

## ENROLLED

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1                                   A bill to be entitled  
2           An act relating to care of children; creating the "Zahid  
3           Jones, Jr., Give Grandparents and Other Relatives a Voice  
4           Act"; creating s. 39.00145, F.S.; requiring that the case  
5           record of a child under the supervision or in the custody  
6           of the Department of Children and Family Services be  
7           maintained in a complete and accurate manner; specifying  
8           who has access to the case record; authorizing the court  
9           to directly release the child's records to certain  
10          entities; providing that entities that have access to  
11          confidential information concerning a child may share it  
12          with other entities that provide services benefiting  
13          children; providing for exceptions for the sharing of  
14          confidential information under certain circumstances;  
15          amending s. 39.201, F.S.; providing for the Department of  
16          Children and Family Services to analyze certain unaccepted  
17          reports to the central abuse hotline; amending s. 39.202,  
18          F.S.; expanding the list of persons or entities that have  
19          access to child abuse records; revising how long the  
20          department must keep such records; requiring the  
21          department to provide notice of how the child's records  
22          may be obtained after the child leaves the department's  
23          custody; authorizing the department to adopt rules;  
24          amending s. 39.301, F.S.; requiring information to be  
25          provided to a reporter; authorizing the submission of a  
26          written report; providing conditions for a relative to be  
27          a collateral contact in certain child protective  
28          investigations; providing for a relative to request notice

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29 of proceedings and hearings relating to protective  
30 investigations under certain circumstances; specifying  
31 content of the request; providing that the failure to  
32 provide notice to a relative does not undo any previous  
33 action of the court absent a finding that a change is in  
34 the child's best interests; conforming cross-references;  
35 amending s. 39.304, F.S.; providing for preservation in  
36 department records of certain photographs and X rays and  
37 reports on medical examinations and treatments of an  
38 abused child; amending s. 39.402, F.S.; requiring  
39 notification of certain relatives in an order for  
40 placement of a child in shelter care of their right to  
41 attend hearings, submit reports to the court, and speak to  
42 the court; amending s. 39.502, F.S.; providing for certain  
43 relatives to receive notice of dependency hearings under  
44 certain circumstances; providing an opportunity for  
45 certain relatives to be heard in court; providing an  
46 exception; amending s. 39.506, F.S.; providing for certain  
47 relatives to receive notice of arraignment hearings under  
48 certain circumstances; amending s. 39.5085, F.S.; revising  
49 legislative intent with regard to the Relative Caregiver  
50 Program; authorizing the department to develop liaison  
51 functions for certain relatives; amending s. 39.6011,  
52 F.S.; requiring a case plan for a child receiving services  
53 from the department to include a protocol for notification  
54 of certain relatives of proceedings and hearings; amending  
55 s. 39.6013, F.S.; conforming a cross-reference; amending  
56 s. 39.701, F.S.; requiring an attorney for the department

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57 | to provide notice to certain relatives of the child  
58 | regarding upcoming judicial hearings; conforming cross-  
59 | references; amending s. 39.823, F.S.; conforming a cross-  
60 | reference; amending s. 683.10, F.S.; designating the first  
61 | Sunday after Labor Day as "Grandparents' and Family  
62 | Caregivers' Day"; authorizing the Governor to issue  
63 | proclamations commemorating the occasion; amending s.  
64 | 409.147, F.S.; renaming "children's zones" as "children's  
65 | initiatives"; revising legislative findings and intent;  
66 | requiring the governing body to establish a children's  
67 | initiative planning team and to develop and adopt a  
68 | strategic community plan; revising provisions relating to  
69 | the powers and responsibilities of the initiative planning  
70 | team; revising provisions relating to the strategic  
71 | community plan; revising requirement provisions relating  
72 | to the children's initiative corporation; changing the  
73 | name of the Magic City Children's Zone, Inc., to the Miami  
74 | Children's Initiative, Inc.; providing for the corporation  
75 | to be administratively housed within the Department of  
76 | Children and Family Services, but not to be subject to  
77 | control, supervision, or direction by the department;  
78 | providing for the department to enter into a contract with  
79 | a not-for-profit corporation to implement the children's  
80 | initiative project; deleting provisions relating to the  
81 | geographic boundaries and the board of directors;  
82 | providing for the reappropriation of funds; providing an  
83 | effective date.

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

86

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

89 Section 2. Section 39.00145, Florida Statutes, is created  
 90 to read:

91 39.00145 Records concerning children.--

92 (1) The case record of every child under the supervision  
 93 of or in the custody of the department, the department's  
 94 authorized agents, or providers contracting with the department,  
 95 including community-based care lead agencies and their  
 96 subcontracted providers, must be maintained in a complete and  
 97 accurate manner. The case record must contain, at a minimum, the  
 98 child's case plan required under part VIII of this chapter and  
 99 the full name and street address of all shelters, foster  
 100 parents, group homes, treatment facilities, or locations where  
 101 the child has been placed.

