

By the Committees on Health and Human Services Appropriations; Governmental Oversight and Accountability; Judiciary; and Children, Families, and Elder Affairs; and Senator Storms

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1 A bill to be entitled
2 An act relating to care of children; creating the
3 “Zahid Jones, Jr., Give Grandparents and Other
4 Relatives a Voice Act”; amending s. 39.201, F.S.;
5 providing for the Department of Children and Family
6 Services to analyze certain unaccepted reports to the
7 central abuse hotline; amending s. 39.202, F.S.;
8 expanding access to certain confidential reports of
9 child abuse or neglect to include physicians,
10 psychologists, and mental health professionals;
11 amending s. 39.301, F.S.; requiring information to be
12 provided to a reporter; authorizing the submission of
13 a written report; providing conditions for a relative
14 to be a collateral contact in certain child protective
15 investigations; providing for a relative to request
16 notice of proceedings and hearings relating to
17 protective investigations under certain circumstances;
18 specifying content of the request; providing that the
19 failure to provide notice to a relative does not undo
20 any previous action of the court absent a finding that
21 a change is in the child’s best interests; conforming
22 cross-references; amending s. 39.304, F.S.; providing
23 for preservation in department records of certain
24 photographs and X rays and reports on medical
25 examinations and treatments of an abused child;
26 amending s. 39.402, F.S.; requiring notification of
27 certain relatives in an order for placement of a child
28 in shelter care of their right to attend hearings,
29 submit reports to the court, and speak to the court;

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30 amending s. 39.502, F.S.; providing for certain
31 relatives to receive notice of dependency hearings
32 under certain circumstances; providing an opportunity
33 for certain relatives to be heard in court; providing
34 an exception; amending s. 39.506, F.S.; providing for
35 certain relatives to receive notice of arraignment
36 hearings under certain circumstances; amending s.
37 39.5085, F.S.; revising legislative intent with regard
38 to the Relative Caregiver Program; authorizing the
39 department to develop liaison functions for certain
40 relatives; amending s. 39.6011, F.S.; requiring a case
41 plan for a child receiving services from the
42 department to include a protocol for notification of
43 certain relatives of proceedings and hearings;
44 amending s. 39.6013, F.S.; conforming a cross-
45 reference; amending s. 39.701, F.S.; requiring an
46 attorney for the department to provide notice to
47 certain relatives of the child regarding upcoming
48 judicial hearings; conforming cross-references;
49 amending s. 39.823, F.S.; conforming a cross-
50 reference; amending s. 683.10, F.S.; designating the
51 first Sunday after Labor Day as "Grandparents' and
52 Family Caregivers' Day"; authorizing the Governor to
53 issue proclamations commemorating the occasion;
54 amending s. 409.147, F.S.; renaming "children's zones"
55 as "children's cooperatives"; revising legislative
56 findings and intent; requiring the governing body to
57 establish a children's cooperative planning team and
58 to develop and adopt a strategic community plan;

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59 revising provisions relating to the powers and
60 responsibilities of the cooperative planning team;
61 revising provisions relating to the strategic
62 community plan; revising requirement provisions
63 relating to the children's cooperative corporation;
64 changing the name of the Magic City Children's Zone,
65 Inc., to the Miami Children's Cooperative, Inc.;
66 providing for the corporation to be administratively
67 housed within the Department of Children and Family
68 Services, but not to be subject to control,
69 supervision, or direction by the department; providing
70 for the department to enter into a contract with a
71 not-for-profit corporation to implement the children's
72 cooperative project; deleting provisions relating to
73 the geographic boundaries and the board of directors;
74 providing for the reappropriation of funds; providing
75 an effective date.

76

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

78

79 Section 1. This act may be cited as the "Zahid Jones, Jr.,
80 Give Grandparents and Other Relatives a Voice Act."

81 Section 2. Subsection (7) of section 39.201, Florida
82 Statutes, is amended to read:

83 39.201 Mandatory reports of child abuse, abandonment, or
84 neglect; mandatory reports of death; central abuse hotline.—

85 (7) On an ongoing basis, the department's quality assurance
86 program shall review calls, fax reports, and web-based reports
87 to the hotline involving three or more unaccepted reports on a

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88 single child, where jurisdiction applies, in order to detect
89 such things as harassment and situations that warrant an
90 investigation because of the frequency or variety of the source
91 of the reports. A component of the quality assurance program
92 shall analyze unaccepted reports to the hotline by identified
93 relatives as a part of the review of screened out calls. The
94 Program Director for Family Safety may refer a case for
95 investigation when it is determined, as a result of this review,
96 that an investigation may be warranted.

