

By the Committees on Appropriations; Children and Families;  
and Senators Dawson and Holzendorf

309-2271-02

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; amending s. 240.35,  
11          F.S.; exempting certain children who are in the  
12          custody of a relative at the time of reaching  
13          age 18 from payment of all undergraduate  
14          student fees; amending s. 411.01, F.S.;  
15          revising eligibility criteria for participation  
16          in the school readiness program; providing an  
17          effective date.

18

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

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21           Section 1. Paragraph (a) of subsection (2) of section  
22   39.5085, Florida Statutes, is amended to read:

23           39.5085 Relative Caregiver Program.--

24           (2)(a) The Department of Children and Family Services  
25   shall establish and operate the Relative Caregiver Program  
26   pursuant to eligibility guidelines established in this section  
27   as further implemented by rule of the department. The Relative  
28   Caregiver Program shall, within the limits of available  
29   funding, provide financial assistance to:

30           1. Relatives who are within the fifth degree by blood  
31   or marriage to the parent or stepparent of a child and who are

1 caring full-time for that dependent child in the role of  
2 substitute parent as a result of a court's determination of  
3 child abuse, neglect, or abandonment and subsequent placement  
4 with the relative pursuant to this chapter.

5 2. Relatives who are within the fifth degree by blood  
6 or marriage to the parent or stepparent of a child and who are  
7 caring full-time for that dependent child, and a dependent  
8 half-brother or half-sister of that dependent child, in the  
9 role of substitute parent as a result of a court's  
10 determination of child abuse, neglect, or abandonment and  
11 subsequent placement with the relative pursuant to this  
12 chapter.

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14 Such placement may be either court-ordered temporary legal  
15 custody to the relative under protective supervision of the  
16 department pursuant to s. 39.521(1)(b)3., or court-ordered  
17 placement in the home of a relative as a permanency option  
18 pursuant to s. 39.622. The Relative Caregiver Program shall  
19 offer financial assistance to caregivers who are relatives and  
20 who would be unable to serve in that capacity without the  
21 relative caregiver payment because of financial burden, thus  
22 exposing the child to the trauma of placement in a shelter or  
23 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 (2) of section  
17 240.35, Florida Statutes, is amended to read:

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

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

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

14 Section 4. Paragraph (a) of subsection (6) of section  
15 411.01, Florida Statutes, is amended to read:

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

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

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

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

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

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

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

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

16 Section 5. This act shall take effect July 1, 2002.

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18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
19 COMMITTEE SUBSTITUTE FOR  
20 CS/SB 360

21 Clarifies that the Relative Caregiver Program may provide  
22 assistance to certain relatives who are caring full time for  
23 that dependent child and a dependent half-brother or  
24 half-sister as a result of a court's determination of child  
25 abuse or neglect and placement with a relative.

26 Removes language exempting certain children who are in the  
27 custody of a relative at the time of reaching 18 years of age  
28 from paying all university undergraduate student fees.

29 Removes the requirement to contract for a study of families  
30 headed by grandparents raising grandchildren and other  
31 relative caregivers.