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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/04/2017	.	
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	.	

The Committee on Children, Families, and Elder Affairs (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Effective January 1, 2019, section 39.4015,
Florida Statutes, is created to read:

39.4015 Family finding.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that every child who is in out-
of-home care has the goal of finding a permanent home, whether



828252

11 achieved by reunifying the child with his or her parents or
12 finding another permanent connection, such as adoption or legal
13 guardianship with a relative or nonrelative who has a
14 significant relationship with the child.

15 (b) The Legislature finds that while legal permanency is
16 important to a child in out-of-home care, emotional permanency
17 helps increase the likelihood that children will achieve
18 stability and well-being and successfully transition to
19 independent adulthood.

20 (c) The Legislature also finds that research has
21 consistently shown that placing a child within his or her own
22 family reduces the trauma of being removed from his or her home,
23 is less likely to result in placement disruptions, and enhances
24 prospects for finding a permanent family if the child cannot
25 return home.

26 (d) The Legislature further finds that the primary purpose
27 of family finding is to facilitate legal and emotional
28 permanency for children who are in out-of-home care by finding
29 and engaging their relatives.

30 (e) It is the intent of the Legislature that every child in
31 out-of-home care be afforded the advantages that can be gained
32 from the use of family finding to establish caring and long-term
33 or permanent connections and relationships for children and
34 youth in out-of-home care, as well as to establish a long-term
35 emotional support network with family members and other adults
36 who may not be able to take the child into their home but who
37 want to stay connected with the child.

38 (2) DEFINITIONS.—As used in this section, the term:

39 (a) "Diligent efforts" means the use of methods and



828252

40 techniques including, but not limited to, interviews with
41 immediate and extended family and kin, genograms, eco-mapping,
42 case mining, cold calls, and specialized computer searches.

43 (b) "Family finding" means an intensive relative search and
44 engagement technique used in identifying family and other close
45 adults for children in out-of-home care and involving them in
46 developing and carrying out a plan for the emotional and legal
47 permanency of a child.

48 (c) "Family group decisionmaking" is a generic term that
49 includes a number of approaches in which family members and
50 fictive kin are brought together to make decisions about how to
51 care for their children and develop a plan for services. The
52 term includes family team conferencing, family team meetings,
53 family group conferencing, family team decisionmaking, family
54 unity meetings, and team decisionmaking, which may consist of
55 several phases and employ a trained facilitator or coordinator.

56 (d) "Fictive kin" means an individual who is unrelated to
57 the child by either birth or marriage, but has such a close
58 emotional relationship with the child that he or she may be
59 considered part of the family.

60 (3) FAMILY-FINDING PROGRAM.—The department, in
61 collaboration with sheriffs' offices that conduct child
62 protective investigations and community-based care lead
63 agencies, shall develop a formal family-finding program to be
64 implemented statewide by child protective investigators and
65 community-based care lead agencies.

66 (a) Family finding is required as soon as a child comes to
67 the attention of the department and throughout the duration of
68 the case, and finding and engaging with as many family members



828252

69 and fictive kin as possible for each child who may help with
70 care or support for the child is considered a best practice. The
71 department or community-based care lead agency must specifically
72 document strategies taken to locate and engage relatives and
73 kin. Strategies of engagement may include, but are not limited
74 to, asking the relatives and kin to:

- 75 1. Participate in a family group decisionmaking conference,
76 family team conferencing, or other family meetings aimed at
77 developing or supporting the family service plan;
- 78 2. Attend visitations with the child;
- 79 3. Assist in transportation of the child;
- 80 4. Provide respite or child care services; or
- 81 5. Provide actual kinship care.

82 (b) The department and the community-based care lead
83 agencies must use diligent efforts in family finding, must
84 continue those efforts until multiple relatives and kin are
85 identified, and must go beyond basic searching tools by
86 exploring alternative tools and methodologies. Efforts by the
87 department and the community-based care lead agency may include,
88 but are not limited to:

- 89 1. Searching for and locating adult relatives and kin.
- 90 2. Identifying and building positive connections between
91 the child and the child's relatives and fictive kin.
- 92 3. Supporting the engagement of relatives and fictive kin
93 in social service planning and delivery of services and creating
94 a network of extended family support to assist in remedying the
95 concerns that led to the child becoming involved with the child
96 welfare system, when appropriate.
- 97 4. Maintaining family connections, when possible.



828252

98 5. Keeping siblings together in care, when in the best
99 interest of each child and when possible.

100 (c) A basic computer search using the Internet or attempts
101 to contact known relatives at a last known address or telephone
102 number do not constitute effective family finding.

103 (d) The court's inquiry and determination regarding family
104 finding should be made at each stage of the case, including a
105 shelter hearing conducted pursuant to s. 39.402. The court shall
106 place its determinations on the record as to whether the
107 department or community-based care lead agency has reasonably
108 engaged in family finding. The level of reasonableness is to be
109 determined by the length of the case and the amount of time the
110 department or community-based care lead agency has had to begin
111 or continue the process.

112 (4) RULEMAKING.—The department shall adopt rules to
113 implement this section.

114 Section 2. Paragraphs (c) and (d) of subsection (11) of
115 section 39.402, Florida Statutes, and subsection (17) of that
116 section are amended to read:

117 39.402 Placement in a shelter.—

118 (11)

119 (c) The court shall request that the parents consent to
120 provide access to the child's child care records, early
121 education program records, or other educational records and
122 provide information to the court, the department or its contract
123 agencies, and any guardian ad litem or attorney for the child.
124 If a parent is unavailable or unable to consent or withholds
125 consent and the court determines access to the records and
126 information is necessary to provide services to the child, the



828252

127 court shall issue an order granting access.

128 (d) The court may appoint a surrogate parent or may refer
129 the child to the district school superintendent for appointment
130 of a surrogate parent if the child has or is suspected of having
131 a disability and the parent is unavailable pursuant to s.
132 39.0016(3) (b). If the child is under the age of school entry,
133 the court must make the appointment.

134 (17) At the shelter hearing, the court shall inquire of the
135 parent whether the parent has relatives who might be considered
136 as a placement for the child. The parent shall provide to the
137 court and all parties identification and location information
138 regarding the relatives. The court shall advise the parent that
139 the parent has a continuing duty to inform the department of any
140 relative who should be considered for placement of the child.
141 The court shall place its determinations on the record as to
142 whether the department or community-based care lead agency has
143 reasonably engaged in family finding. The level of
144 reasonableness is to be determined by the length of the case and
145 amount of time the department or community-based care lead
146 agency has had to begin or continue the process.

