



1 A bill to be entitled

2 An act relating to the safety of children; providing a  
3 popular name; providing legislative intent; requiring  
4 certain children to be enrolled in an early education or  
5 child care program; providing attendance and reporting  
6 responsibilities of the child's parent or caregiver and of  
7 the Family Safety Program Office of the Department of  
8 Children and Family Services and community-based lead  
9 agencies; requiring certain site visits under certain  
10 circumstances; requiring reports of missing children to be  
11 made to law enforcement authorities; requiring certain  
12 notices to parents, caregivers, and the courts; requiring  
13 the Department of Children and Family Services, in  
14 collaboration with the Agency for Workforce Innovation, to  
15 conduct a study relating to certain children being served  
16 by the department's Family Safety Program Office and  
17 community-based lead agencies; providing purposes of the  
18 study; requiring compilation of certain data; requiring  
19 the identification of certain children; requiring an  
20 analysis of the expansion required to cover certain  
21 additional children and the costs associated with such  
22 expansion; requiring the study of certain issues and  
23 recommendations resulting from such study; requiring a  
24 report; amending s. 411.01, F.S.; requiring that certain  
25 children be given first priority for participation in the  
26 school readiness program; providing an effective date.

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



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

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

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

(3) REQUIREMENTS.--A child from age 3 to school entry, under court-ordered protective supervision or in the custody of the Department of Children and Family Services or a community-based lead agency, and enrolled in a licensed early education or child care program, must be enrolled to participate in the program 5 days a week. Notwithstanding the requirements of section 39.202, Florida Statutes, the Department of Children and Family Services is required to notify operators of the licensed early education or child care program subject to the reporting requirements of this act of the enrollment of any child from age 3 to school entry, under court-ordered protective supervision or in the custody of the Family Safety Program Office of the Department of Children and Family Services or a community-based lead agency. The case plan developed for a child pursuant to chapter 39, Florida Statutes, who is enrolled in a licensed



57 early education or child care program must contain the  
58 participation in this program as a required action. An exemption  
59 to participation in the licensed early education or child care  
60 program 5 days a week may be granted by the court.

61 (4) ATTENDANCE AND REPORTING RESPONSIBILITIES.--

62 (a) A child who has been placed in a licensed early  
63 education or child care program and who meets the requirements  
64 of subsection (3) may not be withdrawn from the program without  
65 the prior approval of the Family Safety Program Office of the  
66 Department of Children and Family Services or the community-  
67 based lead agency.

68 (b)1. If a child who is covered by this section is absent  
69 from the program on any day when he or she is supposed to be  
70 present, the person with whom the child resides, whether the  
71 parent or caregiver, must report the absence to the program by  
72 the end of the business day. If the person with whom the child  
73 resides, whether the parent or caregiver, fails to timely report  
74 the absence, the absence is considered to be unexcused. The  
75 licensed early education and child care program shall report any  
76 unexcused absence or seven consecutive excused absences of a  
77 child who is enrolled in the program and is covered by this act  
78 to the Family Safety Program Office of the Department of  
79 Children and Family Services by the end of the business day  
80 following the unexcused absence or seven consecutive excused  
81 absences.

82 2. The Department of Children and Family Services or  
83 community-based lead agency shall conduct a site visit to the  
84 residence of the child upon receiving a report from the licensed



85 early education or child care program of two consecutive  
86 unexcused absences or seven consecutive excused absences.

87 3. If the site visit results in a determination that the  
88 child is missing, the Department of Children and Family Services  
89 or community-based lead agency shall report the child as missing  
90 to law enforcement authorities and proceed with the necessary  
91 actions to locate the child pursuant to the established  
92 procedures developed for locating missing children.

93 4. If the site visit results in a determination that the  
94 child is not missing, the parent or caregiver shall be notified  
95 that failure to ensure the child attends the licensed early  
96 education or child care program is a violation of the case plan.  
97 If more than two site visits are conducted pursuant to this  
98 subsection, staff shall initiate action to notify the court of  
99 the parent's or caregiver's noncompliance with the case plan.

