

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1098

SPONSOR: Senator Kurth

SUBJECT: Foster Care

DATE: March 7, 2000 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Barnes</u>	<u>Whiddon</u>	<u>CF</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

CS/SB 1098 authorizes the Department of Children and Family Services to continue providing foster care and related services to persons 18 to 23 years of age (rather than 21 years of age) who are enrolled full-time in a postsecondary educational institution granting a degree, a certificate, or an applied technology diploma. The bill specifies that foster care services will continue only for the period of time that the person is continuously enrolled in a degree-granting program. An individual may not continue receiving foster care services under ch. 409.145, F.S., if he/she is 21 years of age or older with financial resources at a sufficient level to pay the tuition and fees of a postsecondary institution.

This bill amends section 409.145 of the Florida Statutes.

II. Present Situation:

Independent living is an expansion of the permanency planning process that provides a range of tangible and intangible skills and knowledge that youth should have in order to be successful upon departure from foster care. Skills and knowledge needed for self-sufficiency include educational development and employment or career planning. As part of educational development, s. 409.145(3)(a), F.S., authorizes the Department of Children and Family Services (the department) to continue providing foster care and related services to persons who are 18 to 21 years of age and are enrolled in high school, in a program leading to a high school equivalency diploma as defined in s. 229.814, F.S., or in a full-time career education program.

The law specifies that certain requirements must be met in order for that person to continue receiving foster care and related services including that participation in the education program be continuous. These educational services are terminated when the person completes, withdraws, or is expelled from the education program.

Section 240.235, F.S., specifies that students for whom the state is paying a foster care board payment pursuant to s. 409.145(3), F.S., or parts II and III of ch. 39, F.S., for whom the permanency planning goal pursuant to part III of ch. 39, F.S., is long-term foster care or independent living, or who is adopted from the Department of Children and Family Services after May 5, 1997, are exempt from the payment of all fees charged for college credit instruction leading to an associate in arts degree, an associate in applied science degree, or an associate in science degree and noncollege credit college-preparatory courses defined in s. 239.105, F.S., including fees associated with enrollment in college-preparatory instruction or completion of the college-level communication and computation skills testing program.

Also, s. 240.235, F.S., specifies a fee exemption for these students in foster care from the payment of all state university undergraduate fees, including fees associated with enrollment in college-preparatory instruction or completion of college-level communication and computation skills testing programs.

Before a fee exemption can be given under these sections of law, the student must be denied financial aid, pursuant to s. 240.404, F.S., which would have provided, at a minimum, payment of all student fees. These exemptions are available to any student adopted from the Department of Children and Family Services after May 5, 1997. However, they are valid for no more than 4 years after the date of graduation from high school. Any student qualifying for these fee exemptions may receive it for not more than 2 consecutive years or 4 semesters for community colleges and not more than 4 consecutive years or 8 semesters for the state universities, unless the student is participating in college-preparatory instruction or requires additional time to complete the college-level communication and computation skills testing program. A student is eligible to receive this fee exemption for a maximum of 3 consecutive years or 6 semesters for community colleges and a maximum of 5 consecutive years or 10 semesters for state universities.

As a condition to continue these fee exemptions, a student must earn a grade point average of at least 2.0 on a 4.0 scale for the previous term, maintain at least an overall 2.0 average for college work, or have an average below 2.0 for only the previous term and be eligible for continued enrollment in the institution.

Section 239.117(4)(c), F.S., addresses a fee exemption for these students in foster care for enrollment in vocational-preparatory instruction and completion of the college-level communication and computation skills testing program. These programs are also known as career education programs. A fee exemption is also available to any student adopted from the Department of Children and Family Services after May 5, 1997, and is valid for no more than 4 years after the date of graduation from high school. Career education programs offer vocational certificates or an applied technology diploma.

The department reports that many youth in foster care do not complete their undergraduate degree by their 21st birthday. The average age for a child in foster care to complete his or her undergraduate college degree is 23 years. The department estimates that over the past 2 years, because of this age limit, 114 youth in foster care had to leave college or find another method to subsidize his or her college education.

III. Effect of Proposed Changes:

CS/SB 1098 amends s. 409.145, F.S., by authorizing the department to continue providing foster care and related services to persons 18 to 23 years of age (rather than 21 years of age) who are enrolled full-time in a postsecondary educational institution granting a degree, a certificate, or an applied technology diploma. Foster care services will continue only for the period of time that the person is continuously enrolled full-time in this post-secondary educational institution program.

The bill specifies that individuals may not continue receiving foster care services under ch. 409.145, F.S., if he/she is 21 years of age or older with financial resources at a sufficient level to pay the tuition and fees of a postsecondary institution.

The term “postsecondary educational institution” is not defined either in the bill or in current law, but according to the Board of Regents, that term includes a public or private community college, university, or technical center.

This bill would help both students who need financial assistance and students with financial assets to continue receiving foster care services while in a postsecondary educational institution that grants a degree, a certificate, or an applied technology diploma. The department reports that very few students in foster care have sufficient financial assets for paying the tuition of a private educational institution.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The department estimates that 55 youth (in foster care) per year must leave a postsecondary institution because of reaching the 21st birthday. Based on the department's analysis, CS/SB 1098 will cost the department an additional \$341,000 per year (\$11,000 for clothing and \$330,000 for board and care).

The Board of Regents estimates that under CS/SB 1098, the State University System would lose \$2233 per student per year from tuition and fees. The Division of Community Colleges and the Division of WorkForce Development in the Department of Education estimate a very minimal loss for the career education programs and community college programs.

According to the department's FY 1998-99 Independent Living Annual Report, for foster care students 18 to 21 years of age participating in an educational program, 31 percent attended vocational technical centers, 44 percent attending community colleges, and 25 percent attended state universities. Using this trend for determining the fiscal impact of CS/SB 1098 on Florida's educational institutions, the postsecondary institutions would assume a total loss of approximately \$31,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.