

FOR CONSIDERATION By the Committee on Children, Families, and Elder Affairs

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1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.402,
3 F.S.; revising information that the Department of
4 Children and Families is required to inform the court
5 of at shelter hearings; revising the written findings
6 required to be included in an order for placement of a
7 child in shelter care; amending s. 39.521, F.S.;
8 revising the required information a court must include
9 in its written orders of disposition; amending s.
10 39.6011, F.S.; providing the purpose of a case plan;
11 requiring a case plan to document that a preplacement
12 plan has been provided and reasonable efforts to
13 prevent out-of-home placement have been made; amending
14 s. 39.6012, F.S.; requiring the case plan to be based
15 upon a certain assessment; requiring the child to be
16 involved in developing the case plan under certain
17 circumstances; requiring the case plan to include a
18 schedule of monthly, face-to-face meetings between the
19 parents and case managers; specifying that a child who
20 is 12 years of age or older shall be given the
21 opportunity to review, sign, and receive a copy of the
22 case plan; requiring the case plan to document
23 additional information regarding the placement,
24 permanency, and education of the child; requiring
25 additional information relating to a parent's
26 visitation rights and obligations to be provided to
27 the out-of-home caregiver; requiring the department
28 and the community-based provider to assist the child
29 in developing a transition plan after the child

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30 reaches a certain age; specifying certain information
31 to be addressed in the transition plan; amending s.
32 39.6035, F.S.; requiring court approval of a
33 transition plan before the child's 18th birthday;
34 amending s. 39.621, F.S.; creating an exception to the
35 order of preference for permanency goals under ch. 39,
36 F.S., for maintaining and strengthening the placement;
37 authorizing the new permanency goal to be used in
38 specified circumstances; amending s. 39.701, F.S.;
39 revising the information which must be included in a
40 specified written report under certain circumstances;
41 requiring a court to order the Department of Children
42 and Families and the community-based care lead agency
43 to file a written notification; creating s. 409.142,
44 F.S.; providing legislative findings and intent;
45 defining the term "intervention services and
46 supports"; providing specified intervention services
47 and supports; providing eligibility for services and
48 supports; providing requirements for the provision of
49 services and supports; requiring each community-based
50 care lead agency to submit a plan to the department by
51 a certain date; requiring each community-based care
52 lead agency to annually collect and submit a report to
53 include specified information for each child to whom
54 intervention services and supports are provided;
55 requiring the department to adopt rules; creating s.
56 409.143, F.S.; providing legislative findings and
57 intent; defining terms; requiring an initial placement
58 assessment for certain children under specified

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59 circumstances; requiring every child placed in out-of-
60 home care to be referred within a certain time for a
61 comprehensive behavioral health assessment; requiring
62 the department or the community-based care lead agency
63 to establish special permanency teams to overcome
64 difficulties with adjustment of children to home
65 placement; requiring the department to submit a report
66 annually to the Governor and the Legislature on the
67 placement of children in licensed out-of-home care;
68 creating s. 409.144, F.S.; providing legislative
69 findings and intent; defining terms; requiring the
70 department to develop a continuum of care for the
71 placement of children in care settings; requiring the
72 department to submit a report annually to the Governor
73 and the Legislature on the continuum of care;
74 requiring the department to adopt rules; amending s.
75 409.1451, F.S.; requiring that the child was living in
76 licensed care on or after his or her 18th birthday as
77 a condition for receipt of aftercare services;
78 requiring the department to provide education training
79 vouchers; providing eligibility requirements;
80 prohibiting vouchers from exceeding a certain amount;
81 providing rulemaking authority; amending s. 409.988,
82 F.S.; requiring lead agencies to ensure the
83 availability of a full array of family support
84 services; requiring the department to submit a report
85 annually to the Governor and Legislature on the
86 availability of family support services; amending ss.
87 39.202 and 1002.3305, F.S.; conforming cross-

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88 references; revising the designation of an agency with
89 access to records; repealing s. 39.523, F.S., relating
90 to the placement of children in residential group
91 care; repealing s. 409.141, F.S., relating to
92 equitable reimbursement methodology; repealing s.
93 409.1676, F.S., relating to comprehensive residential
94 group care services to children who have extraordinary
95 needs; repealing s. 409.1677, F.S., relating to model
96 comprehensive residential services programs; repealing
97 s. 409.1679, F.S., relating to additional requirements
98 and reimbursement methodology; providing an effective
99 date.

100

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

102

103 Section 1. Paragraphs (f) and (h) of subsection (8) of
104 section 39.402, Florida Statutes, are amended to read:

105 39.402 Placement in a shelter.—

106 (8)

107 (f) At the shelter hearing, the department shall inform the
108 court of:

109 1. Any identified current or previous case plans negotiated
110 under this chapter in any judicial circuit district ~~district~~ with the
111 parents or caregivers ~~under this chapter~~ and problems associated
112 with compliance;

113 2. Any adjudication of the parents or caregivers of
114 delinquency;

115 3. Any past or current injunction for protection from
116 domestic violence; and

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117 4. All of the child's places of residence during the prior
118 12 months.

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

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

124 2. That placement in shelter care is in the best interest
125 of the child.

126 3. That the placement proposed by the department is in the
127 least restrictive and most family-like setting that meets the
128 needs of the child, unless it is otherwise documented that the
129 identified type of placement needed is not available.

130 ~~4.3.~~ That continuation of the child in the home is contrary
131 to the welfare of the child because the home situation presents
132 a substantial and immediate danger to the child's physical,
133 mental, or emotional health or safety which cannot be mitigated
134 by the provision of preventive services.

135 ~~5.4.~~ That based upon the allegations of the petition for
136 placement in shelter care, there is probable cause to believe
137 that the child is dependent or that the court needs additional
138 time, which may not exceed 72 hours, in which to obtain and
139 review documents pertaining to the family in order to
140 appropriately determine the risk to the child.

141 ~~6.5.~~ That the department has made reasonable efforts to
142 prevent or eliminate the need for removal of the child from the
143 home. A finding of reasonable effort by the department to
144 prevent or eliminate the need for removal may be made and the
145 department is deemed to have made reasonable efforts to prevent

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146 or eliminate the need for removal if:

147 a. The first contact of the department with the family
148 occurs during an emergency;

149 b. The appraisal of the home situation by the department
150 indicates that the home situation presents a substantial and
151 immediate danger to the child's physical, mental, or emotional
152 health or safety which cannot be mitigated by the provision of
153 preventive services;

154 c. The child cannot safely remain at home, either because
155 there are no preventive services that can ensure the health and
156 safety of the child or because, even with appropriate and
157 available services being provided, the health and safety of the
158 child cannot be ensured; or

159 d. The parent or legal custodian is alleged to have
160 committed any of the acts listed as grounds for expedited
161 termination of parental rights in s. 39.806(1)(f)-(i).