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

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

111 (b) The department shall release the information in a  
 112 manner and setting that are appropriate to the age and maturity

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113 of the child and the nature of the information being released,  
114 which may include the release of information in a therapeutic  
115 setting, if appropriate. This paragraph does not deny the child  
116 access to his or her records.

117 (c) If a child or the child's caregiver, guardian ad  
118 litem, or attorney requests access to the child's case record,  
119 any person or entity that fails to provide any record in the  
120 case record under assertion of a claim of exemption from the  
121 public-records requirements of chapter 119, or fails to provide  
122 access within a reasonable time, is subject to sanctions and  
123 penalties under s. 119.10.

124 (d) For purposes of this subsection, the term "caregiver"  
125 is limited to parents, legal custodians, permanent guardians,  
126 foster parents, employees of a residential home, institution,  
127 facility, or agency at which the child resides and other  
128 individuals legally responsible for a child's welfare in a  
129 residential setting.

130 (3) If a court determines that sharing information in the  
131 child's case record is necessary to ensure access to appropriate  
132 services for the child or for the safety of the child, the court  
133 may approve the release of confidential records or information  
134 contained in them.

135 (4) Notwithstanding any other provision of law, all state  
136 and local agencies and programs that provide services to  
137 children or that are responsible for a child's safety, including  
138 the Department of Juvenile Justice, the Department of Health,  
139 the Agency for Health Care Administration, the Agency for  
140 Persons with Disabilities, the Department of Education, the

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141 Department of Revenue, the school districts, the Statewide  
 142 Guardian Ad Litem Office, and any provider contracting with such  
 143 agencies, may share with each other confidential records or  
 144 information that are confidential or exempt from disclosure  
 145 under chapter 119 if the records or information are reasonably  
 146 necessary to ensure access to appropriate services for the  
 147 child, including child support enforcement services, or for the  
 148 safety of the child. However:

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

151 (b) This subsection does not apply to information  
 152 concerning clients and records of certified domestic violence  
 153 centers, which are confidential under s. 39.908 and privileged  
 154 under s. 90.5036.

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

157 39.201 Mandatory reports of child abuse, abandonment, or  
 158 neglect; mandatory reports of death; central abuse hotline.--

159 (7) On an ongoing basis, the department's quality  
 160 assurance program shall review calls, fax reports, and web-based  
 161 reports to the hotline involving three or more unaccepted  
 162 reports on a single child, where jurisdiction applies, in order  
 163 to detect such things as harassment and situations that warrant  
 164 an investigation because of the frequency or variety of the  
 165 source of the reports. A component of the quality assurance  
 166 program shall analyze unaccepted reports to the hotline by  
 167 identified relatives as a part of the review of screened out  
 168 calls. The Program Director for Family Safety may refer a case

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169 for investigation when it is determined, as a result of this  
 170 review, that an investigation may be warranted.

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

174 39.202 Confidentiality of reports and records in cases of  
 175 child abuse or neglect.--

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

180 (r) A physician licensed under chapter 458 or chapter 459,  
 181 a psychologist licensed under chapter 490, or a mental health  
 182 professional licensed under chapter 491 engaged in the care or  
 183 treatment of the child.

184 (s) Persons with whom the department is seeking to place  
 185 the child or to whom placement has been granted, including  
 186 foster parents for whom an approved home study has been  
 187 conducted, the designee of a licensed residential group home  
 188 described in s. 39.523, an approved relative or nonrelative with  
 189 whom a child is placed pursuant to s. 39.402, preadoptive  
 190 parents for whom a favorable preliminary adoptive home study has  
 191 been conducted, adoptive parents, or an adoption entity acting  
 192 on behalf of preadoptive or adoptive parents.

193 (7) The department shall make and keep reports and records  
 194 of all cases under this chapter ~~relating to child abuse,~~  
 195 ~~abandonment, and neglect~~ and shall preserve the records  
 196 pertaining to a child and family ~~until 7 years after the last~~

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197 ~~entry was made or~~ until the child who is the subject of the  
 198 record is 30 ~~is 18~~ years of age, ~~whichever date is first~~  
 199 ~~reached,~~ and may then destroy the records. ~~Department records~~  
 200 ~~required by this chapter relating to child abuse, abandonment,~~  
 201 ~~and neglect may be inspected only upon order of the court or as~~  
 202 ~~provided for in this section.~~

203 (a) Within 90 days after the child leaves the department's  
 204 custody, the department shall give a notice to the person having  
 205 legal custody of the child, or to the young adult who was in the  
 206 department's custody, which specifies how the records may be  
 207 obtained.

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

210 Section 5. Subsections (6) through (23) of section 39.301,  
 211 Florida Statutes, are renumbered as subsections (7) through  
 212 (24), respectively, paragraph (c) of present subsection (9),  
 213 present subsection (10), and paragraph (b) of present subsection  
 214 (14) are amended, and a new subsection (6) is added to that  
 215 section, to read:

216 39.301 Initiation of protective investigations.--

217 (6) Upon commencing an investigation under this part, if a  
 218 report was received from a reporter under s. 39.201(1)(b), the  
 219 protective investigator must provide his or her contact  
 220 information to the reporter within 24 hours after being assigned  
 221 to the investigation. The investigator must also advise the  
 222 reporter that he or she may provide a written summary of the  
 223 report made to the central abuse hotline to the investigator  
 224 which shall become a part of the master file.



