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1
2 An act relating to child welfare; creating s.
3 39.00146, F.S.; defining terms; requiring the case
4 record of every child under the supervision or in the
5 custody of the Department of Children and Families,
6 the department's agents, or providers contracting with
7 the department to include a case record face sheet;
8 specifying information required to be included in the
9 case record face sheet; requiring the department, the
10 department's agents, and providers contracting with
11 the department to update the case record face sheet
12 monthly; providing requirements for the case record
13 face sheet; authorizing the department to develop, or
14 contract with a third party to develop, a case record
15 face sheet; requiring community-based care lead
16 agencies to use such face sheets; requiring the
17 department to adopt rules; creating s. 39.01375, F.S.;
18 providing best interest factors that certain entities
19 must consider when determining a proposed placement
20 for a child; amending s. 39.401, F.S.; requiring the
21 department to determine out-of-home placement based on
22 priority of placements and other factors; amending s.
23 39.402, F.S.; requiring the department to make
24 reasonable efforts to place a child in out-of-home
25 care based on priority of placements; providing
26 exceptions and other criteria; creating s. 39.4021,
27 F.S.; providing legislative findings; establishing
28 certain placement priorities for out-of-home
29 placements; requiring the department or lead agency to

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30 place sibling groups together when possible if in the
31 best interest of each child after considering
32 specified factors; providing an exception; providing
33 construction; creating s. 39.4022, F.S.; providing
34 legislative intent; defining terms; requiring that
35 multidisciplinary teams be established for certain
36 purposes; providing goals for such teams; providing
37 for membership of multidisciplinary team staffings;
38 authorizing the department or lead agency to invite
39 other participants to attend a team staffing under
40 certain circumstances; authorizing members of a
41 multidisciplinary team to attend staffings in person
42 or remotely; providing requirements for
43 multidisciplinary team staffings; requiring that team
44 staffings be held when specified decisions regarding a
45 child must be made; providing applicability; requiring
46 team staffing participants to gather and consider data
47 and information on the child before formulating a
48 decision; providing for the use of an evidence-based
49 assessment instrument or tool; requiring
50 multidisciplinary teams to conduct supplemental
51 assessments for certain children; requiring team
52 participants to gather certain information related to
53 the child for such supplemental assessments; requiring
54 that a unanimous consensus decision reached by the
55 team becomes the official position and that specified
56 parties are bound by such consensus decision;
57 providing procedures for when the team does not reach
58 a consensus decision; requiring that the department

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59 determine a suitable placement if the team cannot come
60 to a consensus decision; requiring the formation of a
61 team within specified timeframes; requiring the
62 facilitator to file a report with the court within a
63 specified timeframe if the team does not reach a
64 consensus decision; providing requirements for the
65 report; authorizing specified parties to discuss
66 confidential information during a team staffing in the
67 presence of participating individuals; providing that
68 information collected by any agency or entity that
69 participates in a staffing which is confidential and
70 exempt upon collection remains confidential and exempt
71 when discussed in staffings; requiring individuals who
72 participate in a staffing to maintain the
73 confidentiality of all information shared; providing
74 construction; requiring the department to adopt rules;
75 requiring the department to contract for the
76 development of model placement transition plans;
77 providing requirements for such plans; requiring model
78 placement transition plans to be provided to certain
79 staff, and authorizing such plans to be provided to
80 other persons; creating s. 39.4023, F.S.; providing
81 legislative findings and intent; defining terms;
82 providing for the creation of transition plans for
83 specified changes in placement; providing conditions
84 under which a child may be removed from a caregiver's
85 home; requiring community-based care lead agencies to
86 provide services to prevent a change in placement;
87 requiring the department and a community-based care

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88 lead agency to convene a multidisciplinary team
89 staffing to develop a transition plan under certain
90 circumstances; requiring the department or community-
91 based care lead agency to provide written notice of a
92 planned placement change; providing requirements for
93 the notice; providing applicability; requiring
94 additional considerations for placement changes for
95 infants and young children; providing findings;
96 requiring the department or community-based care lead
97 agency to create and implement individualized
98 transition plans; requiring determinations of school
99 changes to be made by certain individuals; authorizing
100 a multidisciplinary team member to contact certain
101 individuals for recommendations relating to school
102 changes; authorizing certain individuals to attend
103 multidisciplinary team staffings remotely; specifying
104 factors that must be considered when determining
105 whether a child should remain in a certain school;
106 requiring children who enter out-of-home care or
107 undergo changes in placement to remain with familiar
108 child care providers or early education programs, if
109 possible; providing requirements for transition plans
110 for transitions between K-12 schools; requiring the
111 department, in collaboration with the Quality
112 Parenting Initiative, to develop a form for a
113 specified purpose; specifying requirements for the
114 form; requiring the department and community-based
115 care lead agencies to document multidisciplinary team
116 staffings and placement transition decisions in the

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117 Florida Safe Families Network and include such
118 information in the social study report for judicial
119 review; providing an exemption; requiring the
120 department to adopt rules; creating s. 39.4024, F.S.;
121 providing legislative findings; defining terms;
122 requiring the department or lead agency to make
123 reasonable efforts to place siblings in the same
124 foster, kinship, adoptive, or guardianship home when
125 certain conditions are met; requiring the department
126 or lead agency and multidisciplinary team to take
127 certain actions when siblings are not placed together;
128 specifying that the department and court are not
129 required to make a placement or change in placement to
130 develop certain sibling relationships; requiring the
131 department or the lead agency to convene a
132 multidisciplinary team staffing to determine and
133 assess sibling relationships when a child is removed
134 from a home; providing for the placement of sibling
135 groups in certain circumstances; specifying factors
136 for the multidisciplinary team to consider when
137 determining placement or change of placement for
138 children in sibling groups who do not have an existing
139 relationship with siblings; requiring that a child's
140 transition to a new home be carried out gradually when
141 it is determined that the child would benefit from
142 being placed with siblings; requiring the department,
143 in collaboration with the Quality Parenting
144 Initiative, to develop standard protocols for the
145 department and lead agency for use in making specified

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146 decisions about child placement; providing
147 considerations for maintaining contact between
148 siblings when separated; providing duties for
149 caregivers; prohibiting the court from limiting or
150 restricting communication or visitation between
151 siblings unless it finds that such communication or
152 visitation is contrary to the safety or well-being of
153 the child; requiring the department or community-based
154 care lead agency to provide certain services if the
155 court makes such a finding; requiring the department
156 and community-based care lead agencies to periodically
157 reassess certain sibling placements in certain
158 instances; requiring the department to provide certain
159 services to prevent disruption in a placement when a
160 child does not adjust to such placement; requiring
161 that a multidisciplinary team staffing is convened
162 when one child does not adjust to placement as a
163 sibling group under certain conditions; requiring the
164 team to review such placement and choose a plan least
165 detrimental to each child; requiring that a
166 multidisciplinary team be convened in certain
167 circumstances where the department or child
168 subsequently identifies a sibling; requiring the
169 department to provide children with specified
170 information relating to their siblings; requiring the
171 department to make reasonable efforts to ascertain
172 such information if it is not known; providing that a
173 child has a right to continued communication with a
174 sibling under certain circumstances; requiring a court

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175 to consider certain recommendations when determining
176 the appropriateness of continued communication;
177 requiring the department and lead agencies to document
178 in writing decisions to separate siblings in case
179 files and the Florida Safe Families Network;
180 specifying requirements for such documentation;
181 providing an exemption; requiring the department to
182 adopt rules; amending s. 39.522, F.S.; deleting and
183 relocating criteria for the court to consider when
184 determining whether a legal change of custody is in
185 the best interest of the child; conforming a provision
186 to changes made by the act; defining the term "change
187 in physical custody"; providing a rebuttable
188 presumption that the best interest of a child is to
189 remain in a current placement; providing applicability
190 for such presumption; establishing the manner in which
191 to rebut the presumption; requiring the department or
192 lead agency to notify certain caregivers within a
193 specified timeframe of the intent to change the
194 physical custody of a child; requiring that a
195 multidisciplinary team staffing be held within a
196 specified timeframe before the intended date for the
197 child's change in physical custody; requiring that the
198 department's official position be provided to the
199 parties under certain circumstances; requiring the
200 caregiver to provide written notice of objection to
201 such change in physical custody within a specified
202 timeframe; requiring the court to conduct an initial
203 case status hearing within a specified timeframe upon

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204 receiving specified written notice from a caregiver;
205 providing procedures for when a caregiver objects to
206 the child's change in physical custody; requiring the
207 court to conduct an initial case status hearing;
208 requiring the court to conduct an evidentiary hearing;
209 requiring the department or lead agency to implement
210 an appropriate transition plan if the court orders a
211 change in physical custody of the child; amending s.
212 39.523, F.S.; requiring the department or lead agency
213 to coordinate a multidisciplinary team staffing for
214 specified purposes; requiring, rather than
215 authorizing, the department to create rules; amending
216 s. 39.6035, F.S.; requiring a transition plan be
217 developed during the year after a child turns 16 years
218 of age and be updated as needed; amending s. 39.701,
219 F.S.; requiring judicial review hearings within a
220 specified time after a child's specified birthday;
221 providing the child and other relevant parties the
222 opportunity to address the court at each review
223 hearing; requiring the department to provide a report
224 with certain information; authorizing the court to
225 review the child's status on a more frequent basis;
226 amending s. 39.806, F.S.; conforming a cross-
227 reference; creating s. 39.8155, F.S.; providing that
228 parental rights may be reinstated under certain
229 conditions; requiring dismissal of the motion to
230 reinstate parental rights if certain criteria are not
231 met; providing evidence that may be considered when
232 determining a motion to reinstate parental rights;

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233 requiring supervised visitation and trial home visits
234 for a specified time after a completed home study;
235 requiring the department to report to the court once a
236 month; requiring visitation to cease under certain
237 circumstances; requiring clear and convincing evidence
238 that reinstatement of parental rights is in the
239 child's best interest; requiring an in-home safety
240 plan if parental rights are reinstated; requiring the
241 court to determine whether to retain jurisdiction
242 after a specified time; reenacting and amending s.
243 409.1451, F.S.; providing that aftercare services are
244 available to certain young adults in emergency
245 situations; revising the services that are included in
246 aftercare services; providing responsibilities of the
247 department for the Road-to-Independence Program;
248 providing requirements for community-based care lead
249 agencies; removing legislative determination relating
250 to the Independent Living Services Advisory Council's
251 ability to provide valuable contributions to the
252 department; requiring certain information be reported
253 to the Governor and the Legislature; revising
254 membership of the council; authorizing the council to
255 consult with certain youth; creating s. 409.14515,
256 F.S.; providing requirements for the department to
257 help children achieve self-sufficiency; amending s.
258 409.1454, F.S.; providing that children receiving
259 certain services and support may be eligible to have
260 certain fees paid for them; amending s. 409.988, F.S.;
261 requiring a community-based care lead agency to serve

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262 certain children; creating s. 414.56, F.S.; creating
263 the Office of Continuing Care; providing duties of the
264 office; providing requirements for the Florida
265 Institute for Child Welfare; providing evaluation and
266 analysis requirements; requiring the evaluation and
267 analysis report be submitted to the Governor and
268 Legislature by specified dates; providing an effective
269 date.

270

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

272

273 Section 1. Section 39.00146, Florida Statutes, is created
274 to read:

275 39.00146 Case record face sheet.—

276 (1) As used in this section, the term:

277 (a) "Multidisciplinary team" has the same meaning as
278 provided in s. 39.4022(2).

279 (b) "Placement change" has the same meaning as provided in
280 s. 39.4023(2).

281 (c) "School" has the same meaning as in s. 39.4023(2).

282 (d) "Sibling" has the same meaning as in s. 39.4024(2).

283 (2) The case record of every child under the supervision or
284 in the custody of the department or the department's authorized
285 agents, including community-based care lead agencies and their
286 subcontracted providers, must include a face sheet containing
287 relevant information about the child and his or her case,
288 including at least all of the following:

289 (a) General case information, including, but not limited
290 to:

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- 291 1. The child's name and date of birth;
292 2. The current county of residence and the county of
293 residence at the time of the referral;
294 3. The reason for the referral and any family safety
295 concerns;
296 4. The personal identifying information of the parents or
297 legal custodians who had custody of the child at the time of the
298 referral, including name, date of birth, and county of
299 residence;
300 5. The date of removal from the home; and
301 6. The name and contact information of the attorney or
302 attorneys assigned to the case in all capacities, including the
303 attorney or attorneys that represent the department and the
304 parents, and the guardian ad litem, if one has been appointed.
305 (b) The name and contact information for any employees of
306 the department, the department's authorized agents, or providers
307 contracting with the department, including community-based care
308 lead agencies and their subcontracted service providers, who
309 have worked with the child, including the child's current and
310 previous case managers, and the supervisor information for such
311 employees.
312 (c) The personal information of relevant family members and
313 other fictive kin, including, but not limited to, the name and
314 contact information of:
315 1. The child's parents;
316 2. The child's siblings, including the location of their
317 current out-of-home placement, if applicable;
318 3. The child's current caregivers and any previous out-of-
319 home placements;

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320 4. Any other caretaking adults; and

321 5. All children in the out-of-home placement, if
322 applicable.

323 (d) A description of any threats of danger placing the
324 child at imminent risk of removal.

325 (e) A description of individual parent or caregiver
326 concerns for the child.

327 (f) Any concerns that exist regarding the parent or the
328 current caregiver's ability to:

329 1. Maintain a safe home;

330 2. Engage or bond with the child if the child is an infant;

331 3. Structure daily activities that stimulate the child;

332 4. Manage the child's behavior; or

333 5. Make good health decisions for the child.

334 (g) Any transitions in placement the child has experienced
335 since the child's initial placement and a description of how
336 such transitions were accomplished in accordance with s.
337 39.4023.

338 (h) If the child has any siblings and they are not placed
339 in the same out-of-home placement, the reasons the children are
340 not in joint placement and the reasonable efforts that the
341 department or appropriate lead agency will make to provide
342 frequent visitation or other ongoing interaction between the
343 siblings, unless the court determines that the interaction would
344 be contrary to a sibling's safety or well-being in accordance s.
345 39.4024.

346 (i) Information pertaining to recent and upcoming court
347 hearings, including, but not limited to, the date, subject
348 matter, and county of court jurisdiction of the most recent and

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349 next scheduled court hearing.

350 (j) Any other information the department, the department's
351 authorized agents, or providers contracting with the department,
352 including community-based care lead agencies deem relevant.

353 (3) The department, the department's authorized agents, or
354 providers contracting with the department, including community-
355 based care lead agencies, must ensure that the face sheet for
356 each case is updated at least once per month. This requirement
357 includes ensuring that the department, its authorized agents, or
358 providers contracting with the department gather any relevant
359 information from any subcontracted providers who provide
360 services for the case record information required to be included
361 under this section.

362 (4) The case record face sheet must be in a uniform and
363 standardized format for use statewide and must be developed,
364 either by the department or a third party, using real-time data
365 from the state child welfare information system. The department
366 may develop a specific case record face sheet or may contract
367 with a third party to use existing software that, at a minimum,
368 meets the requirements of subsection (2). The case record face
369 sheet developed or contracted for use under this section must be
370 electronic and have the capability to be printed. The community-
371 based care lead agencies shall use this uniform and standardized
372 case record face sheet to comply with this section.