162 ~~7.6.~~ That the department has made reasonable efforts to
163 keep siblings together if they are removed and placed in out-of-
164 home care unless such placement is not in the best interest of
165 each child. It is preferred that siblings be kept together in a
166 foster home, if available. Other reasonable efforts shall
167 include short-term placement in a group home with the ability to
168 accommodate sibling groups if such a placement is available. The
169 department shall report to the court its efforts to place
170 siblings together unless the court finds that such placement is
171 not in the best interest of a child or his or her sibling.

172 ~~8.7.~~ That the court notified the parents, relatives that
173 are providing out-of-home care for the child, or legal
174 custodians of the time, date, and location of the next

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175 dependency hearing and of the importance of the active
176 participation of the parents, relatives that are providing out-
177 of-home care for the child, or legal custodians in all
178 proceedings and hearings.

179 ~~9.8.~~ That the court notified the parents or legal
180 custodians of their right to counsel to represent them at the
181 shelter hearing and at each subsequent hearing or proceeding,
182 and the right of the parents to appointed counsel, pursuant to
183 the procedures set forth in s. 39.013.

184 ~~10.9.~~ That the court notified relatives who are providing
185 out-of-home care for a child as a result of the shelter petition
186 being granted that they have the right to attend all subsequent
187 hearings, to submit reports to the court, and to speak to the
188 court regarding the child, if they so desire.

189 Section 2. Paragraph (d) of subsection (1) of section
190 39.521, Florida Statutes, is amended to read:

191 39.521 Disposition hearings; powers of disposition.—

192 (1) A disposition hearing shall be conducted by the court,
193 if the court finds that the facts alleged in the petition for
194 dependency were proven in the adjudicatory hearing, or if the
195 parents or legal custodians have consented to the finding of
196 dependency or admitted the allegations in the petition, have
197 failed to appear for the arraignment hearing after proper
198 notice, or have not been located despite a diligent search
199 having been conducted.

200 (d) The court shall, in its written order of disposition,
201 include all of the following:

202 1. The placement or custody of the child, including whether
203 the placement is in the least restrictive and most family-like

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204 setting that meets the needs of the child, as determined by
205 assessments completed pursuant to s. 409.143.

206 2. Special conditions of placement and visitation.

207 3. Evaluation, counseling, treatment activities, and other
208 actions to be taken by the parties, if ordered.

209 4. The persons or entities responsible for supervising or
210 monitoring services to the child and parent.

211 5. Continuation or discharge of the guardian ad litem, as
212 appropriate.

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

215 a. Ninety days after the disposition hearing;

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

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

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

221 7. If the child is in an out-of-home placement, child
222 support to be paid by the parents, or the guardian of the
223 child's estate if possessed of assets which under law may be
224 disbursed for the care, support, and maintenance of the child.
225 The court may exercise jurisdiction over all child support
226 matters, shall adjudicate the financial obligation, including
227 health insurance, of the child's parents or guardian, and shall
228 enforce the financial obligation as provided in chapter 61. The
229 state's child support enforcement agency shall enforce child
230 support orders under this section in the same manner as child
231 support orders under chapter 61. Placement of the child shall
232 not be contingent upon issuance of a support order.

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233 8.a. If the court does not commit the child to the
234 temporary legal custody of an adult relative, legal custodian,
235 or other adult approved by the court, the disposition order
236 shall include the reasons for such a decision and shall include
237 a determination as to whether diligent efforts were made by the
238 department to locate an adult relative, legal custodian, or
239 other adult willing to care for the child in order to present
240 that placement option to the court instead of placement with the
241 department.

242 b. If no suitable relative is found and the child is placed
243 with the department or a legal custodian or other adult approved
244 by the court, both the department and the court shall consider
245 transferring temporary legal custody to an adult relative
246 approved by the court at a later date, but neither the
247 department nor the court is obligated to so place the child if
248 it is in the child's best interest to remain in the current
249 placement.

250
251 For the purposes of this section, "diligent efforts to locate an
252 adult relative" means a search similar to the diligent search
253 for a parent, but without the continuing obligation to search
254 after an initial adequate search is completed.

255 9. Other requirements necessary to protect the health,
256 safety, and well-being of the child, to preserve the stability
257 of the child's educational placement, and to promote family
258 preservation or reunification whenever possible.

259 Section 3. Section 39.6011, Florida Statutes, is amended to
260 read:

261 (Substantial rewording of section. See

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262 s. 39.6011, F.S., for present text.)

263 39.6011 Case plan purpose; requirements; procedures.-

264 (1) PURPOSE.-The purpose of the case plan is to promote and
265 facilitate change in parental behavior and to address the
266 treatment and long-term well-being of children receiving
267 services under this chapter.

268 (2) GENERAL REQUIREMENTS.-The department shall draft a case
269 plan for each child receiving services under this chapter. The
270 case plan must:

271 (a) Document that a preplacement assessment of the service
272 needs of the child and family, and preplacement preventive
273 services, if appropriate, have been provided pursuant to s.
274 409.142, and that reasonable efforts to prevent out-of-home
275 placement have been made.

276 (b) Be developed in a face-to-face conference with the
277 parent of the child, any court-appointed guardian ad litem, and,
278 if appropriate, the child and the temporary custodian of the
279 child. The parent may receive assistance from any person or
280 social service agency in preparing the case plan. The social
281 service agency, the department, and the court, when applicable,
282 shall inform the parent of the right to receive such assistance,
283 including the right to assistance of counsel.

284 (c) Be written simply and clearly in English and, if
285 English is not the principal language of the child's parent, in
286 the parent's principal language, to the extent practicable.

287 (d) Describe a process for making available to all physical
288 custodians and family services counselors the information
289 required by s. 39.6012(2) and for ensuring that this information
290 follows the child until permanency has been achieved.

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291 (e) Specify the period of time for which the case plan is
292 applicable, which must be as short a period as possible for the
293 parent to comply with the terms of the plan. The case plan's
294 compliance period expires no later than 12 months after the date
295 the child was initially removed from the home, the date the
296 child was adjudicated dependent, or the date the case plan was
297 accepted by the court, whichever occurs first.

298 (f) Be signed by all of the parties, except that the
299 signature of a child may be waived if the child is not of an age
300 or capacity to participate in the case-planning process. Signing
301 the case plan constitutes an acknowledgment by each of the
302 parties that they have been involved in the development of the
303 case plan and that they are in agreement as to the terms and
304 conditions contained in the case plan. The refusal of a parent
305 to sign the case plan does not preclude the court's acceptance
306 of the case plan if it is otherwise acceptable to the court. The
307 parent's signing of the case plan does not constitute an
308 admission to any allegation of abuse, abandonment, or neglect
309 and does not constitute consent to a finding of dependency or
310 termination of parental rights. The department shall explain the
311 provisions of the case plan to all persons involved in its
312 implementation, including, when appropriate, the child, before
313 the signing of the plan.

