

By Senator Sobel

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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.

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

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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.—

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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 known
56 problems;

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

58 9.8. Any other relevant health, mental health, and

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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 to
83 read:

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

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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 has
97 a disability and is eligible for the appointment of a surrogate
98 parent, as required in s. 39.0016, shall be assigned a surrogate
99 parent in a timely manner, but no later than 30 days after a
100 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.