

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative N. Thompson offered the following:

2
3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

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

7 Section 2. Section 39.00145, Florida Statutes, is created
8 to read:

9 39.00145 Records concerning children.--

10 (1) The case record of every child under the supervision
11 of or in the custody of the department, the department's
12 authorized agents, or providers contracting with the department,
13 including community-based care lead agencies and their
14 subcontracted providers, must be maintained in a complete and
15 accurate manner. The case record must contain, at a minimum, the
16 child's case plan required under part VIII of this chapter and

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

17 the full name and street address of all shelters, foster
18 parents, group homes, treatment facilities, or locations where
19 the child has been placed.

20 (2) Notwithstanding any other provision of this chapter,
21 all records in a child's case record must be made available for
22 inspection, upon request, to the child who is the subject of the
23 case record and to the child's caregiver, guardian ad litem, or
24 attorney.

25 (a) A complete and accurate copy of any record in a
26 child's case record must be provided, upon request and at no
27 cost, to the child who is the subject of the case record and to
28 the child's caregiver, guardian ad litem, or attorney.

29 (b) The department shall release the information in a
30 manner and setting that are appropriate to the age and maturity
31 of the child and the nature of the information being released,
32 which may include the release of information in a therapeutic
33 setting, if appropriate. This paragraph does not deny the child
34 access to his or her records.

35 (c) If a child or the child's caregiver, guardian ad
36 litem, or attorney requests access to the child's case record,
37 any person or entity that fails to provide any record in the
38 case record under assertion of a claim of exemption from the
39 public-records requirements of chapter 119, or fails to provide
40 access within a reasonable time, is subject to sanctions and
41 penalties under s. 119.10.

42 (d) For purposes of this subsection, the term "caregiver"
43 is limited to parents, legal custodians, permanent guardians,
44 foster parents, employees of a residential home, institution,

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

45 facility, or agency at which the child resides and other
46 individuals legally responsible for a child's welfare in a
47 residential setting.

48 (3) If a court determines that sharing information in the
49 child's case record is necessary to ensure access to appropriate
50 services for the child or for the safety of the child, the court
51 may approve the release of confidential records or information
52 contained in them.

53 (4) Notwithstanding any other provision of law, all state
54 and local agencies and programs that provide services to
55 children or that are responsible for a child's safety, including
56 the Department of Juvenile Justice, the Department of Health,
57 the Agency for Health Care Administration, the Agency for
58 Persons with Disabilities, the Department of Education, the
59 Department of Revenue, the school districts, the Statewide
60 Guardian Ad Litem Office, and any provider contracting with such
61 agencies, may share with each other confidential records or
62 information that are confidential or exempt from disclosure
63 under chapter 119 if the records or information are reasonably
64 necessary to ensure access to appropriate services for the
65 child, including child support enforcement services, or for the
66 safety of the child. However:

67 (a) Records or information made confidential by federal
68 law may not be shared.

69 (b) This subsection does not apply to information
70 concerning clients and records of certified domestic violence
71 centers, which are confidential under s. 39.908 and privileged
72 under s. 90.5036.

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

73 Section 3. Subsection (7) of section 39.201, Florida
74 Statutes, is amended to read:

75 39.201 Mandatory reports of child abuse, abandonment, or
76 neglect; mandatory reports of death; central abuse hotline.--

77 (7) On an ongoing basis, the department's quality
78 assurance program shall review calls, fax reports, and web-based
79 reports to the hotline involving three or more unaccepted
80 reports on a single child, where jurisdiction applies, in order
81 to detect such things as harassment and situations that warrant
82 an investigation because of the frequency or variety of the
83 source of the reports. A component of the quality assurance
84 program shall analyze unaccepted reports to the hotline by
85 identified relatives as a part of the review of screened out
86 calls. The Program Director for Family Safety may refer a case
87 for investigation when it is determined, as a result of this
88 review, that an investigation may be warranted.

89 Section 4. Subsection (7) of section 39.202, Florida
90 Statutes, is amended, and paragraphs (r) and (s) are added to
91 subsection (2) of that section, to read:

92 39.202 Confidentiality of reports and records in cases of
93 child abuse or neglect.--

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

98 (r) A physician licensed under chapter 458 or chapter 459,
99 a psychologist licensed under chapter 490, or a mental health
100 professional licensed under chapter 491 engaged in the care or
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

101 treatment of the child.

102 (s) Persons with whom the department is seeking to place
103 the child or to whom placement has been granted, including
104 foster parents for whom an approved home study has been
105 conducted, the designee of a licensed residential group home
106 described in s. 39.523, an approved relative or nonrelative with
107 whom a child is placed pursuant to s. 39.402, preadoptive
108 parents for whom a favorable preliminary adoptive home study has
109 been conducted, adoptive parents, or an adoption entity acting
110 on behalf of preadoptive or adoptive parents.