314
315 If the parent's substantial compliance with the case plan
316 requires the department to provide services to the parent or the
317 child and the parent agrees to begin compliance with the case
318 plan before it is accepted by the court, the department shall
319 make appropriate referrals for services which will allow the

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320 parents to immediately begin the agreed-upon tasks and services.

321 (3) NOTICE TO PARENTS.—The case plan must document that
322 each parent has been advised of the following by written notice:

323 (a) That he or she may not be coerced or threatened with
324 the loss of custody or parental rights for failing to admit the
325 abuse, neglect, or abandonment of the child in the case plan.

326 Participation in the development of a case plan is not an
327 admission to any allegation of abuse, abandonment, or neglect,
328 and does not constitute consent to a finding of dependency or
329 termination of parental rights.

330 (b) That the department must document a parent's
331 unwillingness or inability to participate in developing a case
332 plan and must provide such documentation in writing to the
333 parent when it becomes available for the court record. In such
334 event, the department will prepare a case plan that, to the
335 extent possible, conforms with the requirements of this section.
336 The parent must also be advised that his or her unwillingness or
337 inability to participate in developing a case plan does not
338 preclude the filing of a petition for dependency or for
339 termination of parental rights. If the parent is available, the
340 department shall provide a copy of the case plan to the parent
341 and advise him or her that, at any time before the filing of a
342 petition for termination of parental rights, he or she may enter
343 into a case plan and that he or she may request judicial review
344 of any provision of the case plan with which he or she disagrees
345 at any court hearing set for the child.

346 (c) That his or her failure to substantially comply with
347 the case plan may result in the termination of parental rights,
348 and that a material breach of the case plan may result in the

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349 filing of a petition for termination of parental rights before
350 the scheduled completion date.

351 (4) DISTRIBUTION AND FILING WITH THE COURT.—The department
352 shall adhere to the following procedural requirements in
353 developing and distributing a case plan:

354 (a) After the case plan has been agreed upon and signed by
355 the parties, a copy of the case plan must immediately be given
356 to the parties, including the child if appropriate, and to other
357 persons as directed by the court.

358 (b) In each case in which a child has been placed in out-
359 of-home care, a case plan must be prepared within 60 days after
360 the department removes the child from the home and must be
361 submitted to the court for review and approval before the
362 disposition hearing.

363 (c) After jurisdiction attaches, all case plans must be
364 filed with the court, and a copy provided to all of the parties
365 whose whereabouts are known, including the child if appropriate,
366 not less than 3 business days before the disposition hearing.
367 The department shall file with the court, and provide copies of
368 such to all of the parties, all case plans prepared before
369 jurisdiction of the court attached.

370 (d) A case plan must be prepared, but need not be submitted
371 to the court, for a child who will be in care for 30 days or
372 less unless that child is placed in out-of-home care for a
373 second time within a 12-month period.

374 Section 4. Section 39.6012, Florida Statutes, is amended to
375 read:

376 (Substantial rewording of section. See
377 s. 39.6012, F.S., for present text.)

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378 39.6012 Services and parental tasks under the case plan;
379 safety, permanency, and well-being of the child.-The case plan
380 must include a description of the identified problem that is
381 being addressed, including the parent's behavior or acts that
382 have resulted in a threat to the safety of the child and the
383 reason for the department's intervention. The case plan must be
384 designed to improve conditions in the child's home to facilitate
385 the child's safe return and ensure proper care of the child, or
386 to facilitate the child's permanent placement. The services
387 offered must be as unobtrusive as possible in the lives of the
388 parent and the child, must focus on clearly defined objectives,
389 and must provide the most timely and efficient path to
390 reunification or permanent placement, given the circumstances of
391 the case and the child's need for safe and proper care.

392 (1) CASE PLAN SERVICES AND TASKS.-The case plan must be
393 based upon an assessment of the circumstances that required
394 intervention by the child welfare system. The case plan must
395 describe the role of the foster parents or legal custodians
396 which must be developed in conjunction with the determination of
397 the services that are to be provided under the case plan to the
398 child, foster parents, or legal custodians. The child must be
399 involved in developing the case plan as is age and
400 developmentally appropriate.

401 (a) Itemization in the case plan.-The case plan must
402 describe each of the tasks which the parent must complete and
403 the services that will be provided to the parent, in the context
404 of the identified problem, including:

405 1. The type of services or treatment which will be
406 provided.

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407 2. If the service is being provided by the department or
408 its agent, the date the department will provide each service or
409 referral for service.

410 3. The date by which the parent must complete each task.

411 4. The frequency of services or treatment to be provided,
412 which shall be determined by the professionals providing the
413 services and may be adjusted as needed based on the best
414 professional judgment of the provider.

415 5. The location of the delivery of the services.

416 6. Identification of the staff of the department or the
417 service provider who are responsible for the delivery of
418 services or treatment.

419 7. A description of measurable outcomes, including the
420 timeframes specified for achieving the objectives of the case
421 plan and addressing the identified problem.

422 (b) Meetings with case manager.—The case plan must include
423 a schedule of the minimum number of face-to-face meetings to be
424 held each month between the parent and the case manager to
425 review the progress of the case plan, eliminate barriers to
426 completion of the plan, and resolve conflicts or disagreements.

427 (c) Request for notification from relative.—The case
428 manager shall advise the attorney for the department of a
429 relative's request to receive notification of proceedings and
430 hearings submitted pursuant to s. 39.301(14)(b).

431 (d) Financial support.—The case plan must specify the
432 parent's responsibility for the financial support of the child,
433 including, but not limited to, health insurance and child
434 support. The case plan must list the costs associated with any
435 services or treatment that the parent and child are expected to

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436 receive which are the financial responsibility of the parent.
437 The determination of child support and other financial support
438 must be made independently of any determination of dependency
439 under s. 39.013.

440 (2) SAFETY, PERMANENCY, AND WELL-BEING OF THE CHILD.—The
441 case plan must include all available information that is
442 relevant to the child's care, including a detailed description
443 of the identified needs of the child while in care and a
444 description of the plan for ensuring that the child receives
445 safe and proper care that is appropriate to his or her needs. A
446 child must be given a meaningful opportunity to participate in
447 the development of the case plan and state his or her preference
448 for foster care placement. A child who is 12 years of age or
449 older and in a permanent placement must also be given the
450 opportunity to review the case plan, sign the case plan, and
451 receive a copy of the case plan.