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225           ~~(10)~~~~(9)~~

226           (c) The determination that a report requires an

227 investigation as provided in this subsection and does not

228 require an enhanced onsite child protective investigation

229 pursuant to subsection (11) ~~(10)~~ must be approved in writing by

230 the supervisor with documentation specifying why additional

231 investigative activities are not necessary.

232           (11)~~(10)~~(a) For each report that meets one or more of the

233 following criteria, the department shall perform an enhanced

234 onsite child protective investigation:

235           1. Any allegation that involves physical abuse, sexual

236 abuse, domestic violence, substance abuse or substance exposure,

237 medical neglect, a child younger than 3 years of age, or a child

238 who is disabled or lacks communication skills.

239           2. Any report that involves an individual who has been the

240 subject of a prior report containing some indicators or verified

241 findings of abuse, neglect, or abandonment.

242           3. Any report that does not contain compelling evidence

243 that the maltreatment did not occur.

244           4. Any report that does not meet the criteria for an

245 onsite child protective investigation as set forth in subsection

246 (10) ~~(9)~~.

247           (b) The enhanced onsite child protective investigation

248 shall include, but is not limited to:

249           1. A face-to-face interview with the child, other

250 siblings, parents or legal custodians or caregivers, and other

251 adults in the household;

252           2. Collateral contacts;

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

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

256 5. An updated assessment.

257

258 Detailed documentation is required for the investigative  
 259 activities.

260 ~~(15)~~(14)

261 (b) The parents or legal custodians shall be informed of  
 262 the right to refuse services, as well as the responsibility of  
 263 the department to protect the child regardless of the acceptance  
 264 or refusal of services. If the services are refused, a  
 265 collateral contact required under subparagraph (11)(b)2. shall  
 266 include a relative, if the protective investigator has knowledge  
 267 of and the ability to contact a relative. If the services are  
 268 refused and the department deems that the child's need for  
 269 protection so requires, the department shall take the child into  
 270 protective custody or petition the court as provided in this  
 271 chapter. At any time after the commencement of a protective  
 272 investigation, a relative may submit in writing to the  
 273 protective investigator or case manager a request to receive  
 274 notification of all proceedings and hearings in accordance with  
 275 s. 39.502. The request shall include the relative's name,  
 276 address, and phone number and the relative's relationship to the  
 277 child. The protective investigator or case manager shall forward  
 278 such request to the attorney for the department. The failure to  
 279 provide notice to either a relative who requests it pursuant to  
 280 this subsection or to a relative who is providing out-of-home

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281 care for a child shall not result in any previous action of the  
 282 court at any stage or proceeding in dependency or termination of  
 283 parental rights under any part of this chapter being set aside,  
 284 reversed, modified, or in any way changed absent a finding by  
 285 the court that a change is required in the child's best  
 286 interests.

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

289 39.304 Photographs, medical examinations, X rays, and  
 290 medical treatment of abused, abandoned, or neglected child.--

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

295 Section 7. Paragraph (h) of subsection (8) of section  
 296 39.402, Florida Statutes, is amended to read:

297 39.402 Placement in a shelter.--

298 (8)

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

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

304 2. That placement in shelter care is in the best interest  
 305 of the child.

306 3. That continuation of the child in the home is contrary  
 307 to the welfare of the child because the home situation presents  
 308 a substantial and immediate danger to the child's physical,

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309 | mental, or emotional health or safety which cannot be mitigated  
310 | by the provision of preventive services.

311 |       4. That based upon the allegations of the petition for  
312 | placement in shelter care, there is probable cause to believe  
313 | that the child is dependent or that the court needs additional  
314 | time, which may not exceed 72 hours, in which to obtain and  
315 | review documents pertaining to the family in order to  
316 | appropriately determine the risk to the child.

317 |       5. That the department has made reasonable efforts to  
318 | prevent or eliminate the need for removal of the child from the  
319 | home. A finding of reasonable effort by the department to  
320 | prevent or eliminate the need for removal may be made and the  
321 | department is deemed to have made reasonable efforts to prevent  
322 | or eliminate the need for removal if:

323 |       a. The first contact of the department with the family  
324 | occurs during an emergency;

325 |       b. The appraisal of the home situation by the department  
326 | indicates that the home situation presents a substantial and  
327 | immediate danger to the child's physical, mental, or emotional  
328 | health or safety which cannot be mitigated by the provision of  
329 | preventive services;

330 |       c. The child cannot safely remain at home, either because  
331 | there are no preventive services that can ensure the health and  
332 | safety of the child or because, even with appropriate and  
333 | available services being provided, the health and safety of the  
334 | child cannot be ensured; or

335 |       d. The parent or legal custodian is alleged to have  
336 | committed any of the acts listed as grounds for expedited

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337 termination of parental rights in s. 39.806(1)(f)-(i).