147 Section 3. Present subsection (9) of section 39.506,
148 Florida Statutes, is redesignated as subsection (10), and a new
149 subsection (9) is added to that section, to read:

150 39.506 Arraignment hearings.—

151 (9) The court shall review whether the department or
152 community-based care lead agency has reasonably engaged in
153 family finding and make a written determination as to its
154 findings. The level of reasonableness is determined by the
155 length of the case and amount of time the department or



828252

156 community-based care lead agency has had to begin or continue
157 the process.

158 Section 4. Paragraphs (c) and (d) of subsection (7) of
159 section 39.507, Florida Statutes, are amended to read:

160 39.507 Adjudicatory hearings; orders of adjudication.-

161 (7)

162 (c) If a court adjudicates a child dependent and the child
163 is in out-of-home care, the court shall inquire of the parent or
164 parents whether the parents have relatives who might be
165 considered as a placement for the child. ~~The court shall advise~~
166 ~~the parents that, if the parents fail to substantially comply~~
167 ~~with the case plan, their parental rights may be terminated and~~
168 ~~that the child's out-of-home placement may become permanent.~~ The
169 parent or parents shall provide to the court and all parties
170 identification and location information of the relatives. The
171 court shall review whether the department or community-based
172 care lead agency has reasonably engaged in family finding and
173 make a written determination as to its findings. The level of
174 reasonableness is determined by the length of the case and
175 amount of time the department or community-based care lead
176 agency has had to begin or continue the process.

177 (d) The court shall advise the parents that, if they fail
178 to substantially comply with the case plan, their parental
179 rights may be terminated and that the child's out-of-home
180 placement may become permanent.

181 Section 5. Effective January 1, 2019, section 39.5085,
182 Florida Statutes, is amended to read:

183 39.5085 Kinship Care Relative Caregiver Program.-

184 (1) LEGISLATIVE FINDINGS AND INTENT.-



828252

185 (a) The Legislature finds that an increasing number of
186 relatives and fictive kin are assuming the responsibility of
187 raising children because the parents of these children are
188 unable to care for them.

189 (b) The Legislature also finds that these kinship
190 caregivers perform a vital function by providing homes for
191 children who would otherwise be at risk of foster care placement
192 and that kinship care is a crucial option in the spectrum of
193 out-of-home care available to children in need.

194 (c) The Legislature finds that children living with kinship
195 caregivers experience increased placement stability, are less
196 likely to reenter care if they are reunified with their parents,
197 and have better behavioral and mental health outcomes.

198 (d) The Legislature further finds that these kinship
199 caregivers may face a number of difficulties and need assistance
200 to support the health and well-being of the children they care
201 for. These needs include, but are not limited to, financial
202 assistance, legal assistance, respite care, child care,
203 specialized training, and counseling.

204 (e) It is the intent of the Legislature to provide for the
205 establishment and implementation of procedures and protocols
206 that are likely to increase and adequately support appropriate
207 and safe kinship care placements.

208 (2) DEFINITIONS.—As used this section, the term:

209 (a) "Fictive kin" means an individual who is unrelated to
210 the child by either birth or marriage, but has such a close
211 emotional relationship with the child that he or she may be
212 considered part of the family.

213 (b) "Kinship care" means the full-time care of a child



828252

214 placed in out-of-home care by the court in the home of a
215 relative or fictive kin.

216 (c) "Kinship navigator program" means a statewide program
217 designed to ensure that kinship caregivers are provided with
218 necessary resources for the preservation of the family.

219 (d) "Relative" means an individual who is caring full time
220 for a child placed in out-of-home care by the court and who:

221 1. Is related to the child within the fifth degree by blood
222 or marriage to the parent or stepparent of the child; or

223 2. Is related to a half-sibling of that child within the
224 fifth degree by blood or marriage to the parent or stepparent.

225 (3) FINANCIAL ASSISTANCE.—The department shall provide
226 financial assistance to all caregivers who qualify under this
227 subsection.

228 (a) Relatives or fictive kin caring for a child who has
229 been placed with them by the court shall receive a monthly
230 caregiver benefit, beginning when the child is placed with them.

231 The amount of the benefit payment is based on the child's age
232 within a payment schedule established by rule of the department.

233 The cost of providing the assistance described in this section
234 to any caregiver may not exceed the cost of providing out-of-
235 home care in emergency shelter or foster care.

236 (b) Caregivers who receive assistance under this section
237 must be capable, as determined by a home study, of providing a
238 physically safe environment and a stable, supportive home for
239 the children under their care and must assure that the
240 children's well-being is met, including, but not limited to, the
241 provision of immunizations, education, and mental health
242 services, as needed.



828252

243 (c) Caregivers who qualify for and receive assistance under
244 this section are not required to meet foster care licensing
245 requirements under s. 409.175.

246 (d) Children receiving cash benefits under this section are
247 not eligible to simultaneously receive WAGES cash benefits under
248 chapter 414.

249 (d) A caregiver may not receive a benefit payment if the
250 parent or stepparent of the child resides in the home. However,
251 a caregiver may receive the benefit payment for a minor parent
252 who is in his or her care, as well as for the minor parent's
253 child, if both children have been adjudicated dependent and meet
254 all other eligibility requirements. If the caregiver is
255 receiving a benefit payment when a parent, other than an
256 eligible minor parent, or stepparent moves into the home, the
257 payment must be terminated no later than the first day of the
258 month following the move, allowing for 10-day notice of adverse
259 action.

260 (e) Children living with caregivers who are receiving
261 assistance under this section are eligible for Medicaid
262 coverage.

263 (4) ADDITIONAL ASSISTANCE AND SERVICES.—

264 (a) The purpose of a kinship navigator program is to help
265 relative caregivers and fictive kin in the child welfare system
266 to navigate the broad range of services available to them and
267 the children from public, private, community, and faith-based
268 organizations.

269 (b) By January 1, 2019, each community-based care lead
270 agency shall establish a kinship navigator program. In order to
271 meet the requirements of a kinship navigator program, the



828252

272 program must:

273 1. Be coordinated with other state or local agencies that
274 promote service coordination or provide information and referral
275 services, including any entities that participate in the Florida
276 211 Network, to avoid duplication or fragmentation of services
277 to kinship care families;

278 2. Be planned and operated in consultation with kinship
279 caregivers and organizations representing them, youth raised by
280 kinship caregivers, relevant governmental agencies, and relevant
281 community-based or faith-based organizations;

282 3. Establish a toll-free telephone hotline to provide
283 information to link kinship caregivers, kinship support group
284 facilitators, and kinship service providers to:

285 a. One another;

286 b. Eligibility and enrollment information for federal,
287 state, and local benefits;

288 c. Relevant training to assist kinship caregivers in
289 caregiving and in obtaining benefits and services; and

290 d. Relevant knowledge related to legal options available
291 for child custody, other legal assistance, and help in obtaining
292 legal services.

