



CHAMBER ACTION

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The Committee on Future of Florida's Families recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the safety of children; providing a popular name; providing legislative intent; requiring certain children to be enrolled in an early education or child care program; providing attendance and reporting responsibilities of the child's parent or caregiver and of the Family Safety Program Office of the Department of Children and Family Services and community-based lead agencies; requiring certain site visits under certain circumstances; requiring reports of missing children to be made to law enforcement authorities; requiring certain notices to parents, caregivers, and the courts; requiring the Department of Children and Family Services, in collaboration with the Agency for Workforce Innovation, to conduct a study relating to certain children being served by the department's Family Safety Program Office and community-based lead agencies; providing purposes of the study; requiring compilation of certain data; requiring



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29 the identification of certain children; requiring an
30 analysis of the expansion required to cover certain
31 additional children and the costs associated with such
32 expansion; requiring the study of certain issues and
33 recommendations resulting from such study; requiring a
34 report; amending s. 411.01, F.S.; requiring that certain
35 children be given first priority for participation in the
36 school readiness program; providing an effective date.

37
38 Be It Enacted by the Legislature of the State of Florida:

39
40 Section 1. Rilya Wilson Act; legislative intent;
41 requirements; attendance and reporting responsibilities.--

42 (1) POPULAR NAME.--This section shall be known by the
43 popular name the "Rilya Wilson Act."

44 (2) LEGISLATIVE INTENT.--The Legislature recognizes that
45 children who are in the care of the state due to abuse, neglect,
46 or exploitation are at increased risk of poor school performance
47 and other behavioral and social problems. It is the intent of
48 the Legislature that children who are currently in the care of
49 the state pursuant to chapter 39, Florida Statutes, be provided
50 with an age-appropriate education program to help ameliorate the
51 negative consequences of abuse, neglect, or exploitation.

52 (3) REQUIREMENTS.--A child from age 3 to school entry,
53 under court-ordered protective supervision or in the custody of
54 the Department of Children and Family Services or a community-
55 based lead agency, and enrolled in a licensed early education or
56 child care program, must be enrolled to participate in the



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57 program 5 days a week. Notwithstanding the requirements of
58 section 39.202, Florida Statutes, the Department of Children and
59 Family Services is required to notify operators of the licensed
60 early education or child care program subject to the reporting
61 requirements of this act of the enrollment of any child from age
62 3 to school entry, under court-ordered protective supervision or
63 in the custody of the Family Safety Program Office of the
64 Department of Children and Family Services or a community-based
65 lead agency. The case plan developed for a child pursuant to
66 chapter 39, Florida Statutes, who is enrolled in a licensed
67 early education or child care program must contain the
68 participation in this program as a required action. An exemption
69 to participation in the licensed early education or child care
70 program 5 days a week may be granted by the court.

71 (4) ATTENDANCE AND REPORTING RESPONSIBILITIES.--

72 (a) A child who has been placed in a licensed early
73 education or child care program and who meets the requirements
74 of subsection (3) may not be withdrawn from the program without
75 the prior approval of the Family Safety Program Office of the
76 Department of Children and Family Services or the community-
77 based lead agency.

78 (b)1. If a child who is covered by this section is absent
79 from the program on any day when he or she is supposed to be
80 present, the person with whom the child resides, whether the
81 parent or caregiver, must report the absence to the program by
82 the end of the business day. If the person with whom the child
83 resides, whether the parent or caregiver, fails to timely report
84 the absence, the absence is considered to be unexcused. The



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85 licensed early education and child care program shall report any
86 unexcused absence or seven consecutive excused absences of a
87 child who is enrolled in the program and is covered by this act
88 to the Family Safety Program Office of the Department of
89 Children and Family Services by the end of the business day
90 following the unexcused absence or seven consecutive excused
91 absences.

92 2. The Department of Children and Family Services or
93 community-based lead agency shall conduct a site visit to the
94 residence of the child upon receiving a report from the licensed
95 early education or child care program of two consecutive
96 unexcused absences or seven consecutive excused absences.

97 3. If the site visit results in a determination that the
98 child is missing, the Department of Children and Family Services
99 or community-based lead agency shall report the child as missing
100 to law enforcement authorities and proceed with the necessary
101 actions to locate the child pursuant to the established
102 procedures developed for locating missing children.

103 4. If the site visit results in a determination that the
104 child is not missing, the parent or caregiver shall be notified
105 that failure to ensure the child attends the licensed early
106 education or child care program is a violation of the case plan.
107 If more than two site visits are conducted pursuant to this
108 subsection, staff shall initiate action to notify the court of
109 the parent's or caregiver's noncompliance with the case plan.

