

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: Children and Families Committee

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BILL: SB 1372

INTRODUCER: Senator Wise

SUBJECT: Children in Foster Care

DATE: February 15, 2006

REVISED: 3/14/06

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanford</u>	<u>Whiddon</u>	<u>CF</u>	<b>Favorable</b>
2.	<u></u>	<u></u>	<u>JU</u>	<u></u>
3.	<u></u>	<u></u>	<u>HA</u>	<u></u>
4.	<u></u>	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>	<u></u>
6.	<u></u>	<u></u>	<u></u>	<u></u>

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## I. Summary:

This bill creates a Community Advisory Panel on Foster Care Pilot Program in Duval County. It provides that the purpose of the pilot program is to identify educational needs and follow-up strategies for foster children aged six through 12 years enrolled in the Duval County school system. The goal of the program is to ensure that children in foster care will be tested appropriately and placed in an educational environment which optimizes their opportunity for success.

The community-based care provider in Duval County is given responsibility for administering the pilot program and is directed to employ a full-time project coordinator and a full-time psychologist for the program.

The chief judge for the Fourth Judicial Circuit or designee is directed to create the Community Advisory Panel. The chief judge who is responsible for dependency and adoption in the Fourth Judicial Circuit or designee is directed to appoint four members of the 15-member panel, and to chair the panel. The other members are to be selected by the Department of Children and Family Services (DCF) (four members), the county school board (four members) and the guardian ad litem program for Duval County (three members).

The bill describes the duties of the panel and of the project coordinator for the pilot project. It requires the development of a research component of the program and provides that the program will expire on July 1, 2009.

The bill includes an appropriation of \$300,000 from the General Revenue Fund to the Fourth Circuit Court in Duval County to be used to implement the bill.

This bill creates an unnumbered section of Florida law.

## **II. Present Situation:**

According to DCF, the case plans which are developed for children in foster care contain statements about the education needs of children, and the service providers are expected to work with the schools to meet these needs. However, there currently exists no panel or pilot designed to assess the educational needs of children in foster care and to facilitate meeting those needs.

Sections 39.202, F.S., and 1002.22, F.S, reflecting federal law, contain provisions restricting access to student education records.

Chapter 2004-356, L.O.F., enacted in 2004 and codified in s. 39.0016, F.S., requires DCF to enter into interagency agreements with the Department of Education and local school boards regarding educational issues relating to children known to the department. Section 39.0016(4)(b)2, F.S., requires district school boards to identify all educational and other services provided by the school and district school boards that they believe are reasonably necessary to meet the educational requirements of children known to the department. Paragraph four of that same subsection requires the district school board to provide individualized student intervention or an individual educational plan when a determination has been made through legally appropriate criteria that intervention services are required. Section 39.0016, F.S., requires DCF and the district school boards to cooperate in accessing the appropriate services for children known to the department who have or are suspected to have a disability. This section allows the school district to share information regarding children known to the department with DCF.

In response to the requirements of s. 39.0016, F.S., DCF reports that an interagency agreement has been reached and is currently being routed for signatures. The parties to the agreement are the Duval County Board of Education, DCF, Family Support Services of North Florida (the community-based care lead agency for Duval County), and the Agency for Workforce Innovation. In addition, the community-based care lead agency participates in the Duval County Court Improvement Project. The educational needs of children known to DCF is a standing agenda item for that group, included on the action plan for follow-up as needed. This same lead agency also participates in the special work group developed by Duval County Circuit Judge David Gooding, established to improve services for foster children. This group recommended the pilot project established by this bill.

## **III. Effect of Proposed Changes:**

This bill creates a Community Advisory Panel on Foster Care Pilot Program in Duval County. It provides that the purpose of the pilot program is to identify educational needs and follow-up strategies for foster children aged six through 12 years enrolled in the Duval County school system. The goal of the program is to ensure that children in foster care will be tested appropriately and placed in an educational environment which optimizes their opportunity for success.

The community-based care provider in Duval County is given responsibility for administering the pilot program and is directed to employ a full-time project coordinator and a full-time psychologist for the program.

The chief judge for the Fourth Judicial Circuit or designee is directed to create the Community Advisory Panel. The chief judge responsible for dependency and adoption in the Fourth Judicial Circuit or designee is directed to appoint four members of the 15-member panel, and to chair the panel. The other members are to be selected by the Department of Children and Family Services (four members), the county school board (four members) and the guardian ad litem program for Duval County (three members).

The bill describes the duties of the panel and of the project coordinator for the pilot project. These duties include reviewing the academic progress, behavioral issues, and attendance of each student aged six to 12 who are in the foster care system in Duval County. It authorizes the panel to prioritize the referral of these children for services by assessing the severity of need and recommending that the most critical needs be addressed first. It requires that students who are failing must be referred for educational testing and for additional psychological and therapeutic counseling as recommended, or both, and that the reasons for the school failure be determined as well as any remediation needed.

It requires the development of a research component of the program. This research component, or assessment tool, must be developed by the project coordinator. The research data must be set up to link systems among providers of educational services, psychological services, case management, and the court system. The tasks to be accomplished by the designer of the assessment tool are set forth as:

- Discovery, including meeting with information technology staff from DCF, school board staff, and caseworkers;
- Development, consisting of determining the best method for data entry, the best database, and the best data format;
- Implementation, comprising completing, testing and delivering the tool; and
- Maintenance, involving developing a maintenance plan and schedule after the initiation of the assessment methodology.

The project manager is required to submit an annual report to the court and to the Legislature.

The bill provides that the pilot program will expire on July 1, 2009.

The bill includes an appropriation of \$300,000 from the General Revenue Fund to the Fourth Circuit Court in Duval County to be used to implement the bill.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Economic Impact and Fiscal Note:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to DCF, the appropriation contained in the bill will be sufficient to implement its provisions.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

## **VIII. Summary of Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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