97 Section 3. Paragraph (r) is added to subsection (2) of
98 section 39.202, Florida Statutes, to read:

99 39.202 Confidentiality of reports and records in cases of
100 child abuse or neglect.—

101 (2) Except as provided in subsection (4), access to such
102 records, excluding the name of the reporter which shall be
103 released only as provided in subsection (5), shall be granted
104 only to the following persons, officials, and agencies:

105 (r) A physician licensed under chapter 458 or chapter 459,
106 a psychologist licensed under chapter 490, or a mental health
107 professional licensed under chapter 491 engaged in the care or
108 treatment of the child.

109 Section 4. Subsections (6) through (23) of section 39.301,
110 Florida Statutes, are renumbered as subsections (7) through
111 (24), respectively, paragraph (c) of present subsection (9),
112 present subsection (10), and paragraph (b) of present subsection
113 (14) are amended, and a new subsection (6) is added to that
114 section, to read:

115 39.301 Initiation of protective investigations.—

116 (6) Upon commencing an investigation under this part, if a

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117 report was received from a reporter under s. 39.201(1)(b), the
118 protective investigator must provide his or her contact
119 information to the reporter within 24 hours after being assigned
120 to the investigation. The investigator must also advise the
121 reporter that he or she may provide a written summary of the
122 report made to the central abuse hotline to the investigator
123 which shall become a part of the master file.

124 (10)-(9)

125 (c) The determination that a report requires an
126 investigation as provided in this subsection and does not
127 require an enhanced onsite child protective investigation
128 pursuant to subsection (11) ~~(10)~~ must be approved in writing by
129 the supervisor with documentation specifying why additional
130 investigative activities are not necessary.

131 (11) ~~(10)~~ (a) For each report that meets one or more of the
132 following criteria, the department shall perform an enhanced
133 onsite child protective investigation:

134 1. Any allegation that involves physical abuse, sexual
135 abuse, domestic violence, substance abuse or substance exposure,
136 medical neglect, a child younger than 3 years of age, or a child
137 who is disabled or lacks communication skills.

138 2. Any report that involves an individual who has been the
139 subject of a prior report containing some indicators or verified
140 findings of abuse, neglect, or abandonment.

141 3. Any report that does not contain compelling evidence
142 that the maltreatment did not occur.

143 4. Any report that does not meet the criteria for an onsite
144 child protective investigation as set forth in subsection (10)
145 ~~(9)~~.

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146 (b) The enhanced onsite child protective investigation
147 shall include, but is not limited to:

- 148 1. A face-to-face interview with the child, other siblings,
149 parents or legal custodians or caregivers, and other adults in
150 the household;
- 151 2. Collateral contacts;
- 152 3. Contact with the reporter as required by rule;
- 153 4. An onsite assessment of the child's residence in
154 accordance with paragraph (10) ~~(9)~~ (b); and
- 155 5. An updated assessment.

156

157 Detailed documentation is required for the investigative
158 activities.

159 (15) ~~(14)~~

160 (b) The parents or legal custodians shall be informed of the
161 right to refuse services, as well as the responsibility of the
162 department to protect the child regardless of the acceptance or
163 refusal of services. If the services are refused, a collateral
164 contact required under subparagraph (11) (b) 2. shall include a
165 relative, if the protective investigator has knowledge of and
166 the ability to contact a relative. If the services are refused
167 and the department deems that the child's need for protection so
168 requires, the department shall take the child into protective
169 custody or petition the court as provided in this chapter. At
170 any time after the commencement of a protective investigation, a
171 relative may submit in writing to the protective investigator or
172 case manager a request to receive notification of all
173 proceedings and hearings in accordance with s. 39.502. The
174 request shall include the relative's name, address, and phone

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175 number and the relative's relationship to the child. The
176 protective investigator or case manager shall forward such
177 request to the attorney for the department. The failure to
178 provide notice to either a relative who requests it pursuant to
179 this subsection or to a relative who is providing out-of-home
180 care for a child shall not result in any previous action of the
181 court at any stage or proceeding in dependency or termination of
182 parental rights under any part of this chapter being set aside,
183 reversed, modified, or in any way changed absent a finding by
184 the court that a change is required in the child's best
185 interests.

186 Section 5. Subsection (4) of section 39.304, Florida
187 Statutes, is amended to read:

188 39.304 Photographs, medical examinations, X rays, and
189 medical treatment of abused, abandoned, or neglected child.—

190 (4) Any photograph or report on examinations made or X rays
191 taken pursuant to this section, or copies thereof, shall be sent
192 to the department as soon as possible and shall be preserved in
193 permanent form in records held by the department.

194 Section 6. Paragraph (h) of subsection (8) of section
195 39.402, Florida Statutes, is amended to read:

196 39.402 Placement in a shelter.—

197 (8)

198 (h) The order for placement of a child in shelter care must
199 identify the parties present at the hearing and must contain
200 written findings:

201 1. That placement in shelter care is necessary based on the
202 criteria in subsections (1) and (2).