293 4. Provide outreach to kinship care families, including by
294 establishing, distributing, and updating a kinship care website,
295 or other relevant guides or outreach materials; and

296 5. Promote partnerships between public and private
297 agencies, including schools, community-based or faith-based
298 organizations, and relevant governmental agencies, to increase
299 their knowledge of the needs of kinship care families to promote
300 better services for those families.



828252

301 (5) RULEMAKING.—The department shall adopt rules to
302 implement this section.

303 ~~(1) It is the intent of the Legislature in enacting this~~
304 ~~section to:~~

305 ~~(a) Provide for the establishment of procedures and~~
306 ~~protocols that serve to advance the continued safety of children~~
307 ~~by acknowledging the valued resource uniquely available through~~
308 ~~grandparents, relatives of children, and specified nonrelatives~~
309 ~~of children pursuant to subparagraph (2) (a)3.~~

310 ~~(b) Recognize family relationships in which a grandparent~~
311 ~~or other relative is the head of a household that includes a~~
312 ~~child otherwise at risk of foster care placement.~~

313 ~~(c) Enhance family preservation and stability by~~
314 ~~recognizing that most children in such placements with~~
315 ~~grandparents and other relatives do not need intensive~~
316 ~~supervision of the placement by the courts or by the department.~~

317 ~~(d) Recognize that permanency in the best interests of the~~
318 ~~child can be achieved through a variety of permanency options,~~
319 ~~including permanent guardianship under s. 39.6221 if the~~
320 ~~guardian is a relative, by permanent placement with a fit and~~
321 ~~willing relative under s. 39.6231, by a relative, guardianship~~
322 ~~under chapter 744, or adoption, by providing additional~~
323 ~~placement options and incentives that will achieve permanency~~
324 ~~and stability for many children who are otherwise at risk of~~
325 ~~foster care placement because of abuse, abandonment, or neglect,~~
326 ~~but who may successfully be able to be placed by the dependency~~
327 ~~court in the care of such relatives.~~

328 ~~(e) Reserve the limited casework and supervisory resources~~
329 ~~of the courts and the department for those cases in which~~



828252

330 ~~children do not have the option for safe, stable care within the~~
331 ~~family.~~

332 ~~(f) Recognize that a child may have a close relationship~~
333 ~~with a person who is not a blood relative or a relative by~~
334 ~~marriage and that such person should be eligible for financial~~
335 ~~assistance under this section if he or she is able and willing~~
336 ~~to care for the child and provide a safe, stable home~~
337 ~~environment.~~

338 ~~(2)(a) The Department of Children and Families shall~~
339 ~~establish, operate, and implement the Relative Caregiver Program~~
340 ~~by rule of the department. The Relative Caregiver Program shall,~~
341 ~~within the limits of available funding, provide financial~~
342 ~~assistance to:~~

343 ~~1. Relatives who are within the fifth degree by blood or~~
344 ~~marriage to the parent or stepparent of a child and who are~~
345 ~~caring full-time for that dependent child in the role of~~
346 ~~substitute parent as a result of a court's determination of~~
347 ~~child abuse, neglect, or abandonment and subsequent placement~~
348 ~~with the relative under this chapter.~~

349 ~~2. Relatives who are within the fifth degree by blood or~~
350 ~~marriage to the parent or stepparent of a child and who are~~
351 ~~caring full-time for that dependent child, and a dependent half-~~
352 ~~brother or half-sister of that dependent child, in the role of~~
353 ~~substitute parent as a result of a court's determination of~~
354 ~~child abuse, neglect, or abandonment and subsequent placement~~
355 ~~with the relative under this chapter.~~

356 ~~3. Nonrelatives who are willing to assume custody and care~~
357 ~~of a dependent child in the role of substitute parent as a~~
358 ~~result of a court's determination of child abuse, neglect, or~~



828252

359 ~~abandonment and subsequent placement with the nonrelative~~
360 ~~caregiver under this chapter. The court must find that a~~
361 ~~proposed placement under this subparagraph is in the best~~
362 ~~interest of the child.~~

363 ~~4. A relative or nonrelative caregiver, but the relative or~~
364 ~~nonrelative caregiver may not receive a Relative Caregiver~~
365 ~~Program payment if the parent or stepparent of the child resides~~
366 ~~in the home. However, a relative or nonrelative may receive the~~
367 ~~Relative Caregiver Program payment for a minor parent who is in~~
368 ~~his or her care, as well as for the minor parent's child, if~~
369 ~~both children have been adjudicated dependent and meet all other~~
370 ~~eligibility requirements. If the caregiver is currently~~
371 ~~receiving the payment, the Relative Caregiver Program payment~~
372 ~~must be terminated no later than the first of the following~~
373 ~~month after the parent or stepparent moves into the home,~~
374 ~~allowing for 10-day notice of adverse action.~~

375
376 ~~The placement may be court-ordered temporary legal custody to~~
377 ~~the relative or nonrelative under protective supervision of the~~
378 ~~department pursuant to s. 39.521(1)(c)3., or court-ordered~~
379 ~~placement in the home of a relative or nonrelative as a~~
380 ~~permanency option under s. 39.6221 or s. 39.6231 or under former~~
381 ~~s. 39.622 if the placement was made before July 1, 2006. The~~
382 ~~Relative Caregiver Program shall offer financial assistance to~~
383 ~~caregivers who would be unable to serve in that capacity without~~
384 ~~the caregiver payment because of financial burden, thus exposing~~
385 ~~the child to the trauma of placement in a shelter or in foster~~
386 ~~care.~~

387 ~~(b) Caregivers who receive assistance under this section~~



828252

388 ~~must be capable, as determined by a home study, of providing a~~
389 ~~physically safe environment and a stable, supportive home for~~
390 ~~the children under their care and must assure that the~~
391 ~~children's well-being is met, including, but not limited to, the~~
392 ~~provision of immunizations, education, and mental health~~
393 ~~services as needed.~~