338 6. That the court notified the parents, relatives that are  
 339 providing out-of-home care for the child, or legal custodians of  
 340 the time, date, and location of the next dependency hearing and  
 341 of the importance of the active participation of the parents,  
 342 relatives that are providing out-of-home care for the child, or  
 343 legal custodians in all proceedings and hearings.

344 7. That the court notified the parents or legal custodians  
 345 of their right to counsel to represent them at the shelter  
 346 hearing and at each subsequent hearing or proceeding, and the  
 347 right of the parents to appointed counsel, pursuant to the  
 348 procedures set forth in s. 39.013.

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

354 Section 8. Subsection (1) of section 39.502, Florida  
 355 Statutes, is amended, and subsection (19) is added to that  
 356 section, to read:

357 39.502 Notice, process, and service.--

358 (1) Unless parental rights have been terminated, all  
 359 parents must be notified of all proceedings or hearings  
 360 involving the child. Notice in cases involving shelter hearings  
 361 and hearings resulting from medical emergencies must be that  
 362 most likely to result in actual notice to the parents. In all  
 363 other dependency proceedings, notice must be provided in  
 364 accordance with subsections (4)-(9), except when a relative

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365 requests notification pursuant to s. 39.301(15)(b), in which  
 366 case notice shall be provided pursuant to subsection (19).

367 (19) In all proceedings and hearings under this chapter,  
 368 the attorney for the department shall notify, orally or in  
 369 writing, a relative requesting notification pursuant to s.  
 370 39.301(15)(b) of the date, time, and location of such  
 371 proceedings and hearings, and notify the relative that he or she  
 372 has the right to attend all subsequent proceedings and hearings,  
 373 to submit reports to the court, and to speak to the court  
 374 regarding the child, if the relative so desires. The court has  
 375 the discretion to release the attorney for the department from  
 376 notifying a relative who requested notification pursuant to s.  
 377 39.301(15)(b) if the relative's involvement is determined to be  
 378 impeding the dependency process or detrimental to the child's  
 379 well-being.

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

382 39.506 Arraignment hearings.--

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

387 Section 10. Paragraphs (a) through (d) of subsection (1)  
 388 of section 39.5085, Florida Statutes, are redesignated as  
 389 paragraphs (b) through (e), respectively, a new paragraph (a) is  
 390 added to subsection (1), and paragraph (g) of subsection (2) of  
 391 that section is amended, to read:

392 39.5085 Relative Caregiver Program.--

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393 (1) It is the intent of the Legislature in enacting this  
 394 section to:

395 (a) Provide for the establishment of procedures and  
 396 protocols that serve to advance the continued safety of children  
 397 by acknowledging the valued resource uniquely available through  
 398 grandparents and relatives of children.

399 (2)

400 (g) The department may use appropriate available state,  
 401 federal, and private funds to operate the Relative Caregiver  
 402 Program. The department may develop liaison functions to be  
 403 available to relatives who care for children pursuant to this  
 404 chapter to ensure placement stability in extended family  
 405 settings.

406 Section 11. Subsection (4) of section 39.6011, Florida  
 407 Statutes, is amended to read:

408 39.6011 Case plan development.--

409 (4) The case plan must describe:

410 (a) The role of the foster parents or legal custodians  
 411 when developing the services that are to be provided to the  
 412 child, foster parents, or legal custodians;

413 (b) The responsibility of the case manager to forward a  
 414 relative's request to receive notification of all proceedings  
 415 and hearings submitted pursuant to s. 39.301(15)(b) to the  
 416 attorney for the department;

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

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421 | disagreements; and

422 |       (d)~~(e)~~ The parent's responsibility for financial support  
 423 | of the child, including, but not limited to, health insurance  
 424 | and child support. The case plan must list the costs associated  
 425 | with any services or treatment that the parent and child are  
 426 | expected to receive which are the financial responsibility of  
 427 | the parent. The determination of child support and other  
 428 | financial support shall be made independently of any  
 429 | determination of indigency under s. 39.013.

430 |       Section 12. Subsection (6) of section 39.6013, Florida  
 431 | Statutes, is amended to read:

432 |       39.6013 Case plan amendments.--

433 |       (6) The case plan is deemed amended as to the child's  
 434 | health, mental health, and education records required by s.  
 435 | 39.6012 when the child's updated health and education records  
 436 | are filed by the department under s. 39.701(8)~~(7)~~(a).

437 |       Section 13. Subsections (6) through (9) of section 39.701,  
 438 | Florida Statutes, are renumbered as subsections (7) through  
 439 | (10), respectively, a new subsection (6) is added to that  
 440 | section, and paragraph (c) of subsection (2), paragraph (b) of  
 441 | present subsection (6), and paragraph (a) of present subsection  
 442 | (9) are amended, to read:

443 |       39.701 Judicial review.--

444 |       (2)

445 |       (c) Notice of a hearing by a citizen review panel must be  
 446 | provided as set forth in subsection (5). At the conclusion of a  
 447 | citizen review panel hearing, each party may propose a  
 448 | recommended order to the chairperson of the panel. Thereafter,



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449 the citizen review panel shall submit its report, copies of the  
450 proposed recommended orders, and a copy of the panel's  
451 recommended order to the court. The citizen review panel's  
452 recommended order must be limited to the dispositional options  
453 available to the court in subsection (10) ~~(9)~~. Each party may  
454 file exceptions to the report and recommended order of the  
455 citizen review panel in accordance with Rule 1.490, Florida  
456 Rules of Civil Procedure.