111 (7) The department shall make and keep reports and records
112 of all cases under this chapter ~~relating to child abuse,~~
113 ~~abandonment, and neglect~~ and shall preserve the records
114 pertaining to a child and family ~~until 7 years after the last~~
115 ~~entry was made or~~ until the child who is the subject of the
116 record is 30 is 18 years of age, whichever date is first
117 reached, and may then destroy the records. ~~Department records~~
118 ~~required by this chapter relating to child abuse, abandonment,~~
119 ~~and neglect may be inspected only upon order of the court or as~~
120 ~~provided for in this section.~~

121 (a) Within 90 days after the child leaves the department's
122 custody, the department shall give a notice to the person having
123 legal custody of the child, or to the young adult who was in the
124 department's custody, which specifies how the records may be
125 obtained.

126 (b) The department may adopt rules regarding the format,
127 storage, retrieval, and release of such records.

128 Section 5. Subsections (6) through (23) of section 39.301,
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

129 Florida Statutes, are renumbered as subsections (7) through
130 (24), respectively, paragraph (c) of present subsection (9),
131 present subsection (10), and paragraph (b) of present subsection
132 (14) are amended, and a new subsection (6) is added to that
133 section, to read:

134 39.301 Initiation of protective investigations.--

135 (6) Upon commencing an investigation under this part, if a
136 report was received from a reporter under s. 39.201(1)(b), the
137 protective investigator must provide his or her contact
138 information to the reporter within 24 hours after being assigned
139 to the investigation. The investigator must also advise the
140 reporter that he or she may provide a written summary of the
141 report made to the central abuse hotline to the investigator
142 which shall become a part of the master file.

143 (10)-(9)-

144 (c) The determination that a report requires an
145 investigation as provided in this subsection and does not
146 require an enhanced onsite child protective investigation
147 pursuant to subsection (11) -(10) must be approved in writing by
148 the supervisor with documentation specifying why additional
149 investigative activities are not necessary.

150 (11)-(10)(a) For each report that meets one or more of the
151 following criteria, the department shall perform an enhanced
152 onsite child protective investigation:

153 1. Any allegation that involves physical abuse, sexual
154 abuse, domestic violence, substance abuse or substance exposure,
155 medical neglect, a child younger than 3 years of age, or a child
156 who is disabled or lacks communication skills.

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

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

160 3. Any report that does not contain compelling evidence
161 that the maltreatment did not occur.

162 4. Any report that does not meet the criteria for an
163 onsite child protective investigation as set forth in subsection
164 (10) ~~(9)~~.

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

167 1. A face-to-face interview with the child, other
168 siblings, parents or legal custodians or caregivers, and other
169 adults in the household;

170 2. Collateral contacts;

171 3. Contact with the reporter as required by rule;

172 4. An onsite assessment of the child's residence in
173 accordance with paragraph (10) ~~(9)~~(b); and

174 5. An updated assessment.

175
176 Detailed documentation is required for the investigative
177 activities.

178 (15) ~~(14)~~

179 (b) The parents or legal custodians shall be informed of
180 the right to refuse services, as well as the responsibility of
181 the department to protect the child regardless of the acceptance
182 or refusal of services. If the services are refused, a
183 collateral contact required under subparagraph (11)(b)2. shall
184 include a relative, if the protective investigator has knowledge

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

185 of and the ability to contact a relative. If the services are
186 refused and the department deems that the child's need for
187 protection so requires, the department shall take the child into
188 protective custody or petition the court as provided in this
189 chapter. At any time after the commencement of a protective
190 investigation, a relative may submit in writing to the
191 protective investigator or case manager a request to receive
192 notification of all proceedings and hearings in accordance with
193 s. 39.502. The request shall include the relative's name,
194 address, and phone number and the relative's relationship to the
195 child. The protective investigator or case manager shall forward
196 such request to the attorney for the department. The failure to
197 provide notice to either a relative who requests it pursuant to
198 this subsection or to a relative who is providing out-of-home
199 care for a child shall not result in any previous action of the
200 court at any stage or proceeding in dependency or termination of
201 parental rights under any part of this chapter being set aside,
202 reversed, modified, or in any way changed absent a finding by
203 the court that a change is required in the child's best
204 interests.

205 Section 6. Subsection (4) of section 39.304, Florida
206 Statutes, is amended to read:

207 39.304 Photographs, medical examinations, X rays, and
208 medical treatment of abused, abandoned, or neglected child.--

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

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

213 Section 7. Paragraph (h) of subsection (8) of section
214 39.402, Florida Statutes, is amended to read:

215 39.402 Placement in a shelter.--

216 (8)

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

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

222 2. That placement in shelter care is in the best interest
223 of the child.

224 3. That continuation of the child in the home is contrary
225 to the welfare of the child because the home situation presents
226 a substantial and immediate danger to the child's physical,
227 mental, or emotional health or safety which cannot be mitigated
228 by the provision of preventive services.

