

## Tip Sheet

### Rilya Wilson Act

Rilya Wilson, born September 26, 1996, was in out of home care under the supervision of the Florida Department of Children and Families (DCF). She was approximately four years old when she disappeared in 2001. DCF did not discover her disappearance until two years later, when she was not found living at the home of caretaker. The case led to the passage of several reform laws, including a new missing-child-tracking system, the contracting out of foster child casework to private organizations and established some early learning requirements.

#### **Rilya Wilson Act Requirements:**

- A child from birth to the age of school entry, under court-ordered protective supervision and enrolled in a licensed early education or child care program must attend the program 5 days a week.
- DCF must notify operators of the licensed early education or child care program that the child falls under the Rilya Wilson Act.
- When a child is enrolled in an early education or child care program, the child's attendance in the program must be a required action in the safety plan or the case plan developed for the child.
- The court may grant an exemption to participating in the licensed early education or child care program 5 days a week.

#### **Attendance and Reporting Requirements:**

- A child enrolled in a licensed early education or child care program who meets the requirements of the Rilya Wilson Act may not be withdrawn from the program without the prior written approval of the Family Safety Program Office of the Department of Children and Families or the community-based lead agency.
- Caregivers are required to report absences to the provider. If the caregiver, fails to timely report the absence, the absence is considered to be unexcused.
- The early learning or childcare program is required to report any unexcused absence or seven consecutive excused absences of a child who is enrolled in the program and covered by this act to the local designated child welfare agency (Partnership for Strong Families) by the end of the business day following the unexcused absence or seventh consecutive excused absence.
- The child welfare agency shall conduct a site visit to the residence of the child upon receiving a report of two consecutive unexcused absences or seven consecutive excused absences.
- If the site visit results in a determination that the child is missing, the child welfare agency 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.
- 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 the case plan. If more than two site visits are conducted, staff shall initiate action to notify the court of the parent or caregiver's noncompliance with the case plan.

Once a child is enrolled in an early learning or child care setting, the child must continue to attend unless exempted by the court.