373 (5) The department shall adopt rules to implement this
374 section.

375 Section 2. Section 39.01375, Florida Statutes, is created
376 to read:

377 39.01375 Best interest determination for placement.—The

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378 department, community-based care lead agency, or court shall
379 consider all of the following factors when determining whether a
380 proposed placement under this chapter is in the child's best
381 interest:

382 (1) The child's age.

383 (2) The physical, mental, and emotional health benefits to
384 the child by remaining in his or her current placement or moving
385 to the proposed placement.

386 (3) The stability and longevity of the child's current
387 placement.

388 (4) The established bonded relationship between the child
389 and the current or proposed caregiver.

390 (5) The reasonable preference of the child, if the child is
391 of a sufficient age and capacity to express a preference.

392 (6) The recommendation of the child's current caregiver, if
393 applicable.

394 (7) The recommendation of the child's guardian ad litem, if
395 one has been appointed.

396 (8) The child's previous and current relationship with a
397 sibling and if the change of legal or physical custody or
398 placement will separate or reunite siblings, evaluated in
399 accordance with s. 39.4024.

400 (9) The likelihood of the child attaining permanency in the
401 current or proposed placement.

402 (10) The likelihood the child will be required to change
403 schools or child care placement, the impact of such change on
404 the child, and the parties' recommendations as to the timing of
405 the change, including an education transition plan required
406 under s. 39.4023.

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407 (11) The child's receipt of medical, behavioral health,
408 dental, or other treatment services in the current placement;
409 the availability of such services and the degree to which they
410 meet the child's needs; and whether the child will be able to
411 continue to receive services from the same providers and the
412 relative importance of such continuity of care.

413 (12) The allegations of any abuse, abandonment, or neglect,
414 including sexual abuse and human trafficking history, which
415 caused the child to be placed in out-of-home care and any
416 history of additional allegations of abuse, abandonment, or
417 neglect.

418 (13) The likely impact on activities that are important to
419 the child and the ability of the child to continue such
420 activities in the proposed placement.

421 (14) The likely impact on the child's access to education,
422 Medicaid, and independent living benefits if moved to the
423 proposed placement.

424 (15) Any other relevant factor.

425 Section 3. Subsection (3) of section 39.401, Florida
426 Statutes, is amended to read:

427 39.401 Taking a child alleged to be dependent into custody;
428 law enforcement officers and authorized agents of the
429 department.—

430 (3) If the child is taken into custody by, or is delivered
431 to, an authorized agent of the department, the agent shall
432 review the facts supporting the removal with an attorney
433 representing the department. The purpose of the review is to
434 determine whether there is probable cause for the filing of a
435 shelter petition.

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436 (a) If the facts are not sufficient, the child shall
437 immediately be returned to the custody of the parent or legal
438 custodian.

439 (b) If the facts are sufficient and the child has not been
440 returned to the custody of the parent or legal custodian, the
441 department shall file the petition and schedule a hearing, and
442 the attorney representing the department shall request that a
443 shelter hearing be held within 24 hours after the removal of the
444 child.

445 (c) While awaiting the shelter hearing, the authorized
446 agent of the department may place the child in out-of-home care,
447 and placement shall be determined based on priority of
448 placements as provided in s. 39.4021 and what is in the child's
449 best interest based on the criteria and factors set out in s.
450 39.01375 licensed shelter care or may release the child to a
451 parent or legal custodian or responsible adult relative or the
452 adoptive parent of the child's sibling who shall be given
453 priority consideration over a licensed placement, or a
454 responsible adult approved by the department if this is in the
455 best interests of the child.

456 (d) Placement of a child which is not in a licensed shelter
457 must be preceded by a criminal history records check as required
458 under s. 39.0138.

459 (e) In addition, the department may authorize placement of
460 a housekeeper/homemaker in the home of a child alleged to be
461 dependent until the parent or legal custodian assumes care of
462 the child.

463 Section 4. Paragraph (h) of subsection (8) of section
464 39.402, Florida Statutes, is amended to read:

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465 39.402 Placement in a shelter.—

466 (8)

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

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

472 2. That placement in shelter care is in the best interest
473 of the child.

474 3. That continuation of the child in the home is contrary
475 to the welfare of the child because the home situation presents
476 a substantial and immediate danger to the child's physical,
477 mental, or emotional health or safety which cannot be mitigated
478 by the provision of preventive services.

479 4. That based upon the allegations of the petition for
480 placement in shelter care, there is probable cause to believe
481 that the child is dependent or that the court needs additional
482 time, which may not exceed 72 hours, in which to obtain and
483 review documents pertaining to the family in order to
484 appropriately determine the risk to the child.

485 5. That the department has made reasonable efforts to
486 prevent or eliminate the need for removal of the child from the
487 home. A finding of reasonable effort by the department to
488 prevent or eliminate the need for removal may be made and the
489 department is deemed to have made reasonable efforts to prevent
490 or eliminate the need for removal if:

491 a. The first contact of the department with the family
492 occurs during an emergency;

493 b. The appraisal of the home situation by the department

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494 indicates that the home situation presents a substantial and
495 immediate danger to the child's physical, mental, or emotional
496 health or safety which cannot be mitigated by the provision of
497 preventive services;

498 c. The child cannot safely remain at home, either because
499 there are no preventive services that can ensure the health and
500 safety of the child or because, even with appropriate and
501 available services being provided, the health and safety of the
502 child cannot be ensured; or

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

506 6. That the department has made reasonable efforts to place
507 the child in order of priority as provided in s. 39.4021 unless
508 such priority placement is not a placement option or in the best
509 interest of the child based on the criteria and factors set out
510 in s. 39.01375.

511 7. That the department has made reasonable efforts to keep
512 siblings together if they are removed and placed in out-of-home
513 care unless such placement is not in the best interest of each
514 child. It is preferred that siblings be kept together in a
515 foster home, if available. Other reasonable efforts shall
516 include short-term placement in a group home with the ability to
517 accommodate sibling groups if such a placement is available. The
518 department shall report to the court its efforts to place
519 siblings together unless the court finds that such placement is
520 not in the best interest of a child or his or her sibling.

521 ~~8.7.~~ That the court notified the parents, relatives that
522 are providing out-of-home care for the child, or legal

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523 custodians of the time, date, and location of the next
524 dependency hearing and of the importance of the active
525 participation of the parents, relatives that are providing out-
526 of-home care for the child, or legal custodians in all
527 proceedings and hearings.

528 ~~9.8.~~ That the court notified the parents or legal
529 custodians of their right to counsel to represent them at the
530 shelter hearing and at each subsequent hearing or proceeding,
531 and the right of the parents to appointed counsel, pursuant to
532 the procedures set forth in s. 39.013.

533 ~~10.9.~~ That the court notified relatives who are providing
534 out-of-home care for a child as a result of the shelter petition
535 being granted that they have the right to attend all subsequent
536 hearings, to submit reports to the court, and to speak to the
537 court regarding the child, if they so desire.

538 ~~11.10.~~ That the department has placement and care
539 responsibility for any child who is not placed in the care of a
540 parent at the conclusion of the shelter hearing.

541 Section 5. Section 39.4021, Florida Statutes, is created to
542 read:

543 39.4021 Priority placement for out-of-home placements.-

544 (1) LEGISLATIVE FINDINGS AND INTENT.-The Legislature finds
545 that it is a basic tenet of child welfare practice and the law
546 that a child be placed in the least restrictive, most family-
547 like setting available in close proximity to the home of his or
548 her parents which meets the needs of the child, and that a child
549 be placed in a permanent home in a timely manner.

550 (2) PLACEMENT PRIORITY.-

551 (a) When a child cannot safely remain at home with a

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552 parent, out-of-home placement options must be considered in the
553 following order:

554 1. Non-offending parent.

555 2. Relative caregiver.

556 3. Adoptive parent of the child's sibling, when the
557 department or community-based care lead agency is aware of such
558 sibling.

559 4. Fictive kin with a close existing relationship to the
560 child.

561 5. Nonrelative caregiver that does not have an existing
562 relationship with the child.

563 6. Licensed foster care.

564 7. Group or congregate care.

565 (b) Except as otherwise provided for in ss. 39.4022 and
566 39.4024, sibling groups must be placed in the same placement
567 whenever possible and if placement together is in the best
568 interest of each child in the sibling group. Placement decisions
569 for sibling groups must be made pursuant to ss. 39.4022 and
570 39.4024.

571 (c) Except as otherwise provided for in this chapter, a
572 change to a child's physical or legal placement after the child
573 has been sheltered but before the child has achieved permanency
574 must be made in compliance with this section. Placements made
575 pursuant to s. 63.082(6) are exempt from this section.

576 Section 6. Section 39.4022, Florida Statutes, is created to
577 read:

578 39.4022 Multidisciplinary teams; staffings; assessments;
579 report.-

580 (1) LEGISLATIVE INTENT.-

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581 (a) The Legislature finds that services for children and
582 families are most effective when delivered in the context of a
583 single integrated multidisciplinary team staffing that includes
584 the child, his or her family, natural and community supports,
585 and professionals who join together to empower, motivate, and
586 strengthen a family and collaboratively develop a plan of care
587 and protection to achieve child safety, child permanency, and
588 child and family well-being.

589 (b) The Legislature also finds that effective assessment
590 through an integrated multidisciplinary team is particularly
591 important for children who are vulnerable due to existing
592 histories of trauma which led to the child's entrance into the
593 child welfare system. This assessment is especially important
594 for young children who are 3 years of age or younger, as a
595 result of the enhanced need for such children to have healthy
596 and stable attachments to assist with necessary brain
597 development. Stable and nurturing relationships in the first
598 years of life, as well as the quality of such relationships, are
599 integral to healthy brain development, providing a foundation
600 for lifelong mental health and determining well-being as an
601 adult.

602 (2) DEFINITIONS.—For purposes of this section, the term:

603 (a) "Change in physical custody" means a change by the
604 department or the community-based care lead agency to the
605 child's physical residential address, regardless of whether such
606 change requires a court order changing the legal custody of the
607 child.

608 (b) "Emergency situation" means that there is an imminent
609 risk to the health or safety of the child, other children, or

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610 others in the home or facility if the child remains in the
611 placement.

612 (c) "Multidisciplinary team" means an integrated group of
613 individuals which meets to collaboratively develop and attempt
614 to reach a consensus decision on the most suitable out-of-home
615 placement, educational placement, or other specified important
616 life decision that is in the best interest of the child.

617 (3) CREATION AND GOALS.—

618 (a) Multidisciplinary teams must be established for the
619 purpose of allowing better engagement with families and a shared
620 commitment and accountability from the family and their circle
621 of support.

622 (b) The multidisciplinary teams must adhere to the
623 following goals:

624 1. Secure a child's safety in the least restrictive and
625 intrusive placement that can meet his or her needs;

626 2. Minimize the trauma associated with separation from the
627 child's family and help the child to maintain meaningful
628 connections with family members and others who are important to
629 him or her;

630 3. Provide input into the proposed placement decision made
631 by the community-based care lead agency and the proposed
632 services to be provided in order to support the child;

633 4. Provide input into the decision to preserve or maintain
634 the placement, including necessary placement preservation
635 strategies;

636 5. Contribute to an ongoing assessment of the child and the
637 family's strengths and needs;

638 6. Ensure that plans are monitored for progress and that

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639 such plans are revised or updated as the child's or family's
640 circumstances change; and

641 7. Ensure that the child and family always remain the
642 primary focus of each multidisciplinary team meeting.

643 (4) PARTICIPANTS.—

644 (a) Collaboration among diverse individuals who are part of
645 the child's network is necessary to make the most informed
646 decisions possible for the child. A diverse team is preferable
647 to ensure that the necessary combination of technical skills,
648 cultural knowledge, community resources, and personal
649 relationships is developed and maintained for the child and
650 family. The participants necessary to achieve an appropriately
651 diverse team for a child may vary by child and may include
652 extended family, friends, neighbors, coaches, clergy, coworkers,
653 or others the family identifies as potential sources of support.

654 1. Each multidisciplinary team staffing must invite the
655 following members:

656 a. The child, unless he or she is not of an age or capacity
657 to participate in the team;

658 b. The child's family members and other individuals
659 identified by the family as being important to the child,
660 provided that a parent who has a no contact order or injunction,
661 is alleged to have sexually abused the child, or is subject to a
662 termination of parental rights may not participate;

663 c. The current caregiver, provided the caregiver is not a
664 parent who meets the criteria of one of the exceptions under
665 sub-subparagraph b.;

666 d. A representative from the department other than the
667 Children's Legal Services attorney, when the department is

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668 directly involved in the goal identified by the staffing;
669 e. A representative from the community-based care lead
670 agency, when the lead agency is directly involved in the goal
671 identified by the staffing; and
672 f. The case manager for the child, or his or her case
673 manager supervisor.
674 2. The multidisciplinary team must make reasonable efforts
675 to have all mandatory invitees attend. However, the
676 multidisciplinary team staffing may not be delayed if the
677 invitees in subparagraph 1. fail to attend after being provided
678 reasonable opportunities.
679 (b) Based on the particular goal the multidisciplinary team
680 staffing identifies as the purpose of convening the staffing as
681 provided under subsection (5), the department or lead agency may
682 also invite to the meeting other professionals, including, but
683 not limited to:
684 1. A representative from Children's Medical Services;
685 2. A guardian ad litem, if one is appointed;
686 3. A school personnel representative who has direct contact
687 with the child;
688 4. A therapist or other behavioral health professional, if
689 applicable;
690 5. A mental health professional with expertise in sibling
691 bonding, if the department or lead agency deems such expert is
692 necessary; or
693 6. Other community providers of services to the child or
694 stakeholders, when applicable.
695 (c) Members of the multidisciplinary team who are required
696 to attend under subparagraph (a)1. or who are invited to

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697 participate under paragraph (b) may attend the multidisciplinary
698 team staffing in person or remotely.

699 (d) Each multidisciplinary team staffing must be led by a
700 person who serves as a facilitator and whose main responsibility
701 is to help team participants use the strengths within the family
702 to develop a safe plan for the child. The person serving as the
703 facilitator must be a trained professional who is otherwise
704 required to attend the multidisciplinary team staffing under
705 this section in his or her official capacity. Further, the
706 trained professional serving as the facilitator does not need to
707 be the same person for each meeting convened in a child's case
708 under this section or in the service area of the designated lead
709 agency handling a child's case.

710 (5) SCOPE OF MULTIDISCIPLINARY TEAM.—

711 (a) A multidisciplinary team staffing must be held when an
712 important decision is required to be made about a child's life,
713 including all of the following:

714 1. Initial placement decisions for a child who is placed in
715 out-of-home care. A multidisciplinary team staffing required
716 under this subparagraph may occur before the initial placement
717 or, if a staffing is not possible before the initial placement,
718 must occur as soon as possible after initial removal and
719 placement to evaluate the appropriateness of the initial
720 placement and to ensure that any adjustments to the placement,
721 if necessary, are promptly handled.

722 2. Changes in physical custody after the child is placed in
723 out-of-home care by a court and, if necessary, determination of
724 an appropriate mandatory transition plan in accordance with s.
725 39.4023.