457 (6) The attorney for the department shall notify a  
458 relative who submits a request for notification of all  
459 proceedings and hearings pursuant to s. 39.301(15)(b). The  
460 notice shall include the date, time, and location of the next  
461 judicial review hearing.

462 (7) ~~(6)~~

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

470 (10) ~~(9)~~ (a) Based upon the criteria set forth in subsection  
471 (9) ~~(8)~~ and the recommended order of the citizen review panel,  
472 if any, the court shall determine whether or not the social  
473 service agency shall initiate proceedings to have a child  
474 declared a dependent child, return the child to the parent,  
475 continue the child in out-of-home care for a specified period of  
476 time, or initiate termination of parental rights proceedings for

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477 subsequent placement in an adoptive home. Amendments to the case  
 478 plan must be prepared as prescribed in s. 39.6013. If the court  
 479 finds that the prevention or reunification efforts of the  
 480 department will allow the child to remain safely at home or be  
 481 safely returned to the home, the court shall allow the child to  
 482 remain in or return to the home after making a specific finding  
 483 of fact that the reasons for the creation of the case plan have  
 484 been remedied to the extent that the child's safety, well-being,  
 485 and physical, mental, and emotional health will not be  
 486 endangered.

487 Section 14. Section 39.823, Florida Statutes, is amended  
 488 to read:

489 39.823 Guardian advocates for drug dependent  
 490 newborns.--The Legislature finds that increasing numbers of drug  
 491 dependent children are born in this state. Because of the  
 492 parents' continued dependence upon drugs, the parents may  
 493 temporarily leave their child with a relative or other adult or  
 494 may have agreed to voluntary family services under s.  
 495 39.301(15) ~~(14)~~. The relative or other adult may be left with a  
 496 child who is likely to require medical treatment but for whom  
 497 they are unable to obtain medical treatment. The purpose of this  
 498 section is to provide an expeditious method for such relatives  
 499 or other responsible adults to obtain a court order which allows  
 500 them to provide consent for medical treatment and otherwise  
 501 advocate for the needs of the child and to provide court review  
 502 of such authorization.

503 Section 15. Section 683.10, Florida Statutes, is amended  
 504 to read:

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505           683.10 Grandparents' and Family Caregivers' ~~Grandmother's~~  
506 Day.--

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

510           (2) The Governor may issue annually a proclamation  
511 designating the first Sunday after Labor Day ~~second Sunday of~~  
512 ~~October~~ as Grandparents' and Family Caregivers' ~~Grandmother's~~  
513 Day and calling upon public schools and citizens of the state to  
514 observe the occasion.

515           Section 16. Section 409.147, Florida Statutes, is amended  
516 to read:

517           409.147 Children's initiatives ~~zones~~.--

518           (1) LEGISLATIVE FINDINGS AND INTENT.--

519           (a) The Legislature finds that:

520           1. There are neighborhoods in the state where the  
521 infrastructure and opportunities that middle-class communities  
522 take for granted are nonexistent or so marginal that they are  
523 ineffective.

524           2. Children living in these neighborhoods are not read to  
525 by an adult on a regular basis and attend a prekindergarten  
526 education program at a much lower rate than children in other  
527 communities. These children experience below-average performance  
528 on standardized tests and graduate from high school in fewer  
529 numbers. Most of these children are eligible for the free or  
530 reduced-price school lunch program.

531           3. Children in these neighborhoods often suffer from high  
532 rates of asthma, a higher risk of lead poisoning, and inadequate

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533 health care, and they are routinely exposed to violence and  
 534 crime.

535 4. In spite of these obstacles, these neighborhoods are  
 536 many times home to strong individuals and institutions that are  
 537 committed to making a difference in the lives of children and  
 538 their families.

539 (b) It is therefore the intent of the Legislature to  
 540 assist disadvantaged areas within the state in creating a  
 541 community-based service network that develops, coordinates, and  
 542 provides quality education, accessible health care, youth  
 543 development programs, opportunities for employment, and safe and  
 544 affordable housing for children and families living within its  
 545 boundaries.

546 (2) POLICY AND PURPOSE.--It is the policy of this state to  
 547 provide the necessary means to assist local communities, the  
 548 children and families who live in those communities, and the  
 549 private sector in creating a sound educational, social, and  
 550 economic environment. To achieve this objective, the state  
 551 intends to provide investments sufficient to encourage community  
 552 partners to commit financial and other resources to severely  
 553 disadvantaged areas. The purpose of this section is to establish  
 554 a process that clearly identifies the severely disadvantaged  
 555 areas and provides guidance for developing a new social service  
 556 paradigm that systematically coordinates programs that address  
 557 the critical needs of children and their families and for  
 558 directing efforts to rebuild the basic infrastructure of the  
 559 community. The Legislature, therefore, declares the creation of  
 560 children's initiatives zones, through the collaborative efforts

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561 of government and the private sector, to be a public purpose.