203 2. That placement in shelter care is in the best interest

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204 of the child.

205 3. That continuation of the child in the home is contrary
206 to the welfare of the child because the home situation presents
207 a substantial and immediate danger to the child's physical,
208 mental, or emotional health or safety which cannot be mitigated
209 by the provision of preventive services.

210 4. That based upon the allegations of the petition for
211 placement in shelter care, there is probable cause to believe
212 that the child is dependent or that the court needs additional
213 time, which may not exceed 72 hours, in which to obtain and
214 review documents pertaining to the family in order to
215 appropriately determine the risk to the child.

216 5. That the department has made reasonable efforts to
217 prevent or eliminate the need for removal of the child from the
218 home. A finding of reasonable effort by the department to
219 prevent or eliminate the need for removal may be made and the
220 department is deemed to have made reasonable efforts to prevent
221 or eliminate the need for removal if:

222 a. The first contact of the department with the family
223 occurs during an emergency;

224 b. The appraisal of the home situation by the department
225 indicates that the home situation presents a substantial and
226 immediate danger to the child's physical, mental, or emotional
227 health or safety which cannot be mitigated by the provision of
228 preventive services;

229 c. The child cannot safely remain at home, either because
230 there are no preventive services that can ensure the health and
231 safety of the child or because, even with appropriate and
232 available services being provided, the health and safety of the

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233 child cannot be ensured; or

234 d. The parent or legal custodian is alleged to have
235 committed any of the acts listed as grounds for expedited
236 termination of parental rights in s. 39.806(1)(f)-(i).

237 6. That the court notified the parents, relatives that are
238 providing out-of-home care for the child, or legal custodians of
239 the time, date, and location of the next dependency hearing and
240 of the importance of the active participation of the parents,
241 relatives that are providing out-of-home care for the child, or
242 legal custodians in all proceedings and hearings.

243 7. That the court notified the parents or legal custodians
244 of their right to counsel to represent them at the shelter
245 hearing and at each subsequent hearing or proceeding, and the
246 right of the parents to appointed counsel, pursuant to the
247 procedures set forth in s. 39.013.

248 8. That the court notified relatives who are providing out-
249 of-home care for a child as a result of the shelter petition
250 being granted that they have the right to attend all subsequent
251 hearings, to submit reports to the court, and to speak to the
252 court regarding the child, if they so desire.

253 Section 7. Subsection (1) of section 39.502, Florida
254 Statutes, is amended, and subsection (19) is added to that
255 section, to read:

256 39.502 Notice, process, and service.—

257 (1) Unless parental rights have been terminated, all
258 parents must be notified of all proceedings or hearings
259 involving the child. Notice in cases involving shelter hearings
260 and hearings resulting from medical emergencies must be that
261 most likely to result in actual notice to the parents. In all

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262 other dependency proceedings, notice must be provided in
263 accordance with subsections (4)-(9), except when a relative
264 requests notification pursuant to s. 39.301(15)(b), in which
265 case notice shall be provided pursuant to subsection (19).

266 (19) In all proceedings and hearings under this chapter,
267 the attorney for the department shall notify, orally or in
268 writing, a relative requesting notification pursuant to s.
269 39.301(15)(b) of the date, time, and location of such
270 proceedings and hearings, and notify the relative that he or she
271 has the right to attend all subsequent proceedings and hearings,
272 to submit reports to the court, and to speak to the court
273 regarding the child, if the relative so desires. The court has
274 the discretion to release the attorney for the department from
275 notifying a relative who requested notification pursuant to s.
276 39.301(15)(b) if the relative's involvement is determined to be
277 impeding the dependency process or detrimental to the child's
278 well-being.

279 Section 8. Subsection (9) of section 39.506, Florida
280 Statutes, is amended to read:

281 39.506 Arraignment hearings.—

282 (9) At the conclusion of the arraignment hearing, all
283 parties and the relatives who are providing out-of-home care for
284 the child shall be notified in writing by the court of the date,
285 time, and location for the next scheduled hearing.

286 Section 9. Paragraphs (a) through (d) of subsection (1) of
287 section 39.5085, Florida Statutes, are redesignated as
288 paragraphs (b) through (e), respectively, a new paragraph (a) is
289 added to subsection (1), and paragraph (g) of subsection (2) of
290 that section is amended, to read:

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291 39.5085 Relative Caregiver Program.—

292 (1) It is the intent of the Legislature in enacting this
293 section to:

294 (a) Provide for the establishment of procedures and
295 protocols that serve to advance the continued safety of children
296 by acknowledging the valued resource uniquely available through
297 grandparents and relatives of children.