229 4. That based upon the allegations of the petition for
230 placement in shelter care, there is probable cause to believe
231 that the child is dependent or that the court needs additional
232 time, which may not exceed 72 hours, in which to obtain and
233 review documents pertaining to the family in order to
234 appropriately determine the risk to the child.

235 5. That the department has made reasonable efforts to
236 prevent or eliminate the need for removal of the child from the
237 home. A finding of reasonable effort by the department to
238 prevent or eliminate the need for removal may be made and the
239 department is deemed to have made reasonable efforts to prevent
240 or eliminate the need for removal if:

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

241 a. The first contact of the department with the family
242 occurs during an emergency;

243 b. The appraisal of the home situation by the department
244 indicates that the home situation presents a substantial and
245 immediate danger to the child's physical, mental, or emotional
246 health or safety which cannot be mitigated by the provision of
247 preventive services;

248 c. The child cannot safely remain at home, either because
249 there are no preventive services that can ensure the health and
250 safety of the child or because, even with appropriate and
251 available services being provided, the health and safety of the
252 child cannot be ensured; or

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

256 6. That the court notified the parents, relatives that are
257 providing out-of-home care for the child, or legal custodians of
258 the time, date, and location of the next dependency hearing and
259 of the importance of the active participation of the parents,
260 relatives that are providing out-of-home care for the child, or
261 legal custodians in all proceedings and hearings.

262 7. That the court notified the parents or legal custodians
263 of their right to counsel to represent them at the shelter
264 hearing and at each subsequent hearing or proceeding, and the
265 right of the parents to appointed counsel, pursuant to the
266 procedures set forth in s. 39.013.

267 8. That the court notified relatives who are providing
268 out-of-home care for a child as a result of the shelter petition

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

269 being granted that they have the right to attend all subsequent
270 hearings, to submit reports to the court, and to speak to the
271 court regarding the child, if they so desire.

272 Section 8. Subsection (1) of section 39.502, Florida
273 Statutes, is amended, and subsection (19) is added to that
274 section, to read:

275 39.502 Notice, process, and service.--

276 (1) Unless parental rights have been terminated, all
277 parents must be notified of all proceedings or hearings
278 involving the child. Notice in cases involving shelter hearings
279 and hearings resulting from medical emergencies must be that
280 most likely to result in actual notice to the parents. In all
281 other dependency proceedings, notice must be provided in
282 accordance with subsections (4)-(9), except when a relative
283 requests notification pursuant to s. 39.301(15)(b), in which
284 case notice shall be provided pursuant to subsection (19).

285 (19) In all proceedings and hearings under this chapter,
286 the attorney for the department shall notify, orally or in
287 writing, a relative requesting notification pursuant to s.
288 39.301(15)(b) of the date, time, and location of such
289 proceedings and hearings, and notify the relative that he or she
290 has the right to attend all subsequent proceedings and hearings,
291 to submit reports to the court, and to speak to the court
292 regarding the child, if the relative so desires. The court has
293 the discretion to release the attorney for the department from
294 notifying a relative who requested notification pursuant to s.
295 39.301(15)(b) if the relative's involvement is determined to be
296 impeding the dependency process or detrimental to the child's

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

297 well-being.

298 Section 9. Subsection (9) of section 39.506, Florida
299 Statutes, is amended to read:

300 39.506 Arraignment hearings.--

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

305 Section 10. Paragraphs (a) through (d) of subsection (1)
306 of section 39.5085, Florida Statutes, are redesignated as
307 paragraphs (b) through (e), respectively, a new paragraph (a) is
308 added to subsection (1), and paragraph (g) of subsection (2) of
309 that section is amended, to read:

310 39.5085 Relative Caregiver Program.--

311 (1) It is the intent of the Legislature in enacting this
312 section to:

313 (a) Provide for the establishment of procedures and
314 protocols that serve to advance the continued safety of children
315 by acknowledging the valued resource uniquely available through
316 grandparents and relatives of children.

317 (2)

318 (g) The department may use appropriate available state,
319 federal, and private funds to operate the Relative Caregiver
320 Program. The department may develop liaison functions to be
321 available to relatives who care for children pursuant to this
322 chapter to ensure placement stability in extended family
323 settings.

324 Section 11. Subsection (4) of section 39.6011, Florida
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

325 Statutes, is amended to read:

326 39.6011 Case plan development.--

327 (4) The case plan must describe:

328 (a) The role of the foster parents or legal custodians
329 when developing the services that are to be provided to the
330 child, foster parents, or legal custodians;

331 (b) The responsibility of the case manager to forward a
332 relative's request to receive notification of all proceedings
333 and hearings submitted pursuant to s. 39.301(15)(b) to the
334 attorney for the department;

335 (c) ~~(b)~~ The minimum number of face-to-face meetings to be
336 held each month between the parents and the department's family
337 services counselors to review the progress of the plan, to
338 eliminate barriers to progress, and to resolve conflicts or
339 disagreements; and

340 (d) ~~(e)~~ The parent's responsibility for financial support
341 of the child, including, but not limited to, health insurance
342 and child support. The case plan must list the costs associated
343 with any services or treatment that the parent and child are
344 expected to receive which are the financial responsibility of
345 the parent. The determination of child support and other
346 financial support shall be made independently of any
347 determination of indigency under s. 39.013.

