

By Senator Dawson

30-232A-02

See HB

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.; revising eligibility
18 criteria for participation in the school
19 readiness program; requiring the Department of
20 Children and Family Services to contract for a
21 study of relative caregivers in the state;
22 providing an effective date.

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

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

28 39.5085 Relative Caregiver Program.--
29 (2)(a) The Department of Children and Family Services
30 shall establish and operate the Relative Caregiver Program
31 pursuant to eligibility guidelines established in this section

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

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

22 239.117 Workforce development postsecondary student
23 fees.--

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

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

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

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

16 240.35 Student fees.--Unless otherwise provided, the
17 provisions of this section apply only to fees charged for
18 college credit instruction leading to an associate in arts
19 degree, an associate in applied science degree, or an
20 associate in science degree and noncollege credit
21 college-preparatory courses defined in s. 239.105.

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

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

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

14 411.01 Florida Partnership for School Readiness;
15 school readiness coalitions.--

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

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

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

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

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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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LEGISLATIVE 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. Revises eligibility for participation in the school readiness program, by including children for whom the state is paying a relative caregiver payment under s. 39.5085, F.S.