298 (2)

299 (g) The department may use appropriate available state,
300 federal, and private funds to operate the Relative Caregiver
301 Program. The department may develop liaison functions to be
302 available to relatives who care for children pursuant to this
303 chapter to ensure placement stability in extended family
304 settings.

305 Section 10. Subsection (4) of section 39.6011, Florida
306 Statutes, is amended to read:

307 39.6011 Case plan development.—

308 (4) The case plan must describe:

309 (a) The role of the foster parents or legal custodians when
310 developing the services that are to be provided to the child,
311 foster parents, or legal custodians;

312 (b) The responsibility of the case manager to forward a
313 relative's request to receive notification of all proceedings
314 and hearings submitted pursuant to s. 39.301(15)(b) to the
315 attorney for the department;

316 (c) ~~(b)~~ The minimum number of face-to-face meetings to be
317 held each month between the parents and the department's family
318 services counselors to review the progress of the plan, to
319 eliminate barriers to progress, and to resolve conflicts or

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320 disagreements; and

321 (d)~~(e)~~ The parent's responsibility for financial support of
322 the child, including, but not limited to, health insurance and
323 child support. The case plan must list the costs associated with
324 any services or treatment that the parent and child are expected
325 to receive which are the financial responsibility of the parent.
326 The determination of child support and other financial support
327 shall be made independently of any determination of indigency
328 under s. 39.013.

329 Section 11. Subsection (6) of section 39.6013, Florida
330 Statutes, is amended to read:

331 39.6013 Case plan amendments.—

332 (6) The case plan is deemed amended as to the child's
333 health, mental health, and education records required by s.
334 39.6012 when the child's updated health and education records
335 are filed by the department under s. 39.701(8)~~(7)~~(a).

336 Section 12. Subsections (6) through (9) of section 39.701,
337 Florida Statutes, are renumbered as subsections (7) through
338 (10), respectively, a new subsection (6) is added to that
339 section, and paragraph (c) of subsection (2), paragraph (b) of
340 present subsection (6), and paragraph (a) of present subsection
341 (9) are amended, to read:

342 39.701 Judicial review.—

343 (2)

344 (c) Notice of a hearing by a citizen review panel must be
345 provided as set forth in subsection (5). At the conclusion of a
346 citizen review panel hearing, each party may propose a
347 recommended order to the chairperson of the panel. Thereafter,
348 the citizen review panel shall submit its report, copies of the

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349 proposed recommended orders, and a copy of the panel's
350 recommended order to the court. The citizen review panel's
351 recommended order must be limited to the dispositional options
352 available to the court in subsection (10) ~~(9)~~. Each party may
353 file exceptions to the report and recommended order of the
354 citizen review panel in accordance with Rule 1.490, Florida
355 Rules of Civil Procedure.

356 (6) The attorney for the department shall notify a relative
357 who submits a request for notification of all proceedings and
358 hearings pursuant to s. 39.301(15)(b). The notice shall include
359 the date, time, and location of the next judicial review
360 hearing.

361 ~~(7)(6)~~

362 (b) At the first judicial review hearing held subsequent to
363 the child's 17th birthday, in addition to the requirements of
364 subsection (8) ~~(7)~~, the department shall provide the court with
365 an updated case plan that includes specific information related
366 to independent living services that have been provided since the
367 child's 13th birthday, or since the date the child came into
368 foster care, whichever came later.

369 ~~(10)(9)~~ (a) Based upon the criteria set forth in subsection
370 (9) ~~(8)~~ and the recommended order of the citizen review panel,
371 if any, the court shall determine whether or not the social
372 service agency shall initiate proceedings to have a child
373 declared a dependent child, return the child to the parent,
374 continue the child in out-of-home care for a specified period of
375 time, or initiate termination of parental rights proceedings for
376 subsequent placement in an adoptive home. Amendments to the case
377 plan must be prepared as prescribed in s. 39.6013. If the court

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378 finds that the prevention or reunification efforts of the
379 department will allow the child to remain safely at home or be
380 safely returned to the home, the court shall allow the child to
381 remain in or return to the home after making a specific finding
382 of fact that the reasons for the creation of the case plan have
383 been remedied to the extent that the child's safety, well-being,
384 and physical, mental, and emotional health will not be
385 endangered.

386 Section 13. Section 39.823, Florida Statutes, is amended to
387 read:

388 39.823 Guardian advocates for drug dependent newborns.—The
389 Legislature finds that increasing numbers of drug dependent
390 children are born in this state. Because of the parents'
391 continued dependence upon drugs, the parents may temporarily
392 leave their child with a relative or other adult or may have
393 agreed to voluntary family services under s. 39.301 (15) ~~(14)~~. The
394 relative or other adult may be left with a child who is likely
395 to require medical treatment but for whom they are unable to
396 obtain medical treatment. The purpose of this section is to
397 provide an expeditious method for such relatives or other
398 responsible adults to obtain a court order which allows them to
399 provide consent for medical treatment and otherwise advocate for
400 the needs of the child and to provide court review of such
401 authorization.