452 (a) Placement.—To comply with federal law, the department
453 must ensure that the placement of a child in foster care be in
454 the least restrictive, most family-like environment; must review
455 the family assessment, safety plan, and case plan for the child
456 to assess the necessity for and the appropriateness of the
457 placement; must assess the progress that has been made toward
458 case plan outcomes; and must project a likely date by which the
459 child can be safely reunified or placed for adoption or legal
460 guardianship. The family assessment must indicate the type of
461 placement to which the child has been assigned and must document
462 the following:

463 1. That the child has undergone the placement assessments
464 required pursuant to s. 409.143.

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465 2. That the child has been placed in the least restrictive
466 and most family-like setting available consistent with the best
467 interest and special needs of the child, and in as close
468 proximity as possible to the child's home.

469 3. If the child is placed in a setting that is more
470 restrictive than recommended by the placement assessments or is
471 placed a substantial distance from the child's home, the reasons
472 why the placement is necessary and in the best interest of the
473 child and the steps required to place the child in the placement
474 recommended by the assessment.

475 4. If residential group care is recommended for the child,
476 the needs of the child that necessitate such placement, the plan
477 for transitioning the child to a family setting, and the
478 projected timeline for the child's transition to a less
479 restrictive environment. If the child is placed in residential
480 group care, his or her case plan shall be reviewed and updated
481 within 90 days after the child's admission to the residential
482 group care facility and at least every 60 days thereafter.

483 (b) Permanency.—If reunifying a child with his or her
484 family is not possible, the department shall make every effort
485 to provide other forms of permanency, such as adoption or
486 guardianship. If a child is placed in an out-of-home placement,
487 the case plan, in addition to any other requirements imposed by
488 law or department rule, must include:

489 1. If concurrent planning is being used, a description of
490 the permanency goal of reunification with the parent or legal
491 custodian and a description of one of the remaining permanency
492 goals defined in s. 39.01; or, if concurrent case planning is
493 not being used, an explanation as to why it is not being used.

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494 2. If the case plan has as its goal the adoption of the
495 child or his or her placement in another permanent home, a
496 statement of the child's wishes regarding his or her permanent
497 placement plan and an assessment of those stated wishes. The
498 case plan must also include documentation of the steps the
499 agency is taking to find an adoptive family or other permanent
500 living arrangements for the child; to place the child with an
501 adoptive family, an appropriate and willing relative, or a legal
502 guardian; and to finalize the adoption or legal guardianship. At
503 a minimum, the documentation must include child-specific
504 recruitment efforts, such as the use of state, regional, and
505 national adoption exchanges, including electronic exchange
506 systems, after he or she has become legally eligible for
507 adoption.

508 3. If the child has been in out-of-home care for at least
509 12 months and the permanency goal is not adoptive placement, the
510 documentation of the compelling reason for a finding that
511 termination of parental rights is not in the child's best
512 interest.

513 (c) Education.—A case plan must ensure the educational
514 stability of the child while in foster care. To the extent
515 available and accessible, the names and addresses of the child's
516 educational providers, a record of his or her grade level
517 performance, and his or her school record must be attached to
518 the case plan and updated throughout the judicial review
519 process. The case plan must also include documentation that the
520 placement:

521 1. Takes into account the appropriateness of the current
522 educational setting and the proximity to the school in which the

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523 child is enrolled at the time of placement.

524 2. Has been coordinated with appropriate local educational
525 agencies to ensure that the child remains in the school in which
526 the child is enrolled at the time of placement, or, if remaining
527 in that school is not in the best interest of the child,
528 assurances by the department and the local education agency to
529 provide immediate and appropriate enrollment in a new school and
530 to provide all of the child's educational records to the new
531 school.

532 (d) Health care.—To the extent that they are available and
533 accessible, the names and addresses of the child's health and
534 mental health providers, a record of the child's immunizations,
535 the child's known medical history, including any known health
536 issues, the child's medications, and any other relevant health
537 and mental health information must be attached to the case plan
538 and updated throughout the judicial review process.

539 (e) Contact with family.—When out-of-home placement is
540 made, the case plan must include provisions for the development
541 and maintenance of sibling relationships and visitation, if the
542 child has siblings and is separated from them, and a description
543 of the parent's visitation rights and obligations. As soon as
544 possible after a court order is entered the following must be
545 provided to the child's out-of-home caregiver:

546 1. Information regarding any court-ordered visitation
547 between the child and the parents, and the terms and conditions
548 necessary to facilitate such visits and protect the safety of
549 the child.

550 2. Information regarding the schedule and frequency of the
551 visits between the child and his or her siblings, as well as any

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552 court-ordered terms and conditions necessary to facilitate the
553 visits and protect the safety of the child.

554 (f) *Independent living.*

555 1. When appropriate, the case plan for a child who is 13
556 years of age or older, must include a written description of the
557 programs and services that will assist the child, consistent
558 with his or her best interests, in preparing for the transition
559 from foster care to independent living. The case plan must be
560 developed with the child and individuals identified as important
561 to the child, and must include the steps the agency is taking to
562 ensure that the child has a connection to a caring adult.

563 2. During the 180-day period after a child reaches 17 years
564 of age, the department and the community-based care provider, in
565 collaboration with the caregiver and any other individual whom
566 the child would like to include, shall assist the child in
567 developing a transition plan pursuant to s. 39.6035, which is in
568 addition to standard case management requirements. The
569 transition plan must address specific options that the child may
570 use in obtaining services, including housing, health insurance,
571 education, and workforce support and employment services. The
572 transition plan must also consider establishing and maintaining
573 naturally occurring mentoring relationships and other personal
574 support services. The transition plan may be as detailed as the
575 child chooses and must be attached to the case plan and updated
576 before each judicial review.

577 Section 5. Subsection (4) of section 39.6035, Florida
578 Statutes, is amended to read:

579 39.6035 Transition plan.—

580 ~~(4) If a child is planning to leave care upon reaching 18~~

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581 ~~years of age,~~ The transition plan must be approved by the court
582 before the child's 18th birthday ~~child leaves care and the court~~
583 ~~terminates jurisdiction.~~

584 Section 6. Subsection (2) of section 39.621, Florida
585 Statutes, is amended, present subsections (3) through (11) of
586 that section are redesignated as subsections (4) through (12),
587 respectively, and new subsection (3) is added to that section,
588 to read:

589 39.621 Permanency determination by the court.—

590 (2) Except as provided in subsection (3), the permanency
591 goals available under this chapter, listed in order of
592 preference, are:

593 (a) Reunification;

594 (b) Adoption, if a petition for termination of parental
595 rights has been or will be filed;

596 (c) Permanent guardianship of a dependent child under s.
597 39.6221; or

598 ~~(d) Permanent placement with a fit and willing relative~~
599 ~~under s. 39.6231; or~~

600 (d)(e) Placement in another planned permanent living
601 arrangement under s. 39.6241.