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726 3. Changes in a child's educational placement and, if
727 necessary, determination of an appropriate mandatory transition
728 plan in accordance with s. 39.4023.

729 4. Placement decisions for a child as required by
730 subparagraph 1., subparagraph 2., or subparagraph 3. which
731 involve sibling groups that require placement in accordance with
732 s. 39.4024.

733 5. Any other important decisions in the child's life which
734 are so complex that the department or appropriate community-
735 based care lead agency determines convening a multidisciplinary
736 team staffing is necessary to ensure the best interest of the
737 child is maintained.

738 (b) A multidisciplinary team convened under this section
739 may address multiple needs and decisions under paragraph (a)
740 regarding the child or sibling group for which the team is
741 convened during the same staffing.

742 (c) This section does not apply to multidisciplinary team
743 staffings that occur for one of the decisions specified in
744 paragraph (a) and that are facilitated by a children's advocacy
745 center in accordance with s. 39.3035. The children's advocacy
746 center that facilitates a staffing is encouraged to include
747 family members or other persons important to the family in the
748 staffing if the children's advocacy center determines it is safe
749 for the child to involve such persons.

750 (d) This section does not apply to placements made pursuant
751 to s. 63.082 (6).

752 (6) ASSESSMENTS.—

753 (a)1. The multidisciplinary team staffing participants
754 must, before formulating a decision under this section, gather

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755 and consider data and information on the child which is known at
756 the time, including, but not limited to information allowing the
757 team to address the best interest factors under s. 39.01375.

758 2. Multidisciplinary team staffings may not be delayed to
759 accommodate pending behavioral health screenings or assessments
760 or pending referrals for services.

761 (b) The assessment conducted by the multidisciplinary team
762 may also use an evidence-based assessment instrument or tool
763 that is best suited for determining the specific decision of the
764 staffing and the needs of that individual child and family.

765 (c) To adequately prepare for a multidisciplinary staffing
766 team meeting to consider a decision related to a child 3 years
767 of age or younger, all of the following information on the child
768 which is known at the time must be gathered and considered by
769 the team:

770 1. Identified kin and relatives who express interest in
771 caring for the child, including strategies to overcome potential
772 delays in placing the child with such persons if they are
773 suitable.

774 2. The likelihood that the child can remain with the
775 prospective caregiver past the point of initial removal and
776 placement with, or subsequent transition to, the caregiver and
777 the willingness of the caregiver to provide care for any
778 duration deemed necessary if placement is made.

779 3. The prospective caregiver's ability and willingness to:

780 a. Accept supports related to early childhood development
781 and services addressing any possible developmental delays;

782 b. Address the emotional needs of the child and accept
783 infant mental health supports, if needed;

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784 c. Help nurture the child during the transition into out-
785 of-home care;

786 d. Work with the parent to build or maintain the attachment
787 relationship between parent and child;

788 e. Effectively co-parent with the parent; and

789 f. Ensure frequent family visits and sibling visits.

790 4. Placement decisions for each child in out-of-home
791 placement which are made under this paragraph must be reviewed
792 as often as necessary to ensure permanency for that child and to
793 address special issues that may arise which are unique to
794 younger children.

795 (d)1. If the participants of a multidisciplinary team
796 staffing reach a unanimous consensus decision, it becomes the
797 official position of the community-based care lead agency
798 regarding the decision under subsection (5) for which the team
799 convened. Such decision is binding upon all department and lead
800 agency participants, who are obligated to support it.

801 2. If the participants of a multidisciplinary team staffing
802 cannot reach a unanimous consensus decision on a plan to address
803 the identified goal, the trained professional acting as the
804 facilitator shall notify the court and the department within 48
805 hours after the conclusion of the staffing. The department shall
806 then determine how to address the identified goal of the
807 staffing by what is in the child's best interest.

808 (7) CONVENING A TEAM UPON REMOVAL.—The formation of a
809 multidisciplinary team staffing must begin as soon as possible
810 when a child is removed from a home. The multidisciplinary team
811 must convene a staffing no later than 72 hours from the date of
812 a subsequent removal in an emergency situation in accordance

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813 with s. 39.4023.

814 (8) REPORT.—If a multidisciplinary team staffing fails to
815 reach a unanimous consensus decision, the facilitator must
816 prepare and submit a written report to the court within 5
817 business days after the conclusion of the staffing which details
818 the decision made at the conclusion of the multidisciplinary
819 team staffing under subsection (6) and the positions of the
820 staffing’s participants.

821 (9) CONFIDENTIALITY.—Notwithstanding any other provision of
822 law, participants representing the department and the community-
823 based care lead agency may discuss confidential information
824 during a multidisciplinary team staffing in the presence of
825 individuals who participate in the staffing. Information
826 collected by any agency or entity that participates in the
827 multidisciplinary team staffing which is confidential and exempt
828 upon collection remains confidential and exempt when discussed
829 in a staffing required under this section. All individuals who
830 participate in the staffing shall maintain the confidentiality
831 of any information shared during the staffing.

832 (10) CONSTRUCTION.—This section may not be construed to
833 mean that multidisciplinary team staffings coordinated by the
834 department or the appropriate lead agency for purposes other
835 than those provided for in subsection (5) before October 1,
836 2021, are no longer required to be conducted or are required to
837 be conducted in accordance with this section. Further, this
838 section may not be construed to create a duty on the department
839 or lead agency to attend multidisciplinary staffings that the
840 department or lead agency does not attend for any purpose
841 specified in subsection (5) for which the department or lead

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842 agency is not required to attend before October 1, 2021.

843 (11) RULEMAKING.—The department shall adopt rules to
844 implement this section.

845 Section 7. The department shall contract for the
846 development of model placement transition plans and related
847 explanatory material that may be the basis for developing
848 individualized transition plans for children in out-of-home care
849 who are changing placements. Such plans must provide specific
850 recommendations regarding transition plan elements that may
851 include, but are not limited to, the length and pace of the
852 transition and the sequence of steps needed to gradually
853 introduce new caregivers and to build relationships and
854 attachments. The model transition plans shall consider and vary
855 in response to important factors affecting how a child's
856 placement transition should proceed to mitigate trauma and
857 encourage the child's healthy development and the stability of
858 the placement, which may include, but is not limited to, the
859 child's age or developmental stage; the level and type of abuse,
860 neglect, or trauma experienced by the child; attachment to or
861 the length of time the child has spent with the current
862 caregiver; and familiarity with, location of, and attachment to
863 the proposed caregiver. The model transition plans and
864 accompanying explanatory material must be provided to, at a
865 minimum, all staff who develops transition plans for children in
866 out-of-home care, whether such staff works for the department, a
867 community-based care lead agency, or a subcontracted provider.
868 The model transition plans and accompanying material may also be
869 provided to caregivers and other child welfare professionals.

870 Section 8. Section 39.4023, Florida Statutes, is created to

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871 read:

872 39.4023 Placement and education transitions; transition
873 plans.-

874 (1) LEGISLATIVE FINDINGS AND INTENT.-

875 (a) The Legislature finds that many children in out-of-home
876 care experience multiple changes in placement, and those
877 transitions often result in trauma not only for the child but
878 also for caregivers, families, siblings, and all professionals
879 involved.

880 (b) The Legislature further finds that poorly planned and
881 executed or improperly timed transitions may adversely impact a
882 child's healthy development as well as the child's continuing
883 capacity to trust, attach to others, and build relationships in
884 the future.

885 (c) The Legislature finds that the best child welfare
886 practices recognize the need to prioritize the minimization of
887 the number of placements for every child in out-of-home care.
888 Further, the Legislature finds that efforts must be made to
889 support caregivers in order to promote stability. When placement
890 changes are necessary, they must be thoughtfully planned.

891 (d) The Legislature finds that transition plans are
892 critical when moving all children, including infants, toddlers,
893 school-age children, adolescents, and young adults.

894 (e) It is the intent of the Legislature that a placement
895 change or an educational change for a child in out-of-home care
896 be achieved ideally through a period of transition that is
897 unique to each child, provides support for all individuals
898 affected by the change, and has flexible planning to allow for
899 changes necessary to meet the needs of the child.

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

901 (a) "Educational change" means any time a child is moved
902 between schools when such move is not the result of the natural
903 transition from elementary school to middle school or middle
904 school to high school. The term also includes changes in child
905 care or early education programs for infants and toddlers.

906 (b) "Emergency situation" means that there is an imminent
907 risk to the health or safety of the child, other children, or
908 others in the home or facility if the child remains in the
909 placement.

910 (c) "Placement change" means any time a child is moved from
911 one caregiver to another, including moves to a foster home, a
912 group home, relatives, prospective guardians, or prospective
913 adoptive parents and removal from or reunification with parents
914 or legal custodian. A child being moved temporarily to respite
915 care for the purpose of providing the primary caregiver relief
916 does not constitute a placement change.

917 (d) "School" means any child care, early education,
918 elementary, secondary, or postsecondary educational setting.

919 (3) PLACEMENT TRANSITIONS.—

920 (a) Mandatory transition plans.—Except as otherwise
921 provided, the department or the community-based care lead agency
922 shall create and implement an individualized transition plan
923 before each placement change experienced by a child.

924 (b) Minimizing placement transitions.—Once a caregiver
925 accepts the responsibility of caring for a child, the child may
926 be removed from the home of the caregiver only for the reasons
927 specified in s. 409.1415(2) (b) 7.

928 (c) Services to prevent disruption.—The community-based

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929 care lead agency shall provide any supportive services deemed
930 necessary to a caregiver and a child if the child's current out-
931 of-home placement with the caregiver is in danger of needing
932 modification. The supportive services must be offered in an
933 effort to remedy the factors contributing to the placement being
934 considered unsuitable and therefore contributing to the need for
935 a change in placement.

936 (d) Transition planning.—

937 1. If the supportive services provided pursuant to
938 paragraph (c) have not been successful to make the maintenance
939 of the placement suitable or if there are other circumstances
940 that require the child to be moved, the department or the
941 community-based care lead agency must convene a
942 multidisciplinary team staffing as required under s. 39.4022
943 before the child's placement is changed, or within 72 hours of
944 moving the child in an emergency situation, for the purpose of
945 developing an appropriate transition plan.

946 2. A placement change may occur immediately in an emergency
947 situation without convening a multidisciplinary team staffing.
948 However, a multidisciplinary team staffing must be held within
949 72 hours after the emergency situation arises.

950 3. The department or the community-based care lead agency
951 must provide written notice of the planned move at least 14 days
952 before the move or within 72 hours after an emergency situation,
953 to the greatest extent possible and consistent with the child's
954 needs and preferences. The notice must include the reason a
955 placement change is necessary. A copy of the notice must be
956 filed with the court and be provided to:

957 a. The child, unless he or she, due to age or capacity, is

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958 unable to comprehend the written notice, which will necessitate
959 the department or lead agency to provide notice in an age-
960 appropriate and capacity-appropriate alternative manner;

961 b. The child's parents, unless prohibited by court order;

962 c. The child's out-of-home caregiver;

963 d. The guardian ad litem, if one is appointed;

964 e. The attorney for the child, if one is appointed; and

965 f. The attorney for the department.

966 4.a. The transition plan must be developed through
967 cooperation among the persons included in subparagraph 3., and
968 such persons must share any relevant information necessary for
969 its development. Subject to the child's needs and preferences,
970 the transition plan must meet the requirements of s.

971 409.1415(2)(b)8. and exclude any placement changes that occur
972 between 7 p.m. and 8 a.m.

973 5. The department or the community-based care lead agency
974 shall file the transition plan with the court within 48 hours
975 after the creation of such plan and provide a copy of the plan
976 to the persons included in subparagraph 3.

977 (e) Additional considerations for transitions of infants
978 and children under school age.—Relationship patterns over the
979 first year of life are important predictors of future
980 relationships. Research demonstrates that babies begin to form a
981 strong attachment to a caregiver at approximately 7 months of
982 age. From that period of time through age 2, moving a child from
983 a caregiver who is the psychological parent is considerably more
984 damaging. Placement decisions must focus on promoting security
985 and continuity for infants and children under 5 years of age in
986 out-of-home care. Transition plans for infants and young

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987 children must describe the facts that were considered when each
988 of the following were discussed and must specify what decision
989 was made as to how each of the following applies to the child:

990 1. The age of the child and the child's current ability to
991 accomplish developmental tasks, with consideration made for
992 whether the child is:

993 a. Six months of age or younger, thereby indicating that it
994 may be in the child's best interest to move the child sooner
995 rather than later; or

996 b. Seven months of age or older, but younger than 3 years
997 of age, thereby indicating it may not be a healthy time to move
998 the child.

999 2. The length of time the child has lived with the current
1000 caregiver, the strength of attachment to the current caregiver,
1001 and the harm of disrupting a healthy attachment compared to the
1002 possible advantage of a change in placement.

1003 3. The relationship, if any, the child has with the new
1004 caregiver and whether a reciprocal agreement exists between the
1005 current caregiver and the prospective caregiver to maintain the
1006 child's relationship with both caregivers.

1007 4. The pace of the transition and whether flexibility
1008 exists to accelerate or slow down the transition based on the
1009 child's needs and reactions.

1010 (f) Preparation of prospective caregivers before
1011 placement.—

1012 1. Prospective caregivers must be fully informed of the
1013 child's needs and circumstances and be willing and able to
1014 accept responsibility for providing high-quality care for such
1015 needs and circumstances before placement.

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1016 2. The community-based care lead agency shall review with
1017 the prospective caregiver the caregiver's roles and
1018 responsibilities according to the parenting partnerships plan
1019 for children in out-of-home care pursuant to s. 409.1415. The
1020 case manager shall sign a copy of the parenting partnerships
1021 plan and obtain the signature of the prospective caregiver
1022 acknowledging explanation of the requirements before placement.

1023 (4) EDUCATION TRANSITIONS.—

1024 (a) Findings.—Children in out-of-home care frequently
1025 change child care, early education programs, and schools. These
1026 changes can occur when the child first enters out-of-home care,
1027 when the child must move from one caregiver to another, or when
1028 the child returns home upon reunification. Research shows that
1029 children who change schools frequently make less academic
1030 progress than their peers and fall further behind with each
1031 school change. Additionally, educational instability at any
1032 level makes it difficult for children to develop supportive
1033 relationships with teachers or peers. State and federal law
1034 contain requirements that must be adhered to in order to ensure
1035 educational stability for a child in out-of-home care. A child's
1036 educational setting should only be changed when maintaining the
1037 educational setting is not in the best interest of the child.

1038 (b) Mandatory educational transition plans.—The department
1039 or the community-based care lead agency shall create and
1040 implement an individualized transition plan each time a child
1041 experiences a school change.

1042 (c) Minimizing school changes.—

1043 1. Every effort must be made to keep a child in the school
1044 of origin if it is in the child's best interest. Any placement

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1045 decision must include thoughtful consideration of which school a
1046 child will attend if a school change is necessary.

1047 2. Members of a multidisciplinary team staffing convened
1048 for a purpose other than a school change must determine the
1049 child's best interest regarding remaining in the school or
1050 program of origin if the child's educational options are
1051 affected by any other decision being made by the
1052 multidisciplinary team.