402 Section 14. Section 683.10, Florida Statutes, is amended to
403 read:

404 683.10 Grandparents' and Family Caregivers' Grandmother's
405 Day.—

406 (1) The first Sunday after Labor Day ~~second Sunday of~~

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407 ~~October~~ of each year is designated "Grandparents' and Family
408 Caregivers' Grandmother's Day."

409 (2) The Governor may issue annually a proclamation
410 designating the first Sunday after Labor Day ~~second Sunday of~~
411 ~~October~~ as Grandparents' and Family Caregivers' Grandmother's
412 Day and calling upon public schools and citizens of the state to
413 observe the occasion.

414 Section 15. Section 409.147, Florida Statutes, is amended
415 to read:

416 409.147 Children's cooperatives ~~zones~~.—

417 (1) LEGISLATIVE FINDINGS AND INTENT.—

418 (a) The Legislature finds that:

419 1. There are neighborhoods in the state where the
420 infrastructure and opportunities that middle-class communities
421 take for granted are nonexistent or so marginal that they are
422 ineffective.

423 2. Children living in these neighborhoods are not read to
424 by an adult on a regular basis and attend a prekindergarten
425 education program at a much lower rate than children in other
426 communities. These children experience below-average performance
427 on standardized tests and graduate from high school in fewer
428 numbers. Most of these children are eligible for the free or
429 reduced-price school lunch program.

430 3. Children in these neighborhoods often suffer from high
431 rates of asthma, a higher risk of lead poisoning, and inadequate
432 health care, and they are routinely exposed to violence and
433 crime.

434 4. In spite of these obstacles, these neighborhoods are
435 many times home to strong individuals and institutions that are

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436 committed to making a difference in the lives of children and
437 their families.

438 (b) It is therefore the intent of the Legislature to assist
439 disadvantaged areas within the state in creating a community-
440 based service network that develops, coordinates, and provides
441 quality education, accessible health care, youth development
442 programs, opportunities for employment, and safe and affordable
443 housing for children and families living within its boundaries.

444 (2) POLICY AND PURPOSE.—It is the policy of this state to
445 provide the necessary means to assist local communities, the
446 children and families who live in those communities, and the
447 private sector in creating a sound educational, social, and
448 economic environment. To achieve this objective, the state
449 intends to provide investments sufficient to encourage community
450 partners to commit financial and other resources to severely
451 disadvantaged areas. The purpose of this section is to establish
452 a process that clearly identifies the severely disadvantaged
453 areas and provides guidance for developing a new social service
454 paradigm that systematically coordinates programs that address
455 the critical needs of children and their families and for
456 directing efforts to rebuild the basic infrastructure of the
457 community. The Legislature, therefore, declares the creation of
458 children's cooperatives zones, through the collaborative efforts
459 of government and the private sector, to be a public purpose.

460 (3) DEFINITIONS.—As used in this section, the term:

461 (a) "Governing body" means the commission or other
462 legislative body charged with governing a county or
463 municipality.

464 (b) "Ounce" means the Ounce of Prevention Fund of Florida,

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465 Inc.

466 (c) "Planning team" means a children's cooperative ~~zone~~
467 planning team established under this section.

468 (d) "Resident" means a person who lives or operates a small
469 community-based business or organization within the boundaries
470 of the children's cooperative ~~zone~~.

471 (4) CHILDREN'S COOPERATIVE ~~ZONE~~ NOMINATING PROCESS.—A
472 county or municipality, or a county and one or more
473 municipalities together, may apply to the Ounce to designate an
474 area as a children's cooperative ~~zone~~ after the governing body:

475 (a) Adopts a resolution that:

476 1. Finds that an area exists in such county or
477 municipality, or in the county and one or more municipalities,
478 that chronically exhibits extreme and unacceptable levels of
479 poverty, unemployment, physical deterioration, as well as
480 limited access to quality educational, health care, and social
481 services.

482 2. Determines that the rehabilitation, conservation, or
483 redevelopment, or a combination thereof, of the area is
484 necessary in the interest of improving the health, wellness,
485 education, living conditions, and livelihoods of the children
486 and families who live in the county or municipality.

487 3. Determines that the revitalization of the area can occur
488 only if the state and the private sector invest resources to
489 improve infrastructure and the provision of services.

490 (b) Establishes a children's cooperative ~~zone~~ planning team
491 as provided in subsection (5).

492 (c) Develops and adopts a strategic community plan as
493 provided in subsection (6).

