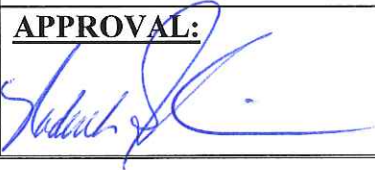




## Policy and Procedures

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| <b><u>DEPARTMENT NAME:</u></b> Quality Management  |   |   |
| <b><u>SUBJECT:</u></b> At-Risk Child Care Referrals and Rilya Wilson Act                                     | <b><u>POLICY NUMBER:</u></b> QM-012               |   |
| <b><u>APPROVAL:</u></b><br> | <b><u>EFFECTIVE DATE:</u></b><br><i>9-26-2014</i> | <b><u>REPLACES :</u></b><br>QM-012, dated 7/17/2007<br>QM-005, dated 7/8/2005 |

- I. **PURPOSE:** This operating procedure establishes the steps to be followed when a child has an open services case, is between the ages of 0 to school entry, has been identified to be at risk of abuse, neglect abandonment or exploitation or daycare services are needed to maintain an out of home placement. For Rilya Wilson, this only applies for children who were enrolled in early education or child care services at the time they came under court-ordered supervision.
  
- II. **REVIEW HISTORY:** This policy updates At-Risk Day Care policy QM-012 dated 7/17/2007 and incorporates and updates Rilya Wilson Act Child Care Requirements dated 7/8/05.
  
- III. **CONTACT:** Quality Management Department.
  
- IV. **PERSONS AFFECTED:** Children's Network staff and contracted providers.
  
- V. **POLICY:** It is the policy of the Children's Network of Southwest Florida to comply with the working agreement established between the Early Learning Coalition and the Network and to comply with the guidelines set by Florida Statute 39.604, the Rilya Wilson Act
  
- VI. **RATIONALE:** The Children's Network of Southwest Florida will ensure the safety and well-being of children who are under the supervision of the Department of Children and Families and its community-based care providers by evaluating the need for child care for children who meet the criteria established by the Early Learning Coalition and mandating child care for children subject to the applicable statute.
  
- VII. **CROSS REFERENCES:** Policies and Procedures established by the Early Learning Coalition. Florida Statute, Chapter 39.604.

**Children's Network of Southwest Florida  
At-Risk Child Care Referrals**

**VIII. DEFINITIONS:**

- A. Age 0 to school entry - a child from the date of his or her birthday to the date that the child enters a public, private or charter school for the first time.
- B. Case Management Organization - the contracted agency that provides case management services to dependent children and their families.
- C. Child At Risk - any child that is the subject of a child protective investigation warranting a "safety plan" or being referred for ongoing services, OR the subjects in an active child welfare case, AND at risk of abuse, neglect, abandonment or exploitation OR in "out of home" care where child care services are needed to maintain the placement.
- D. Child's residence- the location where the child is currently residing with a caregiver who is responsible for the day to day care of the child. This may be the child's own home, a residential group care facility, or any setting where the child is currently residing.
- E. Community based lead agency - the Children's Network of Southwest Florida.
- F. Department - the Florida Department of Children and Families.
- G. Licensed early education or child care program -a program licensed by the state or local county licensing agency to provide early education or child care services to children during a portion of a 24 hour day
- H. Under court ordered protective supervision or in the custody of the department or a community based care lead agency -a child who has been ordered by the court to receive protective supervision services whether in his or her own home or in the home of a relative or non-relative, or a child who has been ordered by the court into the custody of the department or of a community based lead agency.
- I. "Excused absence"- an absence from child care in which the parent or caregiver with whom the child resides reports the child's absence to the child care provider by the end of the business day on which the absence occurs.
- J. "Unexcused absence" an absence from child care in which the parent or caregiver with whom the child resides does not report the child's absence to the child care provider by the end of the business day on which the absence occurs.

**IX. PROCEDURES:**

- A. Child Care Referral
  - 1. In case situations in which children and their families are being referred for ongoing services to a Case Management Organization (CMO), an Intake, Triage and Referral (ITR) staffing is held to determine appropriate services.
  - 2. If the need for child care is identified at the ITR staffing, then within 3 working days, the assigned Child Welfare Case Manager will refer the child or children to the appropriate school readiness Early Learning Coalition for services. A copy of the custody letter and proof of birth must accompany referrals for children placed in out of home care. A copy of the ITR staffing

**Children's Network of Southwest Florida  
At-Risk Child Care Referrals**

form and/or a court order must accompany referrals for children who reside in home with their biological parents.

3. The current approved referral form must be completed and sent to the identified Early Learning Coalition. The Coalition will attempt contact with the client within 24 hours to arrange an appointment. If the caregiver fails to respond within 10 calendar days the Coalition will contact the caregiver and the Child Welfare Case Manager and a new referral will need to be submitted if the services are still needed. Each referral for this category is valid for up to six (6) months, provided the child's eligibility is maintained.
  4. The Child Welfare Case Manager is responsible for notifying the identified Early Learning Coalition of any special circumstances, court directives or other mandated requirements, including the Rilya Wilson Act, connected to the provision of child care services for any particular child.
  5. The Child Welfare Case Manager is responsible for notifying the Coalition who will then notify the child care provider of the provider's legal responsibilities and contact information, for any child subject to the Rilya Wilson Act.
  6. When the child's legal status and/or placement changes, the Child Welfare Case Manager will promptly notify the Early Learning Coalition.
  7. Within 3 days of the Judicial Review Hearing, the Child Welfare Case Manager must submit an updated referral to the identified Early Learning Coalition if they determine child care services should be continued.
  8. When the child welfare case is closed, the Child Welfare Case Manager must promptly notify the Early Learning Coalition. The families of the children will be re-assessed by the identified school readiness provider for continued services under other funding categories.
- B. The following direction must be adhered to for children age birth (0) to school entry who were enrolled in an early education or child care services at the time they come under court-ordered supervision. (Rilya Wilson Act).
1. Each child who is subject to this law must attend licensed early education or child care program at least five (5) days a week, unless exempted by the court.
  2. The child's attendance in the program must be a required action in the child's case plan or safety plan.

**Children's Network of Southwest Florida  
At-Risk Child Care Referrals**

3. Children who are subject to this law cannot be withdrawn from the program without the prior written approval of the community based lead agency's Case Management Organization.
4. Providers of licensed early education or child care services are to notify the Case Management Organization following each unexcused absence or seven (7) consecutive excused absences for a child who is subject to this law.
5. For a child who is subject to this law, the Child Welfare Case Manager must make a site visit to the child's residence following two (2) consecutive reports of unexcused absences or a report of seven (7) consecutive excused absences to determine whether or not the child is missing.
6. If the site visit results in a determination that the child is missing, the Child Welfare Case Manager shall report the child as missing to a law enforcement agency and proceed with the necessary actions to locate the child pursuant to procedures for locating missing children.
7. If the site visit results in a determination that the child is not missing, the parent or caregiver shall be notified that failure to ensure that the child attends the licensed early education or child care program is a violation of the safety plan or case plan.
8. When more than two (2) site visits are conducted due to the requirements of this act, the Child Welfare Case Manager must notify the court of the parent or caregiver's noncompliance, whether or not the child is determined to be missing.