394 ~~(c) Relatives or nonrelatives who qualify for and~~
395 ~~participate in the Relative Caregiver Program are not required~~
396 ~~to meet foster care licensing requirements under s. 409.175.~~

397 ~~(d) Relatives or nonrelatives who are caring for children~~
398 ~~placed with them by the court pursuant to this chapter shall~~
399 ~~receive a special monthly caregiver benefit established by rule~~
400 ~~of the department. The amount of the special benefit payment~~
401 ~~shall be based on the child's age within a payment schedule~~
402 ~~established by rule of the department and subject to~~
403 ~~availability of funding. The statewide average monthly rate for~~
404 ~~children judicially placed with relatives or nonrelatives who~~
405 ~~are not licensed as foster homes may not exceed 82 percent of~~
406 ~~the statewide average foster care rate, and the cost of~~
407 ~~providing the assistance described in this section to any~~
408 ~~caregiver may not exceed the cost of providing out-of-home care~~
409 ~~in emergency shelter or foster care.~~

410 ~~(e) Children receiving cash benefits under this section are~~
411 ~~not eligible to simultaneously receive WAGES cash benefits under~~
412 ~~chapter 414.~~

413 ~~(f) Within available funding, the Relative Caregiver~~
414 ~~Program shall provide caregivers with family support and~~
415 ~~preservation services, flexible funds in accordance with s.~~
416 ~~409.165, school readiness, and other available services in order~~



828252

417 ~~to support the child's safety, growth, and healthy development.~~
418 ~~Children living with caregivers who are receiving assistance~~
419 ~~under this section shall be eligible for Medicaid coverage.~~

420 ~~(g) The department may use appropriate available state,~~
421 ~~federal, and private funds to operate the Relative Caregiver~~
422 ~~Program. The department may develop liaison functions to be~~
423 ~~available to relatives or nonrelatives who care for children~~
424 ~~pursuant to this chapter to ensure placement stability in~~
425 ~~extended family settings.~~

426 Section 6. Paragraph (e) of subsection (1) of section
427 39.521, Florida Statutes, is amended to read:

428 39.521 Disposition hearings; powers of disposition.—

429 (1) A disposition hearing shall be conducted by the court,
430 if the court finds that the facts alleged in the petition for
431 dependency were proven in the adjudicatory hearing, or if the
432 parents or legal custodians have consented to the finding of
433 dependency or admitted the allegations in the petition, have
434 failed to appear for the arraignment hearing after proper
435 notice, or have not been located despite a diligent search
436 having been conducted.

437 (e) The court shall, in its written order of disposition,
438 include all of the following:

- 439 1. The placement or custody of the child.
- 440 2. Special conditions of placement and visitation.
- 441 3. Evaluation, counseling, treatment activities, and other
442 actions to be taken by the parties, if ordered.
- 443 4. The persons or entities responsible for supervising or
444 monitoring services to the child and parent.
- 445 5. Continuation or discharge of the guardian ad litem, as



828252

446 appropriate.

447 6. The date, time, and location of the next scheduled
448 review hearing, which must occur within the earlier of:

449 a. Ninety days after the disposition hearing;

450 b. Ninety days after the court accepts the case plan;

451 c. Six months after the date of the last review hearing; or

452 d. Six months after the date of the child's removal from
453 his or her home, if no review hearing has been held since the
454 child's removal from the home.

455 7. If the child is in an out-of-home placement, child
456 support to be paid by the parents, or the guardian of the
457 child's estate if possessed of assets which under law may be
458 disbursed for the care, support, and maintenance of the child.
459 The court may exercise jurisdiction over all child support
460 matters, shall adjudicate the financial obligation, including
461 health insurance, of the child's parents or guardian, and shall
462 enforce the financial obligation as provided in chapter 61. The
463 state's child support enforcement agency shall enforce child
464 support orders under this section in the same manner as child
465 support orders under chapter 61. Placement of the child shall
466 not be contingent upon issuance of a support order.

467 8.a. If the court does not commit the child to the
468 temporary legal custody of an adult relative, legal custodian,
469 or other adult approved by the court, the disposition order must
470 ~~shall~~ include the reasons for such a decision and ~~shall include~~
471 a written determination as to whether ~~diligent efforts were made~~
472 by the department and the community-based care lead agency
473 reasonably engaged in family finding in attempting to locate an
474 adult relative, legal custodian, or other adult willing to care



828252

475 for the child in order to present that placement option to the
476 court instead of placement with the department. The level of
477 reasonableness is determined by the length of the case and
478 amount of time the department or community-based care lead
479 agency has had to begin or continue the process.

480 b. If no suitable relative is found and the child is placed
481 with the department or a legal custodian or other adult approved
482 by the court, both the department and the court shall consider
483 transferring temporary legal custody to an adult relative
484 approved by the court at a later date, but neither the
485 department nor the court is obligated to so place the child if
486 it is in the child's best interest to remain in the current
487 placement.

488
489 ~~For the purposes of this section, "diligent efforts to locate an~~
490 ~~adult relative" means a search similar to the diligent search~~
491 ~~for a parent, but without the continuing obligation to search~~
492 ~~after an initial adequate search is completed.~~

493 9. Other requirements necessary to protect the health,
494 safety, and well-being of the child, to preserve the stability
495 of the child's child care, early education program, or any other
496 educational placement, and to promote family preservation or
497 reunification whenever possible.

498 Section 7. Paragraph (b) of subsection (2) and paragraph
499 (a) of subsection (3) of section 39.6012, Florida Statutes, are
500 amended to read:

501 39.6012 Case plan tasks; services.—

502 (2) The case plan must include all available information
503 that is relevant to the child's care including, at a minimum:



828252

504 (b) A description of the plan for ensuring that the child
505 receives safe and proper care and that services are provided to
506 the child in order to address the child's needs. To the extent
507 available and accessible, the following health, mental health,
508 and education information and records of the child must be
509 attached to the case plan and updated throughout the judicial
510 review process:

511 1. The names and addresses of the child's health, mental
512 health, and educational providers;

513 2. The child's grade level performance;

514 3. The child's school record or, if the child is under the
515 age of school entry, any records from a child care program,
516 early education program, or preschool program;

517 4. Documentation of compliance or noncompliance with the
518 attendance requirements under s. 39.604, if the child is
519 enrolled in a child care program, early education program, or
520 preschool program;

521 ~~5.4.~~ Assurances that the child's placement takes into
522 account proximity to the school in which the child is enrolled
523 at the time of placement;

524 ~~6. 5. A record of~~ The child's immunizations;

525 ~~7.6.~~ The child's known medical history, including any known
526 health problems;

527 ~~8.7.~~ The child's medications, if any; and

528 ~~9.8.~~ Any other relevant health, mental health, and
529 education information concerning the child.

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

532 (a) A description of the type of placement in which the



828252

533 child is to be living and, if the child has been placed with the
534 department, whether the department and the community-based care
535 lead agency have reasonably engaged in family finding to locate
536 an adult relative, legal custodian, or other adult willing to
537 care for the child in order to present that placement option to
538 the court instead of placement with the department.

539 Section 8. Section 39.604, Florida Statutes, is amended to
540 read:

541 39.604 Rilya Wilson Act; short title; legislative intent;
542 early intervention; child care; early education; preschool
543 requirements; attendance and reporting responsibilities.-

544 (1) SHORT TITLE.-This section may be cited as the "Rilya
545 Wilson Act."

546 (2) LEGISLATIVE FINDINGS AND INTENT.-

547 (a) The Legislature finds that children from birth to age 5
548 years are particularly vulnerable to maltreatment and that they
549 enter out-of-home care in disproportionately high numbers.

550 (b) The Legislature also finds that children who are abused
551 or neglected are at high risk of experiencing physical and
552 mental health problems and problems with language and
553 communication, cognitive development, and social and emotional
554 development.

555 (c) The Legislature also finds that providing early
556 intervention and services, as well as quality child care and
557 early education programs to support the healthy development of
558 these young children, can have positive effects that last
559 throughout childhood and into adulthood.

560 (d) The Legislature also finds that the needs of each of
561 these children are unique, and while some children may be best



828252

562 served by a quality child care or early education program,
563 others may need more attention and nurturing that can best be
564 provided by a stay-at-home caregiver ~~The Legislature recognizes~~
565 ~~that children who are in the care of the state due to abuse,~~
566 ~~neglect, or abandonment are at increased risk of poor school~~
567 ~~performance and other behavioral and social problems.~~

568 (e) It is the intent of the Legislature that children who
569 are currently in out-of-home the care of the state be provided
570 with an age-appropriate developmental child care or early
571 education arrangement that is in the best interest of the child
572 ~~education program~~ to help ameliorate the negative consequences
573 of abuse, neglect, or abandonment.

574 (3) EARLY INTERVENTION FOR CHILDREN UNDER THE AGE OF
575 THREE.—The Child Abuse Prevention and Treatment Act, 42 U.S.C.
576 ss. 5101, et seq., and federal the Individuals with Disabilities
577 Education Act requires states to have provisions and procedures
578 for referring to early intervention services children who are
579 under the age of 3 years and involved in substantiated cases of
580 child abuse or neglect, or who are affected by substance abuse
581 or withdrawal symptoms from prenatal drug exposure.

582 (a) Referral process.—A child from birth to age 36 months
583 who is determined to be a victim of any substantiated case of
584 child abuse or neglect or who is affected by substance abuse or
585 withdrawal symptoms from prenatal drug exposure, shall be
586 referred to the Early Steps Program under s. 391.301, according
587 to the following criteria:

588 1. Children who will remain in the home of their parents or
589 legal guardian without referral to a community-based care lead
590 agency for services shall be referred to the Early Steps Program



828252

591 by the protective investigator handling the case within 48 hours
592 of verification of the abuse or neglect.

593 2. When there is an indication that they may have an
594 established condition or developmental delay, children who will
595 remain in the home of their parents or legal guardian and who
596 are referred to a community-based care lead agency for services
597 must be referred to the Early Steps Program by the community-
598 based care lead agency case worker during the case plan
599 development process within 7 days after the identification of an
600 established condition or possible developmental delay. The
601 community-based care lead agency shall follow up to determine
602 whether the child has been found eligible for Part C services
603 and shall support the participation of the eligible children's
604 families in the Early Steps Program. Support may include, but
605 need not be limited to:

- 606 a. Assistance with transportation, if necessary;
607 b. Providing written information about the Early Steps
608 Program; and
609 c. Followup with the family and encouraging the child's
610 participation in the Early Steps Program.

611 3. Children being placed into shelter care for referral to
612 a community-based care lead agency for out-of-home placement
613 must receive an initial assessment during the case plan
614 development process and may be referred to the Early Steps
615 Program according to the following criteria:

- 616 a. Children who are not referred for a comprehensive
617 behavioral health assessment under the Medicaid program must be
618 referred to the Early Steps Program by the case worker during
619 the case plan development process for the child. The referral



828252

620 must be documented in the case plan.

621 b. Children who are referred for a comprehensive behavioral
622 health assessment under the Medicaid program must be referred to
623 the Early Steps Program by the community-based care lead agency
624 case worker if their comprehensive behavioral health assessment
625 flags them as potentially having a developmental delay or an
626 established condition. The referral must be documented in the
627 case plan. The Early Steps Program referral form must be
628 accompanied by the comprehensive behavioral health assessment
629 that flagged the child as potentially having a developmental
630 delay or an established condition.

631 (b) *Screening and evaluation.*—The local Early Steps Program
632 shall screen or evaluate all children referred by the department
633 or its contracted agencies. The information on the outcome of a
634 child's screening or evaluation, and any recommended services on
635 the child's individualized family support plan, shall be
636 forwarded by the Early Steps Program's service coordinator to
637 the department and the community-based care lead agency for
638 consideration in development of the child's case plan.

639 (c) *Appointment of surrogate parent.*—Federal law requires
640 parental consent and participation at every stage of the early
641 intervention process after referral. A dependency court shall
642 appoint a surrogate parent under s. 39.0016 for a child from
643 birth to age 36 months whose parents are unavailable or
644 unwilling to provide consent for services when the child has
645 been determined to be a victim of any substantiated case of
646 child abuse or neglect or is affected by substance abuse or
647 withdrawal symptoms from prenatal drug exposure and has been
648 referred to the Early Steps Program under s. 391.301.



828252

649 (4) EARLY INTERVENTION FOR CHILDREN AGES THREE YEARS TO
650 FIVE YEARS.—The federal Individuals with Disabilities Education
651 Act requires states to develop a comprehensive Child Find
652 program to locate children who are potentially eligible for
653 services, including children who are involved in substantiated
654 cases of child abuse or neglect, and link them to early
655 intervention services. If the department or a community-based
656 care lead agency suspects that a child is a victim of
657 substantiated child abuse or neglect, the child must be referred
658 to the Child Find program of the Florida Diagnostic and Learning
659 Resources System for assessment.

660 (5) CHILD CARE, EARLY EDUCATION PROGRAMS, PRESCHOOL.—
661 Research has found that the quality of child care, early
662 education programs, and preschool programs is important to the
663 cognitive, language, and social development of young children,
664 with consistent and emotionally supportive care being of great
665 benefit to children and their families. Children who receive
666 high-quality early childhood care and education have better
667 math, language, and social skills as they enter school, and, as
668 they grow older, require less remedial education, progress
669 further in school, and have fewer interactions with the justice
670 system. Significant involvement of parents in early childhood
671 care and education may help reduce the incidence of maltreatment
672 of children and may be beneficial to children and families who
673 are already involved in the child welfare system by virtue of
674 establishing caring relationships in a supportive learning
675 environment that assists parents in establishing social support
676 networks, accessing information about parenting and child
677 development, and receiving referrals to other services.



828252

678 (a) Early child care and education preference.—Care for
679 children in out-of-home care shall be chosen by the caregiver
680 according to the following order:

681 1. Providers who receive a Gold Seal Quality Care
682 designation pursuant to s. 402.281, or providers participating
683 in a quality rating system;

684 2. Licensed child care providers;

685 3. Public school providers; and

686 4. License-exempt child care providers, including
687 religious-exempt and registered providers, and non-public
688 schools. These providers must be participating in the school
689 readiness program through the local early learning coalition.

690 (b) Enrollment

691 ~~(3) REQUIREMENTS.—~~

692 1. A child from birth to the age of school entry, who is
693 under court-ordered protective supervision or in out-of-home
694 care and is the custody of the Family Safety Program Office of
695 the Department of Children and Families or a community-based
696 lead agency, and enrolled in an a licensed early education or
697 child care program must attend the program 5 days a week unless
698 the court grants an exception due to the court determining it is
699 in the best interest of a child from birth to age 3 years:

700 a. With a stay-at-home caregiver to remain at home.

701 b. With a caregiver who works less than full time to attend
702 an early education or child care program fewer than 5 days a
703 week.

704 2. Notwithstanding s. 39.202, the department of Children
705 and Families must notify operators of an the licensed early
706 education or child care program, subject to the reporting



828252

707 requirements of this act, of the enrollment of any child from
708 birth to the age of school entry, under court-ordered protective
709 supervision or in out-of-home care. ~~If the custody of the Family~~
710 ~~Safety Program Office of the Department of Children and Families~~
711 ~~or a community-based lead agency. When a child is enrolled in an~~
712 early education or child care program ~~regulated by the~~
713 ~~department~~, the child's attendance in the program must be a
714 required task action in the safety plan or the case plan
715 developed for the child pursuant to this chapter. ~~An exemption~~
716 ~~to participating in the licensed early education or child care~~
717 ~~program 5 days a week may be granted by the court.~~

718 (c)(4) Attendance ATTENDANCE AND REPORTING REQUIREMENTS.-

719 1.(a) A child enrolled in an ~~a licensed~~ early education or
720 child care program who meets the requirements of paragraph (b)
721 ~~subsection (3)~~ may not be withdrawn from the program without the
722 prior written approval of the department ~~Family Safety Program~~
723 ~~Office of the Department of Children and Families~~ or the
724 community-based care lead agency.

725 2.a.(b)1. If a child covered by this section is absent from
726 the program on a day when he or she is supposed to be present,
727 the person with whom the child resides must report the absence
728 to the program by the end of the business day. If the person
729 with whom the child resides, whether the parent or caregiver,
730 fails to timely report the absence, the absence is considered to
731 be unexcused. The program shall report any unexcused absence or
732 seven consecutive excused absences of a child who is enrolled in
733 the program and covered by this act to the ~~local designated~~
734 ~~staff of the Family Safety Program Office of the department of~~
735 ~~Children and Families~~ or the community-based care lead agency by



828252

736 the end of the business day following the unexcused absence or
737 seventh consecutive excused absence.

738 ~~b.2.~~ The department or community-based care lead agency
739 shall conduct a site visit to the residence of the child upon
740 receiving a report of two consecutive unexcused absences or
741 seven consecutive excused absences.

742 ~~c.3.~~ If the site visit results in a determination that the
743 child is missing, the department or community-based care lead
744 agency shall follow the procedure set forth in s. 39.0141 ~~report~~
745 ~~the child as missing to a law enforcement agency and proceed~~
746 ~~with the necessary actions to locate the child pursuant to~~
747 ~~procedures for locating missing children.~~

748 ~~d.4.~~ If the site visit results in a determination that the
749 child is not missing, the parent or caregiver shall be notified
750 that failure to ensure that the child attends the ~~licensed~~ early
751 education or child care program is a violation of the safety
752 plan or the case plan. If more than two site visits are
753 conducted pursuant to this paragraph ~~subsection~~, staff shall
754 ~~initiate action to~~ notify the court of the parent or caregiver's
755 noncompliance with the case plan.

756 (6) EDUCATIONAL STABILITY.—Just as educational stability is
757 important for school-age children, it is also important to
758 minimize disruptions to secure attachments and stable
759 relationships with supportive caregivers of children from birth
760 to school age and to ensure that these attachments are not
761 disrupted due to placement in out-of-home care or subsequent
762 changes in out-of-home placement.

763 (a) A child must be allowed to remain in the child care or
764 early educational setting that he or she attended before entry



828252

765 into out-of-home care, unless the program is not in the best
766 interest of the child.

767 (b) If it is not in the best interest of the child for him
768 or her to remain in his or her child care or early education
769 setting upon entry into out-of-home care, the caregiver must
770 work with the case manager, guardian ad litem, child care and
771 educational staff, and educational surrogate, if one has been
772 appointed, to determine the best setting for the child. Such
773 setting may be a child care provider that receives a Gold Seal
774 Quality Care designation pursuant to s. 402.281, a provider
775 participating in a quality rating system, a licensed child care
776 provider, a public school provider, or a license-exempt child
777 care provider, including religious-exempt and registered
778 providers, and non-public schools.

779 (c) The department and providers of early care and
780 education shall develop protocols to ensure continuity if
781 children are required to leave a program because of a change in
782 out-of-home placement.

783 (7) TRANSITIONS.—In the absence of an emergency, if a child
784 from birth to school age leaves a child care or early education
785 program, the transition must be pursuant to a plan that involves
786 cooperation and sharing of information among all persons
787 involved, that respects the child's developmental stage and
788 associated psychological needs, and that allows for a gradual
789 transition from one setting to another.