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494 (d) Creates a corporation not for profit as provided in
495 subsection (7).

496 (5) CHILDREN'S COOPERATIVE ~~ZONE~~ PLANNING TEAM.—

497 (a) After the governing body adopts the resolution
498 described in subsection (4), the county or municipality shall
499 establish a children's cooperative ~~zone~~ planning team.

500 (b) The planning team shall include residents and
501 representatives from community-based organizations and other
502 community institutions. At least half of the members of the
503 planning team must be residents.

504 (c) The planning team shall:

505 1. Develop a planning process that sets the direction for,
506 builds a commitment to, and develops the capacity to realize the
507 children's cooperative ~~zone~~ concept.

508 2. Develop a vision of what the children's cooperative ~~zone~~
509 will look like when the challenges, problems, and opportunities
510 in the children's cooperative ~~zone~~ are successfully addressed.

511 3. Identify important opportunities, strengths, challenges,
512 and problems in the children's cooperative ~~zone~~.

513 4. Develop a strategic community plan consisting of goals,
514 objectives, tasks, the designation of responsible parties, the
515 identification of resources needed, timelines for implementation
516 of the plan, and procedures for monitoring outcomes.

517 (d) The planning team shall designate working groups to
518 specifically address each of the following focus areas:

519 1. Early development and care of children.

520 2. Education of children and youth.

521 3. Health and wellness.

522 4. Youth support.

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- 523 5. Parent and guardian support.
- 524 6. Adult education, training, and jobs.
- 525 7. Community safety.
- 526 8. Housing and community development.
- 527 (6) CHILDREN'S COOPERATIVE ~~ZONE~~ STRATEGIC COMMUNITY PLAN.—
- 528 After the governing body adopts the resolution described in
- 529 subsection (4), the working groups shall develop objectives and
- 530 identify strategies for each focus area. The objectives,
- 531 specified by focus area, for a working group may include, but
- 532 not be limited to:
- 533 (a) Early development and care of children.
- 534 1. Providing resources to enable every child to be
- 535 adequately nurtured during the first 3 years of life.
- 536 2. Ensuring that all schools are ready for children and all
- 537 children are ready for school.
- 538 3. Facilitating enrollment in half-day or full-day
- 539 prekindergarten for all 3-year-old and 4-year-old children.
- 540 4. Strengthening parent and guardian relationships with
- 541 care providers.
- 542 5. Providing support and education for families and child
- 543 care providers.
- 544 (b) Education of children and youth.
- 545 1. Increasing the level and degree of accountability of
- 546 persons who are responsible for the development and well-being
- 547 of all children in the children's cooperative ~~zone~~.
- 548 2. Changing the structure and function of schools to
- 549 increase the quality and amount of time spent on instruction and
- 550 increase programmatic options and offerings.
- 551 3. Creating a safe and respectful environment for student

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552 learning.

553 4. Identifying and supporting points of alignment between
554 the children's cooperative ~~zone~~ community plan and the school
555 district's strategic plan.

556 (c) Health and wellness.

557 1. Facilitating enrollment of all eligible children in the
558 Florida Kidcare program and providing full access to high-
559 quality drug and alcohol treatment services.

560 2. Eliminating health disparities between racial and
561 cultural groups, including improving outcomes and increasing
562 interventions.

563 3. Providing fresh, good quality, affordable, and
564 nutritious food within the children's cooperative ~~zone~~.

565 4. Providing all children in the children's cooperative
566 ~~zone~~ with access to safe structured and unstructured recreation.

567 (d) Youth support.

568 1. Increasing the high school graduation rate.

569 2. Increasing leadership development and employment
570 opportunities for youth.

571 (e) Parent and guardian support.

572 1. Increasing parent and adult literacy.

573 2. Expanding access for parents to critical resources, such
574 as jobs, transportation, day care, and after-school care.

575 3. Improving the effectiveness of the ways in which support
576 systems communicate and collaborate with parents and the ways in
577 which parents communicate and collaborate with support systems.

578 4. Making the services of the Healthy Families Florida
579 program available to provide multiyear support to expectant
580 parents and persons caring for infants and toddlers.

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581 (f) Adult education, training, and jobs.

582 1. Creating job opportunities for adults that lead to
583 career development.

584 2. Establishing a career and technical school, or a
585 satellite of such a school in the children's cooperative zone,
586 which includes a one-stop career center.

587 (g) Community safety.

588 1. Providing a safe environment for all children at home,
589 in school, and in the community.

590 2. Eliminating the economic, political, and social forces
591 that lead to a lack of safety within the family, the community,
592 schools, and institutional structures.

593 3. Assessing policies and practices, including sentencing,
594 incarceration, detention, and data reporting, in order to reduce
595 youth violence, crime, and recidivism.

