

HB 677

2012

1 A bill to be entitled  
2 An act relating to child protective services; amending  
3 s. 39.6012, F.S.; requiring a case plan for a child  
4 receiving services from the Department of Children and  
5 Family Services to include additional documentation  
6 relating to a child's school attendance and parent or  
7 caregiver efforts to permit the child to remain in the  
8 school attended at the time of placement in care;  
9 requiring a case plan for middle school or high school  
10 students to include information regarding programs and  
11 services that prepare the student for the transition  
12 from care to independent living; requiring a case plan  
13 to contain procedures for a child who is in middle  
14 school or high school to directly access and manage a  
15 personal allowance; creating s. 39.6015, F.S.;  
16 requiring certain adult caregivers to serve as  
17 education advocates for a child in middle school or  
18 high school; providing a timeframe for appointing a  
19 surrogate parent for a child who has a disability;  
20 requiring the community-based provider to document the  
21 selection of an education advocate or surrogate parent  
22 in the child's case plan; providing an effective date.

23  
24 Be It Enacted by the Legislature of the State of Florida:

25  
26 Section 1. Subsections (2) and (3) of section 39.6012,  
27 Florida Statutes, are amended, and subsection (4) is added to  
28 that section, to read:

29 | 39.6012 Case plan tasks; services.—

30 | (2) The case plan must include all available information

31 | that is relevant to the child's care including, at a minimum:

32 | (a) A description of the identified needs of the child

33 | while in care.

34 | (b) A description of the plan for ensuring that the child

35 | receives safe and proper care and that services are provided to

36 | the child in order to address the child's needs. To the extent

37 | available and accessible, the following health, mental health,

38 | and education information and records of the child must be

39 | attached to the case plan and updated throughout the judicial

40 | review process:

41 | 1. The names and addresses of the child's health, mental

42 | health, and educational providers;

43 | 2. The child's grade level performance;

44 | 3. The child's school record, including the child's

45 | attendance record;

46 | 4. A description of the parent or current caregiver's

47 | efforts to address problems relating to school attendance and

48 | improve the child's school attendance, if such problems exist;

49 | ~~5.4.~~ Assurances that the child's placement takes into

50 | account proximity to the school in which the child is enrolled

51 | at the time of placement and that efforts were made to allow the

52 | child to remain in that school if it is in the best interest of

53 | the child;

54 | ~~6.5.~~ A record of the child's immunizations;

55 | ~~7.6.~~ The child's known medical history, including any

56 | known problems;

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57 ~~8.7.~~ The child's medications, if any; and

58 ~~9.8.~~ Any other relevant health, mental health, and  
59 education information concerning the child.

60 (3) In addition to any other requirement, if the child is  
61 in an out-of-home placement, the case plan must include:

62 (a) A description of the type of placement in which the  
63 child is to be living.

64 (b) A description of the parent's visitation rights and  
65 obligations and the plan for sibling visitation if the child has  
66 siblings and is separated from them.

67 (c) When appropriate, for a child who is in middle school  
68 or high school ~~13 years of age or older~~, a written description  
69 of the programs and services that will help the child prepare  
70 for the transition from ~~foster~~ care to independent living.

71 (d) A discussion of the safety and the appropriateness of  
72 the child's placement, which placement is intended to be safe,  
73 and the least restrictive and the most family-like setting  
74 available consistent with the best interest and special needs of  
75 the child and in as close proximity as possible to the child's  
76 home.

77 (4) The case plan must contain procedures for a child who  
78 is in middle school or high school to directly access and manage  
79 the personal allowance he or she receives from the department in  
80 order to learn responsibility and participate, to the extent  
81 feasible, in age-appropriate life skills activities.

82 Section 2. Section 39.6015, Florida Statutes, is created  
83 to read:

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84 39.6015 Services for children in middle school or high  
85 school in care.—

86 (1) A child in middle school or high school in care shall  
87 have an adult caregiver who is knowledgeable about schools and  
88 children in care and who serves as an education advocate to  
89 reinforce the value of the child's investment in education, to  
90 ensure that the child receives a high-quality education, and to  
91 help the child plan for middle school, high school, and  
92 postschool training, employment, or college. The education  
93 advocate may be a caregiver, care manager, guardian ad litem,  
94 educator, community volunteer, or individual hired and trained  
95 for the specific purpose of serving as an education advocate.

96 (2) A child in middle school or high school in care who  
97 has a disability and is eligible for the appointment of a  
98 surrogate parent, as required in s. 39.0016, shall be assigned a  
99 surrogate parent in a timely manner, but no later than 30 days  
100 after a determination that a surrogate parent is needed.

101 (3) The community-based provider shall document in the  
102 child's case plan that an education advocate has been identified  
103 for each child in care or that a surrogate parent has been  
104 appointed for each child in care who has a disability.

105 Section 3. This act shall take effect July 1, 2012.