Early Education and Child Care for Children in Licensed Foster Care

s. 39.604, Florida Statutes – Rilya Wilson Act

A child from birth to age of school entry, under court-ordered protective supervision or in the custody of DCF or a CBC, and enrolled in a licensed early education or child care program must attend the program 5 days a week.

The child’s attendance in the program must be a required action in the child’s safety plan or case plan.

• The Rilya Wilson Act was expanded to apply to children ages birth to school entry under court-ordered protective supervision or in DCF custody (previously 3 years to school entry);
• If enrolled in a child care program, mandates attendance five (5) days a week (not full days, and not a new requirement);
• Requires attendance at a child care program to be part of the safety plan or case plan (if child is deemed unsafe).

Changes to Chapter 65C-13.030

(d) Child care. Child care for children in licensed out-of-home care shall be chosen by the caregiver(s) according to the following order:
1. Gold Seal accredited child care providers or providers participating in a quality rating system;
2. Licensed child care providers;
3. Public school providers;
4. License exempt child care providers, including religious exempt, registered, and non-public schools. These providers must be participating in the school readiness program through the local early learning coalition.

If there is no available Gold Seal accredited child care provider or space for the child at the Gold Seal provider, then the caregiver shall chose a licensed child care provider. If a licensed child care provider has no availability, the caregiver shall choose a public school provider. If there is no availability at a public school provider, the caregiver shall choose a license exempt child care provider as required by this subparagraph 65C-13.030(2)(d)4., F.A.C.

The cost of child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable.