

By the Committee on Children, Families, and Elder Affairs; and
Senators Garcia, Osgood, Perry, and Book

586-03513-23

2023272c1

1 A bill to be entitled

2 An act relating to education for children and young
3 adults in out-of-home care; amending s. 39.4085, F.S.;
4 requiring a case manager or other staff to provide a
5 child with verbal and written information about
6 certain topics; deleting limitations on the type of
7 questions a child may ask; establishing the Office of
8 the Children's Ombudsman within the Department of
9 Children and Families; specifying responsibilities of
10 the office; requiring the department to consult with
11 specified children and young adults when creating or
12 revising certain print or digital written information;
13 conforming provisions to changes made by the act;
14 providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Paragraph (a) of subsection (3) of section
19 39.4085, Florida Statutes, is amended, and subsections (4) and
20 (5) are added to that section, to read:

21 39.4085 Goals for dependent children; responsibilities;
22 education; Office of the Children's Ombudsman.-

23 (3) (a) The case manager or other staff shall, at a minimum,
24 provide verbal and written:

25 1. Instructions to a child entering shelter or foster care
26 to educate the child on identifying and reporting abuse,
27 abandonment, or neglect.

28 2. Information to a child about laws and requirements
29 relating to the topic of normalcy and what that means for a

586-03513-23

2023272c1

30 child in out-of-home care; education; participation in court
31 proceedings; participation in permanency planning, transition
32 planning, and other case planning; placement, visitation, and
33 contact with siblings, family, and other individuals who are
34 important to the child; and access to food, clothing, shelter,
35 and health care.

36
37 The ~~verbal and written~~ instructions and information must use
38 words and phrasing that each child can understand and must occur
39 in a manner that is most effective for each child. The written
40 instructions and information are only required if the child is
41 of a sufficient age and understanding to receive such
42 instructions and information. The case manager or other staff
43 shall ~~must~~ give each child the opportunity to ask questions and
44 ~~about his or her rights and how to identify and report abuse,~~
45 ~~abandonment, or neglect.~~ The ~~case manager or other staff~~ shall
46 document in court reports and case notes the date the
47 instructions and information were ~~was~~ provided to the child. The
48 case manager or other staff shall ~~must~~ review the instructions
49 and information with the child every 6 months and upon every
50 placement change until the child leaves shelter or foster care.

51 (4) The Office of the Children's Ombudsman is established
52 within the department. To the extent permitted by available
53 resources, the office shall, at a minimum:

54 (a) Receive complaints from children and young adults about
55 placement, care, and services and assist in mediating such
56 concerns.

57 (b) Be a resource to identify and explain relevant policies
58 or procedures to children, young adults, and their caregivers.

586-03513-23

2023272c1

59 (c) Provide recommendations to the department to address
60 systemic problems that are leading to complaints from children
61 and young adults.

62 (5) The department shall consult with children and young
63 adults who are currently or have formerly been in out-of-home
64 care when creating or revising any print or digital written
65 information used in implementing this section and shall use any
66 responses or feedback to ensure that such print or digital
67 written information is understandable by and appropriate and
68 useful for the children and young adults of the ages for which
69 such print or digital written information is intended.

70 Section 2. This act shall take effect July 1, 2023.