1053 3. The determination of whether it is in the child's best
1054 interest to remain in the school of origin, and if not, of which
1055 school the child will attend in the future, must be made in
1056 consultation with the following individuals, including, but not
1057 limited to, the child; the parents; the caregiver; the child
1058 welfare professional; the guardian ad litem, if appointed; the
1059 educational surrogate, if appointed; child care and educational
1060 staff, including teachers and guidance counselors; and the
1061 school district representative or foster care liaison. A
1062 multidisciplinary team member may contact any of these
1063 individuals in advance of a multidisciplinary team staffing to
1064 obtain his or her recommendation. An individual may remotely
1065 attend the multidisciplinary team staffing if one of the
1066 identified goals is related to determining an educational
1067 placement. The multidisciplinary team may rely on a report from
1068 the child's current school or program district and, if
1069 applicable, any other school district being considered for the
1070 educational placement if the required school personnel are not
1071 available to attend the multidisciplinary team staffing in
1072 person or remotely.

1073 4. The multidisciplinary team and the individuals listed in

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1074 subparagraph 3. must consider, at a minimum, all of the
1075 following factors when determining whether remaining in the
1076 school or program of origin is in the child's best interest or,
1077 if not, when selecting a new school or program:
1078 a. The child's desire to remain in the school or program of
1079 origin.
1080 b. The preference of the child's parents or legal
1081 guardians.
1082 c. Whether the child has siblings, close friends, or
1083 mentors at the school or program of origin.
1084 d. The child's cultural and community connections in the
1085 school or program of origin.
1086 e. Whether the child is suspected of having a disability
1087 under the Individuals with Disabilities Education Act (IDEA) or
1088 s. 504 of the Rehabilitation Act of 1973, or has begun receiving
1089 interventions under this state's multitiered system of supports.
1090 f. Whether the child has an evaluation pending for special
1091 education and related services under IDEA or s. 504 of the
1092 Rehabilitation Act of 1973.
1093 g. Whether the child is a student with a disability under
1094 IDEA who is receiving special education and related services or
1095 a student with a disability under s. 504 of the Rehabilitation
1096 Act of 1973 who is receiving accommodations and services and, if
1097 so, whether those required services are available in a school or
1098 program other than the school or program of origin.
1099 h. Whether the child is an English Language Learner student
1100 and is receiving language services, and if so, whether those
1101 required services are available in a school or program other
1102 than the school or program of origin.

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1103 i. The impact a change to the school or program of origin
1104 would have on academic credits and progress toward promotion.

1105 j. The availability of extracurricular activities important
1106 to the child.

1107 k. The child's known individualized educational plan or
1108 other medical and behavioral health needs and whether such plan
1109 or needs are able to be met at a school or program other than
1110 the school or program of origin.

1111 l. The child's permanency goal and timeframe for achieving
1112 permanency.

1113 m. The child's history of school transfers and how such
1114 transfers have impacted the child academically, emotionally, and
1115 behaviorally.

1116 n. The length of the commute to the school or program from
1117 the child's home or placement and how such commute would impact
1118 the child.

1119 o. The length of time the child has attended the school or
1120 program of origin.

1121 5. The cost of transportation cannot be a factor in making
1122 a best interest determination.

1123 (d) *Transitions between child care and early education*
1124 *programs.*—When a child enters out-of-home care or undergoes a
1125 placement change, the child shall, if possible, remain with a
1126 familiar child care provider or early education program unless
1127 there is an opportunity to transition to a higher quality
1128 program. If it is not possible for the child to remain with the
1129 familiar child care provider or early education program or
1130 transition to a higher quality program, the child's transition
1131 plan must be made with the participation of the child's current

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1132 and future school or program. The plan must give the child an
1133 opportunity to say goodbye to important figures in the
1134 educational environment.

1135 (e) *Transitions between K-12 schools.*—The transition plan
1136 for a transition between K-12 schools must include all of the
1137 following:

1138 1. Documentation that the department or community-based
1139 care lead agency has made the decision to change the child's
1140 school in accordance with paragraph (c). The plan must include a
1141 detailed discussion of all factors considered in reaching the
1142 decision to change the child's school.

1143 2. Documentation that the department or community-based
1144 care lead agency has coordinated, or will coordinate before the
1145 school change, with local educational agencies to provide
1146 immediate and appropriate enrollment in a new school, including
1147 transfer of educational records, any record of a school-entry
1148 health examination, and arrangements for transportation to the
1149 new school.

1150 3. Discussion of the timing of the proposed school change
1151 which addresses the potential impact on the child's education
1152 and extracurricular activities. This section must include, at a
1153 minimum, grading periods, exam schedules, credit acquisitions,
1154 sports eligibility, and participation in extracurricular
1155 activities.

1156 4. Details concerning the transportation of the child to
1157 school.

1158 (5) TRANSITION PLAN AND DOCUMENTATION.—

1159 (a) The department, in collaboration with the Quality
1160 Parenting Initiative, shall develop a form to be completed and

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1161 updated each time a child in out-of-home care is moved from one
1162 placement to another.

1163 (b) A completed form must be attached to the case record
1164 face sheet required to be included in the case file pursuant to
1165 s. 39.00146. The form must be used statewide and, at a minimum,
1166 must include all of the following information:

1167 1. The membership of the multidisciplinary team staffing
1168 convened under s. 39.4022 to develop a transition plan for the
1169 change in placement and the dates on which the team met.

1170 2. The name of the person who served as the facilitator in
1171 that specific multidisciplinary team staffing.

1172 3. The topics considered by the multidisciplinary team
1173 staffing in order to ensure an appropriate transition.

1174 4. The recommendations of the multidisciplinary team and
1175 the name of each individual or entity responsible for carrying
1176 out each recommendation.

1177 (c) The department or the community-based care lead agency
1178 shall document all multidisciplinary team staffings and
1179 placement transition decisions in the Florida Safe Families
1180 Network and must include the information in the social study
1181 report for judicial review, as required under s. 39.701.

1182 (6) EXEMPTION.—Placements made pursuant to s. 63.082(6) are
1183 exempt from this section.

1184 (7) RULEMAKING.—The department shall adopt rules to
1185 implement this section.

1186 Section 9. Section 39.4024, Florida Statutes, is created to
1187 read:

1188 39.4024 Placement of siblings; visitation; continuing
1189 contact.—

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1190 (1) LEGISLATIVE FINDINGS.—

1191 (a) The Legislature finds that sibling relationships can
1192 provide a significant source of continuity throughout a child's
1193 life and are likely to be the longest relationships that most
1194 individuals experience. Further, the placement of siblings
1195 together can increase the likelihood of achieving permanency and
1196 is associated with a significantly higher rate of family
1197 reunification.

1198 (b) The Legislature finds that it is beneficial for a child
1199 who is placed in out-of-home care to be able to continue
1200 existing relationships with his or her siblings, regardless of
1201 age, so that they may share their strengths and association in
1202 their everyday and often common experiences.

1203 (c) The Legislature also finds that healthy connections
1204 with siblings can serve as a protective factor for children who
1205 have been placed in out-of-home care. The Legislature finds that
1206 child protective investigators and caseworkers should be aware
1207 of the variety of demographic and external situational factors
1208 that may present challenges to placement in order to identify
1209 such factors relevant to a particular group of siblings and
1210 ensure that these factors are not the sole reasons that siblings
1211 are not placed together.

1212 (d) The Legislature also finds that it is the
1213 responsibility of all entities and adults involved in a child's
1214 life, including, but not limited to, the department, community-
1215 based care lead agencies, parents, foster parents, guardians ad
1216 litem, next of kin, and other persons important to the child to
1217 seek opportunities to foster sibling relationships to promote
1218 continuity and help sustain family connections.

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1219 (e) While there is a presumption in law and policy that it
1220 is in the best interest of a child going into out-of-home care
1221 to be placed with any siblings, the Legislature finds that
1222 overall well-being of the child and family improves when the
1223 person or team responsible for placement decisions evaluates the
1224 child's sibling and family bonds and prioritizes the bonds that
1225 are unique drivers of the child's ability to maintain and
1226 develop healthy relationships. The person or team with an
1227 understanding of the need to balance all attachment bonds of a
1228 child and the potential need to prioritize existing and healthy
1229 sibling relationships differently than a potential or unhealthy
1230 sibling relationship over a healthy existing bond with a
1231 caregiver will result in more stable and healthier placements
1232 for all children in out-of-home care.

1233 (2) DEFINITIONS.—As used in this section, the term:

1234 (a) "Lead agency" means a community-based care lead agency
1235 under contract with the department to provide care to children
1236 in foster care under chapter 409.

1237 (b) "Multidisciplinary team" has the same meaning as
1238 provided in s. 39.4022.

1239 (c) "Sibling" means:

1240 1. A child who shares a birth parent or legal parent with
1241 one or more other children; or

1242 2. A child who has lived together in a family with one or
1243 more other children whom he or she identifies as siblings.

1244 (3) PLACEMENT OF SIBLINGS IN OUT-OF-HOME CARE.—

1245 (a) General provisions.—

1246 1. The department or lead agency shall make reasonable
1247 efforts to place sibling groups that are removed from their home

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1248 in the same foster, kinship, adoptive, or guardianship home when
1249 it is in the best interest of each sibling and when an
1250 appropriate, capable, and willing joint placement for the
1251 sibling group is available.

1252 2. If a child enters out-of-home care after his or her
1253 sibling, the department or lead agency and the multidisciplinary
1254 team shall make reasonable efforts to initially place the child
1255 who has entered out-of-home care with his or her siblings in the
1256 sibling's existing placement, provided it would not jeopardize
1257 the stability of such placement and it is in the best interest
1258 for each child.

1259 3. When determining whether to move a child from a current
1260 placement to a new placement when such change is initiated by a
1261 sibling relationship, all relevant factors must be considered by
1262 the multidisciplinary team to ensure that the child is best
1263 served by the decision. A uniform policy that does not consider
1264 and apply a balancing test to ensure all existing attachment
1265 bonds for a child and his or her siblings are honored and
1266 evaluated holistically may result in placement decisions or
1267 changes of placement decisions that may result in additional
1268 trauma.

1269 4. The department and the court are not required to make a
1270 change in placement, whether such change is to the physical
1271 residential address of the child or the legal custody of the
1272 child, to develop a relationship between siblings which did not
1273 exist at the time a child is placed in out-of-home care and must
1274 determine whether the change in placement is contrary to the
1275 child's safety and well-being by evaluating all of the factors
1276 in this section and ss. 39.01375, 39.4022, and 39.4023.

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1277 (b) Factors to consider when placing sibling groups.-

1278 1. At the time a child who is a part of a sibling group is
1279 removed from the home, the department or lead agency shall
1280 convene a multidisciplinary team staffing in accordance with s.
1281 39.4022 to determine and assess the sibling relationships from
1282 the perspective of each child to ensure the best placement of
1283 each child in the sibling group. The multidisciplinary team
1284 shall consider all relevant factors included in s. 39.01375 and
1285 this section, including, but not limited to, the existing
1286 emotional ties between and among the siblings, the degree of
1287 harm each child is likely to experience as a result of
1288 separation, and the standard protocols established by the
1289 Quality Parenting Initiative under paragraph (d).

1290 2.a. If the department or the appropriate lead agency is
1291 able to locate a caregiver that will accept the sibling group
1292 and the multidisciplinary team determines that the placement is
1293 suitable for each child, the sibling group must be placed
1294 together.

1295 b. If the department or appropriate lead agency is not able
1296 to locate a caregiver or placement option that allows the
1297 sibling group to be placed together in an initial placement, the
1298 department or lead agency must make all reasonable efforts to
1299 ensure contact and visitation between siblings placed in
1300 separate out-of-home care placements and provide reviews of the
1301 placements in accordance with this section.

1302 3. If all the siblings are unable to be placed in an
1303 existing placement and the siblings do not have an existing
1304 relationship, when determining whether to move any child who is
1305 part of the sibling group from his or her current placement to a

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1306 new placement that will unite the sibling group, the department
1307 or lead agency must consider all of the following additional
1308 factors:

1309 a. The presence and quality of current attachment
1310 relationships, including:

1311 (I) The quality and length of the attachment of the child
1312 to both the current and prospective caregiver;

1313 (II) The age of the child at placement with the current
1314 caregiver and the child's current age as well as the ages of any
1315 siblings;

1316 (III) The ease with which the child formed an attachment to
1317 the current family;

1318 (IV) Any indications of attachment difficulty in the
1319 child's history; and

1320 (V) The number of moves and number of caregivers the child
1321 has experienced.

1322 b. The potential of the new caregiver to be a primary
1323 attachment figure to the sibling group by ensuring care for each
1324 child's physical needs and the willingness and availability to
1325 meet each child's emotional needs.

1326 c. The quality of existing sibling relationships and the
1327 potential quality of sibling relationships that can be formed
1328 between the children.

1329 d. The consideration of any costs and benefits of
1330 disrupting existing emotional attachments to a primary caregiver
1331 to place children in a new placement with siblings, including:

1332 (I) The length and quality of the established and current
1333 primary attachment relationships between the siblings and
1334 between the siblings and their current caregivers; and

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1335 (II) Relationships between any other siblings and whether
1336 such relationships appear adequate and not stressful or harmful.

1337 e. The ability to establish and maintain sibling visitation
1338 and contact pursuant to this section in a manner and schedule
1339 that makes sense for an infant or young child if it is
1340 determined that the infant or young child is to remain with his
1341 or her primary caregivers rather than be placed with his or her
1342 siblings.

1343 f. The ability to establish and maintain contact with the
1344 sibling and new caregiver as part of a transition plan developed
1345 in accordance with paragraph (c) and s. 39.4023 before changing
1346 the child's placement to allow the child, his or her siblings,
1347 and new caregiver to adjust and form bonds.

1348 (c) Transitioning a child after a determination.—If after
1349 considering the provisions and factors described in paragraphs
1350 (a) and (b) it is determined that the child would benefit from
1351 being placed with his or her siblings, the transition of the
1352 child to the new home must be carried out gradually in
1353 accordance with s. 39.4023.

1354 (d) Standards for evaluating sibling placements.—The
1355 department, in collaboration with the Quality Parenting
1356 Initiative, must develop standard protocols for the department
1357 and lead agency which incorporate the provisions and factors
1358 described in paragraphs (a), (b), and (c) and any other factors
1359 deemed relevant for use in making decisions about when placing
1360 siblings together would be contrary to a child's well-being or
1361 safety or decisions providing for frequent visitation and
1362 contact under subsection (4).

1363 (4) MAINTAINING CONTACT WHEN SIBLINGS ARE SEPARATED.—

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1364 (a) Regular contact among a sibling group that cannot be
1365 placed together, especially among siblings with existing
1366 attachments to each other, is critical for the siblings to
1367 maintain their existing bonds and relationships or to develop
1368 such bonds and attachments, if appropriate. The following
1369 practices must be considered in helping to maintain or
1370 strengthen the relationships of separated siblings:

1371 1. Respect and support the child's ties to his or her birth
1372 or legal family, including parents, siblings, and extended
1373 family members, must be provided by the caregiver, and he or she
1374 must assist the child in maintaining allowable visitation and
1375 other forms of communication. The department and lead agency
1376 shall provide a caregiver with the information, guidance,
1377 training, and support necessary for fulfilling this
1378 responsibility.