790 Section 9. Paragraph (c) of subsection (2) of section
791 39.701, Florida Statutes, is amended to read:

792 39.701 Judicial review.—

793 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF



828252

794 AGE.—

795 (c) *Review determinations.*—The court and any citizen review
796 panel shall take into consideration the information contained in
797 the social services study and investigation and all medical,
798 psychological, and educational records that support the terms of
799 the case plan; testimony by the social services agency, the
800 parent, the foster parent or legal custodian, the guardian ad
801 litem or surrogate parent for educational decisionmaking if one
802 has been appointed for the child, and any other person deemed
803 appropriate; and any relevant and material evidence submitted to
804 the court, including written and oral reports to the extent of
805 their probative value. These reports and evidence may be
806 received by the court in its effort to determine the action to
807 be taken with regard to the child and may be relied upon to the
808 extent of their probative value, even though not competent in an
809 adjudicatory hearing. In its deliberations, the court and any
810 citizen review panel shall seek to determine:

811 1. If the parent was advised of the right to receive
812 assistance from any person or social service agency in the
813 preparation of the case plan.

814 2. If the parent has been advised of the right to have
815 counsel present at the judicial review or citizen review
816 hearings. If not so advised, the court or citizen review panel
817 shall advise the parent of such right.

818 3. If a guardian ad litem needs to be appointed for the
819 child in a case in which a guardian ad litem has not previously
820 been appointed or if there is a need to continue a guardian ad
821 litem in a case in which a guardian ad litem has been appointed.

822 4. Who holds the rights to make educational decisions for



828252

823 the child. If appropriate, the court may refer the child to the
824 district school superintendent for appointment of a surrogate
825 parent or may itself appoint a surrogate parent under the
826 Individuals with Disabilities Education Act and s. 39.0016. If
827 the child is under the age of school entry, the court must make
828 the appointment.

829 5. The compliance or lack of compliance of all parties with
830 applicable items of the case plan, including the parents'
831 compliance with child support orders.

832 6. The compliance or lack of compliance with a visitation
833 contract between the parent and the social service agency for
834 contact with the child, including the frequency, duration, and
835 results of the parent-child visitation and the reason for any
836 noncompliance.

837 7. The frequency, kind, and duration of contacts among
838 siblings who have been separated during placement, as well as
839 any efforts undertaken to reunite separated siblings if doing so
840 is in the best interest of the child.

841 8. The compliance or lack of compliance of the parent in
842 meeting specified financial obligations pertaining to the care
843 of the child, including the reason for failure to comply, if
844 applicable.

845 9. Whether the child is receiving safe and proper care
846 according to s. 39.6012, including, but not limited to, the
847 appropriateness of the child's current placement, including
848 whether the child is in a setting that is as family-like and as
849 close to the parent's home as possible, consistent with the
850 child's best interests and special needs, and including
851 maintaining stability in the child's educational placement, as



828252

852 documented by assurances from the community-based care provider
853 that:

854 a. The placement of the child takes into account the
855 appropriateness of the current educational setting and the
856 proximity to the school in which the child is enrolled at the
857 time of placement.

858 b. The community-based care agency has coordinated with
859 appropriate local educational agencies to ensure that the child
860 remains in the school in which the child is enrolled at the time
861 of placement.

862 10. Whether the department or community-based care lead
863 agency continues to reasonably engage in family finding. The
864 level of reasonableness is determined by the length of the case
865 and amount of time the department or community-based care lead
866 agency has had to continue the process.

867 11. ~~10.~~ A projected date likely for the child's return home
868 or other permanent placement.

869 12. ~~11.~~ When appropriate, the basis for the unwillingness
870 or inability of the parent to become a party to a case plan. The
871 court and the citizen review panel shall determine if the
872 efforts of the social service agency to secure party
873 participation in a case plan were sufficient.

874 13. ~~12.~~ For a child who has reached 13 years of age but is
875 not yet 18 years of age, the adequacy of the child's preparation
876 for adulthood and independent living. For a child who is 15
877 years of age or older, the court shall determine if appropriate
878 steps are being taken for the child to obtain a driver license
879 or learner's driver license.

880 14. ~~13.~~ If amendments to the case plan are required.



828252

881 Amendments to the case plan must be made as provided in ~~under~~ s.
882 39.6013.

883 Section 10. Effective January 1, 2019, paragraph (b) of
884 subsection (1) of section 414.045, Florida Statutes, is amended
885 to read:

886 414.045 Cash assistance program.—Cash assistance families
887 include any families receiving cash assistance payments from the
888 state program for temporary assistance for needy families as
889 defined in federal law, whether such funds are from federal
890 funds, state funds, or commingled federal and state funds. Cash
891 assistance families may also include families receiving cash
892 assistance through a program defined as a separate state
893 program.

894 (1) For reporting purposes, families receiving cash
895 assistance shall be grouped into the following categories. The
896 department may develop additional groupings in order to comply
897 with federal reporting requirements, to comply with the data-
898 reporting needs of the board of directors of CareerSource
899 Florida, Inc., or to better inform the public of program
900 progress.

901 (b) *Child-only cases.*—Child-only cases include cases that
902 do not have an adult or teen head of household as defined in
903 federal law. Such cases include:

904 1. Children in the care of caretaker relatives, if the
905 caretaker relatives choose to have their needs excluded in the
906 calculation of the amount of cash assistance.

907 2. Families in the Kinship Care ~~Relative Caregiver~~ Program
908 as provided in s. 39.5085.

909 3. Families in which the only parent in a single-parent



828252

910 family or both parents in a two-parent family receive
911 supplemental security income (SSI) benefits under Title XVI of
912 the Social Security Act, as amended. To the extent permitted by
913 federal law, individuals receiving SSI shall be excluded as
914 household members in determining the amount of cash assistance,
915 and such cases shall not be considered families containing an
916 adult. Parents or caretaker relatives who are excluded from the
917 cash assistance group due to receipt of SSI may choose to
918 participate in work activities. An individual whose ability to
919 participate in work activities is limited who volunteers to
920 participate in work activities shall be assigned to work
921 activities consistent with such limitations. An individual who
922 volunteers to participate in a work activity may receive child
923 care or support services consistent with such participation.

924 4. Families in which the only parent in a single-parent
925 family or both parents in a two-parent family are not eligible
926 for cash assistance due to immigration status or other
927 limitation of federal law. To the extent required by federal
928 law, such cases shall not be considered families containing an
929 adult.