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

563 (a) "Governing body" means the commission or other  
 564 legislative body charged with governing a county or  
 565 municipality.

566 (b) "Ounce" means the Ounce of Prevention Fund of Florida,  
 567 Inc.

568 (c) "Planning team" means a children's initiative zone ~~zone~~  
 569 planning team established under this section.

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

573 (4) CHILDREN'S INITIATIVE ZONE ~~ZONE~~ NOMINATING PROCESS.--A  
 574 county or municipality, or a county and one or more  
 575 municipalities together, may apply to the Ounce to designate an  
 576 area as a children's initiative zone ~~zone~~ after the governing body:

577 (a) Adopts a resolution that:

578 1. Finds that an area exists in such county or  
 579 municipality, or in the county and one or more municipalities,  
 580 that chronically exhibits extreme and unacceptable levels of  
 581 poverty, unemployment, physical deterioration, as well as  
 582 limited access to quality educational, health care, and social  
 583 services.

584 2. Determines that the rehabilitation, conservation, or  
 585 redevelopment, or a combination thereof, of the area is  
 586 necessary in the interest of improving the health, wellness,  
 587 education, living conditions, and livelihoods of the children  
 588 and families who live in the county or municipality.

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589           3. Determines that the revitalization of the area can  
590 occur only if the state and the private sector invest resources  
591 to improve infrastructure and the provision of services.

592           (b) Establishes a children's initiative ~~zone~~ planning team  
593 as provided in subsection (5).

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

596           (d) Creates a corporation not for profit as provided in  
597 subsection (7).

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

599           (a) After the governing body adopts the resolution  
600 described in subsection (4), the county or municipality shall  
601 establish a children's initiative ~~zone~~ planning team.

602           (b) The planning team shall include residents and  
603 representatives from community-based organizations and other  
604 community institutions. At least half of the members of the  
605 planning team must be residents.

606           (c) The planning team shall:

607           1. Develop a planning process that sets the direction for,  
608 builds a commitment to, and develops the capacity to realize the  
609 children's initiative ~~zone~~ concept.

610           2. Develop a vision of what the children's initiative ~~zone~~  
611 will look like when the challenges, problems, and opportunities  
612 in the children's initiative ~~zone~~ are successfully addressed.

613           3. Identify important opportunities, strengths,  
614 challenges, and problems in the children's initiative ~~zone~~.

615           4. Develop a strategic community plan consisting of goals,  
616 objectives, tasks, the designation of responsible parties, the

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617 identification of resources needed, timelines for implementation  
 618 of the plan, and procedures for monitoring outcomes.

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

- 621 1. Early development and care of children.
- 622 2. Education of children and youth.
- 623 3. Health and wellness.
- 624 4. Youth support.
- 625 5. Parent and guardian support.
- 626 6. Adult education, training, and jobs.
- 627 7. Community safety.
- 628 8. Housing and community development.

629 (6) CHILDREN'S INITIATIVE ~~ZONE~~ STRATEGIC COMMUNITY

630 PLAN.--After the governing body adopts the resolution described  
 631 in subsection (4), the working groups shall develop objectives  
 632 and identify strategies for each focus area. The objectives,  
 633 specified by focus area, for a working group may include, but  
 634 not be limited to:

- 635 (a) Early development and care of children.
- 636 1. Providing resources to enable every child to be  
 637 adequately nurtured during the first 3 years of life.
- 638 2. Ensuring that all schools are ready for children and  
 639 all children are ready for school.
- 640 3. Facilitating enrollment in half-day or full-day  
 641 prekindergarten for all 3-year-old and 4-year-old children.
- 642 4. Strengthening parent and guardian relationships with  
 643 care providers.
- 644 5. Providing support and education for families and child

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645 care providers.

646 (b) Education of children and youth.

647 1. Increasing the level and degree of accountability of

648 persons who are responsible for the development and well-being

649 of all children in the children's initiative ~~zone~~.

650 2. Changing the structure and function of schools to

651 increase the quality and amount of time spent on instruction and

652 increase programmatic options and offerings.

653 3. Creating a safe and respectful environment for student

654 learning.

655 4. Identifying and supporting points of alignment between

656 the children's initiative ~~zone~~ community plan and the school

657 district's strategic plan.

658 (c) Health and wellness.

659 1. Facilitating enrollment of all eligible children in the

660 Florida Kidcare program and providing full access to high-

661 quality drug and alcohol treatment services.

662 2. Eliminating health disparities between racial and

663 cultural groups, including improving outcomes and increasing

664 interventions.

665 3. Providing fresh, good quality, affordable, and

666 nutritious food within the children's initiative ~~zone~~.

667 4. Providing all children in the children's initiative

668 ~~zone~~ with access to safe structured and unstructured recreation.

669 (d) Youth support.