602 (3) The permanency goal of maintaining and strengthening
603 the placement with a parent may be used in the following
604 circumstances:

605 (a) If a child has not been removed from a parent but is
606 found to be dependent, even if adjudication of dependency is
607 withheld, the court may leave the child in the current placement
608 with maintaining and strengthening the placement as a permanency
609 option.

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610 (b) If a child has been removed from a parent and is placed
611 with the parent from whom the child was not removed, the court
612 may leave the child in the placement with the parent from whom
613 the child was not removed with maintaining and strengthening the
614 placement as a permanency option.

615 (c) If a child has been removed from a parent and is
616 subsequently reunified with that parent, the court may leave the
617 child with that parent with maintaining and strengthening the
618 placement as a permanency option.

619 Section 7. Paragraphs (a) and (d) of subsection (2) of
620 section 39.701, Florida Statutes, are amended to read:

621 39.701 Judicial review.—

622 (2) REVIEW HEARINGS FOR CHILDREN YOUNGER THAN 18 YEARS OF
623 AGE.—

624 (a) *Social study report for judicial review.*—Before every
625 judicial review hearing or citizen review panel hearing, the
626 social service agency shall make an investigation and social
627 study concerning all pertinent details relating to the child and
628 shall furnish to the court or citizen review panel a written
629 report that includes, but is not limited to:

630 1. A description of the type of placement the child is in
631 at the time of the hearing, including the safety of the child,
632 ~~and the continuing necessity for and appropriateness of the~~
633 placement, and that the placement is in the least restrictive
634 and most family-like setting that meets the needs of the child
635 as determined by the assessment completed pursuant to s.
636 409.143.

637 2. Documentation of the diligent efforts made by all
638 parties to the case plan to comply with each applicable

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639 provision of the case plan.

640 3. The amount of fees assessed and collected during the
641 period of time being reported.

642 4. The services provided to the foster family or legal
643 custodian in an effort to address the needs of the child as
644 indicated in the case plan.

645 5. A statement that either:

646 a. The parent, though able to do so, did not comply
647 substantially with the case plan, and the agency
648 recommendations;

649 b. The parent did substantially comply with the case plan;
650 or

651 c. The parent has partially complied with the case plan,
652 with a summary of additional progress needed and the agency
653 recommendations.

654 6. A statement from the foster parent or legal custodian
655 providing any material evidence concerning the return of the
656 child to the parent or parents.

657 7. A statement concerning the frequency, duration, and
658 results of the parent-child visitation, if any, and the agency
659 recommendations for an expansion or restriction of future
660 visitation.

661 8. The number of times a child has been removed from his or
662 her home and placed elsewhere, the number and types of
663 placements that have occurred, and the reason for the changes in
664 placement.

665 9. The number of times a child's educational placement has
666 been changed, the number and types of educational placements
667 which have occurred, and the reason for any change in placement.

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668 10. If the child has reached 13 years of age but is not yet
669 18 years of age, a statement from the caregiver on the progress
670 the child has made in acquiring independent living skills.

671 11. Copies of all medical, psychological, and educational
672 records that support the terms of the case plan and that have
673 been produced concerning the parents or any caregiver since the
674 last judicial review hearing.

675 12. Copies of the child's current health, mental health,
676 and education records as identified in s. 39.6012.

677 (d) *Orders.*—

678 1. Based upon the criteria ~~set forth~~ in paragraph (c) and
679 the recommended order of the citizen review panel, if any, the
680 court shall determine whether ~~or not~~ the social service agency
681 shall initiate proceedings to have a child declared a dependent
682 child, return the child to the parent, continue the child in
683 out-of-home care for a specified period ~~of time~~, or initiate
684 termination of parental rights proceedings for subsequent
685 placement in an adoptive home. Amendments to the case plan must
686 be prepared as prescribed in s. 39.6013. If the court finds that
687 the conditions for return have been met and ~~prevention or~~
688 ~~reunification efforts of the department~~ will allow the child to
689 remain safely at home or be safely returned to the home with an
690 in-home safety plan, the court shall allow the child to remain
691 in or return to the home after making a specific finding of fact
692 that the reasons for the out-of-home safety ~~creation of the case~~
693 plan have been remedied to the extent that the child's safety,
694 well-being, and physical, mental, and emotional health can be
695 ensured with an in-home safety plan and appropriate in-home
696 safety services while the parent continues to work toward case

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697 outcomes ~~will not be endangered.~~

698 2. The court shall return the child to the custody of the
699 parents with an in-home safety plan at any time it determines
700 that they have met conditions for return ~~substantially complied~~
701 ~~with the case plan, and~~ if the court is satisfied that
702 reunification will not be detrimental to the child's safety,
703 well-being, and physical, mental, and emotional health.

704 3. If, in the opinion of the court, the social service
705 agency has not complied with its obligations as specified in the
706 written case plan, the court may find the social service agency
707 in contempt, shall order the social service agency to submit its
708 plans for compliance with the agreement, and shall require the
709 social service agency to show why the child could not safely be
710 returned to the home of the parents.

711 4. If possible, the court shall order the department and
712 the community-based care lead agency to file a written
713 notification before a child changes placements or living
714 arrangements. If such notification is not possible before the
715 change, the department and the community-based care lead agency
716 must file a notification immediately following a change.

717 ~~5.4.~~ If, at any judicial review, the court finds that the
718 parents have failed to substantially comply with the case plan
719 to the degree that further reunification efforts are without
720 merit and not in the best interest of the child, on its own
721 motion, the court may order the filing of a petition for
722 termination of parental rights, whether or not the time period
723 as contained in the case plan for substantial compliance has
724 expired.

725 ~~6.5.~~ Within 6 months after the date that the child was

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726 placed in shelter care, the court shall conduct a judicial
727 review hearing to review the child's permanency goal as
728 identified in the case plan. At the hearing the court shall make
729 findings regarding the likelihood of the child's reunification
730 with the parent or legal custodian within 12 months after the
731 removal of the child from the home. If the court makes a written
732 finding that it is not likely that the child will be reunified
733 with the parent or legal custodian within 12 months after the
734 child was removed from the home, the department must file with
735 the court, and serve on all parties, a motion to amend the case
736 plan under s. 39.6013 and declare that it will use concurrent
737 planning for the case plan. The department must file the motion
738 within 10 business days after receiving the written finding of
739 the court. The department must attach the proposed amended case
740 plan to the motion. If concurrent planning is already being
741 used, the case plan must document the efforts the department is
742 taking to complete the concurrent goal.

743 ~~7.6.~~ The court may issue a protective order in assistance,
744 or as a condition, of any other order made under this part. In
745 addition to the requirements included in the case plan, the
746 protective order may set forth requirements relating to
747 reasonable conditions of behavior to be observed for a specified
748 period of time by a person or agency who is before the court;
749 and the order may require any person or agency to make periodic
750 reports to the court containing such information as the court in
751 its discretion may prescribe.

