

By the Committee on Children and Families; and Senator Dawson

300-851A-02

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to the care of children;
amending s. 39.5085, F.S., relating to the
Relative Caregiver Program; revising
eligibility guidelines; amending s. 239.117,
F.S., relating to workforce development
postsecondary student fees; exempting from the
payment of specified fees otherwise eligible
students for whom the state is paying a
relative caregiver payment; amending s.
240.235, F.S.; exempting certain children who
are in the custody of a relative at the time of
reaching 18 years of age from paying all
university undergraduate student fees; amending
s. 240.35, F.S.; exempting certain children who
are in the custody of a relative at the time of
reaching age 18 from payment of all
undergraduate student fees; amending s. 411.01,
F.S.; revising eligibility criteria for
participation in the school readiness program;
requiring the Department of Children and Family
Services to contract for a study of relative
caregivers in the state; providing an effective
date.

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

Section 1. Paragraph (a) of subsection (2) of section
39.5085, Florida Statutes, is amended to read:
39.5085 Relative Caregiver Program.--

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

24 Section 2. Paragraph (c) of subsection (4) of section
25 239.117, Florida Statutes, is amended to read:

26 239.117 Workforce development postsecondary student
27 fees.--

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

30 (c) A student for whom the state is paying a foster
31 care board payment pursuant to s. 409.145(3) or ~~pursuant to~~

1 ~~parts II and III~~ of chapter 39, for whom the permanency
2 planning goal pursuant to ~~part III~~ of chapter 39 is long-term
3 foster care or independent living, who is or was at the time
4 he or she reached 18 years of age in the custody of a
5 relative, under s. 39.5085 or who is adopted from the
6 Department of Children and Family Services after May 5, 1997.
7 Such 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 exemption is ~~shall be~~ available to any student
11 who was in the custody of a relative under s. 39.5085 at the
12 time he or she reached 18 years of age or was adopted from the
13 Department of Children and Family Services after May 5, 1997;
14 however, the exemption remains ~~shall be~~ valid for no more than
15 4 years after the date of graduation from high school.

16 Section 3. Paragraph (a) of subsection (5) of section
17 240.235, Florida Statutes, is amended to read:

18 240.235 Fees.--

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

1 aid, pursuant to s. 240.404, which would have provided, at a
2 minimum, payment of all undergraduate fees. Such exemption
3 shall be available to any student who was in the custody of a
4 relative under s. 39.5085 at the time he or she reached 18
5 years of age or was adopted from the Department of Children
6 and Family Services after May 5, 1997; however, the exemption
7 shall be valid for no more than 4 years after the date of
8 graduation from high school.

9 Section 4. Paragraph (a) of subsection (2) of section
10 240.35, Florida Statutes, is amended to read:

11 240.35 Student fees.--Unless otherwise provided, the
12 provisions of this section apply only to fees charged for
13 college credit instruction leading to an associate in arts
14 degree, an associate in applied science degree, or an
15 associate in science degree and noncollege credit
16 college-preparatory courses defined in s. 239.105.

17 (2)(a) Any student for whom the state is paying a
18 foster care board payment pursuant to s. 409.145(3) or ~~parts~~
19 ~~II and III~~ of chapter 39, for whom the permanency planning
20 goal pursuant to ~~part III~~ of chapter 39 is long-term foster
21 care or independent living, who is or was at the time he or
22 she reached 18 years of age in the custody of a relative under
23 s. 39.5085, or who is adopted from the Department of Children
24 and Family Services after May 5, 1997, shall be exempt from
25 the payment of all undergraduate fees, including fees
26 associated with enrollment in college-preparatory instruction
27 or completion of the college-level communication and
28 computation skills testing program. Before a fee exemption can
29 be given, the student shall have applied for and been denied
30 financial aid, pursuant to s. 240.404, which would have
31 provided, at a minimum, payment of all student fees. Such

1 exemption shall be available to any student who was in the
2 custody of a relative under s. 39.5085 at the time he or she
3 reached 18 years of age or was adopted from the Department of
4 Children and Family Services after May 5, 1997; however, the
5 exemption shall be valid for no more than 4 years after the
6 date of graduation from high school.

7 Section 5. Paragraph (a) of subsection (6) of section
8 411.01, Florida Statutes, is amended to read:

9 411.01 Florida Partnership for School Readiness;
10 school readiness coalitions.--

11 (6) PROGRAM ELIGIBILITY.--The school readiness program
12 shall be established for children under the age of
13 kindergarten eligibility. Priority for participation in the
14 school readiness program shall be given to children who meet
15 one or more of the following criteria:

16 (a) Children under the age of kindergarten eligibility
17 who are:

18 1. Children determined to be at risk of abuse,
19 neglect, or exploitation and who are currently clients of the
20 Family Safety Program Office of the Department of Children and
21 Family Services.

22 2. Children at risk of welfare dependency, including
23 economically disadvantaged children, children of participants
24 in the welfare transition program, children of migrant
25 farmworkers, and children of teen parents.

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

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

30
31

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

9 Section 6. The Department of Children and Family
10 Services shall contract for a study of families headed by
11 grandparents raising grandchildren and of other relative
12 caregivers in the state. This study shall be submitted to the
13 department, the President of the Senate, and the Speaker of
14 the House of Representatives by February 1, 2003. The study
15 shall include the best information available on the number and
16 needs of such families, including the numbers who have legal
17 custody, the source of the court order granting custody, and
18 the reasons for which the relatives took or accepted custody,
19 such as death, illness, or protection of the children from
20 abuse, abandonment, or neglect.

21 Section 7. This act shall take effect July 1, 2002.
22
23
24
25
26
27
28
29
30
31

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 360
4 Clarifies that half-siblings must have been determined
5 dependent pursuant to ch. 39, F.S., and that the child with
6 the direct relationship to the relative caregiver must be in
7 the home in order for the half-sibling to be eligible for the
8 Relative Caregiver Program.
9 Stipulates that the fee exemption for the workforce
10 development postsecondary education program does not expire
11 when the youth in the Relative Caregiver Program turns 18
12 years of age but is permitted for up to 4 years after
13 graduation from high school.
14 Eliminates the language expanding the permanency placement
15 options required for students to be eligible for the workforce
16 development postsecondary education program fee exemption.
17 Adds students for whom a relative caregiver payment is made to
18 the list of students who are exempt from the undergraduate
19 fees for universities.
20
21
22
23
24
25
26
27
28
29
30
31