110 Section 2. (1) The Department of Children and Family
111 Services, in collaboration with the Agency for Workforce
112 Innovation, shall conduct a study of the children being served



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113 by the department's Family Safety Program Office and the
114 community-based lead agencies pursuant to chapter 39, Florida
115 Statutes. The purpose of the study is to examine children from
116 birth to school-entry age who have been abused, neglected, or
117 abandoned and are under protective supervision or custody of the
118 Department of Children and Family Services or the community-
119 based lead agencies and to determine the role participation in
120 licensed early education or child care programs has in ensuring
121 the safety of these children.

122 (2) The study is to examine and provide the following
123 information:

124 (a) A compilation of data, including percentages, on
125 children from birth to school-entry age under protective
126 supervision or custody of the department or a community-based
127 lead agency that compares children enrolled in licensed early
128 education or child care programs with children not enrolled,
129 based on age, district, and type of placement, including, but
130 not limited to, foster care, relative caregiver, in-home, and
131 nonrelative placements;

132 (b) The identification of children whose case plans
133 require the provision of an early education or child care
134 program, including those for whom such service is not being
135 provided; and

136 (c) A description of the expansion of programs and
137 associated costs required for all children from birth to school-
138 entry age to be served in licensed early education or child care
139 programs based on specific age groups.



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140 (3) The study shall explore and provide recommendations
141 for the ways in which licensed early education and child care
142 programs can best assist in ensuring the safety of children from
143 birth to school-entry age under protective supervision or
144 custody of the department or a community-based lead agency. The
145 study shall also examine whether licensed child care or after
146 school programs can assist in ensuring the safety of children
147 between the age of school entry and 13 years under protective
148 supervision or custody of the Department of Children and Family
149 Services or a community-based lead agency to provide
150 recommendations, if necessary.

151 (4) The Department of Children and Family Services, in
152 collaboration with the Agency for Workforce Innovation, shall
153 submit a report on the results of the study to the President of
154 the Senate, the Speaker of the House of Representatives, and the
155 chairs of the appropriate substantive committees and
156 appropriation committees by December 31, 2003.

157 Section 3. Subsection (6) of section 411.01, Florida
158 Statutes, is amended to read:

159 411.01 Florida Partnership for School Readiness; school
160 readiness coalitions.--

161 (6) PROGRAM ELIGIBILITY.--The school readiness program
162 shall be established for children under the age of kindergarten
163 eligibility. Priority for participation in the school readiness
164 program shall be given to children who are served by the Family
165 Safety Program Office of the Department of Children and Family
166 Services or a community-based lead agency pursuant to chapter 39
167 and for whom child care is needed to minimize risk of further



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168 abuse, neglect, or abandonment. Other eligible populations
169 include children who meet one or more of the following criteria:

170 (a) Children under the age of kindergarten eligibility who
171 are:

172 ~~1. Children determined to be at risk of abuse, neglect, or~~
173 ~~exploitation and who are currently clients of the Family Safety~~
174 ~~Program Office of the Department of Children and Family~~
175 ~~Services.~~

176 1.2. Children at risk of welfare dependency, including
177 economically disadvantaged children, children of participants in
178 the welfare transition program, children of migrant farmworkers,
179 and children of teen parents.

180 2.3. Children of working families whose family income does
181 not exceed 150 percent of the federal poverty level.

182 3.4. Children for whom the state is paying a relative
183 caregiver payment under s. 39.5085.

184 (b) Three-year-old children and 4-year-old children who
185 may not be economically disadvantaged but who have disabilities,
186 have been served in a specific part-time or combination of part-
187 time exceptional education programs with required special
188 services, aids, or equipment, and were previously reported for
189 funding part time with the Florida Education Finance Program as
190 exceptional students.

191 (c) Economically disadvantaged children, children with
192 disabilities, and children at risk of future school failure,
193 from birth to 4 years of age, who are served at home through
194 home visitor programs and intensive parent education programs
195 such as the Florida First Start Program.



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196 (d) Children who meet federal and state requirements for
197 eligibility for the migrant preschool program but who do not
198 meet the criteria of economically disadvantaged.

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200 An "economically disadvantaged" child means a child whose family
201 income is below 150 percent of the federal poverty level.

202 Notwithstanding any change in a family's economic status, but

203 subject to additional family contributions in accordance with

204 the sliding fee scale, a child who meets the eligibility

205 requirements upon initial registration for the program shall be

206 considered eligible until the child reaches kindergarten age.

207 Section 4. This act shall take effect upon becoming a law.

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