348 Section 12. Subsection (6) of section 39.6013, Florida
349 Statutes, is amended to read:

350 39.6013 Case plan amendments.--

351 (6) The case plan is deemed amended as to the child's
352 health, mental health, and education records required by s.
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

353 39.6012 when the child's updated health and education records
354 are filed by the department under s. 39.701~~(8)-(7)~~(a).

355 Section 13. Subsections (6) through (9) of section 39.701,
356 Florida Statutes, are renumbered as subsections (7) through
357 (10), respectively, a new subsection (6) is added to that
358 section, and paragraph (c) of subsection (2), paragraph (b) of
359 present subsection (6), and paragraph (a) of present subsection
360 (9) are amended, to read:

361 39.701 Judicial review.--

362 (2)

363 (c) Notice of a hearing by a citizen review panel must be
364 provided as set forth in subsection (5). At the conclusion of a
365 citizen review panel hearing, each party may propose a
366 recommended order to the chairperson of the panel. Thereafter,
367 the citizen review panel shall submit its report, copies of the
368 proposed recommended orders, and a copy of the panel's
369 recommended order to the court. The citizen review panel's
370 recommended order must be limited to the dispositional options
371 available to the court in subsection (10) ~~(9)~~. Each party may
372 file exceptions to the report and recommended order of the
373 citizen review panel in accordance with Rule 1.490, Florida
374 Rules of Civil Procedure.

375 (6) The attorney for the department shall notify a
376 relative who submits a request for notification of all
377 proceedings and hearings pursuant to s. 39.301(15) (b). The
378 notice shall include the date, time, and location of the next
379 judicial review hearing.

380 (7)-(6)

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

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

388 ~~(10)~~ ~~(9)~~ (a) Based upon the criteria set forth in subsection
389 (9) ~~(8)~~ and the recommended order of the citizen review panel,
390 if any, the court shall determine whether or not the social
391 service agency shall initiate proceedings to have a child
392 declared a dependent child, return the child to the parent,
393 continue the child in out-of-home care for a specified period of
394 time, or initiate termination of parental rights proceedings for
395 subsequent placement in an adoptive home. Amendments to the case
396 plan must be prepared as prescribed in s. 39.6013. If the court
397 finds that the prevention or reunification efforts of the
398 department will allow the child to remain safely at home or be
399 safely returned to the home, the court shall allow the child to
400 remain in or return to the home after making a specific finding
401 of fact that the reasons for the creation of the case plan have
402 been remedied to the extent that the child's safety, well-being,
403 and physical, mental, and emotional health will not be
404 endangered.

405 Section 14. Section 39.823, Florida Statutes, is amended
406 to read:

407 39.823 Guardian advocates for drug dependent
408 newborns.--The Legislature finds that increasing numbers of drug
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

409 dependent children are born in this state. Because of the
410 parents' continued dependence upon drugs, the parents may
411 temporarily leave their child with a relative or other adult or
412 may have agreed to voluntary family services under s.
413 39.301(15) ~~(14)~~. The relative or other adult may be left with a
414 child who is likely to require medical treatment but for whom
415 they are unable to obtain medical treatment. The purpose of this
416 section is to provide an expeditious method for such relatives
417 or other responsible adults to obtain a court order which allows
418 them to provide consent for medical treatment and otherwise
419 advocate for the needs of the child and to provide court review
420 of such authorization.

421 Section 15. Section 683.10, Florida Statutes, is amended
422 to read:

423 683.10 Grandparents' and Family Caregivers' ~~Grandmother's~~
424 Day.--

425 (1) The first Sunday after Labor Day ~~second Sunday of~~
426 ~~October~~ of each year is designated "Grandparents' and Family
427 Caregivers' ~~Grandmother's~~ Day."

428 (2) The Governor may issue annually a proclamation
429 designating the first Sunday after Labor Day ~~second Sunday of~~
430 ~~October~~ as Grandparents' and Family Caregivers' ~~Grandmother's~~
431 Day and calling upon public schools and citizens of the state to
432 observe the occasion.

433 Section 16. Section 409.147, Florida Statutes, is amended
434 to read:

435 409.147 Children's initiatives ~~zones~~.--

436 (1) LEGISLATIVE FINDINGS AND INTENT.--

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

437 (a) The Legislature finds that:

438 1. There are neighborhoods in the state where the
439 infrastructure and opportunities that middle-class communities
440 take for granted are nonexistent or so marginal that they are
441 ineffective.

442 2. Children living in these neighborhoods are not read to
443 by an adult on a regular basis and attend a prekindergarten
444 education program at a much lower rate than children in other
445 communities. These children experience below-average performance
446 on standardized tests and graduate from high school in fewer
447 numbers. Most of these children are eligible for the free or
448 reduced-price school lunch program.