1379 2. Provide adequate support to address any caregiver
1380 concerns and to enhance the caregiver's ability to facilitate
1381 contact between siblings who are not in the same out-of-home
1382 placement and promote the benefits of sibling contact.

1383 3. Prioritize placements with kinship caregivers who have
1384 an established personal relationship with each child so that
1385 even when siblings cannot be placed together in the same home,
1386 kinship caregivers are more likely to facilitate contact.

1387 4. Prioritize placement of siblings geographically near
1388 each other, such as in the same neighborhood or school district,
1389 to make it easier for the siblings to see each other regularly.

1390 5. Encourage frequent and regular visitation, if the
1391 siblings choose to do so, to allow the children to be actively
1392 involved in each other's lives and to participate in

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1393 celebrations, including, but not limited to, birthdays,
1394 graduations, holidays, school and extracurricular activities,
1395 cultural customs, and other milestones.

1396 6. Provide other forms of contact when regular in-person
1397 meetings are not possible or are not sufficient to meet the
1398 needs or desires of the siblings, such as maintaining frequent
1399 contact through letters, e-mail, social media, cards, or
1400 telephone calls.

1401 7. Coordinate, when possible, joint outings or summer or
1402 weekend camp experiences to facilitate time together, including,
1403 but not limited to, activities or camps specifically designed
1404 for siblings in out-of-home care.

1405 8. Encourage joint respite care to assist the caregivers
1406 who are caring for separated siblings to have needed breaks
1407 while also facilitating contact among the siblings, including,
1408 but not limited to, providing babysitting or respite care for
1409 each other. A child being moved temporarily as respite care for
1410 the purpose of providing the primary caregiver relief and
1411 encouraging and facilitating contact among the siblings does not
1412 constitute a placement change or require the convening of a
1413 multidisciplinary team.

1414 9. Prohibit the withholding of communication or visitation
1415 among the siblings as a form of punishment.

1416 (b) The court may not limit or restrict communication or
1417 visitation under this subsection unless there is a finding that
1418 the communication or visitation between the child and his or her
1419 siblings is contrary to the safety or well-being of the child.
1420 If the court makes such a finding, and services are available
1421 that would reasonably be expected to ameliorate the risk to the

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1422 child's safety or well-being that are the basis of the court's
1423 finding and that may result in the communication and visitation
1424 being restored, the court must direct the department or
1425 community-based care lead agency to immediately provide such
1426 services.

1427 (5) SUBSEQUENT REVIEWS.—

1428 (a) The department and the lead agency shall periodically,
1429 but at least once every 6 months, reassess sibling placement,
1430 visitation, and other sibling contact decisions in cases where
1431 siblings are separated, not visiting, or not maintaining contact
1432 to determine if a change in placement is warranted unless the
1433 decision to not place a child with his or her sibling group was
1434 made due to such placement being inappropriate, unhealthy, or
1435 unsafe for the child.

1436 (b) If a child in a sibling group who has been placed in an
1437 out-of-home care placement with his or her siblings does not
1438 adjust to the placement, the lead agency must provide services
1439 to the caregiver and sibling group in accordance with s.
1440 39.4023(3) to try to prevent the disruption of the placement. If
1441 after reasonable efforts are made under s. 39.4023(3), the child
1442 still has not adjusted to the out-of-home placement, a
1443 multidisciplinary team staffing must be convened to determine
1444 what is best for all of the children. The multidisciplinary team
1445 shall review the current placement of the sibling group and
1446 choose a plan that will be least detrimental to each child. If
1447 the team determines that the best decision is to move the child
1448 who has not adjusted to a new out-of-home placement, the team
1449 must develop a transition plan in accordance with ss. 39.4022
1450 and 39.4023 which ensures the opportunity for the siblings to

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1451 maintain contact in accordance with subsection (4) of this
1452 section.

1453 (c) If it becomes known that a child in out-of-home care
1454 has a sibling of whom the child, department, or lead agency was
1455 previously unaware, the department or lead agency must convene a
1456 multidisciplinary team staffing within a reasonable amount of
1457 time after the discovery of such sibling to decide if the
1458 current placement or permanency plan requires modification.

1459 (6) ADDITIONAL REQUIREMENTS AND CONSIDERATIONS.-

1460 (a) The department shall promptly provide a child with the
1461 location of and contact information for his or her siblings. If
1462 the existence or location of or contact information for a
1463 child's siblings is not known, the department must make
1464 reasonable efforts to ascertain such information.

1465 (b)1. If a child's sibling is also in out-of-home care and
1466 such sibling leaves out-of-home care due to emancipation or
1467 reunification with his or her parent or guardian, the child must
1468 be allowed to communicate with that emancipated or reunified
1469 sibling, if the emancipated sibling or the reunified sibling and
1470 his or her parent consent.

1471 2. If a child's sibling is also in out-of-home care and
1472 such sibling leaves out-of-home care for any reason, including,
1473 but not limited to, the reasons in subparagraph 1. and
1474 communication is not occurring, the child has a right to have
1475 the court consider the appropriateness of continued
1476 communication with his or her sibling. The court shall consider
1477 the recommendation of the department or community-based care
1478 lead agency and any other information deemed relevant by the
1479 court.

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1480 3. If a child's sibling leaves out-of-home care because he
1481 or she is adopted, the child may be allowed to have continued
1482 communication with the sibling either by consent of the adoptive
1483 parent or by order of the court in accordance with s. 63.0427.

1484 (c) The department or the lead agency must document in
1485 writing any decision to separate siblings in the case file as
1486 required in s. 39.00146 and document the decision in the Florida
1487 Safe Families Network. The documentation must include any
1488 efforts made to keep the siblings together, an assessment of the
1489 short-term and long-term effects of separation on each child and
1490 the sibling group as a whole, and a description of the plan for
1491 communication or contact between the children if separation is
1492 approved.

1493 (7) EXEMPTION.—Placements made pursuant to s. 63.082(6) are
1494 exempt from this section.

1495 (8) RULEMAKING AUTHORITY.—The department shall adopt rules
1496 to implement this section.

1497 Section 10. Section 39.522, Florida Statutes, is amended to
1498 read:

1499 39.522 Postdisposition change of custody.—

1500 (1) The court may change the temporary legal custody or the
1501 conditions of protective supervision at a postdisposition
1502 hearing, without the necessity of another adjudicatory hearing.

1503 (2) (a) ~~(1) (a)~~ At any time before a child is residing in the
1504 permanent placement approved at the permanency hearing, a child
1505 who has been placed in the child's own home under the protective
1506 supervision of an authorized agent of the department, in the
1507 home of a relative, in the home of a legal custodian, or in some
1508 other place may be brought before the court by the department or

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1509 by any other interested person, upon the filing of a motion
1510 alleging a need for a change in the conditions of protective
1511 supervision or the placement. If any party or the current
1512 caregiver denies ~~the parents or other legal custodians deny~~ the
1513 need for a change, the court shall hear all parties in person or
1514 by counsel, or both.

1515 (b) Upon the admission of a need for a change or after such
1516 hearing, the court shall enter an order changing the placement,
1517 modifying the conditions of protective supervision, or
1518 continuing the conditions of protective supervision as ordered.
1519 The standard for changing custody of the child shall be the best
1520 interests of the child. When determining whether a change of
1521 legal custody or placement is in the best interests of the
1522 child, the court shall consider the factors listed in s.
1523 39.01375 and the report filed by the multidisciplinary team, if
1524 applicable, unless the change of custody or placement is made
1525 pursuant to s. 63.082(6). The court shall also consider the
1526 priority of placements established under s. 39.4021 when making
1527 a decision regarding the best interest of the child in out-of-
1528 home care:

- 1529 ~~1. The child's age.~~
- 1530 ~~2. The physical, mental, and emotional health benefits to~~
1531 ~~the child by remaining in his or her current placement or moving~~
1532 ~~to the proposed placement.~~
- 1533 ~~3. The stability and longevity of the child's current~~
1534 ~~placement.~~
- 1535 ~~4. The established bonded relationship between the child~~
1536 ~~and the current or proposed caregiver.~~
- 1537 ~~5. The reasonable preference of the child, if the court has~~

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1538 ~~found that the child is of sufficient intelligence,~~
1539 ~~understanding, and experience to express a preference.~~

1540 ~~6. The recommendation of the child's current caregiver.~~

1541 ~~7. The recommendation of the child's guardian ad litem, if~~
1542 ~~one has been appointed.~~

1543 ~~8. The child's previous and current relationship with a~~
1544 ~~sibling, if the change of legal custody or placement will~~
1545 ~~separate or reunite siblings.~~

1546 ~~9. The likelihood of the child attaining permanency in the~~
1547 ~~current or proposed placement.~~

1548 ~~10. Any other relevant factors.~~

1549 ~~(c) (b)~~ If the child is not placed in foster care, the new
1550 placement for the child must meet the home study criteria and
1551 court approval under this chapter.

1552 (3) (a) For purposes of this subsection, the term "change in
1553 physical custody" means a change by the department or community-
1554 based care lead agency to the child's physical residential
1555 address, regardless of whether such change requires a court
1556 order to change the legal custody of the child. However, this
1557 term does not include a change in placement made pursuant to s.
1558 63.082 (6).

1559 (b) 1. In a hearing on the change of physical custody under
1560 this section, there shall be a rebuttable presumption that it is
1561 in the child's best interest to remain permanently in his or her
1562 current physical placement if:

1563 a. The child has been in the same safe and stable placement
1564 for 9 consecutive months or more;

1565 b. Reunification is not a permanency option for the child;

1566 c. The caregiver is able, willing, and eligible for

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1567 consideration as an adoptive parent or permanent custodian for
1568 the child;

1569 d. The caregiver is not requesting the change in physical
1570 placement; and

1571 e. The change in physical placement being sought is not to
1572 reunify the child with his or her parent or sibling or
1573 transition the child from a safe and stable nonrelative
1574 caregiver to a safe and stable relative caregiver.

1575 2. In order to rebut the presumption established in this
1576 paragraph, the court shall hold an evidentiary hearing on the
1577 change in physical custody to determine if the change in
1578 placement is in the best interest of the child. As part of the
1579 evidentiary hearing, the court must consider competent and
1580 substantial evidence and testimony related to the factors
1581 enumerated in s. 39.01375 and any other evidence deemed relevant
1582 to a determination of placement, including evidence from a
1583 court-selected neutral and independent licensed professional
1584 with expertise in the science and research of child-parent
1585 bonding.

1586 3. This presumption may not be rebutted solely by the
1587 expressed wishes of a biological parent, a biological relative,
1588 or a caregiver of a sibling of the child.

1589 (c)1. The department or community-based care lead agency
1590 must notify a current caregiver who has been in the physical
1591 custody placement for at least 9 consecutive months and who
1592 meets all the established criteria in paragraph (b) of an intent
1593 to change the physical custody of the child, and a
1594 multidisciplinary team staffing must be held in accordance with
1595 ss. 39.4022 and 39.4023 at least 21 days before the intended

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1596 date for the child's change in physical custody, unless there is
1597 an emergency situation as defined in s. 39.4022(2)(b). If there
1598 is not a unanimous consensus decision reached by the
1599 multidisciplinary team, the department's official position must
1600 be provided to the parties within the designated time period as
1601 provided for in s. 39.4022.

1602 2. A caregiver who objects to the department's official
1603 position on the change in physical custody must notify the court
1604 and the department or community-based care lead agency of his or
1605 her objection and the intent to request an evidentiary hearing
1606 in writing in accordance with this section within 5 days after
1607 receiving notice of the department's official position provided
1608 under subparagraph 1. The transition of the child to the new
1609 caregiver may not begin before the expiration of the 5-day
1610 period within which the current caregiver may object.

1611 3. Upon the department or community-based care lead agency
1612 receiving written notice of the caregiver's objection, the
1613 change to the child's physical custody must be placed in
1614 abeyance and the child may not be transitioned to a new physical
1615 placement without a court order, unless there is an emergency
1616 situation as defined in s. 39.4022(2)(b).

1617 4. Within 7 days after receiving written notice from the
1618 caregiver, the court must conduct an initial case status
1619 hearing, at which time the court must:

1620 a. Grant party status to the current caregiver who is
1621 seeking permanent custody and has maintained physical custody of
1622 that child for at least 9 continuous months for the limited
1623 purpose of filing a motion for a hearing on the objection and
1624 presenting evidence pursuant to this subsection;

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1625 b. Appoint an attorney for the child who is the subject of
1626 the permanent custody proceeding, in addition to the guardian ad
1627 litem, if one is appointed;

1628 c. Advise the caregiver of his or her right to retain
1629 counsel for purposes of the evidentiary hearing; and

1630 d. Appoint a court-selected neutral and independent
1631 licensed professional with expertise in the science and research
1632 of child-parent bonding.

1633 (d) The court must conduct the evidentiary hearing and
1634 provide a written order of its findings regarding the placement
1635 that is in the best interest of the child no later than 90 days
1636 after the date the caregiver provided written notice to the
1637 court under this subsection. The court must provide its written
1638 order to the department or community-based care lead agency, the
1639 caregiver, and the prospective caregiver. The party status
1640 granted to the current caregiver under sub-subparagraph (c)4.a.
1641 terminates upon the written order by the court, or upon the 90-
1642 day time limit established in this paragraph, whichever occurs
1643 first.

1644 (e) If the court orders that the physical custody of the
1645 child change from the current caregiver after the evidentiary
1646 hearing, the department or community-based care lead agency must
1647 implement the appropriate transition plan developed in
1648 accordance with ss. 39.4022 and 39.4023 or as ordered by the
1649 court.

1650 (4) ~~(2)~~ In cases where the issue before the court is whether
1651 a child should be reunited with a parent, the court shall review
1652 the conditions for return and determine whether the
1653 circumstances that caused the out-of-home placement and issues

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1654 subsequently identified have been remedied to the extent that
1655 the return of the child to the home with an in-home safety plan
1656 prepared or approved by the department will not be detrimental
1657 to the child's safety, well-being, and physical, mental, and
1658 emotional health.

1659 (5)~~(3)~~ In cases where the issue before the court is whether
1660 a child who is placed in the custody of a parent should be
1661 reunited with the other parent upon a finding that the
1662 circumstances that caused the out-of-home placement and issues
1663 subsequently identified have been remedied to the extent that
1664 the return of the child to the home of the other parent with an
1665 in-home safety plan prepared or approved by the department will
1666 not be detrimental to the child, the standard shall be that the
1667 safety, well-being, and physical, mental, and emotional health
1668 of the child would not be endangered by reunification and that
1669 reunification would be in the best interest of the child.

1670 (6)~~(4)~~ In cases in which the issue before the court is
1671 whether to place a child in out-of-home care after the child was
1672 placed in the child's own home with an in-home safety plan or
1673 the child was reunified with a parent or caregiver with an in-
1674 home safety plan, the court must consider, at a minimum, the
1675 following factors in making its determination whether to place
1676 the child in out-of-home care:

1677 (a) The circumstances that caused the child's dependency
1678 and other subsequently identified issues.

1679 (b) The length of time the child has been placed in the
1680 home with an in-home safety plan.

1681 (c) The parent's or caregiver's current level of protective
1682 capacities.