752 Section 8. Section 409.142, Florida Statutes, is created to
753 read:

754 409.142 Intervention services for unsafe children.—

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755 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
756 that intervention services and supports are designed to
757 strengthen and support families in order to keep them safely
758 together and to prevent children from entering foster care.
759 Therefore, it is the intent of the Legislature for the
760 department to identify evidence-based intervention programs that
761 remedy child abuse and neglect, reduce the likelihood of foster
762 care placement by supporting parents and relative or nonrelative
763 caregivers, increase family reunification with parents or other
764 relatives, and promote placement stability for children living
765 with relatives or nonrelative caregivers.

766 (2) DEFINITION.—As used in this section the term
767 “intervention services and supports” means assistance provided
768 to a child or to the parents or relative and nonrelative
769 caregivers of a child determined by a child protection
770 investigation to be in present or impending danger.

771 (3) SERVICES AND SUPPORTS.—Intervention services and
772 supports that shall be made available to eligible individuals
773 include, but are not limited to:

774 (a) Safety management services provided to unsafe children
775 which immediately and actively protect the child from dangerous
776 threats if the parent or other caregiver cannot, as part of a
777 safety plan.

778 (b) Parenting skills training, including parent advocates,
779 peer-to-peer mentoring, and support groups for parents and
780 relative caregivers.

781 (c) Individual, group, and family counseling, mentoring,
782 and therapy.

783 (d) Behavioral health care needs, domestic violence, and

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784 substance abuse services.

785 (e) Crisis assistance or services to stabilize families in
786 times of crisis or to facilitate relative placement, such as
787 transportation, clothing, household goods, assistance with
788 housing and utility payments, child care, respite care, and
789 assistance connecting families with other community-based
790 services.

791 (4) ELIGIBILITY FOR SERVICES.—The following individuals are
792 eligible for services and supports under this section:

793 (a) A child who is unsafe but can remain safely at home or
794 in a relative or nonrelative placement with receipt of specified
795 services and supports.

796 (b) A parent or relative caregiver of an unsafe child.

797 (5) GENERAL REQUIREMENTS.—The community-based care lead
798 agency shall prepare a case plan for each child and his or her
799 family receiving services and support under this section which
800 includes:

801 (a) The safety services and supports necessary to prevent
802 the child's entry into foster care.

803 (b) The services and supports that will enable the child to
804 return home with an in-home safety plan.

805 (6) ASSESSMENT AND REPORTING.—

806 (a) By October 1, 2016, each community-based care lead
807 agency shall submit a monitoring plan to the department
808 describing how the lead agency will monitor and oversee the
809 safety of children who receive intervention services and
810 supports. The monitoring plan shall include a description of
811 training and support for caseworkers handling intervention
812 cases, including how caseload size and type will be determined,

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813 managed, and overseen.

814 (b) Beginning October 1, 2016, each community-based care
815 lead agency shall collect and report annually to the department,
816 as part of the child welfare Results Oriented Accountability
817 Program required under s. 409.997, the following with respect to
818 each child for whom, or on whose behalf, intervention services
819 and supports are provided during a 12-month period:

820 1. The number of children and families served;

821 2. The specific services provided and the total
822 expenditures for each such service;

823 3. The child's placement status at the beginning and at the
824 end of the period; and

825 4. The child's placement status 1 year after the end of the
826 period.

827 (c) Outcomes for this subsection shall be included in the
828 annual report required under s. 409.997.

829 (7) RULEMAKING.—The department shall adopt rules to
830 administer this section.

831 Section 9. Section 409.143, Florida Statutes, is created to
832 read:

833 409.143 Assessment and determination of appropriate
834 placement.—

835 (1) LEGISLATIVE FINDINGS AND INTENT.—

836 (a) The Legislature finds that it is a basic tenet of child
837 welfare practice and the law that children be placed in the
838 least restrictive, most family-like setting available in close
839 proximity to the home of their parents, consistent with the best
840 interests and needs of the child, and that children be placed in
841 permanent homes in a timely manner.

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842 (b) The Legislature also finds that behavior problems can
843 create difficulties in a child's placement and ultimately lead
844 to multiple placements, which have been linked to negative
845 outcomes for children.

846 (c) The Legislature further finds that given the harm
847 associated with multiple placements, the ideal is connecting
848 children to the most appropriate setting at the time they come
849 into care.

850 (d) Therefore, it is the intent of the Legislature that
851 through the use of a standardized assessment process and the
852 availability of an adequate array of appropriate placement
853 options, that the first placement be the best placement for
854 every child entering care.

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

856 (a) "Comprehensive behavioral health assessment" means an
857 in-depth and detailed assessment of the child's emotional,
858 social, behavioral, and developmental functioning within the
859 family home, school, and community that must include direct
860 observation of the child in the home, school, and community, as
861 well as in the clinical setting.

862 (b) "Level of care" means a tiered approach to the types of
863 placement used and the acuity and intensity of intervention
864 services provided to meet the severity of a dependent child's
865 specific physical, emotional, psychological, and social needs.

866 (3) INITIAL PLACEMENT ASSESSMENT.—

867 (a) Each child that has been determined by the department,
868 a sheriff's office conducting protective investigations, or a
869 community-based care provider to require an out-of-home
870 placement must be assessed prior to placement selection to

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871 determine the best placement option to meet the child's
872 immediate and ongoing intervention and services and supports
873 needs. The department shall develop and adopt by rule a
874 preplacement assessment tool that must include an analysis of
875 the child's age, maturity level, known behavioral health
876 diagnosis, behaviors, prior placement arrangements, physical and
877 medical needs, and educational commitments.

878 (b) If it is determined during the preplacement evaluation
879 that a child may be suitable for residential treatment as
880 defined in s. 39.407, the procedures in that section must be
881 followed.

882 (c) A decision to place a child in group care with a
883 residential child care agency may not be made by any individual
884 or entity who has an actual or perceived conflict of interest
885 with any agency being considered for placement.

886 (d) The department shall document initial placement
887 assessments in the Florida Safe Families Network.

888 (4) COMPREHENSIVE ASSESSMENT.—

889 (a) Each child placed in out-of-home care shall be referred
890 by the department for a comprehensive behavioral health
891 assessment. The comprehensive assessment is intended to support
892 the family assessment, which will guide the case plan outcomes
893 and treatment and well-being service provisions for a child in
894 out-of-home care, in addition to providing information to help
895 determine if the child's initial placement was the most
896 appropriate out-of-home care setting for the child.

897 (b) The referral for the comprehensive behavioral health
898 assessment shall be made within 7 calendars days of the child
899 entering out-of-home care.

