of Children and Family Services  
 to enter into interagency agreements with public or  
 private entities for delivery of services to children in  
 care or custody or under the supervision of the  
 department; requiring an agreement between the department  
 and the Department of Education; requiring an agreement  
 between the department and district school boards;  
 specifying provisions of each agreement; providing an  
 effective date.

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

Section 1. The Department of Children and Family Services  
or its successor shall enter into agreements, contracts, or  
other legal arrangements with public or private entities for the  
purpose of facilitating the delivery of any service or program  
to children in the care or custody or under the supervision of  
the department, avoiding duplication of services or programs, or  
combining resources to maximize the availability or delivery of  
services or programs.

(1) The Department of Children and Family Services shall  
enter into an agreement with the Department of Education  
regarding the education and related care of children known to  
the department who are in shelter care, foster care, or out-of-  
home care, placed with a relative caregiver, or under protective  
supervision of the department. Such agreement shall be designed  
to expedite, facilitate, access, and otherwise provide education



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30 success to children known to the Department of Children and  
31 Family Services.

32 (2) The Department of Children and Family Services shall  
33 enter into agreements with district school boards or other local  
34 educational entities regarding the education and related  
35 services of children known to the department. The interagency  
36 agreement between each school district and the applicable  
37 Department of Children and Family Services district or lead  
38 agency for such district shall fulfill the constitutional  
39 mandate to provide an education to Florida's children, including  
40 those children in the temporary or permanent custody of the  
41 state. Each agreement shall include, but not be limited to:

42 (a) Responsibility by the Department of Children and  
43 Family Services for enrolling the child in school or continuing  
44 the child's enrollment at the same school to avoid disruption of  
45 education from the time of shelter until other appropriate  
46 arrangements can be made.

47 (b) A requirement that the Department of Children and  
48 Family Services request of a school district all available and  
49 appropriate services for a child in the custody of the state and  
50 notify the school district where the child resides and the  
51 caseworker's name and phone number for child safety purposes.

52 (c) An authorization for a school district and the  
53 Department of Children and Family Services to share information  
54 about a child, since the sharing of information will assist each  
55 agency in providing education and related services for the  
56 benefit of the child.

57 (d) Provision for transportation of a child in state  
58 custody when such transportation will avoid a change in school  
59 assignment due to a change in residential placement, and any



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60 other mechanisms designed to stabilize a child's school  
61 placement while the child is known to the department.

62 (e) Cooperation in accessing the services and supports  
63 needed for a child who has or is suspected of having a  
64 disability to receive an appropriate education consistent with  
65 the Individuals with Disabilities Education Act and state  
66 implementing laws, rules, and assurances.

67 (f) Coordination of services for a child who has or is  
68 suspected of having a disability, to include:

69 1. Prompt referral for evaluation.

70 2. Sharing of evaluations between the school district and  
71 the Department of Children and Family Services.

72 3. Provision of education and related services appropriate  
73 for the child's needs and abilities.

74 4. Coordination of services and plans between the school  
75 and the residential setting.

76 5. Appointment of a surrogate parent for educational  
77 purposes for each child as soon as the child is determined to be  
78 dependent and without regard to where the child is placed so  
79 that one surrogate parent can follow the child's education  
80 during his or her entire time in state custody.

81 6. Training for surrogate parents to include the effects  
82 of abuse, neglect, and removal from home on the child's ability  
83 to learn.

84 7. For each child 14 years of age and older, transition  
85 planning by the Department of Children and Family Services and  
86 all providers, including the department's independent living  
87 program staff.

88 8. Provision of parent training in cases in which  
89 reunification is the goal or for preadoptive parents when



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90 adoption is the goal, so that parents learn how to access the  
91 services the child needs and the importance of their involvement  
92 in the child's education.

93 (g) Provision of individualized student intervention or  
94 academic improvement plans when a determination has been made  
95 through legally appropriate criteria that intervention services  
96 are required.

97 (h) Participation by the district school system in  
98 Department of Children and Family Services case planning for a  
99 child, both at the time of plan development and plan review.

100 (i) Training for caseworkers and foster parents to include  
101 information on the child's right to an education, the role of an  
102 education in the child's development and adjustment, the proper  
103 ways to access education and related services for the child, and  
104 the importance and strategies for parent involvement in  
105 education for the success of the child.

106 (j) Training of Department of Children and Family Services  
107 contractors and school-leased contractors with respect to the  
108 education of children and related issues.

109 Section 2. This act shall take effect July 1, 2003.