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1683 (d) The level of increase, if any, in the parent's or
1684 caregiver's protective capacities since the child's placement in
1685 the home based on the length of time the child has been placed
1686 in the home.

1687
1688 The court shall additionally evaluate the child's permanency
1689 goal and change the permanency goal as needed if doing so would
1690 be in the best interests of the child. If the court changes the
1691 permanency goal, the case plan must be amended pursuant to s.
1692 39.6013(5).

1693 Section 11. Subsections (2) and (5) of section 39.523,
1694 Florida Statutes, are amended to read:

1695 39.523 Placement in out-of-home care.—

1696 (2) ASSESSMENT AND PLACEMENT.—When any child is removed
1697 from a home and placed in ~~into~~ out-of-home care, a comprehensive
1698 placement assessment process shall be completed in accordance
1699 with s. 39.4022 to determine the level of care needed by the
1700 child and match the child with the most appropriate placement.

1701 (a) The community-based care lead agency or subcontracted
1702 agency with the responsibility for assessment and placement must
1703 coordinate a multidisciplinary team staffing as established in
1704 s. 39.4022 with the necessary participants for the stated
1705 purpose of the staffing ~~with any available individual currently~~
1706 ~~involved with the child including, but not limited to, a~~
1707 ~~representative from the department and the case manager for the~~
1708 ~~child; a therapist, attorney ad litem, guardian ad litem,~~
1709 ~~teachers, coaches, Children's Medical Services; and other~~
1710 ~~community providers of services to the child or stakeholders as~~
1711 ~~applicable. The team may also include clergy, relatives, and~~

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1712 ~~fictive kin if appropriate. Team participants must gather data~~
1713 ~~and information on the child which is known at the time~~
1714 ~~including, but not limited to:~~

1715 ~~1. Mental, medical, behavioral health, and medication~~
1716 ~~history;~~

1717 ~~2. Community ties and school placement;~~

1718 ~~3. Current placement decisions relating to any siblings;~~

1719 ~~4. Alleged type of abuse or neglect including sexual abuse~~
1720 ~~and trafficking history; and~~

1721 ~~5. The child's age, maturity, strengths, hobbies or~~
1722 ~~activities, and the child's preference for placement.~~

1723 (b) The comprehensive placement assessment process may also
1724 include the use of an assessment instrument or tool that is best
1725 suited for the individual child.

1726 (c) The most appropriate available out-of-home placement
1727 shall be chosen after consideration by all members of the
1728 multidisciplinary team of all of the information and data
1729 gathered, including the results and recommendations of any
1730 evaluations conducted.

1731 (d) Placement decisions for each child in out-of-home
1732 placement shall be reviewed as often as necessary to ensure
1733 permanency for that child and address special issues related to
1734 this population of children.

1735 (e) The department, a sheriff's office acting under s.
1736 39.3065, a community-based care lead agency, or a case
1737 management organization must document all placement assessments
1738 and placement decisions in the Florida Safe Families Network.

1739 (f) If it is determined during the comprehensive placement
1740 assessment process that residential treatment as defined in s.

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1741 39.407 would be suitable for the child, the procedures in that
1742 section must be followed.

1743 (5) RULEMAKING.—The department shall ~~may~~ adopt rules to
1744 implement this section.

1745 Section 12. Subsection (1) of section 39.6035, Florida
1746 Statutes, is amended to read:

1747 39.6035 Transition plan.—

1748 (1) During the year ~~180-day period~~ after a child reaches 16
1749 ~~17~~ years of age, the department and the community-based care
1750 provider, in collaboration with the caregiver and any other
1751 individual whom the child would like to include, shall assist
1752 the child in developing a transition plan. The required
1753 transition plan is in addition to standard case management
1754 requirements. The transition plan must address specific options
1755 for the child to use in obtaining services, including housing,
1756 health insurance, education, financial literacy, a driver
1757 license, and workforce support and employment services. The plan
1758 must also include tasks to establish and maintain ~~consider~~
1759 ~~establishing and maintaining~~ naturally occurring mentoring
1760 relationships and other personal support services. The
1761 transition plan may be as detailed as the child chooses. This
1762 plan shall be updated as needed before the child reaches 18
1763 years of age. In developing and updating the transition plan,
1764 the department and the community-based care lead agency ~~provider~~
1765 shall:

1766 (a) Provide the child with the documentation required under
1767 ~~pursuant to~~ s. 39.701(3). ~~†~~

1768 (b) Coordinate the transition plan with the independent
1769 living provisions in the case plan and, for a child with

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1770 disabilities, the Individuals with Disabilities Education Act
1771 transition plan. ~~and~~

1772 (c) Provide information for the financial literacy
1773 curriculum for youth offered by the Department of Financial
1774 Services.

1775 Section 13. Subsection (3) of section 39.701, Florida
1776 Statutes, is amended to read:

1777 39.701 Judicial review.—

1778 (3) REVIEW HEARINGS FOR CHILDREN 16 AND 17 YEARS OF AGE.—~~At~~
1779 each review hearing held under this subsection, the court shall
1780 give the child the opportunity to address the court and provide
1781 any information relevant to the child's best interest,
1782 particularly in relation to independent living transition
1783 services. The foster parent, legal custodian, or guardian ad
1784 litem may also provide any information relevant to the child's
1785 best interest to the court.

1786 ~~(a)~~ In addition to the review and report required under
1787 paragraphs (1) (a) and (2) (a), respectively, the court shall:

1788 (a) Inquire about the life skills the child has acquired
1789 and whether those services are age appropriate, at the first
1790 judicial review hearing held subsequent to the child's 16th
1791 birthday. At the ~~Hold~~ a judicial review hearing, the department
1792 shall provide the court with a report that includes specific
1793 information related to the life skills that the child has
1794 acquired since the child's 13th birthday, or since the date the
1795 child came into foster care, whichever came later within 90 days
1796 after a child's 17th birthday. For any child who may meet the
1797 requirements for appointment of a guardian advocate under s.
1798 393.12, or a guardian under chapter 744, the updated case plan

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1799 must be developed in a face-to-face conference with the child,
1800 if appropriate; the child's attorney; any court-appointed
1801 guardian ad litem; the temporary custodian of the child; and the
1802 parent of the child, if the parent's rights have not been
1803 terminated. ~~The court shall also issue an order, separate from~~
1804 ~~the order on judicial review, that the disability of nonage of~~
1805 ~~the child has been removed pursuant to ss. 743.044, 743.045,~~
1806 ~~743.046, and 743.047, and for any of these disabilities that the~~
1807 ~~court finds is in the child's best interest to remove. The court~~
1808 ~~shall continue to hold timely judicial review hearings. If~~
1809 ~~necessary, the court may review the status of the child more~~
1810 ~~frequently during the year before the child's 18th birthday. At~~
1811 ~~each review hearing held under this subsection, in addition to~~
1812 ~~any information or report provided to the court by the foster~~
1813 ~~parent, legal custodian, or guardian ad litem, the child shall~~
1814 ~~be given the opportunity to address the court with any~~
1815 ~~information relevant to the child's best interest, particularly~~
1816 ~~in relation to independent living transition services.~~

1817 (b) The court shall hold a judicial review hearing within
1818 90 days after a child's 17th birthday. The court shall issue an
1819 order, separate from the order on judicial review, that the
1820 disability of nonage of the child has been removed under ss.
1821 743.044, 743.045, 743.046, and 743.047, for any disability that
1822 the court finds is in the child's best interest to remove. The
1823 department shall include in the social study report for the
1824 first judicial review that occurs after the child's 17th
1825 birthday written verification that the child has:

1826 1. A current Medicaid card and all necessary information
1827 concerning the Medicaid program sufficient to prepare the child

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1828 to apply for coverage upon reaching the age of 18, if such
1829 application is appropriate.

1830 2. A certified copy of the child's birth certificate and,
1831 if the child does not have a valid driver license, a Florida
1832 identification card issued under s. 322.051.

1833 3. A social security card and information relating to
1834 social security insurance benefits if the child is eligible for
1835 those benefits. If the child has received such benefits and they
1836 are being held in trust for the child, a full accounting of
1837 these funds must be provided and the child must be informed as
1838 to how to access those funds.

1839 4. All relevant information related to the Road-to-
1840 Independence Program under s. 409.1451, including, but not
1841 limited to, eligibility requirements, information on
1842 participation, and assistance in gaining admission to the
1843 program. If the child is eligible for the Road-to-Independence
1844 Program, he or she must be advised that he or she may continue
1845 to reside with the licensed family home or group care provider
1846 with whom the child was residing at the time the child attained
1847 his or her 18th birthday, in another licensed family home, or
1848 with a group care provider arranged by the department.

1849 5. An open bank account or the identification necessary to
1850 open a bank account and to acquire essential banking and
1851 budgeting skills.

1852 6. Information on public assistance and how to apply for
1853 public assistance.

1854 7. A clear understanding of where he or she will be living
1855 on his or her 18th birthday, how living expenses will be paid,
1856 and the educational program or school in which he or she will be

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1857 enrolled.

1858 8. Information related to the ability of the child to
1859 remain in care until he or she reaches 21 years of age under s.
1860 39.013.

1861 9. A letter providing the dates that the child is under the
1862 jurisdiction of the court.

1863 10. A letter stating that the child is in compliance with
1864 financial aid documentation requirements.

1865 11. The child's educational records.

1866 12. The child's entire health and mental health records.

1867 13. The process for accessing the child's ~~his or her~~ case
1868 file.

1869 14. A statement encouraging the child to attend all
1870 judicial review hearings ~~occurring after the child's 17th~~
1871 ~~birthday.~~

1872 15. Information on how to obtain a driver license or
1873 learner's driver license.

1874 (c) ~~(b)~~ At the first judicial review hearing held subsequent
1875 to the child's 17th birthday, ~~the department shall provide the~~
1876 ~~court with an updated case plan that includes specific~~
1877 ~~information related to the independent living skills that the~~
1878 ~~child has acquired since the child's 13th birthday, or since the~~
1879 ~~date the child came into foster care, whichever came later.~~

1880 ~~1. For any child who may meet the requirements for~~
1881 ~~appointment of a guardian pursuant to chapter 744, or a guardian~~
1882 ~~advocate pursuant to s. 393.12, the updated case plan must be~~
1883 ~~developed in a face-to-face conference with the child, if~~
1884 ~~appropriate; the child's attorney; any court-appointed guardian~~
1885 ~~ad litem; the temporary custodian of the child; and the parent,~~

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1886 ~~if the parent's rights have not been terminated.~~

1887 ~~2. At the judicial review hearing,~~ if the court determines
1888 pursuant to chapter 744 that there is a good faith basis to
1889 believe that the child qualifies for appointment of a guardian
1890 advocate, limited guardian, or plenary guardian for the child
1891 and that no less restrictive decisionmaking assistance will meet
1892 the child's needs:

1893 ~~1.a.~~ The department shall complete a multidisciplinary
1894 report which must include, but is not limited to, a psychosocial
1895 evaluation and educational report if such a report has not been
1896 completed within the previous 2 years.

1897 ~~2.b.~~ The department shall identify one or more individuals
1898 who are willing to serve as the guardian advocate under ~~pursuant~~
1899 ~~to~~ s. 393.12 or as the plenary or limited guardian under
1900 ~~pursuant to~~ chapter 744. Any other interested parties or
1901 participants may make efforts to identify such a guardian
1902 advocate, limited guardian, or plenary guardian. The child's
1903 biological or adoptive family members, including the child's
1904 parents if the parents' rights have not been terminated, may not
1905 be considered for service as the plenary or limited guardian
1906 unless the court enters a written order finding that such an
1907 appointment is in the child's best interests.

1908 ~~3.e.~~ Proceedings may be initiated within 180 days after the
1909 child's 17th birthday for the appointment of a guardian
1910 advocate, plenary guardian, or limited guardian for the child in
1911 a separate proceeding in the court division with jurisdiction
1912 over guardianship matters and pursuant to chapter 744. The
1913 Legislature encourages the use of pro bono representation to
1914 initiate proceedings under this section.

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1915 ~~4.3.~~ In the event another interested party or participant
1916 initiates proceedings for the appointment of a guardian
1917 advocate, plenary guardian, or limited guardian for the child,
1918 the department shall provide all necessary documentation and
1919 information to the petitioner to complete a petition under s.
1920 393.12 or chapter 744 within 45 days after the first judicial
1921 review hearing after the child's 17th birthday.

1922 ~~5.4.~~ Any proceedings seeking appointment of a guardian
1923 advocate or a determination of incapacity and the appointment of
1924 a guardian must be conducted in a separate proceeding in the
1925 court division with jurisdiction over guardianship matters and
1926 pursuant to chapter 744.

1927 ~~(d)-(e)~~ If the court finds at the judicial review hearing
1928 after the child's 17th birthday that the department has not met
1929 its obligations to the child as stated in this part, in the
1930 written case plan, or in the provision of independent living
1931 services, the court may issue an order directing the department
1932 to show cause as to why it has not done so. If the department
1933 cannot justify its noncompliance, the court may give the
1934 department 30 days within which to comply. If the department
1935 fails to comply within 30 days, the court may hold the
1936 department in contempt.

1937 ~~(e)-(d)~~ If necessary, the court may review the status of the
1938 child more frequently during the year before the child's 18th
1939 birthday. At the last review hearing before the child reaches 18
1940 years of age, and in addition to the requirements of subsection
1941 (2), the court shall:

1942 1. Address whether the child plans to remain in foster
1943 care, and, if so, ensure that the child's transition plan

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1944 includes a plan for meeting one or more of the criteria
1945 specified in s. 39.6251.

1946 2. Ensure that the transition plan includes a supervised
1947 living arrangement under s. 39.6251.

1948 3. Ensure the child has been informed of:

1949 a. The right to continued support and services from the
1950 department and the community-based care lead agency.

1951 b. The right to request termination of dependency
1952 jurisdiction and be discharged from foster care.

1953 c. The opportunity to reenter foster care under ~~pursuant to~~
1954 s. 39.6251.

1955 4. Ensure that the child ~~young adult~~, if he or she requests
1956 termination of dependency jurisdiction and discharge from foster
1957 care, has been informed of:

1958 a. Services or benefits for which the child ~~young adult~~ may
1959 be eligible based on his or her former placement in foster care,
1960 including, but not limited to, the assistance of the Office of
1961 Continuing Care under s. 414.56.~~;~~

1962 b. Services or benefits that may be lost through
1963 termination of dependency jurisdiction.~~;~~ ~~and~~

1964 c. Other federal, state, local, or community-based services
1965 or supports available to him or her.