596 (h) Housing and community development.

597 1. Strengthening the residential real estate market.

598 2. Building on existing efforts to promote socioeconomic
599 diversity when developing a comprehensive land use strategic
600 plan.

601 3. Promoting neighborhood beautification strategies.

602 (7) CHILDREN'S COOPERATIVE ZONE CORPORATION.—After the
603 governing body adopts the resolution described in subsection
604 (4), establishes the planning team as provided in subsection
605 (5), and develops and adopts the strategic community plan as
606 provided in subsection (6), the county or municipality shall
607 create a corporation not for profit which shall be registered,
608 incorporated, organized, and operated in compliance with chapter
609 617. The purpose of the corporation is to facilitate

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610 fundraising, to secure broad community ownership of the
611 children's cooperative zone, and, if the area selected by the
612 governing body is designated as a children's cooperative zone,
613 to:

614 (a) Begin to transfer responsibility for planning from the
615 planning team to the corporation.

616 (b) Begin the implementation and governance of the
617 children's cooperative zone community plan.

618 (8) CREATION OF MIAMI ~~MAGIC CITY~~ CHILDREN'S COOPERATIVE
619 ZONE, INC., PILOT PROJECT.-

620 (a) There is created within the Liberty City neighborhood
621 in Miami-Dade County a 10-year ~~pilot project zone~~ that, ~~by~~
622 ~~November 1, 2008,~~ shall be managed by an entity organized as a
623 corporation not for profit which shall be registered,
624 incorporated, organized, and operated in compliance with chapter
625 617. An entity may not be incorporated until the governing body
626 has adopted the resolution described in subsection (4), has
627 established the planning team as provided in subsection (5), and
628 has developed and adopted the strategic community plan as
629 provided in subsection (6). The corporation shall be known as
630 the Miami ~~Magic City~~ Children's Cooperative Zone, Inc., and
631 shall be administratively housed within the Department of
632 Children and Family Services Belafonte Tacooley Center. However,
633 Miami ~~Magic City~~ Children's Cooperative Zone, Inc., is not
634 subject to control, supervision, or direction by the Department
635 of Children and Family Services Belafonte Tacooley Center in any
636 manner. The Legislature determines, however, that public policy
637 dictates that the corporation operate in the most open and
638 accessible manner consistent with its public purpose. Therefore,

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639 the Legislature specifically declares that the corporation is
640 subject to chapter 119, relating to public records, chapter 286,
641 relating to public meetings and records, and chapter 287,
642 relating to procurement of commodities or contractual services.

643 (b) This cooperative ~~pilot project zone~~ is designed to
644 encompass an area that is large enough to include all of the
645 necessary components of community life, including, but not
646 limited to, schools, places of worship, recreational facilities,
647 commercial areas, and common space, yet small enough to allow
648 programs and services to reach every willing member of the
649 neighborhood. ~~Therefore, the geographic boundaries of the pilot~~
650 ~~project zone are:~~

- 651 1. ~~Northwest 79th Street to the north;~~
- 652 2. ~~Northwest 36th Street to the south;~~
- 653 3. ~~North Miami Avenue to the east; and~~
- 654 4. ~~Northwest 27th Avenue to the west.~~

655 ~~(c)1. The corporation shall be governed by a 15-member~~
656 ~~board of directors. The board of directors shall consist of the~~
657 ~~following members:~~

658 a. ~~The chief executive officer of the Belafonte Taconley~~
659 ~~Center.~~

660 b. ~~The executive director of the Carrie P. Meek~~
661 ~~Entrepreneurial Education Center, Miami Dade College.~~

662 c. ~~The director of the Parks and Recreation Department of~~
663 ~~the City of Miami.~~

664 d. ~~The director of the Miami Dade Cultural Arts Center.~~

665 e. ~~The chief executive officer of the Urban League of~~
666 ~~Greater Miami.~~

667 f. ~~The director of the Liberty City Service Partnership.~~

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- 668 ~~g. The regional superintendent of the Miami-Dade County~~
669 ~~Public Schools.~~
- 670 ~~h. The president of the Student Government Association of~~
671 ~~Northwestern High School.~~
- 672 ~~i. The president of the Student Government Association of~~
673 ~~Edison High School.~~
- 674 ~~j. The president of the Parent Teacher Student Association~~
675 ~~of Northwestern High School.~~
- 676 ~~k. The president of the Parent Teacher Student Association~~
677 ~~of Edison High School.~~
- 678 ~~1. Four members from the local private business sector, to~~
679 ~~be appointed by a majority vote of the members designated in~~
680 ~~sub-subparagraphs a.-k., all of whom must have significant~~
681 ~~experience in one of the focus areas specified in subsection~~
682 ~~(6).~~
- 683 ~~2. All members of the board of directors shall be appointed~~
684 ~~no later than 90 days following the incorporation of the Magic~~
685 ~~City Children's Zone, Inc., and:~~
- 686 ~~a. Eleven members initially appointed pursuant to this~~
687 ~~paragraph shall each serve a 4-year term.~~
- 688 ~~b. The remaining initial four appointees shall each serve a~~
689 ~~2-year term.~~
- 690 ~~e. Each member appointed thereafter shall serve a 4-year~~
691 ~~term.~~
- 692 ~~d. A vacancy shall be filled in the same manner in which~~
693 ~~the original appointment was made, and a member appointed to~~
694 ~~fill a vacancy shall serve for the remainder of that term.~~
- 695 ~~e. A member may not serve more than 8 years in consecutive~~
696 ~~terms.~~