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900 (c) The comprehensive assessment will measure the strengths
901 and needs of the child and the services and supports that are
902 necessary to maintain the child in the least restrictive out-of-
903 home care setting. In developing the assessment, consideration
904 must be given to:

905 1. Current and historical information from any
906 psychological testing or evaluation of the child;

907 2. Current behaviors exhibited by the child which interfere
908 with or limit the child's role or ability to function in a less
909 restrictive, family-like setting;

910 3. Current and historical information from the guardian ad
911 litem, if one has been appointed;

912 4. Current and historical information from any current
913 therapist, teacher, or other professional who has knowledge of
914 the child or has worked with the child;

915 5. Information related to the placement of any siblings of
916 the child; and

917 6. If the child has been moved more than once, the
918 circumstances necessitating the moves and the recommendations of
919 the former foster families or other caregivers, if available.

920 (d) Completion of the comprehensive assessment must occur
921 within 30 calendar days after the child entering out-of-home
922 care.

923 (e) The department must use the results of the
924 comprehensive assessment and any additional information gathered
925 to determine the child's functioning level and the level of care
926 needed for continued placement.

927 (f) Upon receipt of a child's completed comprehensive
928 assessment, the child's case manager will review the assessment,

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929 and document whether a less restrictive, more family-like
930 setting for the child is recommended and available. The
931 department must document determinations resulting from the
932 comprehensive assessment in the Florida Safe Families Network to
933 include identified needs of the child, specified services and
934 supports to be provided by the out-of-home care placement
935 setting to meet the needs of the child, and diligent efforts to
936 transition the child to a less restrictive, family-like setting.

937 (5) PERMANENCY TEAMS.—The department or community-based
938 care lead agency that places children pursuant to this section
939 shall establish special permanency teams dedicated to overcoming
940 the permanency challenges occurring for children in out-of-home
941 care. The special permanency team shall convene a
942 multidisciplinary staffing every 180 calendar days, to coincide
943 with the judicial review, to reassess the appropriateness of the
944 child's current placement. At a minimum, the staffing shall be
945 attended by the community-based care lead agency, the caseworker
946 for the child, out-of-home care provider, guardian ad litem, and
947 any other agency or provider of services to the child. The
948 multidisciplinary staffing shall consider, at a minimum, the
949 current level of the child's functioning, whether recommended
950 services are being provided effectively, any services that would
951 enable transition to a less restrictive family-like setting, and
952 diligent search efforts to find other permanent living
953 arrangements for the child.

954 (6) ANNUAL REPORT.—By October 1 of each year, the
955 department shall report to the Governor, President of the
956 Senate, and Speaker of the House of Representatives on the
957 placement of children in licensed out-of-home care, including

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958 family foster homes and residential group care, during the year.
959 At a minimum, the report should include the number of children
960 placed in family foster homes and residential group care, the
961 number of children placed more than 50 miles from their parents,
962 the number of children who had to change schools as a result of
963 a placement decision; use of this form of placement on a local,
964 regional, and statewide level; and the available services array
965 to serve children in the least restrictive settings.

966 Section 10. Section 409.144, Florida Statutes, is created
967 to read:

968 409.144 Continuum of care for children.—

969 (1) LEGISLATIVE FINDINGS AND INTENT.—

970 (a) The Legislature finds that permanency, well-being, and
971 safety are critical goals for all children, especially for those
972 in care, and that children in foster care or at risk of entering
973 foster care are best supported through a continuum of care that
974 provides appropriate ongoing services, supports and place to
975 live from entry to exit.

976 (b) The Legislature also finds that federal law requires
977 that out-of-home placements for children are to be in the least
978 restrictive, most family-like setting available that is in close
979 proximity to the home of their parents and consistent with the
980 best interests and needs of the child, and that children be
981 transitioned from out-of-home care to a permanent home in a
982 timely manner.

983 (c) The Legislature further finds that permanency can be
984 achieved through preservation of the family, reunification with
985 the birth family, or through legal guardianship or adoption by
986 relatives or other caring and committed adults. Planning for

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987 permanency should begin at entry into care and should be child-
988 driven, family-focused, culturally appropriate, continuous, and
989 approached with the highest degree of urgency.

990 (d) It is, therefore, the intent of the Legislature that
991 the department and the larger child welfare community establish
992 and maintain a continuum of care that affords every child the
993 opportunity to benefit from the most appropriate and least
994 restrictive interventions, both in or out of the home, while
995 ensuring that well-being and safety are addressed.

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

997 (a) "Continuum of care" means the complete range of
998 programs and services for children served by, or at risk of
999 being served by, the dependency system.

1000 (b) "Family foster care" means a family foster home as
1001 defined in s. 409.175.

1002 (c) "Level of care" means a tiered approach to the type of
1003 placements used and the acuity and intensity of intervention
1004 services provided to meet the severity of a dependent child's
1005 specific physical, emotional, psychological, and social needs.

1006 (d) "Out-of-home care" means the placement of a child in
1007 licensed and nonlicensed settings, arranged and supervised by
1008 the department or contracted service provider, outside the home
1009 of the parent.

1010 (e) "Residential group care" means a 24-hour, live-in
1011 environment that provides supervision, care, and intervention
1012 services to meet the physical, emotional, social, and life
1013 skills needs of children served by the dependency system.

1014 Intervention services may either be provided by residential
1015 group care staff who are qualified to perform the needed

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1016 service, or a community-based service provider with clinical
1017 expertise, credentials, and training to provide services to the
1018 children being served.

1019 (3) DEVELOPMENT OF CONTINUUM.—The department, in
1020 collaboration with the Florida Institute for Child Welfare and
1021 the Quality Parenting Initiative, shall develop a continuum of
1022 care for the placement of children in care, including but not
1023 limited to, both family foster care and residential group care.
1024 To implement the continuum of care, the department must by
1025 December 31, 2017:

1026 1. Establish levels of care in the continuum that are
1027 clearly and concisely defined with the qualifying criteria for
1028 placement for each level identified.

1029 2. Revise licensure standards and rules to reflect both the
1030 supports and services provided by a placement at each level of
1031 care as well as the complexity of the needs of the children
1032 served. This must include attention to the need for a particular
1033 category of provider in a community before licensure can be
1034 considered; numbers and qualifications of staff that are
1035 adequate to effectively serve children with the issues the
1036 facility seeks to serve; and a well-defined process tied to
1037 specific criteria that lead to licensure suspension or
1038 revocation.

1039 3. Develop policies and procedures necessary to ensure that
1040 placement in any level of care is appropriate for each specific
1041 child, is determined by the required assessments and staffings,
1042 and lasts only as long as necessary to resolve the issue that
1043 required the placement.