1966 Section 14. Paragraph (e) of subsection (1) of section
1967 39.806, Florida Statutes, is amended to read:

1968 39.806 Grounds for termination of parental rights.—

1969 (1) Grounds for the termination of parental rights may be
1970 established under any of the following circumstances:

1971 (e) When a child has been adjudicated dependent, a case
1972 plan has been filed with the court, and:

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1973 1. The child continues to be abused, neglected, or
1974 abandoned by the parent or parents. The failure of the parent or
1975 parents to substantially comply with the case plan for a period
1976 of 12 months after an adjudication of the child as a dependent
1977 child or the child's placement into shelter care, whichever
1978 occurs first, constitutes evidence of continuing abuse, neglect,
1979 or abandonment unless the failure to substantially comply with
1980 the case plan was due to the parent's lack of financial
1981 resources or to the failure of the department to make reasonable
1982 efforts to reunify the parent and child. The 12-month period
1983 begins to run only after the child's placement into shelter care
1984 or the entry of a disposition order placing the custody of the
1985 child with the department or a person other than the parent and
1986 the court's approval of a case plan having the goal of
1987 reunification with the parent, whichever occurs first; or

1988 2. The parent or parents have materially breached the case
1989 plan by their action or inaction. Time is of the essence for
1990 permanency of children in the dependency system. In order to
1991 prove the parent or parents have materially breached the case
1992 plan, the court must find by clear and convincing evidence that
1993 the parent or parents are unlikely or unable to substantially
1994 comply with the case plan before time to comply with the case
1995 plan expires.

1996 3. The child has been in care for any 12 of the last 22
1997 months and the parents have not substantially complied with the
1998 case plan so as to permit reunification under s. 39.522(4) ~~s.~~
1999 ~~39.522(2)~~ unless the failure to substantially comply with the
2000 case plan was due to the parent's lack of financial resources or
2001 to the failure of the department to make reasonable efforts to

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2002 reunify the parent and child.

2003 Section 15. Section 39.8155, Florida Statutes, is created
2004 to read:

2005 39.8155 Reinstatement of parental rights.-

2006 (1) After parental rights have been terminated in
2007 accordance with this part, the department, the parent whose
2008 rights were terminated, or the child may file a motion to
2009 reinstate the parent's parental rights. The court may consider a
2010 motion to reinstate parental rights if:

2011 (a) The grounds for termination of parental rights were
2012 based on s. 39.806(1) (a) or (e)1.-3.

2013 (b) The parent is not the verified perpetrator of sexual or
2014 physical abuse of the child.

2015 (c) The parent has not been a perpetrator involved in any
2016 verified reports of abuse, neglect, or abandonment since his or
2017 her parental rights for the child were terminated.

2018 (d) The parent has not had his or her parental rights
2019 terminated for any other child, under any grounds, in this state
2020 or any other jurisdiction, since his or her parental rights for
2021 the child were terminated.

2022 (e) The child is at least 13 years of age.

2023 (f) The child has not achieved permanency and is not in a
2024 preadoptive placement, and at least 36 months have passed since
2025 the termination of parental rights.

2026 (2) The court shall dismiss a motion to reinstate parental
2027 rights if the criteria are not met in subsection (1).

2028 (3) If a motion to reinstate parental rights is filed, the
2029 court shall consider all relevant evidence, including whether:

2030 (a) The child possesses sufficient maturity to express a

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2031 preference regarding the reinstatement of parental rights.

2032 (b) The child is not in a preadoptive home or under
2033 permanent guardianship.

2034 (c) The parent has a documented change in behavior such
2035 that, given the current age and maturity of the child, the
2036 circumstances that brought the child into care are remedied.

2037 (d) The parent demonstrates sufficient protective
2038 capacities, given the child's age, physical and behavioral
2039 health, and any other specific characteristics and needs, such
2040 that the risk of the child reentering care is low.

2041 (e) Both the parent and child wish to reinstate parental
2042 rights.

2043 (f) The child's guardian ad litem recommends the
2044 reinstatement of parental rights.

2045 (g) A multidisciplinary team was convened under s. 39.4022
2046 and recommends the reinstatement of parental rights and has
2047 developed a plan to transition the child to the former parent's
2048 care pursuant to s. 39.4023.

2049 (4) Upon finding that the criteria in subsection (3) are
2050 established by clear and convincing evidence, the court shall
2051 order the department to conduct supervised visitation and trial
2052 home visits between the child and former parent for at least 3
2053 consecutive months after the completion of a home study. In
2054 issuing the order, the court shall consider the transition plan
2055 developed by the child's multidisciplinary team. The department
2056 shall report to the court at least once every 30 days regarding
2057 the former parent's interactions with the child and recommend
2058 whether the court should reinstate parental rights. The
2059 department shall immediately cease the visitation with the

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2060 former parent if there is an allegation of abuse, neglect, or
2061 abandonment of the child by the parent; if the department
2062 determines that the child's safety or well-being is threatened;
2063 or that such visitation is not in the child's best interest. The
2064 department shall immediately notify the court if it ceases
2065 visitation between the child and former parent.

2066 (5) The court may reinstate parental rights upon a finding
2067 of clear and convincing evidence that it is in the best interest
2068 of the child. Upon ordering reinstatement of parental rights,
2069 the court shall place the child in the custody of the former
2070 parent with an in-home safety plan. The court shall retain
2071 jurisdiction for at least 6 months, during which the department
2072 shall supervise the placement and report to the court on the
2073 stability of the placement. The court shall determine whether
2074 its jurisdiction should be continued or terminated 6 months
2075 after reinstating parental rights based on a report from the
2076 department or the child's guardian ad litem and any other
2077 relevant factors.

2078 Section 16. Subsections (3), (5), and (7) of section
2079 409.1451, Florida Statutes, are amended, and subsections (1),
2080 (2), (4), (6), and (8) through (11) of that section are
2081 reenacted, to read:

2082 409.1451 The Road-to-Independence Program.—

2083 (1) LEGISLATIVE FINDINGS AND INTENT.—

2084 (a) The Legislature recognizes that most children and young
2085 adults are resilient and, with adequate support, can expect to
2086 be successful as independent adults. Not unlike many young
2087 adults, some young adults who have lived in foster care need
2088 additional support and resources for a period of time after

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2089 reaching 18 years of age.

2090 (b) The Legislature finds that while it is important to
2091 provide young adults who have lived in foster care with
2092 education and independent living skills, there is also a need to
2093 focus more broadly on creating and preserving family
2094 relationships so that young adults have a permanent connection
2095 with at least one committed adult who provides a safe and stable
2096 parenting relationship.

2097 (c) It is the intent of the Legislature that young adults
2098 who choose to participate in the program receive the skills,
2099 education, and support necessary to become self-sufficient and
2100 leave foster care with a lifelong connection to a supportive
2101 adult through the Road-to-Independence Program, either through
2102 postsecondary education services and support, as provided in
2103 subsection (2), or aftercare services.

2104 (2) POSTSECONDARY EDUCATION SERVICES AND SUPPORT.—

2105 (a) A young adult is eligible for services and support
2106 under this subsection if he or she:

2107 1. Was living in licensed care on his or her 18th birthday
2108 or is currently living in licensed care; or was at least 16
2109 years of age and was adopted from foster care or placed with a
2110 court-approved dependency guardian after spending at least 6
2111 months in licensed care within the 12 months immediately
2112 preceding such placement or adoption;

2113 2. Spent at least 6 months in licensed care before reaching
2114 his or her 18th birthday;

2115 3. Earned a standard high school diploma pursuant to s.
2116 1002.3105(5), s. 1003.4281, or s. 1003.4282, or its equivalent
2117 pursuant to s. 1003.435;

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2118 4. Has been admitted for enrollment as a full-time student
2119 or its equivalent in an eligible postsecondary educational
2120 institution as provided in s. 1009.533. For purposes of this
2121 section, the term "full-time" means 9 credit hours or the
2122 vocational school equivalent. A student may enroll part-time if
2123 he or she has a recognized disability or is faced with another
2124 challenge or circumstance that would prevent full-time
2125 attendance. A student needing to enroll part-time for any reason
2126 other than having a recognized disability must get approval from
2127 his or her academic advisor;

2128 5. Has reached 18 years of age but is not yet 23 years of
2129 age;

2130 6. Has applied, with assistance from the young adult's
2131 caregiver and the community-based lead agency, for any other
2132 grants and scholarships for which he or she may qualify;

2133 7. Submitted a Free Application for Federal Student Aid
2134 which is complete and error free; and

2135 8. Signed an agreement to allow the department and the
2136 community-based care lead agency access to school records.

2137 (b) The amount of the financial assistance shall be as
2138 follows:

2139 1. For a young adult who does not remain in foster care and
2140 is attending a postsecondary school as provided in s. 1009.533,
2141 the amount is \$1,256 monthly.

2142 2. For a young adult who remains in foster care, is
2143 attending a postsecondary school, as provided in s. 1009.533,
2144 and continues to reside in a licensed foster home, the amount is
2145 the established room and board rate for foster parents. This
2146 takes the place of the payment provided for in s. 409.145(3).

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2147 3. For a young adult who remains in foster care, but
2148 temporarily resides away from a licensed foster home for
2149 purposes of attending a postsecondary school as provided in s.
2150 1009.533, the amount is \$1,256 monthly. This takes the place of
2151 the payment provided for in s. 409.145(3).

2152 4. For a young adult who remains in foster care, is
2153 attending a postsecondary school as provided in s. 1009.533, and
2154 continues to reside in a licensed group home, the amount is
2155 negotiated between the community-based care lead agency and the
2156 licensed group home provider.

2157 5. For a young adult who remains in foster care, but
2158 temporarily resides away from a licensed group home for purposes
2159 of attending a postsecondary school as provided in s. 1009.533,
2160 the amount is \$1,256 monthly. This takes the place of a
2161 negotiated room and board rate.

2162 6. A young adult is eligible to receive financial
2163 assistance during the months when he or she is enrolled in a
2164 postsecondary educational institution.

2165 (c) Payment of financial assistance for a young adult who:

2166 1. Has chosen not to remain in foster care and is attending
2167 a postsecondary school as provided in s. 1009.533, shall be made
2168 to the community-based care lead agency in order to secure
2169 housing and utilities, with the balance being paid directly to
2170 the young adult until such time the lead agency and the young
2171 adult determine that the young adult can successfully manage the
2172 full amount of the assistance.

2173 2. Has remained in foster care under s. 39.6251 and who is
2174 attending postsecondary school as provided in s. 1009.533, shall
2175 be made directly to the foster parent or group home provider.

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2176 3. Community-based care lead agencies or other contracted
2177 providers are prohibited from charging a fee associated with
2178 administering the Road-to-Independence payments.

2179 (d)1. The department must advertise the availability of the
2180 stipend and must provide notification of the criteria and
2181 application procedures for the stipend to children and young
2182 adults leaving, or who were formerly in, foster care;
2183 caregivers; case managers; guidance and family services
2184 counselors; principals or other relevant school administrators;
2185 and guardians ad litem.

2186 2. If the award recipient transfers from one eligible
2187 institution to another and continues to meet eligibility
2188 requirements, the award shall be transferred with the recipient.

2189 3. The department, or an agency under contract with the
2190 department, shall evaluate each Road-to-Independence award for
2191 renewal eligibility on an annual basis. In order to be eligible
2192 for a renewal award for the subsequent year, the young adult
2193 must:

2194 a. Be enrolled for or have completed the number of hours,
2195 or the equivalent, to be considered a full-time student under
2196 subparagraph (a)4., unless the young adult qualifies for an
2197 exception under subparagraph (a)4.

2198 b. Maintain standards of academic progress as defined by
2199 the education institution, except that if the young adult's
2200 progress is insufficient to renew the award at any time during
2201 the eligibility period, the young adult may continue to be
2202 enrolled for additional terms while attempting to restore
2203 eligibility as long as progress towards the required level is
2204 maintained.

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2205 4. Funds may be terminated during the interim between an
2206 award and the evaluation for a renewal award if the department,
2207 or an agency under contract with the department, determines that
2208 the award recipient is no longer enrolled in an educational
2209 institution as described in subparagraph (a)4. or is no longer a
2210 resident of this state.

2211 5. The department, or an agency under contract with the
2212 department, shall notify a recipient who is terminated and
2213 inform the recipient of his or her right to appeal.

2214 6. An award recipient who does not qualify for a renewal
2215 award or who chooses not to renew the award may apply for
2216 reinstatement. An application for reinstatement must be made
2217 before the young adult reaches 23 years of age. In order to be
2218 eligible for reinstatement, the young adult must meet the
2219 eligibility criteria and the criteria for award renewal for the
2220 program.

2221 (3) AFTERCARE SERVICES.—

2222 (a)1. Aftercare services are available to a young adult who
2223 has reached 18 years of age but is not yet 23 years of age and
2224 is:

2225 ~~a.1.~~ Not in foster care.

2226 ~~b.2.~~ Temporarily not receiving financial assistance under
2227 subsection (2) to pursue postsecondary education.

2228 2. Subject to available funding, aftercare services as
2229 specified in subparagraph (b)8. are also available to a young
2230 adult who is between the ages of 18 and 22, is receiving
2231 financial assistance under subsection (2), is experiencing an
2232 emergency situation, and whose resources are insufficient to
2233 meet the emergency situation. Such assistance shall be in

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2234 addition to any amount specified in paragraph (2) (b).

2235 (b) Aftercare services include, but are not limited to, the
2236 following:

2237 1. Mentoring and tutoring.

2238 2. Mental health services and substance abuse counseling.

2239 3. Life skills classes, including credit management and
2240 preventive health activities.

2241 4. Parenting classes.

2242 5. Job and career skills training.

2243 6. Counselor consultations.

2244 7. Temporary financial assistance for necessities,
2245 including, but not limited to, education supplies,
2246 transportation expenses, security deposits for rent and
2247 utilities, furnishings, household goods, and other basic living
2248 expenses.

2249 8. Temporary financial assistance to address emergency
2250 situations, including, but not limited to, automobile repairs or
2251 large medical expenses.

2252 ~~9.8. Financial literacy skills training under pursuant to~~
2253 ~~s. 39.6035(1) (c).~~

2254

2255 The specific services to be provided under this paragraph shall
2256 be determined by an assessment of the young adult and may be
2257 provided by the community-based care provider or through
2258 referrals in the community.

2259 (c) Temporary assistance provided to prevent homelessness
2260 shall be provided as expeditiously as possible and within the
2261 limitations defined by the department.

2262 (4) APPEALS PROCESS.—

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2263 (a) The department shall have a procedure by which a young
2264 adult may appeal the department's refusal to provide Road-to-
2265 Independence Program services or support, or the termination of
2266 such services or support if funds for such services or support
2267 are available.

2268 (b) The appeal procedure must be readily accessible to
2269 young adults, must provide for timely decisions, and must
2270 provide for an appeal to the department. The decision of the
2271 department constitutes final agency action and is reviewable by
2272 the court as provided in s. 120.68.

2273 (5) DEPARTMENT RESPONSIBILITIES PORTABILITY.—

2274 (a) The services provided under this section are portable
2275 across county lines and between community-based care lead
2276 agencies.

2277 1.(a) The service needs that are identified in the original
2278 or updated transition plan under, ~~pursuant to~~ s. 39.6035 must,
2279 ~~shall~~ be provided by the lead agency where the young adult is
2280 currently residing but shall be funded by the lead agency that
2281 ~~who~~ initiated the transition plan.

2282 2.(b) The lead agency with primary case management
2283 responsibilities shall provide maintenance payments, case
2284 planning, including a written description of all services that
2285 will assist a child 16 years of age or older in preparing for
2286 the transition from care to independence, as well as regular
2287 case reviews that conform with all federal scheduling and
2288 content requirements, for all children in foster care who are
2289 placed or visiting out-of-state.

