CS/HB 1101 2023

A bill to be entitled

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

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

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

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

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

 $\underline{1.}$ Instructions to a child entering shelter or foster care

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to educate the child on identifying and reporting abuse, abandonment, or neglect.

2. Information to a child about laws and requirements relating to the topic of normalcy and what that means for a child in out-of-home care; education; participation in court proceedings; participation in permanency planning, transition planning, and other case planning; placement, visitation, and contact with siblings, family, and other individuals who are important to the child; and access to food, clothing, shelter, and health care.

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

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

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- (a) Receive complaints from children and young adults about placement, care, and services and assist in mediating such concerns.
- (b) Be a resource to identify and explain relevant polices or procedures to children, young adults, and their caregivers.
- (c) Provide recommendations to the department to address systemic problems that are leading to complaints from children and young adults.
- (5) The department shall consult with children and young adults who are currently or have formerly been in out-of-home care when creating or revising any print or digital written information used in implementing this section and use any responses or feedback to ensure that such print or digital written information is understandable by and appropriate and useful for the children and young adults of the ages for which such print or digital written information is intended.
 - Section 2. This act shall take effect July 1, 2023.