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697 ~~3. The board of directors shall annually elect a~~
698 ~~chairperson and a vice chairperson from among the board's~~
699 ~~members. The members may, by a vote of eight members, remove a~~
700 ~~member from the position of chairperson or vice chairperson~~
701 ~~before the expiration of his or her term as chairperson or vice~~
702 ~~chairperson. His or her successor shall be elected to serve for~~
703 ~~the balance of the term of the chairperson or vice chairperson~~
704 ~~who was removed.~~

705 ~~4. The board of directors shall meet at least four times~~
706 ~~each year upon the call of the chairperson, at the request of~~
707 ~~the vice chairperson, or at the request of a majority of the~~
708 ~~membership. A majority of the membership constitutes a quorum.~~
709 ~~The board of directors may take official action by a majority~~
710 ~~vote of the members present at any meeting at which a quorum is~~
711 ~~present. The board may conduct its meetings through~~
712 ~~teleconferences or other similar means.~~

713 ~~5. A member of the board of directors may be removed by a~~
714 ~~majority of the membership. Absence from three consecutive~~
715 ~~meetings results in automatic removal.~~

716 ~~6. Each member of the board of directors shall serve~~
717 ~~without compensation but is entitled to reimbursement for per~~
718 ~~diem and travel expenses as provided in s. 112.061 while in the~~
719 ~~performance of his or her duties.~~

720 ~~7. The corporation shall create a standing advisory board~~
721 ~~to assist in any part of its delegated duties. The membership of~~
722 ~~the standing advisory board shall reflect the expertise~~
723 ~~necessary for the implementation of the children's zone pilot~~
724 ~~project.~~

725 ~~8. The board of directors has the power and duty to:~~

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726 ~~a. Adopt articles of incorporation and bylaws necessary to~~
727 ~~govern its activities.~~

728 ~~b. Begin to transfer responsibility for planning from the~~
729 ~~children's zone planning team to the corporation.~~

730 ~~c. Begin the implementation and governance of the~~
731 ~~children's zone community plan.~~

732 ~~d. Enter into a contract with a management consultant who~~
733 ~~has experience working with social service and educational~~
734 ~~entities for the purpose of developing a 10-year comprehensive~~
735 ~~business plan to carry out the provisions of this section.~~

736 ~~(d) Magic City Children's Zone, Inc., shall submit an~~
737 ~~annual report to the President of the Senate and the Speaker of~~
738 ~~the House of Representatives by January 31, 2009, and by January~~
739 ~~31 of each year thereafter, which shall include a comprehensive~~
740 ~~and detailed report of its operations, activities, and~~
741 ~~accomplishments for the prior year as well as its goals for the~~
742 ~~current year. The initial report shall also include information~~
743 ~~concerning the status of the development of a business plan.~~

744 (9) IMPLEMENTATION.—In order to implement The
745 implementation of this section, the Department of Children and
746 Family Services shall contract is contingent upon a specific
747 appropriation to provide a grant for a 3-year period for the
748 purpose of implementing this section, which includes contracting
749 with a not-for-profit corporation to work in collaboration with
750 the governing body to adopt the resolution described in
751 subsection (4), to establish the planning team as provided in
752 subsection (5), and to develop and adopt the strategic community
753 plan as provided in subsection(6). The not-for-profit
754 corporation is also responsible for the development of a

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755 business plan and for the evaluation, fiscal management, and
756 oversight of the Miami ~~Magie City~~ Children's Cooperative Zone,
757 Inc., ~~pilot project~~.

758 Section 16. The unexpended balance of funds in Specific
759 Appropriation 345A of the General Appropriations Act for the
760 2008-2009 fiscal year passed in the 2008 Regular Session shall
761 revert July 1, 2009, and such funds are reappropriated to the
762 Department of Children and Family Services for the 2009-2010
763 fiscal year for the purpose of contracting with the Ounce in
764 order to implement section 15 of this act.

765 Section 17. This act shall take effect July 1, 2009.