449 3. Children in these neighborhoods often suffer from high
450 rates of asthma, a higher risk of lead poisoning, and inadequate
451 health care, and they are routinely exposed to violence and
452 crime.

453 4. In spite of these obstacles, these neighborhoods are
454 many times home to strong individuals and institutions that are
455 committed to making a difference in the lives of children and
456 their families.

457 (b) It is therefore the intent of the Legislature to
458 assist disadvantaged areas within the state in creating a
459 community-based service network that develops, coordinates, and
460 provides quality education, accessible health care, youth
461 development programs, opportunities for employment, and safe and
462 affordable housing for children and families living within its
463 boundaries.

464 (2) POLICY AND PURPOSE.--It is the policy of this state to
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

465 provide the necessary means to assist local communities, the
466 children and families who live in those communities, and the
467 private sector in creating a sound educational, social, and
468 economic environment. To achieve this objective, the state
469 intends to provide investments sufficient to encourage community
470 partners to commit financial and other resources to severely
471 disadvantaged areas. The purpose of this section is to establish
472 a process that clearly identifies the severely disadvantaged
473 areas and provides guidance for developing a new social service
474 paradigm that systematically coordinates programs that address
475 the critical needs of children and their families and for
476 directing efforts to rebuild the basic infrastructure of the
477 community. The Legislature, therefore, declares the creation of
478 children's initiatives zones, through the collaborative efforts
479 of government and the private sector, to be a public purpose.

480 (3) DEFINITIONS.--As used in this section, the term:

481 (a) "Governing body" means the commission or other
482 legislative body charged with governing a county or
483 municipality.

484 (b) "Ounce" means the Ounce of Prevention Fund of Florida,
485 Inc.

486 (c) "Planning team" means a children's initiative zone
487 planning team established under this section.

488 (d) "Resident" means a person who lives or operates a
489 small community-based business or organization within the
490 boundaries of the children's initiative zone.

491 (4) CHILDREN'S INITIATIVE ZONE NOMINATING PROCESS.--A
492 county or municipality, or a county and one or more

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

493 municipalities together, may apply to the Ounce to designate an
494 area as a children's initiative zone after the governing body:

495 (a) Adopts a resolution that:

496 1. Finds that an area exists in such county or
497 municipality, or in the county and one or more municipalities,
498 that chronically exhibits extreme and unacceptable levels of
499 poverty, unemployment, physical deterioration, as well as
500 limited access to quality educational, health care, and social
501 services.

502 2. Determines that the rehabilitation, conservation, or
503 redevelopment, or a combination thereof, of the area is
504 necessary in the interest of improving the health, wellness,
505 education, living conditions, and livelihoods of the children
506 and families who live in the county or municipality.

507 3. Determines that the revitalization of the area can
508 occur only if the state and the private sector invest resources
509 to improve infrastructure and the provision of services.

510 (b) Establishes a children's initiative zone planning team
511 as provided in subsection (5).

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

514 (d) Creates a corporation not for profit as provided in
515 subsection (7).

516 (5) CHILDREN'S INITIATIVE ZONE PLANNING TEAM.--

517 (a) After the governing body adopts the resolution
518 described in subsection (4), the county or municipality shall
519 establish a children's initiative zone planning team.

520 (b) The planning team shall include residents and

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

521 representatives from community-based organizations and other
522 community institutions. At least half of the members of the
523 planning team must be residents.

524 (c) The planning team shall:

525 1. Develop a planning process that sets the direction for,
526 builds a commitment to, and develops the capacity to realize the
527 children's initiative zone concept.

528 2. Develop a vision of what the children's initiative zone
529 will look like when the challenges, problems, and opportunities
530 in the children's initiative zone are successfully addressed.

531 3. Identify important opportunities, strengths,
532 challenges, and problems in the children's initiative zone.

533 4. Develop a strategic community plan consisting of goals,
534 objectives, tasks, the designation of responsible parties, the
535 identification of resources needed, timelines for implementation
536 of the plan, and procedures for monitoring outcomes.

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

539 1. Early development and care of children.

540 2. Education of children and youth.

541 3. Health and wellness.

542 4. Youth support.

543 5. Parent and guardian support.

544 6. Adult education, training, and jobs.

545 7. Community safety.

546 8. Housing and community development.

547 (6) CHILDREN'S INITIATIVE ZONE STRATEGIC COMMUNITY

548 PLAN.--After the governing body adopts the resolution described
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

549 in subsection (4), the working groups shall develop objectives
550 and identify strategies for each focus area. The objectives,
551 specified by focus area, for a working group may include, but
552 not be limited to:

553 (a) Early development and care of children.

554 1. Providing resources to enable every child to be
555 adequately nurtured during the first 3 years of life.

556 2. Ensuring that all schools are ready for children and
557 all children are ready for school.

