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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/06/2023	.	
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	.	
	.	

The Committee on Children, Families, and Elder Affairs (Garcia) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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



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11 minimum, verbal and written:

12 1. Instructions to a child entering shelter or foster care
13 to educate the child on identifying and reporting abuse,
14 abandonment, or neglect.

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

23
24 The ~~verbal and written~~ instructions and information must use
25 words and phrasing that each child can understand and must occur
26 in a manner that is most effective for each child. The written
27 instructions and information are only required if the child is
28 of a sufficient age and understanding to receive such
29 instructions and information. The case manager or other staff
30 must give each child the opportunity to ask questions ~~about his~~
31 ~~or her rights and how to identify and report abuse, abandonment,~~
32 ~~or neglect~~. The case manager or other staff shall document in
33 court reports and case notes the date the instructions and
34 information were ~~was~~ provided to the child. The case manager or
35 other staff must review the instructions and information with
36 the child every 6 months and upon every placement change until
37 the child leaves shelter or foster care.

38 (4) The Office of the Children's Ombudsman is established
39 within the department. To the extent permitted by available



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40 resources, the office shall, at a minimum:

41 (a) Receive complaints from children and young adults about
42 placement, care, and services and assist in mediating such
43 concerns.

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

46 (c) Provide recommendations to the department to address
47 systemic problems that are leading to complaints from children
48 and young adults.

49 (5) The department shall consult with children and young
50 adults who are currently or have formerly been in out-of-home
51 care when creating or revising any print or digital written
52 information used in implementing this section and use any
53 responses or feedback to ensure that such print or digital
54 written information is understandable by and appropriate and
55 useful for the children and young adults of the ages for which
56 such print or digital written information is intended.

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

58 ===== T I T L E A M E N D M E N T =====

59 And the title is amended as follows:

60 Delete everything before the enacting clause
61 and insert:

62 A bill to be entitled
63 An act relating to education for children and young
64 adults in out-of-home care; amending s. 39.4085, F.S.;
65 requiring a case manager or other staff member to
66 provide a child with verbal and written information
67 about certain topics; removing limitations on the type
68 of questions a child may ask; establishing the Office



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69 of the Children's Ombudsman within the Department of
70 Children and Families; specifying responsibilities of
71 the office; requiring the department to consult with
72 specified children and young adults when creating or
73 revising certain print or digital written information;
74 conforming provisions to changes made by the act;
75 providing an effective date.