670 1. Increasing the high school graduation rate.

671 2. Increasing leadership development and employment

672 opportunities for youth.



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- 673 (e) Parent and guardian support.
- 674 1. Increasing parent and adult literacy.
- 675 2. Expanding access for parents to critical resources,
- 676 such as jobs, transportation, day care, and after-school care.
- 677 3. Improving the effectiveness of the ways in which
- 678 support systems communicate and collaborate with parents and the
- 679 ways in which parents communicate and collaborate with support
- 680 systems.
- 681 4. Making the services of the Healthy Families Florida
- 682 program available to provide multiyear support to expectant
- 683 parents and persons caring for infants and toddlers.
- 684 (f) Adult education, training, and jobs.
- 685 1. Creating job opportunities for adults that lead to
- 686 career development.
- 687 2. Establishing a career and technical school, or a
- 688 satellite of such a school in the children's initiative zone,
- 689 which includes a one-stop career center.
- 690 (g) Community safety.
- 691 1. Providing a safe environment for all children at home,
- 692 in school, and in the community.
- 693 2. Eliminating the economic, political, and social forces
- 694 that lead to a lack of safety within the family, the community,
- 695 schools, and institutional structures.
- 696 3. Assessing policies and practices, including sentencing,
- 697 incarceration, detention, and data reporting, in order to reduce
- 698 youth violence, crime, and recidivism.
- 699 (h) Housing and community development.
- 700 1. Strengthening the residential real estate market.

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701           2. Building on existing efforts to promote socioeconomic  
702 diversity when developing a comprehensive land use strategic  
703 plan.

704           3. Promoting neighborhood beautification strategies.

705           (7) CHILDREN'S INITIATIVE ~~ZONE~~ CORPORATION.--After the  
706 governing body adopts the resolution described in subsection  
707 (4), establishes the planning team as provided in subsection  
708 (5), and develops and adopts the strategic community plan as  
709 provided in subsection (6), the county or municipality shall  
710 create a corporation not for profit which shall be registered,  
711 incorporated, organized, and operated in compliance with chapter  
712 617. The purpose of the corporation is to facilitate  
713 fundraising, to secure broad community ownership of the  
714 children's initiative zone, and, if the area selected by the  
715 governing body is designated as a children's initiative zone,  
716 to:

717           (a) Begin to transfer responsibility for planning from the  
718 planning team to the corporation.

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

721           (8) CREATION OF MIAMI ~~MAGIC CITY~~ CHILDREN'S INITIATIVE  
722 ~~ZONE, INC., PILOT PROJECT.~~--

723           (a) There is created within the Liberty City neighborhood  
724 in Miami-Dade County a 10-year ~~pilot project zone~~ that, ~~by~~  
725 ~~November 1, 2008,~~ shall be managed by an entity organized as a  
726 corporation not for profit which shall be registered,  
727 incorporated, organized, and operated in compliance with chapter  
728 617. An entity may not be incorporated until the governing body

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729 has adopted the resolution described in subsection (4), has  
 730 established the planning team as provided in subsection (5), and  
 731 has developed and adopted the strategic community plan as  
 732 provided in subsection (6). The corporation shall be known as  
 733 the Miami ~~Magie City~~ Children's Initiative Zone, Inc., and shall  
 734 be administratively housed within the Department of Children and  
 735 Family Services ~~Belafonte Tacooley Center~~. However, Miami ~~Magie~~  
 736 ~~City~~ Children's Initiative Zone, Inc., is not subject to  
 737 control, supervision, or direction by the Department of Children  
 738 and Family Services ~~Belafonte Tacooley Center~~ in any manner. The  
 739 Legislature determines, however, that public policy dictates  
 740 that the corporation operate in the most open and accessible  
 741 manner consistent with its public purpose. Therefore, the  
 742 Legislature specifically declares that the corporation is  
 743 subject to chapter 119, relating to public records, chapter 286,  
 744 relating to public meetings and records, and chapter 287,  
 745 relating to procurement of commodities or contractual services.

746 (b) This initiative ~~pilot project zone~~ is designed to  
 747 encompass an area that is large enough to include all of the  
 748 necessary components of community life, including, but not  
 749 limited to, schools, places of worship, recreational facilities,  
 750 commercial areas, and common space, yet small enough to allow  
 751 programs and services to reach every willing member of the  
 752 neighborhood. ~~Therefore, the geographic boundaries of the pilot~~  
 753 ~~project zone are:~~

- 754 1. ~~Northwest 79th Street to the north;~~
- 755 2. ~~Northwest 36th Street to the south;~~
- 756 3. ~~North Miami Avenue to the east; and~~

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757           4. ~~Northwest 27th Avenue to the west.~~