558 3. Facilitating enrollment in half-day or full-day
559 prekindergarten for all 3-year-old and 4-year-old children.

560 4. Strengthening parent and guardian relationships with
561 care providers.

562 5. Providing support and education for families and child
563 care providers.

564 (b) Education of children and youth.

565 1. Increasing the level and degree of accountability of
566 persons who are responsible for the development and well-being
567 of all children in the children's initiative zone.

568 2. Changing the structure and function of schools to
569 increase the quality and amount of time spent on instruction and
570 increase programmatic options and offerings.

571 3. Creating a safe and respectful environment for student
572 learning.

573 4. Identifying and supporting points of alignment between
574 the children's initiative zone community plan and the school
575 district's strategic plan.

576 (c) Health and wellness.

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

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

580 2. Eliminating health disparities between racial and
581 cultural groups, including improving outcomes and increasing
582 interventions.

583 3. Providing fresh, good quality, affordable, and
584 nutritious food within the children's initiative ~~zone~~.

585 4. Providing all children in the children's initiative
586 ~~zone~~ with access to safe structured and unstructured recreation.

587 (d) Youth support.

588 1. Increasing the high school graduation rate.

589 2. Increasing leadership development and employment
590 opportunities for youth.

591 (e) Parent and guardian support.

592 1. Increasing parent and adult literacy.

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

595 3. Improving the effectiveness of the ways in which
596 support systems communicate and collaborate with parents and the
597 ways in which parents communicate and collaborate with support
598 systems.

599 4. Making the services of the Healthy Families Florida
600 program available to provide multiyear support to expectant
601 parents and persons caring for infants and toddlers.

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

603 1. Creating job opportunities for adults that lead to
604 career development.

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

605 2. Establishing a career and technical school, or a
606 satellite of such a school in the children's initiative zone,
607 which includes a one-stop career center.

608 (g) Community safety.

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

611 2. Eliminating the economic, political, and social forces
612 that lead to a lack of safety within the family, the community,
613 schools, and institutional structures.

614 3. Assessing policies and practices, including sentencing,
615 incarceration, detention, and data reporting, in order to reduce
616 youth violence, crime, and recidivism.

617 (h) Housing and community development.

618 1. Strengthening the residential real estate market.

619 2. Building on existing efforts to promote socioeconomic
620 diversity when developing a comprehensive land use strategic
621 plan.

622 3. Promoting neighborhood beautification strategies.

623 (7) CHILDREN'S INITIATIVE ZONE CORPORATION.--After the
624 governing body adopts the resolution described in subsection
625 (4), establishes the planning team as provided in subsection
626 (5), and develops and adopts the strategic community plan as
627 provided in subsection (6), the county or municipality shall
628 create a corporation not for profit which shall be registered,
629 incorporated, organized, and operated in compliance with chapter
630 617. The purpose of the corporation is to facilitate
631 fundraising, to secure broad community ownership of the
632 children's initiative zone, and, if the area selected by the
130471

Amendment No.

633 governing body is designated as a children's initiative zone,
634 to:

635 (a) Begin to transfer responsibility for planning from the
636 planning team to the corporation.

637 (b) Begin the implementation and governance of the
638 children's initiative zone community plan.

639 (8) CREATION OF MIAMI MAGIC-CITY CHILDREN'S INITIATIVE
640 ZONE, INC., PILOT PROJECT.--

641 (a) There is created within the Liberty City neighborhood
642 in Miami-Dade County a 10-year ~~pilot project zone~~ that, ~~by~~
643 ~~November 1, 2008,~~ shall be managed by an entity organized as a
644 corporation not for profit which shall be registered,
645 incorporated, organized, and operated in compliance with chapter
646 617. An entity may not be incorporated until the governing body
647 has adopted the resolution described in subsection (4), has
648 established the planning team as provided in subsection (5), and
649 has developed and adopted the strategic community plan as
650 provided in subsection (6). The corporation shall be known as
651 the Miami Magic-City Children's Initiative Zone, Inc., and shall
652 be administratively housed within the Department of Children and
653 Family Services Belafonte-Tacooley Center. However, Miami Magic
654 City Children's Initiative Zone, Inc., is not subject to
655 control, supervision, or direction by the Department of Children
656 and Family Services Belafonte-Tacooley Center in any manner. The
657 Legislature determines, however, that public policy dictates
658 that the corporation operate in the most open and accessible
659 manner consistent with its public purpose. Therefore, the
660 Legislature specifically declares that the corporation is

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

661 subject to chapter 119, relating to public records, chapter 286,
662 relating to public meetings and records, and chapter 287,
663 relating to procurement of commodities or contractual services.