100 Section 2. (1) The Department of Children and Family  
101 Services, in collaboration with the Agency for Workforce  
102 Innovation, shall conduct a study of the children being served  
103 by the department's Family Safety Program Office and the  
104 community-based lead agencies pursuant to chapter 39, Florida  
105 Statutes. The purpose of the study is to examine children from  
106 birth to school-entry age who have been abused, neglected, or  
107 abandoned and are under protective supervision or custody of the  
108 Department of Children and Family Services or the community-  
109 based lead agencies and to determine the role participation in  
110 licensed early education or child care programs has in ensuring  
111 the safety of these children.



112       (2) The study is to examine and provide the following  
113 information:

114       (a) A compilation of data, including percentages, on  
115 children from birth to school-entry age under protective  
116 supervision or custody of the department or a community-based  
117 lead agency that compares children enrolled in licensed early  
118 education or child care programs with children not enrolled,  
119 based on age, district, and type of placement, including, but  
120 not limited to, foster care, relative caregiver, in-home, and  
121 nonrelative placements;

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

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

130       (3) The study shall explore and provide recommendations  
131 for the ways in which licensed early education and child care  
132 programs can best assist in ensuring the safety of children from  
133 birth to school-entry age under protective supervision or  
134 custody of the department or a community-based lead agency. The  
135 study shall also examine whether licensed child care or after  
136 school programs can assist in ensuring the safety of children  
137 between the age of school entry and 13 years under protective  
138 supervision or custody of the Department of Children and Family



139 Services or a community-based lead agency to provide  
140 recommendations, if necessary.

141 (4) The Department of Children and Family Services, in  
142 collaboration with the Agency for Workforce Innovation, shall  
143 submit a report on the results of the study to the President of  
144 the Senate, the Speaker of the House of Representatives, and the  
145 chairs of the appropriate substantive committees and  
146 appropriation committees by December 31, 2003.

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

149 411.01 Florida Partnership for School Readiness; school  
150 readiness coalitions.--

151 (6) PROGRAM ELIGIBILITY.--The school readiness program  
152 shall be established for children under the age of kindergarten  
153 eligibility. Priority for participation in the school readiness  
154 program shall be given to children who are served by the Family  
155 Safety Program Office of the Department of Children and Family  
156 Services or a community-based lead agency pursuant to chapter 39  
157 and for whom child care is needed to minimize risk of further  
158 abuse, neglect, or abandonment. Other eligible populations  
159 include children who meet one or more of the following criteria:

160 (a) Children under the age of kindergarten eligibility who  
161 are:

162 ~~1. Children determined to be at risk of abuse, neglect, or~~  
163 ~~exploitation and who are currently clients of the Family Safety~~  
164 ~~Program Office of the Department of Children and Family~~  
165 ~~Services.~~



166        ~~1.2-~~ Children at risk of welfare dependency, including  
167 economically disadvantaged children, children of participants in  
168 the welfare transition program, children of migrant farmworkers,  
169 and children of teen parents.

170        ~~2.3-~~ Children of working families whose family income does  
171 not exceed 150 percent of the federal poverty level.

172        ~~3.4-~~ Children for whom the state is paying a relative  
173 caregiver payment under s. 39.5085.

174        (b) Three-year-old children and 4-year-old children who  
175 may not be economically disadvantaged but who have disabilities,  
176 have been served in a specific part-time or combination of part-  
177 time exceptional education programs with required special  
178 services, aids, or equipment, and were previously reported for  
179 funding part time with the Florida Education Finance Program as  
180 exceptional students.

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

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

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

192 Notwithstanding any change in a family's economic status, but  
193 subject to additional family contributions in accordance with



194 | the sliding fee scale, a child who meets the eligibility  
195 | requirements upon initial registration for the program shall be  
196 | considered eligible until the child reaches kindergarten age.

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