2290 (b) Each community-based care lead agency shall at least
2291 annually attempt to contact each young adult who has aged out of

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2292 foster care, who is potentially eligible for continuing care
2293 under s. 39.6251 or for the services available under this
2294 section, and who is not participating in any of these services.
2295 Through this contact, the lead agency shall communicate the
2296 continued availability of these programs and the services of the
2297 Office of Continuing Care established under s. 414.56. The lead
2298 agency shall also inquire into the young adult's needs and refer
2299 him or her to other programs that may be of assistance.

2300 (c) Each community-based care lead agency must offer
2301 services for intensive independent living development for young
2302 adults who have aged out of foster care and have the greatest
2303 deficits in life skills.

2304 (6) ACCOUNTABILITY.—The department shall develop outcome
2305 measures for the program and other performance measures in order
2306 to maintain oversight of the program. No later than January 31
2307 of each year, the department shall prepare a report on the
2308 outcome measures and the department's oversight activities and
2309 submit the report to the President of the Senate, the Speaker of
2310 the House of Representatives, and the committees with
2311 jurisdiction over issues relating to children and families in
2312 the Senate and the House of Representatives. The report must
2313 include:

2314 (a) An analysis of performance on the outcome measures
2315 developed under this section reported for each community-based
2316 care lead agency and compared with the performance of the
2317 department on the same measures.

2318 (b) A description of the department's oversight of the
2319 program, including, by lead agency, any programmatic or fiscal
2320 deficiencies found, corrective actions required, and current

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2321 status of compliance.

2322 (c) Any rules adopted or proposed under this section since
2323 the last report. For the purposes of the first report, any rules
2324 adopted or proposed under this section must be included.

2325 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
2326 secretary shall establish the Independent Living Services
2327 Advisory Council for the purpose of reviewing and making
2328 recommendations concerning the implementation and operation of
2329 ~~the provisions of s. 39.6251 and the Road-to-Independence~~
2330 ~~Program. The advisory council shall function as specified in~~
2331 ~~this subsection until the Legislature determines that the~~
2332 ~~advisory council can no longer provide a valuable contribution~~
2333 ~~to the department's efforts to achieve the goals of the services~~
2334 ~~designed to enable a young adult to live independently.~~

2335 (a) The advisory council shall assess the implementation
2336 and operation of the Road-to-Independence Program and advise the
2337 department on actions that would improve the ability of the
2338 ~~these~~ Road-to-Independence Program services to meet the
2339 established goals. The advisory council shall keep the
2340 department informed of problems being experienced with the
2341 services, barriers to the effective and efficient integration of
2342 services and support across systems, and successes that the
2343 system of services has achieved. The department shall consider,
2344 but is not required to implement, the recommendations of the
2345 advisory council.

2346 (b) 1. The advisory council shall report to the secretary on
2347 the status of the implementation of the Road-to-Independence
2348 Program, efforts to publicize the availability of the Road-to-
2349 Independence Program, the success of the services under the

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2350 program, problems identified with the program, and
2351 recommendations for department or legislative action,~~and the~~
2352 ~~department's implementation of the recommendations contained in~~
2353 ~~the Independent Living Services Integration Workgroup Report~~
2354 ~~submitted to the appropriate substantive committees of the~~
2355 ~~Legislature by December 31, 2013.~~

2356 2. The department shall submit a report by December 31 of
2357 each year to the Governor, the President of the Senate, and the
2358 Speaker of the House of Representatives which includes ~~a summary~~
2359 ~~of the factors reported on by the council and identifies the~~
2360 recommendations of the advisory council and the department's
2361 response either describes the department's actions to implement
2362 the recommendations or provides the department's rationale for
2363 not implementing the recommendations. The report must also
2364 include the most recent data regarding the status of and
2365 outcomes for young adults who turned 18 years of age while in
2366 foster care, relating to education, employment, housing,
2367 financial, transportation, health and well-being, and
2368 connections, and an analysis of such data and outcomes.

2369 (c) Members of the advisory council shall be appointed by
2370 the secretary of the department. The membership of the advisory
2371 council must include, at a minimum, young adults who receive
2372 services and funding through the Road-to-Independence Program,
2373 representatives from the headquarters and regional offices of
2374 the department of Children and Families, community-based care
2375 lead agencies, the Department of Juvenile Justice, the
2376 Department of Economic Opportunity, the Department of Education,
2377 the Agency for Health Care Administration, the State Youth
2378 Advisory Board, CareerSource Florida, Inc., the Statewide

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2379 Guardian Ad Litem Office, foster parents, ~~recipients of services~~
2380 ~~and funding through the Road to Independence Program,~~ and
2381 advocates for children in care. The secretary shall determine
2382 the length of the term to be served by each member appointed to
2383 the advisory council, which may not exceed 4 years.

2384 (d) The advisory council may consult with children
2385 currently in care and young adults who aged out of care
2386 regarding their needs, preferences, and concerns related to
2387 preparation for, transition to, and support during independent
2388 living.

2389 ~~(e)~~ (d) The department shall provide administrative support
2390 to the ~~Independent Living Services~~ advisory council to
2391 accomplish its assigned tasks. The advisory council shall be
2392 afforded access to all appropriate data from the department,
2393 each community-based care lead agency, and other relevant
2394 agencies in order to accomplish the tasks set forth in this
2395 section. The data collected may not include any information that
2396 would identify a specific child or young adult.

2397 ~~(e) The advisory council report required under paragraph~~
2398 ~~(b) must include an analysis of the system of independent living~~
2399 ~~transition services for young adults who reach 18 years of age~~
2400 ~~while in foster care before completing high school or its~~
2401 ~~equivalent and recommendations for department or legislative~~
2402 ~~action. The council shall assess and report on the most~~
2403 ~~effective method of assisting these young adults to complete~~
2404 ~~high school or its equivalent by examining the practices of~~
2405 ~~other states.~~

2406 (8) PERSONAL PROPERTY.—Property acquired on behalf of a
2407 young adult in this program shall become the personal property

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2408 of the young adult and is not subject to the requirements of
2409 chapter 273 relating to state-owned tangible personal property.
2410 Such property continues to be subject to applicable federal
2411 laws.

2412 (9) FINANCIAL ASSISTANCE FOR YOUNG ADULTS RECEIVING
2413 SERVICES.—Financial awards to young adults receiving services
2414 under subsections (2) and (3) and s. 39.6251 may be disregarded
2415 for purposes of determining the eligibility for, or the amount
2416 of, any other federal or federally supported assistance for
2417 which the department is required to determine eligibility for
2418 the program.

2419 (10) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN CARE.—
2420 The department or community-based care lead agency shall
2421 document that eligible young adults are enrolled in Medicaid
2422 under s. 409.903(4).

2423 (11) RULEMAKING.—The department shall adopt rules to
2424 administer this section.

2425 Section 17. Section 409.14515, Florida Statutes, is created
2426 to read:

2427 409.14515 Independent living preparation.—The department
2428 shall assist children who are in foster care in making the
2429 transition to independent living and self-sufficiency as adults.
2430 To support opportunities for participation in age-appropriate
2431 life skills activities, the department shall:

2432 (1) Identify important life skills that children in out-of-
2433 home care should acquire.

2434 (2) Develop a list of age-appropriate activities and
2435 responsibilities useful for the development of specific life
2436 skills for use by children and their caregivers. The age-

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2437 appropriate activities must address specific topics tailored to
2438 the needs of each child's developmental stage. For older youth,
2439 the list of age-appropriate activities must include, but is not
2440 limited to, informing the youth of available independent living
2441 services and community resources and how to apply for such
2442 services.

2443 (3) Design and disseminate training for caregivers related
2444 to building needed life skills. The training must include
2445 components that address the challenges of children in foster
2446 care in transitioning to adulthood and information on programs
2447 for children who are aging out of care under ss. 414.56 and
2448 409.1451, high school completion, applications for financial
2449 assistance for higher education, vocational school
2450 opportunities, supporting education, and employment
2451 opportunities.

2452 (4) Beginning after the child's 13th birthday, regularly
2453 assess the degree of life skills acquisition by each child. The
2454 department shall share the results of the assessments with the
2455 caregiver and support the caregiver in creating, implementing,
2456 monitoring, and revising plans as necessary to address the
2457 child's life skills deficits, if any.

2458 (5) Provide opportunities for children in foster care to
2459 interact with qualified, trained mentors who are committed to
2460 engaging reliably with the child long-term.

2461 (6) Develop and implement procedures for children of
2462 sufficient age and understanding to directly access and manage
2463 the personal allowance they receive from the department.

2464 Section 18. Subsection (4) of section 409.1454, Florida
2465 Statutes, is amended to read:

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2466 409.1454 Motor vehicle insurance and driver licenses for
2467 children in care.—

2468 (4) Payment shall be made to eligible recipients in the
2469 order of eligibility until available funds are exhausted. If a
2470 child determined to be eligible reaches permanency status or
2471 turns 18 years of age, the program may pay for that child to
2472 complete a driver education program and obtain a driver license
2473 for up to 6 months after the date the child reaches permanency
2474 status or 6 months after the date the child turns 18 years of
2475 age. A child continuing in care under s. 39.6251, or who was in
2476 licensed care when the child reached 18 years of age and is
2477 currently receiving postsecondary education services and support
2478 under s. 409.1451(2), may be eligible to have the costs of
2479 licensure and costs incidental to licensure paid if the child
2480 demonstrates that such costs are creating barriers for obtaining
2481 employment or completing educational goals.

2482 Section 19. Paragraph (a) of subsection (1) of section
2483 409.988, Florida Statutes, is amended to read:

2484 409.988 Community-based care lead agency duties; general
2485 provisions.—

2486 (1) DUTIES.—A lead agency:

2487 (a) 1. Shall serve:

2488 a. All children referred as a result of a report of abuse,
2489 neglect, or abandonment to the department's central abuse
2490 hotline, including, but not limited to, children who are the
2491 subject of verified reports and children who are not the subject
2492 of verified reports but who are at moderate to extremely high
2493 risk of abuse, neglect, or abandonment, as determined using the
2494 department's risk assessment instrument, regardless of the level

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2495 of funding allocated to the lead agency by the state if all
2496 related funding is transferred.

2497 b. Children who were adopted from the child welfare system
2498 and whose families require post-adoption supports.

2499 2. ~~The lead agency~~ May also serve children who have not
2500 been the subject of reports of abuse, neglect, or abandonment,
2501 but who are at risk of abuse, neglect, or abandonment, to
2502 prevent their entry into the child protection and child welfare
2503 system.

2504 Section 20. Section 414.56, Florida Statutes, is created to
2505 read:

2506 414.56 Office of Continuing Care.—The department shall
2507 establish an Office of Continuing Care to ensure young adults
2508 who age out of the foster care system between 18 and 21 years of
2509 age, or 22 years of age with a documented disability, have a
2510 point of contact until the young adult reaches the age of 26 in
2511 order to receive ongoing support and care coordination needed to
2512 achieve self-sufficiency. Duties of the office include, but are
2513 not limited to:

2514 (1) Informing young adults who age out of the foster care
2515 system of the purpose of the office, the types of support the
2516 office provides, and how to contact the office.

2517 (2) Serving as a direct contact to the young adult in order
2518 to provide information on how to access services to support the
2519 young adult's self-sufficiency, including, but not limited to,
2520 food assistance, behavioral health services, housing, Medicaid,
2521 and educational services.

2522 (3) Assisting in accessing services and supports for the
2523 young adult to attain self-sufficiency, including, but not

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2524 limited to, completing documentation required to apply for
2525 services.

2526 (4) Collaborating with community-based care lead agencies
2527 to identify local resources that can provide support to young
2528 adults served by the office and to assist young adults in
2529 accessing these supports.

2530 Section 21. The Florida Institute for Child Welfare
2531 established under s. 1004.615, Florida Statutes, shall:

2532 (1) (a) Evaluate the effectiveness of the state's efforts to
2533 assist youth in foster care in developing life skills to become
2534 self-sufficient adults. The Florida Institute for Child Welfare
2535 shall consult with the Institute for Food and Agricultural
2536 Services Extension Program at the University of Florida in
2537 conducting its evaluation.

2538 (b) The evaluation shall, at a minimum:

2539 1. Describe current requirements for caregivers to assist
2540 youth in acquiring life skills, the information and available
2541 supports provided to caregivers for doing so, and the actual
2542 level of engagement in these efforts by caregivers.

2543 2. Specify methods and measures used to determine if youth
2544 have acquired or developed adequate life skills and how that
2545 information is used to support life skills development for
2546 individual youth.

2547 3. Describe outcomes on a statewide basis, as well as by
2548 individual community-based care lead agency, and describe how
2549 this information is currently being used to improve performance.

2550 4. Identify best practices for helping youth in foster care
2551 develop life skills and compare the state's current approach to
2552 the best practices.

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2553 5. Specify any barriers that may prevent youth from
2554 becoming self-sufficient.

2555 6. Evaluate whether the state's current approach to helping
2556 youth in foster care develop life skills is adequate, and
2557 recommend any changes to enhance the effectiveness of the
2558 state's approach to prepare youth for self-sufficiency. Any
2559 recommendations must prioritize maintaining the state's current
2560 approach of primarily relying on caregivers to assist youth in
2561 developing life skills, and recommend that such efforts be part
2562 of everyday life experiences to the extent possible. However,
2563 such recommendations may also include additional options for
2564 achieving the goal of effectively preparing youth for self-
2565 sufficiency.

2566 7. Include the input of youth who are currently in foster
2567 care and youth who were previously in foster care. The Florida
2568 Institute for Child Welfare shall attempt to interview youth who
2569 are currently in foster care and youth who were previously in
2570 foster care on their experiences with the state's approach to
2571 preparing them for adulthood, whether the life skills provided
2572 were age appropriate or helpful, and what recommendations they
2573 have to improve the state's approach in preparing youth in
2574 foster care for adulthood.

2575 (c) The Florida Institute for Child Welfare shall submit
2576 its evaluation by November 1, 2022, to the Governor, the
2577 President of the Senate, and the Speaker of the House of
2578 Representatives.

2579 (2) (a) Analyze permanency outcomes in the state. The
2580 analysis shall include, at a minimum, all of the following:

2581 1. The frequency of permanency outcomes, both long-term and

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2582 within 2 years of entering foster care, and the differences
2583 observed when data are disaggregated by the child's age at entry
2584 into foster care.

2585 2. The length of time before parental rights are
2586 terminated, disaggregated by the child's age at entry into
2587 foster care.

2588 3. The frequency of permanency outcomes for children whose
2589 parents have had their parental rights terminated, the length of
2590 time before permanency is achieved, and the differences in the
2591 type of permanency and length of time it took to achieve
2592 permanency, disaggregated by age of the child when parental
2593 rights were terminated.

2594 4. The patterns, indicated by the analysis, regarding the
2595 length of time it took to achieve permanency, the types of
2596 permanency outcomes experienced by children entering foster care
2597 at different ages, and how the types of permanency vary based on
2598 the status of the rights of the parents of the children.

2599 (b) The Florida Institute for Child Welfare shall submit
2600 its report by October 1, 2022, to the Governor, the President of
2601 the Senate, and the Speaker of the House of Representatives.

2602 Section 22. This act shall take effect October 1, 2021.