664 (b) This initiative ~~pilot project zone~~ is designed to
665 encompass an area that is large enough to include all of the
666 necessary components of community life, including, but not
667 limited to, schools, places of worship, recreational facilities,
668 commercial areas, and common space, yet small enough to allow
669 programs and services to reach every willing member of the
670 neighborhood. ~~Therefore, the geographic boundaries of the pilot~~
671 ~~project zone are:~~

- 672 1. ~~Northwest 79th Street to the north;~~
- 673 2. ~~Northwest 36th Street to the south;~~
- 674 3. ~~North Miami Avenue to the east; and~~
- 675 4. ~~Northwest 27th Avenue to the west.~~

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

679 a. ~~The chief executive officer of the Belafonte Tacooley~~
680 ~~Center.~~

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

683 e. ~~The director of the Parks and Recreation Department of~~
684 ~~the City of Miami.~~

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

686 e. ~~The chief executive officer of the Urban League of~~
687 ~~Greater Miami.~~

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

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

- 689 ~~g. The regional superintendent of the Miami Dade County~~
690 ~~Public Schools.~~
- 691 ~~h. The president of the Student Government Association of~~
692 ~~Northwestern High School.~~
- 693 ~~i. The president of the Student Government Association of~~
694 ~~Edison High School.~~
- 695 ~~j. The president of the Parent Teacher Student Association~~
696 ~~of Northwestern High School.~~
- 697 ~~k. The president of the Parent Teacher Student Association~~
698 ~~of Edison High School.~~
- 699 ~~l. Four members from the local private business sector, to~~
700 ~~be appointed by a majority vote of the members designated in~~
701 ~~sub-subparagraphs a.-k., all of whom must have significant~~
702 ~~experience in one of the focus areas specified in subsection~~
703 ~~(6).~~
- 704 ~~2. All members of the board of directors shall be~~
705 ~~appointed no later than 90 days following the incorporation of~~
706 ~~the Magic City Children's Zone, Inc., and:~~
- 707 ~~a. Eleven members initially appointed pursuant to this~~
708 ~~paragraph shall each serve a 4-year term.~~
- 709 ~~b. The remaining initial four appointees shall each serve~~
710 ~~a 2-year term.~~
- 711 ~~c. Each member appointed thereafter shall serve a 4-year~~
712 ~~term.~~
- 713 ~~d. A vacancy shall be filled in the same manner in which~~
714 ~~the original appointment was made, and a member appointed to~~
715 ~~fill a vacancy shall serve for the remainder of that term.~~
- 716 ~~e. A member may not serve more than 8 years in consecutive~~

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

717 ~~terms.~~

718 ~~3. The board of directors shall annually elect a~~
719 ~~chairperson and a vice chairperson from among the board's~~
720 ~~members. The members may, by a vote of eight members, remove a~~
721 ~~member from the position of chairperson or vice chairperson~~
722 ~~before the expiration of his or her term as chairperson or vice~~
723 ~~chairperson. His or her successor shall be elected to serve for~~
724 ~~the balance of the term of the chairperson or vice chairperson~~
725 ~~who was removed.~~

726 ~~4. The board of directors shall meet at least four times~~
727 ~~each year upon the call of the chairperson, at the request of~~
728 ~~the vice chairperson, or at the request of a majority of the~~
729 ~~membership. A majority of the membership constitutes a quorum.~~
730 ~~The board of directors may take official action by a majority~~
731 ~~vote of the members present at any meeting at which a quorum is~~
732 ~~present. The board may conduct its meetings through~~
733 ~~teleconferences or other similar means.~~

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

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

741 ~~7. The corporation shall create a standing advisory board~~
742 ~~to assist in any part of its delegated duties. The membership of~~
743 ~~the standing advisory board shall reflect the expertise~~
744 ~~necessary for the implementation of the children's zone pilot~~

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

745 ~~project.~~

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

747 ~~a. Adopt articles of incorporation and bylaws necessary to~~
748 ~~govern its activities.~~

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

751 ~~e. Begin the implementation and governance of the~~
752 ~~children's zone community plan.~~

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

757 ~~(d) Magic City Children's Zone, Inc., shall submit an~~
758 ~~annual report to the President of the Senate and the Speaker of~~
759 ~~the House of Representatives by January 31, 2009, and by January~~
760 ~~31 of each year thereafter, which shall include a comprehensive~~
761 ~~and detailed report of its operations, activities, and~~
762 ~~accomplishments for the prior year as well as its goals for the~~
763 ~~current year. The initial report shall also include information~~
764 ~~concerning the status of the development of a business plan.~~

765 ~~(9) IMPLEMENTATION.--In order to implement The~~
766 ~~implementation of this section, the Department of Children and~~
767 ~~Family Services shall contract is contingent upon a specific~~
768 ~~appropriation to provide a grant for a 3-year period for the~~
769 ~~purpose of implementing this section, which includes contracting~~
770 ~~with a not-for-profit corporation to work in collaboration with~~
771 ~~the governing body to adopt the resolution described in~~
772 ~~subsection (4), to establish the planning team as provided in~~

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

773 subsection (5), and to develop and adopt the strategic community
774 plan as provided in subsection(6). The not-for-profit
775 corporation is also responsible for the development of a
776 business plan and for the evaluation, fiscal management, and
777 oversight of the Miami ~~Magic City~~ Children's Initiative Zone,
778 Inc., ~~pilot project.~~

779 Section 17. The unexpended balance of funds in Specific
780 Appropriation 345A of the General Appropriations Act for the
781 2008-2009 fiscal year passed in the 2008 Regular Session shall
782 revert July 1, 2009, and such funds are reappropriated to the
783 Department of Children and Family Services for the 2009-2010
784 fiscal year for the purpose of contracting with the Ounce in
785 order to implement section 16 of this act.

