

By Representative Garcia

1 A bill to be entitled
2 An act relating to the care of children;
3 amending s. 39.5085, F.S., relating to the
4 Relative Caregiver Program; revising
5 eligibility guidelines; amending s. 230.2305,
6 F.S., relating to the prekindergarten early
7 intervention program; revising the list of
8 eligible children to include otherwise eligible
9 children for whom the state is paying a
10 relative caregiver payment; amending s.
11 239.117, F.S., relating to workforce
12 development postsecondary student fees;
13 exempting from the payment of specified fees
14 otherwise eligible students for whom the state
15 is paying a relative caregiver payment;
16 revising eligibility requirements for such
17 students and for certain other students who are
18 eligible to receive this exemption; providing
19 an effective date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Paragraph (c) of subsection (1) and
24 paragraph (a) of subsection (2) of section 39.5085, Florida
25 Statutes, are amended to read:

26 39.5085 Relative Caregiver Program.--

27 (1) It is the intent of the Legislature in enacting
28 this section to:

29 (c) Recognize that permanency in the best interests of
30 the child can be achieved through a variety of permanency
31 options, including long-term relative custody, guardianship,

1 or adoption, by providing additional placement options and
2 incentives that will achieve permanency and stability for many
3 children who are otherwise at risk of foster care placement
4 because of abuse, abandonment, or neglect, but who may
5 successfully be able to be placed by the ~~dependency~~ court in
6 the care of such relatives.

7 (2)(a) The Department of Children and Family Services
8 shall establish and operate the Relative Caregiver Program
9 pursuant to eligibility guidelines established in this section
10 as further implemented by rule of the department. The Relative
11 Caregiver Program shall, within the limits of available
12 funding, provide financial assistance to relatives who are
13 within the fifth degree by blood or marriage to the parent or
14 stepparent of a child and who are caring full-time for that
15 child or for a half-brother or half-sister of that child, in
16 the role of substitute parent as a result of a court's
17 determination that the child is at risk of placement in foster
18 care and a court order from any state court of competent
19 jurisdiction which places the child of child abuse, neglect,
20 or abandonment and subsequent placement with the relative
21 pursuant to this chapter. Such placement may be either
22 court-ordered temporary legal custody to the relative under
23 protective supervision of the department pursuant to s.
24 39.521(1)(b)3., or court-ordered placement in the home of a
25 relative as a permanency option pursuant to s. 39.622. The
26 Relative Caregiver Program shall offer financial assistance to
27 caregivers who are relatives and who would be unable to serve
28 in that capacity without the relative caregiver payment
29 because of financial burden, thus exposing the child to the
30 trauma of placement in a shelter or in foster care or to the
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1 trauma of separation from his or her half-brothers or
2 half-sisters.

3 Section 2. Paragraph (a) of subsection (2) of section
4 230.2305, Florida Statutes, is amended to read:

5 230.2305 Prekindergarten early intervention program.--

6 (2) ELIGIBILITY.--There is hereby created the
7 prekindergarten early intervention program for children who
8 are 3 and 4 years of age. A prekindergarten early
9 intervention program shall be administered by a district
10 school board and shall receive state funds pursuant to
11 subsection (6). Each public school district shall make
12 reasonable efforts to accommodate the needs of children for
13 extended day and extended year services without compromising
14 the quality of the 6-hour, 180-day program. The school
15 district shall report on such efforts. School district
16 participation in the prekindergarten early intervention
17 program shall be at the discretion of each school district.

