

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. 239.117,  
 6           F.S., relating to workforce development  
 7           postsecondary student fees; exempting from the  
 8           payment of specified fees otherwise eligible  
 9           students for whom the state is paying a  
 10          relative caregiver payment; revising  
 11          eligibility requirements for such students and  
 12          for certain other students who are eligible to  
 13          receive this exemption; amending s. 240.35,  
 14          F.S.; exempting certain children in the custody  
 15          of a relative at the time of reaching age 18  
 16          from payment of all undergraduate student fees;  
 17          amending s. 411.01, F.S.; providing eligibility  
 18          under the school readiness program for certain  
 19          children for whom the state is paying a  
 20          relative caregiver payment; requiring the  
 21          Department of Children and Family Services to  
 22          contract for a study of relative caregivers in  
 23          the state; providing an effective date.

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

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 27           Section 1. Paragraph (a) of subsection (2) of section  
 28 39.5085, Florida Statutes, is amended to read:

29           39.5085 Relative Caregiver Program.--

30           (2)(a) The Department of Children and Family Services  
 31 shall establish and operate the Relative Caregiver Program

1 pursuant to eligibility guidelines established in this section  
2 as further implemented by rule of the department. The Relative  
3 Caregiver Program shall, within the limits of available  
4 funding, provide financial assistance to relatives who are  
5 within the fifth degree by blood or marriage to the parent or  
6 stepparent of a child and who are caring full-time for that  
7 child, or for a half-brother or a half-sister of that child,  
8 in the role of substitute parent as a result of a court's  
9 determination of child abuse, neglect, or abandonment and  
10 subsequent placement with the relative pursuant to this  
11 chapter. Such placement may be either court-ordered temporary  
12 legal custody to the relative under protective supervision of  
13 the department pursuant to s. 39.521(1)(b)3., or court-ordered  
14 placement in the home of a relative as a permanency option  
15 pursuant to s. 39.622. The Relative Caregiver Program shall  
16 offer financial assistance to caregivers who are relatives and  
17 who would be unable to serve in that capacity without the  
18 relative caregiver payment because of financial burden, thus  
19 exposing the child to the trauma of placement in a shelter or  
20 in foster care.

21 Section 2. Paragraph (c) of subsection (4) of section  
22 239.117, Florida Statutes, is amended to read:

23 239.117 Workforce development postsecondary student  
24 fees.--

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

27 (c) A student for whom the state is paying a foster  
28 care board payment pursuant to s. 409.145(3) or ~~pursuant to~~  
29 ~~parts II and III of chapter 39~~ or is paying a relative  
30 caregiver payment under s. 39.5085, for whom the permanency  
31 planning goal pursuant to ~~part III of chapter 39~~ is for the

1 student to be in long-term foster care, in the permanent  
2 custody of a foster parent or legal custodian, in long-term  
3 placement with a relative, under guardianship, in the  
4 permanent custody of a relative, or ~~independent~~ living  
5 independently, or who is adopted from the Department of  
6 Children and Family Services after May 5, 1997. Such an  
7 exemption includes fees associated with enrollment in  
8 vocational-preparatory instruction and completion of the  
9 college-level communication and computation skills testing  
10 program. Such an exemption is ~~shall be~~ available to any  
11 student adopted from the Department of Children and Family  
12 Services after May 5, 1997; however, the exemption remains  
13 ~~shall be~~ valid for no more than 4 years after the date of  
14 graduation from high school.

15 Section 3. Paragraph (a) of subsection (2) of section  
16 240.35, Florida Statutes, is amended to read:

17 240.35 Student fees.--Unless otherwise provided, the  
18 provisions of this section apply only to fees charged for  
19 college credit instruction leading to an associate in arts  
20 degree, an associate in applied science degree, or an  
21 associate in science degree and noncollege credit  
22 college-preparatory courses defined in s. 239.105.

23 (2)(a) Any student for whom the state is paying a  
24 foster care board payment pursuant to s. 409.145(3) ~~or parts~~  
25 ~~II and III~~ of chapter 39, for whom the permanency planning  
26 goal pursuant to ~~part III~~ of chapter 39 is long-term foster  
27 care or independent living, who is or was at the time he or  
28 she reached 18 years of age in the custody of a relative under  
29 s. 39.5085, or who is adopted from the Department of Children  
30 and Family Services after May 5, 1997, shall be exempt from  
31 the payment of all undergraduate fees, including fees

1 associated with enrollment in college-preparatory instruction  
2 or completion of the college-level communication and  
3 computation skills testing program. Before a fee exemption can  
4 be given, the student shall have applied for and been denied  
5 financial aid, pursuant to s. 240.404, which would have  
6 provided, at a minimum, payment of all student fees. Such  
7 exemption shall be available to any student who was in the  
8 custody of a relative under s. 39.5085 at the time he or she  
9 reached 18 years of age or was adopted from the Department of  
10 Children and Family Services after May 5, 1997; however, the  
11 exemption shall be valid for no more than 4 years after the  
12 date of graduation from high school.

13 Section 4. Paragraph (a) of subsection (6) of section  
14 411.01, Florida Statutes, is amended to read:

15 411.01 Florida Partnership for School Readiness;  
16 school readiness coalitions.--

17 (6) PROGRAM ELIGIBILITY.--The school readiness program  
18 shall be established for children under the age of  
19 kindergarten eligibility. Priority for participation in the  
20 school readiness program shall be given to children who meet  
21 one or more of the following criteria:

22 (a) Children under the age of kindergarten eligibility  
23 who are:

24 1. Children determined to be at risk of abuse,  
25 neglect, or exploitation and who are currently clients of the  
26 Family Safety Program Office of the Department of Children and  
27 Family Services.

28 2. Children at risk of welfare dependency, including  
29 economically disadvantaged children, children of participants  
30 in the welfare transition program, children of migrant  
31 farmworkers, and children of teen parents.

1           3. Children of working families whose family income  
2 does not exceed 150 percent of the federal poverty level.

3           4. Children for whom the state is paying a relative  
4 caregiver payment under s. 39.5085.

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6 An "economically disadvantaged" child means a child whose  
7 family income is below 150 percent of the federal poverty  
8 level. Notwithstanding any change in a family's economic  
9 status, but subject to additional family contributions in  
10 accordance with the sliding fee scale, a child who meets the  
11 eligibility requirements upon initial registration for the  
12 program shall be considered eligible until the child reaches  
13 kindergarten age.

14           Section 5. The Department of Children and Family  
15 Services shall contract for a study of families headed by  
16 grandparents raising grandchildren and of other relative  
17 caregivers in the state. This study shall be submitted to the  
18 department, the President of the Senate, and the Speaker of  
19 the House of Representatives by February 1, 2003. The study  
20 shall include the best information available on the number and  
21 needs of such families, including the numbers who have legal  
22 custody, the source of the court order granting custody, and  
23 the reasons for which the relatives took or accepted custody,  
24 such as death, illness, or protection of the children from  
25 abuse, abandonment, or neglect.

26           Section 6. This act shall take effect July 1, 2002.  
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HOUSE SUMMARY

Revises eligibility guidelines for the Relative Caregiver Program. Provides that children for whom the state is paying a relative caregiver payment are eligible for exemption from paying postsecondary registration, matriculation, laboratory, and other undergraduate student fees, if the children are otherwise eligible. Revises eligibility requirements for certain other students who are exempt under s. 239.117, F.S., from paying such postsecondary fees. Provides certain priority participation in the school readiness program for prekindergarten children for whom the state is paying a relative caregiver payment. Requires the Department of Children and Family Services to contract for a study of relative caregivers in the state.