786 Section 18. This act shall take effect July 1, 2009.

787

788

789 -----

790 **T I T L E A M E N D M E N T**

791 Remove the entire title and insert:

792 A bill to be entitled

793 An act relating to care of children; creating the "Zahid Jones,
794 Jr., Give Grandparents and Other Relatives a Voice Act";
795 creating s. 39.00145, F.S.; requiring that the case record of a
796 child under the supervision or in the custody of the Department
797 of Children and Family Services be maintained in a complete and
798 accurate manner; specifying who has access to the case record;
799 authorizing the court to directly release the child's records to
800 certain entities; providing that entities that have access to
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

801 confidential information concerning a child may share it with
802 other entities that provide services benefiting children;
803 providing for exceptions for the sharing of confidential
804 information under certain circumstances; amending s. 39.201,
805 F.S.; providing for the Department of Children and Family
806 Services to analyze certain unaccepted reports to the central
807 abuse hotline; amending s. 39.202, F.S.; expanding the list of
808 persons or entities that have access to child abuse records;
809 revising how long the department must keep such records;
810 requiring the department to provide notice of how the child's
811 records may be obtained after the child leaves the department's
812 custody; authorizing the department to adopt rules; amending s.
813 39.301, F.S.; requiring information to be provided to a
814 reporter; authorizing the submission of a written report;
815 providing conditions for a relative to be a collateral contact
816 in certain child protective investigations; providing for a
817 relative to request notice of proceedings and hearings relating
818 to protective investigations under certain circumstances;
819 specifying content of the request; providing that the failure to
820 provide notice to a relative does not undo any previous action
821 of the court absent a finding that a change is in the child's
822 best interests; conforming cross-references; amending s. 39.304,
823 F.S.; providing for preservation in department records of
824 certain photographs and X rays and reports on medical
825 examinations and treatments of an abused child; amending s.
826 39.402, F.S.; requiring notification of certain relatives in an
827 order for placement of a child in shelter care of their right to
828 attend hearings, submit reports to the court, and speak to the
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

829 court; amending s. 39.502, F.S.; providing for certain relatives
830 to receive notice of dependency hearings under certain
831 circumstances; providing an opportunity for certain relatives to
832 be heard in court; providing an exception; amending s. 39.506,
833 F.S.; providing for certain relatives to receive notice of
834 arraignment hearings under certain circumstances; amending s.
835 39.5085, F.S.; revising legislative intent with regard to the
836 Relative Caregiver Program; authorizing the department to
837 develop liaison functions for certain relatives; amending s.
838 39.6011, F.S.; requiring a case plan for a child receiving
839 services from the department to include a protocol for
840 notification of certain relatives of proceedings and hearings;
841 amending s. 39.6013, F.S.; conforming a cross-reference;
842 amending s. 39.701, F.S.; requiring an attorney for the
843 department to provide notice to certain relatives of the child
844 regarding upcoming judicial hearings; conforming cross-
845 references; amending s. 39.823, F.S.; conforming a cross-
846 reference; amending s. 683.10, F.S.; designating the first
847 Sunday after Labor Day as "Grandparents' and Family Caregivers'
848 Day"; authorizing the Governor to issue proclamations
849 commemorating the occasion; amending s. 409.147, F.S.; renaming
850 "children's zones" as "children's initiatives"; revising
851 legislative findings and intent; requiring the governing body to
852 establish a children's initiative planning team and to develop
853 and adopt a strategic community plan; revising provisions
854 relating to the powers and responsibilities of the initiative
855 planning team; revising provisions relating to the strategic
856 community plan; revising requirement provisions relating to the
130471

Approved For Filing: 4/24/2009 6:26:54 PM

Amendment No.

857 children's initiative corporation; changing the name of the
858 Magic City Children's Zone, Inc., to the Miami Children's
859 Initiative, Inc.; providing for the corporation to be
860 administratively housed within the Department of Children and
861 Family Services, but not to be subject to control, supervision,
862 or direction by the department; providing for the department to
863 enter into a contract with a not-for-profit corporation to
864 implement the children's initiative project; deleting provisions
865 relating to the geographic boundaries and the board of
866 directors; providing for the reappropriation of funds; providing
867 an effective date.

130471

Approved For Filing: 4/24/2009 6:26:54 PM

Page 32 of 32