18 (a) At least 75 percent of the children projected to
19 be served by the district program shall be economically
20 disadvantaged 4-year-old children of working parents,
21 including migrant children or children whose parents
22 participate in the welfare transition program. Other children
23 projected to be served by the district program may include any
24 of the following up to a maximum of 25 percent of the total
25 number of children served:

26 1. Three-year-old and four-year-old children who are
27 referred to the school system who may not be economically
28 disadvantaged but who are abused, who are prenatally exposed
29 to alcohol or harmful drugs, who are ~~or~~ from foster homes, ~~or~~
30 who are marginal in terms of Exceptional Student Education
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1 placement, or for whom the state is paying a relative
2 caregiver payment under s. 39.5085.
3 2. Three-year-old children and four-year-old children
4 who may not be economically disadvantaged but who are eligible
5 students with disabilities and served in an exceptional
6 student education program with required special services,
7 aids, or equipment and who are reported for partial funding in
8 the K-12 Florida Education Finance Program. These students
9 may be funded from prekindergarten early intervention program
10 funds the portion of the time not funded by the K-12 Florida
11 Education Finance Program for the actual instructional time or
12 one full-time equivalent student membership, whichever is the
13 lesser. These students with disabilities shall be counted
14 toward the 25-percent student limit based on full-time
15 equivalent student membership funded part-time by
16 prekindergarten early intervention program funds. Also,
17 3-year-old or 4-year-old eligible students with disabilities
18 who are reported for funding in the K-12 Florida Education
19 Finance Program in an exceptional student education program as
20 provided in s. 236.081(1)(c) may be mainstreamed in the
21 prekindergarten early intervention program if such programming
22 is reflected in the student's individual educational plan; if
23 required special services, aids, or equipment are provided;
24 and if there is no operational cost to prekindergarten early
25 intervention program funds. Exceptional education students
26 who are reported for maximum K-12 Florida Education Finance
27 Program funding and who are not reported for early
28 intervention funding shall not count against the 75-percent or
29 25-percent student limit as stated in this paragraph.
30 3. Economically disadvantaged 3-year-old children.
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1 4. Economically disadvantaged children, children with
2 disabilities, and children at risk of future school failure,
3 from birth to age four, who are served at home through home
4 visitor programs and intensive parent education programs such
5 as the Florida First Start Program.

6 5. Children who meet federal and state requirements
7 for eligibility for the migrant preschool program but who do
8 not meet the criteria of "economically disadvantaged" as
9 defined in paragraph (b), who shall not pay a fee.

10 6. After the groups listed in subparagraphs 1., 2.,
11 3., and 4. have been served, 3-year-old and 4-year-old
12 children who are not economically disadvantaged and for whom a
13 fee is paid for the children's participation.

14 Section 3. Paragraph (c) of subsection (4) of section
15 239.117, Florida Statutes, is amended to read:

16 239.117 Workforce development postsecondary student
17 fees.--

18 (4) The following students are exempt from the payment
19 of registration, matriculation, and laboratory fees:

20 (c) A student for whom the state is paying a foster
21 care board payment pursuant to s. 409.145(3) or pursuant to
22 parts II and III of chapter 39 or is paying a relative
23 caregiver payment under s. 39.5085, for whom the permanency
24 planning goal pursuant to ~~part III~~ of chapter 39 is for the
25 student to be in long-term foster care, in the permanent
26 custody of a foster parent or legal custodian, in long-term
27 placement with a relative, under guardianship, in the
28 permanent custody of a relative, or ~~independent~~ living
29 independently, or who is adopted from the Department of
30 Children and Family Services after May 5, 1997. Such an
31 exemption includes fees associated with enrollment in

1 vocational-preparatory instruction and completion of the
2 college-level communication and computation skills testing
3 program. Such an exemption is ~~shall be~~ available to any
4 student adopted from the Department of Children and Family
5 Services after May 5, 1997; however, the exemption remains
6 ~~shall be~~ valid for no more than 4 years after the date of
7 graduation from high school.

8 Section 4. This act shall take effect July 1, 2001.

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11 SENATE SUMMARY

12 Revises eligibility guidelines for the Relative Caregiver
13 Program. Provides that children for whom the state is
14 paying a relative caregiver payment are eligible for the
15 prekindergarten early intervention program and for
16 exemption from paying postsecondary registration,
17 matriculation, and laboratory fees, if the children are
18 otherwise eligible. Revises eligibility requirements for
19 certain other students who are exempt under s. 239.117,
20 F.S., from paying such postsecondary fees.
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