930 5. To the extent permitted by federal law and subject to
931 appropriations, special needs children who have been adopted
932 pursuant to s. 409.166 and whose adopting family qualifies as a
933 needy family under the state program for temporary assistance
934 for needy families. Notwithstanding any provision to the
935 contrary in s. 414.075, s. 414.085, or s. 414.095, a family
936 shall be considered a needy family if:

937 a. The family is determined by the department to have an
938 income below 200 percent of the federal poverty level;



828252

939 b. The family meets the requirements of s. 414.095(2) and
940 (3) related to residence, citizenship, or eligible noncitizen
941 status; and

942 c. The family provides any information that may be
943 necessary to meet federal reporting requirements specified under
944 Part A of Title IV of the Social Security Act.

945
946 Families described in subparagraph 1., subparagraph 2., or
947 subparagraph 3. may receive child care assistance or other
948 supports or services so that the children may continue to be
949 cared for in their own homes or in the homes of relatives. Such
950 assistance or services may be funded from the temporary
951 assistance for needy families block grant to the extent
952 permitted under federal law and to the extent funds have been
953 provided in the General Appropriations Act.

954 Section 11. Paragraph (d) of subsection (1) of section
955 1009.25, Florida Statutes, is amended to read:

956 1009.25 Fee exemptions.—

957 (1) The following students are exempt from the payment of
958 tuition and fees, including lab fees, at a school district that
959 provides workforce education programs, Florida College System
960 institution, or state university:

961 (d) A student who is or was at the time he or she reached 18
962 years of age in the custody of a kinship caregiver ~~relative or~~
963 ~~nonrelative~~ under s. 39.5085 or who was adopted from the
964 Department of Children and Families after May 5, 1997. Such
965 exemption includes fees associated with enrollment in applied
966 academics for adult education instruction. The exemption remains
967 valid until the student reaches 28 years of age.



828252

968 Section 12. Except as otherwise expressly provided in this
969 act, this act shall take effect July 1, 2018.

970
971 ===== T I T L E A M E N D M E N T =====

972 And the title is amended as follows:

973 Delete everything before the enacting clause
974 and insert:

975 A bill to be entitled
976 An act relating to child welfare; creating s.
977 39.4015, F.S.; providing legislative findings and
978 intent; defining terms; requiring the Department of
979 Children and Families, in collaboration with sheriffs'
980 offices that conduct child protective investigations
981 and community-based care lead agencies, to develop a
982 statewide family-finding program; requiring the
983 implementation of family finding by a specified date;
984 requiring the department and community-based care lead
985 agencies to document strategies taken to engage
986 relatives and kin; providing strategies to engage
987 relatives and kin; requiring the department and
988 community-based care lead agencies to use diligent
989 efforts in family finding; providing that certain
990 actions do not constitute family finding; requiring
991 determinations by the court; requiring the department
992 to adopt rules; amending s. 39.402, F.S.; requiring
993 the court to request that parents consent to providing
994 access to additional records; requiring a judge to
995 appoint a surrogate parent for certain children;
996 requiring the court to place on the record its



828252

997 determinations regarding the department's or the
998 community-based lead agency's reasonable engagement in
999 family finding; providing guidelines for determining
1000 reasonableness; amending ss. 39.506; requiring the
1001 court to make a determination regarding the
1002 department's or the community-based lead agency's
1003 reasonable engagement in family finding; providing
1004 guidelines for determining reasonableness; amending s.
1005 39.507 F.S.; requiring the court to make a
1006 determination regarding the department's or the
1007 community-based lead agency's reasonable engagement in
1008 family finding; providing guidelines for determining
1009 reasonableness; requiring the court to advise parents
1010 that their parental rights may be terminated and the
1011 child's out-of-home placement may become permanent
1012 under certain circumstances; amending s. 39.5085,
1013 F.S.; providing legislative findings and intent;
1014 defining terms; requiring the department to provide
1015 financial assistance to kinship caregivers who meet
1016 certain requirements; providing eligibility criteria
1017 for such financial assistance; providing that children
1018 living with caregivers who are receiving financial
1019 assistance are eligible for Medicaid coverage;
1020 providing the purpose of a kinship navigator program;
1021 requiring each community-based care lead agency to
1022 establish a kinship navigator program by a certain
1023 date; providing requirements for programs; requiring
1024 the department to adopt rules; deleting provisions
1025 related to the Relative Caregiver Program; amending s.



828252

1026 39.521, F.S.; requiring the court to make a
1027 determination regarding the department's or the
1028 community-based lead agency's reasonable engagement in
1029 family finding ; providing guidelines for determining
1030 reasonableness; conforming provisions to changes made
1031 by the act; amending s. 39.6012, F.S.; revising the
1032 types of records that must be attached to a case plan
1033 and updated throughout the judicial review process;
1034 requiring that documentation of the family-finding
1035 efforts of the department and the community-based care
1036 lead agency be included in certain case plans;
1037 amending s. 39.604, F.S.; revising legislative
1038 findings and intent; providing requirements and
1039 procedures for referring certain children to the Early
1040 Steps Program; requiring the Early Steps Program to
1041 screen or evaluate all children referred to the
1042 program by the department or its contracted agencies;
1043 requiring the service coordinator of the Early Steps
1044 Program to forward certain information to the
1045 department and the community-based care lead agency;
1046 requiring the dependency court to appoint a surrogate
1047 parent for certain children under certain
1048 circumstances; requiring the department or a
1049 community-based care lead agency to refer a child to
1050 the Child Find program of the Florida Diagnostic and
1051 Learning Resources System under certain circumstances;
1052 requiring a caregiver to choose certain providers to
1053 care for children in out-of-home care; revising
1054 enrollment and attendance requirements for children in



828252

1055 an early education or child care program; conforming
1056 cross-references; providing requirements and
1057 procedures for maintaining the educational stability
1058 of a child during the child's placement in out-of-home
1059 care, or subsequent changes in out-of-home placement;
1060 requiring that a child's transition from a child care
1061 or early education program be pursuant to a plan that
1062 meets certain requirements; amending s. 39.701, F.S.;
1063 requiring the court to appoint a surrogate parent if
1064 the child is under the age of school entry; requiring
1065 the court to determine if the department and
1066 community-based lead agency has continued to
1067 reasonably engaged in family finding; providing
1068 guidelines for determining the level of
1069 reasonableness; amending ss. 414.045 and 1009.25,
1070 F.S.; conforming provisions to changes made by the
1071 act; providing effective dates.