758           (c)1. ~~The corporation shall be governed by a 15-member~~

759 ~~board of directors. The board of directors shall consist of the~~

760 ~~following members:~~

761           a. ~~The chief executive officer of the Belafonte Taceoley~~

762 ~~Center.~~

763           b. ~~The executive director of the Carrie P. Meek~~

764 ~~Entrepreneurial Education Center, Miami-Dade College.~~

765           e. ~~The director of the Parks and Recreation Department of~~

766 ~~the City of Miami.~~

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

768           e. ~~The chief executive officer of the Urban League of~~

769 ~~Greater Miami.~~

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

771           g. ~~The regional superintendent of the Miami-Dade County~~

772 ~~Public Schools.~~

773           h. ~~The president of the Student Government Association of~~

774 ~~Northwestern High School.~~

775           i. ~~The president of the Student Government Association of~~

776 ~~Edison High School.~~

777           j. ~~The president of the Parent Teacher Student Association~~

778 ~~of Northwestern High School.~~

779           k. ~~The president of the Parent Teacher Student Association~~

780 ~~of Edison High School.~~

781           l. ~~Four members from the local private business sector, to~~

782 ~~be appointed by a majority vote of the members designated in~~

783 ~~sub-subparagraphs a.-k., all of whom must have significant~~

784 ~~experience in one of the focus areas specified in subsection~~

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785 ~~(6).~~

786 ~~2. All members of the board of directors shall be~~

787 ~~appointed no later than 90 days following the incorporation of~~

788 ~~the Magic City Children's Zone, Inc., and:~~

789 ~~a. Eleven members initially appointed pursuant to this~~

790 ~~paragraph shall each serve a 4-year term.~~

791 ~~b. The remaining initial four appointees shall each serve~~

792 ~~a 2-year term.~~

793 ~~e. Each member appointed thereafter shall serve a 4-year~~

794 ~~term.~~

795 ~~d. A vacancy shall be filled in the same manner in which~~

796 ~~the original appointment was made, and a member appointed to~~

797 ~~fill a vacancy shall serve for the remainder of that term.~~

798 ~~e. A member may not serve more than 8 years in consecutive~~

799 ~~terms.~~

800 ~~3. The board of directors shall annually elect a~~

801 ~~chairperson and a vice chairperson from among the board's~~

802 ~~members. The members may, by a vote of eight members, remove a~~

803 ~~member from the position of chairperson or vice chairperson~~

804 ~~before the expiration of his or her term as chairperson or vice~~

805 ~~chairperson. His or her successor shall be elected to serve for~~

806 ~~the balance of the term of the chairperson or vice chairperson~~

807 ~~who was removed.~~

808 ~~4. The board of directors shall meet at least four times~~

809 ~~each year upon the call of the chairperson, at the request of~~

810 ~~the vice chairperson, or at the request of a majority of the~~

811 ~~membership. A majority of the membership constitutes a quorum.~~

812 ~~The board of directors may take official action by a majority~~

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813 ~~vote of the members present at any meeting at which a quorum is~~  
 814 ~~present. The board may conduct its meetings through~~  
 815 ~~teleconferences or other similar means.~~

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

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

823 ~~7. The corporation shall create a standing advisory board~~  
 824 ~~to assist in any part of its delegated duties. The membership of~~  
 825 ~~the standing advisory board shall reflect the expertise~~  
 826 ~~necessary for the implementation of the children's zone pilot~~  
 827 ~~project.~~

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

829 ~~a. Adopt articles of incorporation and bylaws necessary to~~  
 830 ~~govern its activities.~~

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

833 ~~c. Begin the implementation and governance of the~~  
 834 ~~children's zone community plan.~~

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

839 ~~(d) Magic City Children's Zone, Inc., shall submit an~~  
 840 ~~annual report to the President of the Senate and the Speaker of~~

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841 ~~the House of Representatives by January 31, 2009, and by January~~  
842 ~~31 of each year thereafter, which shall include a comprehensive~~  
843 ~~and detailed report of its operations, activities, and~~  
844 ~~accomplishments for the prior year as well as its goals for the~~  
845 ~~current year. The initial report shall also include information~~  
846 ~~concerning the status of the development of a business plan.~~

847 (9) IMPLEMENTATION.--In order to implement The  
848 ~~implementation of this section, the Department of Children and~~  
849 Family Services shall contract ~~is contingent upon a specific~~  
850 ~~appropriation to provide a grant for a 3-year period for the~~  
851 ~~purpose of implementing this section, which includes contracting~~  
852 ~~with a not-for-profit corporation~~ to work in collaboration with  
853 the governing body to adopt the resolution described in  
854 subsection (4), to establish the planning team as provided in  
855 subsection (5), and to develop and adopt the strategic community  
856 plan as provided in subsection(6). The not-for-profit  
857 corporation is also responsible for the development of a  
858 business plan and for the evaluation, fiscal management, and  
859 oversight of the Miami Magic City Children's Initiative Zone,  
860 ~~Inc., pilot project.~~

861 Section 17. The unexpended balance of funds in Specific  
862 Appropriation 345A of the General Appropriations Act for the  
863 2008-2009 fiscal year passed in the 2008 Regular Session shall  
864 revert July 1, 2009, and such funds are reappropriated to the  
865 Department of Children and Family Services for the 2009-2010  
866 fiscal year for the purpose of contracting with the Ounce in  
867 order to implement section 16 of this act.

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

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