1044 (4) REPORTING REQUIREMENT.—The department shall submit a

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1045 report to the Governor, the President of the Senate, and the
1046 Speaker of the House of Representatives by October 1 of each
1047 year, with the first report due October 1, 2016. At a minimum,
1048 the report must include the following:

1049 (a) An update on the development of the continuum of care
1050 required by this section.

1051 (b) An inventory of existing placements for children by
1052 type and by community-based care lead agency.

1053 (c) An inventory of existing services available by
1054 community-based care lead agency and a plan for filling any
1055 identified gap, as well as a determination of what services are
1056 available that can be provided to children in family foster care
1057 without having to move the child to a more restrictive
1058 placement.

1059 (d) The strategies being used by community-based care lead
1060 agencies to recruit, train, and support an adequate number of
1061 families to provide home-based family care.

1062 (e) For every placement of a child made that is contrary to
1063 an appropriate placement as determined by the assessment process
1064 in s. 409.142, an explanation from the community-based care lead
1065 agency as to why the placement was made.

1066 (f) The strategies being used by the community-based care
1067 lead agencies to reduce the high percentage of turnover in
1068 caseworkers.

1069 (g) A plan for oversight by the department over the
1070 implementation of the continuum by the community-based care lead
1071 agencies.

1072 (5) RULEMAKING.—The department shall adopt rules to
1073 implement this section.

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1074 Section 11. Subsection (3) of section 409.1451, Florida
1075 Statutes, is amended, and a new subsection (11) is added to that
1076 section, to read:

1077 409.1451 The Road-to-Independence Program.—

1078 (3) AFTERCARE SERVICES.—

1079 (a) Aftercare services are available to a young adult who
1080 was living in licensed care on his or her 18th birthday, who has
1081 reached 18 years of age but is not yet 23 years of age, and is:

1082 1. Not in foster care.

1083 2. Temporarily not receiving financial assistance under
1084 subsection (2) to pursue postsecondary education.

1085 (11) EDUCATION TRAINING VOUCHERS.—The department shall make
1086 available education training vouchers.

1087 (a) A child or young adult is eligible for services and
1088 support under this subsection if he or she is ineligible for
1089 services under subsection (2) and:

1090 1. Was living in licensed care on his or her 18th birthday,
1091 is currently living in licensed care, or is at least 16 years of
1092 age and has been adopted from foster care or placed with a
1093 court-approved dependency guardian.

1094 2. Has earned a standard high school diploma pursuant to s.
1095 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
1096 pursuant to former s. 1003.435, Florida Statutes.

1097 3. Has been admitted for enrollment as a student in a
1098 postsecondary educational institution.

1099 4. Has made the initial application to participate prior to
1100 age 21 and is not yet 23 years of age.

1101 5. Has applied, with assistance from his or her caregiver
1102 and the community-based lead agency, for any other grants and

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1103 scholarships for which he or she is qualified.

1104 6. Has submitted a Free Application for Federal Student Aid
1105 which is complete and error free.

1106 7. Has signed an agreement to allow the department and the
1107 community-based care lead agency access to school records.

1108 8. Has maintained satisfactory academic progress as
1109 determined by the postsecondary institution.

1110 (b) The voucher provided for an individual under this
1111 subsection may not exceed the lesser of \$5,000 per year or the
1112 total cost of attendance as defined in 42 U.S.C. s. 672.

1113 (c) The department may adopt rules concerning the payment
1114 of financial assistance that considers the applicant's requests
1115 concerning disbursement. The rules must include an appeals
1116 process.

1117 Section 12. Subsection (3) of section 409.988, Florida
1118 Statutes, is amended to read:

1119 409.988 Lead agency duties; general provisions.—

1120 (3) SERVICES.—

1121 (a) A lead agency must provide dependent children with
1122 services that are supported by research or that are recognized
1123 as best practices in the child welfare field. The agency shall
1124 give priority to the use of services that are evidence-based and
1125 trauma-informed and may also provide other innovative services,
1126 including, but not limited to, family-centered and cognitive-
1127 behavioral interventions designed to mitigate out-of-home
1128 placements.

1129 (b) Lead agencies shall ensure the availability of a full
1130 array of services, including family support and family
1131 preservation services, which encompasses safety management

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1132 services, treatment services, and child well-being services to
1133 address the complex needs of all children, including teens, and
1134 caregivers served within their local system of care. Lead
1135 agencies shall ensure that sufficient flexibility exists within
1136 the service array to adequately match services to the unique
1137 characteristics of families served, including ages of children,
1138 cultural considerations, and parental choice.

1139 (c) The department shall annually complete an evaluation of
1140 the service array adequacies, engagement of trauma-informed and
1141 evidenced-based programming, and the impact of available
1142 services to the outcomes of children served by lead agencies and
1143 subcontracted providers of lead agencies. The evaluation report
1144 shall be submitted to the Governor, the President of the Senate,
1145 and the Speaker of the House of Representatives by December 31
1146 of each year.

1147 Section 13. Paragraph (s) of subsection (2) of section
1148 39.202, Florida Statutes, is amended to read:

1149 39.202 Confidentiality of reports and records in cases of
1150 child abuse or neglect.—

1151 (2) Except as provided in subsection (4), access to such
1152 records, excluding the name of the reporter which shall be
1153 released only as provided in subsection (5), shall be granted
1154 only to the following persons, officials, and agencies:

1155 (s) Persons with whom the department is seeking to place
1156 the child or to whom placement has been granted, including
1157 foster parents for whom an approved home study has been
1158 conducted, the designee of a licensed residential child caring
1159 agency defined ~~group home described in s. 409.175 s. 39.523~~, an
1160 approved relative or nonrelative with whom a child is placed

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1161 pursuant to s. 39.402, preadoptive parents for whom a favorable
1162 preliminary adoptive home study has been conducted, adoptive
1163 parents, or an adoption entity acting on behalf of preadoptive
1164 or adoptive parents.

1165 Section 14. Subsection (11) of section 1002.3305, Florida
1166 Statutes, is amended to read:

1167 1002.3305 College-Preparatory Boarding Academy Pilot
1168 Program for at-risk students.—

1169 (11) STUDENT HOUSING.—Notwithstanding s. 409.176 ~~ss.~~
1170 ~~409.1677(3)(d)~~ and ~~409.176~~ or any other provision of law, an
1171 operator may house and educate dependent, at-risk youth in its
1172 residential school for the purpose of facilitating the mission
1173 of the program and encouraging innovative practices.

1174 Section 15. Section 39.523, Florida Statutes, is repealed.

1175 Section 16. Section 409.141, Florida Statutes, is repealed.

1176 Section 17. Section 409.1676, Florida Statutes, is
1177 repealed.

1178 Section 18. Section 409.1677, Florida Statutes, is
1179 repealed.

1180 Section 19. Section 409.1679, Florida Statutes, is
1181 repealed.

1182 Section 20. This act shall take effect July 1, 2016.