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1 A bill to be entitled

2 An act relating to independent living transition services;  
3 amending s. 409.1451, F.S.; requiring each Department of  
4 Children and Family Services district to identify  
5 adolescent foster children with developmental disabilities  
6 or special mental health needs; requiring assignment to an  
7 independent living counselor and providing counselor  
8 duties; revising eligibility requirements for independent  
9 living transition services, participation in the Road-to-  
10 Independence Scholarship Program, and transitional support  
11 services; authorizing Medicaid coverage to youth eligible  
12 for transitional support services; providing an effective  
13 date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Subsection (1), paragraph (a) of subsection  
18 (2), subsection (4), and paragraphs (b) and (c) of subsection  
19 (5) of section 409.1451, Florida Statutes, are amended to read:

20 409.1451 Independent living transition services.--

21 (1) SYSTEM OF SERVICES.--

22 (a) The Department of Children and Family Services or its  
23 agents shall administer a system of independent living  
24 transition services to enable older children in foster care and  
25 young adults who exit foster care at age 18 to make the  
26 transition to self-sufficiency as adults.

27 (b) The goals of independent living transition services  
28 are to assist older children in foster care and young adults who  
29 were formerly in foster care to obtain life skills and education  
30 for independent living and employment, to have a quality of life



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31 appropriate for their age, and to assume personal responsibility  
32 for becoming self-sufficient adults.

33 (c) Each Department of Children and Family Services  
34 district shall identify adolescent foster children with  
35 developmental disabilities or special mental health needs and  
36 assign to them a department independent living counselor  
37 specially trained in working with this population of children.  
38 It shall be the specific responsibility of the counselor to work  
39 with these foster youth to help them make the transition to  
40 self-sufficiency as adults and to ensure that these children are  
41 provided with reasonable accommodations for their disabilities.  
42 The counselor must assist the youth with accessing support and  
43 funding from other sources, such as the department's  
44 Developmental Disabilities Office and the department's Mental  
45 Health Office. The counselor must coordinate the department's  
46 independent living plan for a child with the school's individual  
47 education plan for a child who is in a special education  
48 program. The counselor must begin working with an eligible child  
49 at least 1 year prior to the child turning 18 years of age, with  
50 special attention paid to 17-year-old foster children residing  
51 at children's residential treatment facilities who face a  
52 particularly difficult transition to living as adults in the  
53 community.

54 (d)(e) State funds for foster care or federal funds shall  
55 be used to establish a continuum of services for eligible  
56 children in foster care and eligible young adults who were  
57 formerly in foster care which accomplish the goals for the  
58 independent living transition services and provide the service  
59 components for services for foster children, as provided in



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60 subsection (3), and services for young adults who were formerly  
61 in foster care, as provided in subsection (5).

62 ~~(e)~~(d) For children in foster care, independent living  
63 transition services are not an alternative to adoption.  
64 Independent living transition services may occur concurrently  
65 with continued efforts to locate and achieve placement in  
66 adoptive families for older children in foster care.

67 (2) ELIGIBILITY.--

68 (a) The department shall serve children who are 13 to 18  
69 years of age or who are 18 to 23 years of age and are in high  
70 school as a special education student, in a high school  
71 equivalency diploma program pursuant to s. 1003.435, or in an  
72 adult education program pursuant to s. 1004.93 and who are in  
73 foster care through the program component of services for foster  
74 children provided in subsection (3). Children to be served must  
75 meet the eligibility requirements set forth for specific  
76 services as provided in this section and through department  
77 rule.

78 (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order to  
79 assist older children in foster care, ages 13 to 18 years of age  
80 or who are 18 to 23 year of age and are enrolled in high school  
81 as a special education student, in a high school equivalency  
82 diploma program pursuant to s. 1003.435, or in an adult  
83 education program pursuant to s. 1004.93, with the transition to  
84 independent living as adults, the program must provide them with  
85 opportunities to participate in and learn from life skills  
86 activities in their foster families and communities which are  
87 reasonable and appropriate for their age. Such activities may  
88 include, but are not limited to, managing money earned from a  
89 job, taking driver's education, and participating in after-



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90 school or extracurricular activities. To support these  
91 opportunities for participation in age-appropriate life skills  
92 activities, the department may:

93 (a) Develop, with children in the program and their foster  
94 parents, a list of age-appropriate activities and  
95 responsibilities to be presented to all children involved in  
96 independent living transition services and their foster parents.

97 (b) Provide training for staff and foster parents which  
98 addresses issues of older children in foster care and the  
99 transition to adulthood, including supporting education and  
100 employment and providing opportunities to participate in  
101 appropriate daily activities.

102 (c) Develop procedures to maximize the authority of foster  
103 parents to approve participation in age-appropriate activities  
104 of children in their care.

105 (d) Provide opportunities for older children in foster  
106 care to interact with mentors.

107 (e) Develop and implement procedures for older children to  
108 directly access and manage the personal allowance they receive  
109 from the department in order to learn responsibility and  
110 participate in age-appropriate life skills activities to the  
111 extent feasible.

112 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS  
113 FORMERLY IN FOSTER CARE.--Based on the availability of funds,  
114 the department shall provide or arrange for the following  
115 services to young adults formerly in foster care who meet the  
116 prescribed conditions and are determined eligible by the  
117 department. The categories of services available to assist a  
118 young adult formerly in foster care to achieve independence are:

119 (b) *Road-to-Independence Scholarship Program*.--



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120 1. The Road-to-Independence Scholarship Program is  
121 intended to help eligible students who are former foster  
122 children in this state to receive the educational and vocational  
123 training needed to achieve independence. The amount of the award  
124 shall equal the earnings that the student would have been  
125 eligible to earn working a 40-hour-a-week federal minimum wage  
126 job, after considering other grants and scholarships that are in  
127 excess of the educational institutions' fees and costs, and  
128 contingent upon available funds. Students eligible for the Road-  
129 to-Independence Scholarship Program may also be eligible for  
130 educational fee waivers for workforce development postsecondary  
131 programs, community colleges, and universities, pursuant to s.  
132 1009.25(2)(c).

133 2. A young adult 18 to 23 ~~24~~ years of age is eligible for  
134 the initial award, and ~~a young adult under 23 years of age is~~  
135 ~~eligible~~ for renewal awards, if he or she:

136 a. Is a dependent child, pursuant to chapter 39, and has  
137 lived ~~is living~~ in licensed foster care or in subsidized  
138 independent living within 6 months ~~at the time~~ of his or her  
139 18th birthday;

140 b. Has spent at least 6 months living in foster care  
141 before reaching his or her 18th birthday;

142 c. Is a resident of this state as defined in s. 1009.40;  
143 and

144 d. Meets one of the following qualifications:

145 (I) Has earned a standard high school diploma or its  
146 equivalent as described in s. 1003.425 or s. 1003.43, and has  
147 been admitted for full-time enrollment in an eligible  
148 postsecondary education institution as defined in s. 1009.533;



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149 (II) Is enrolled full time in an accredited high school,  
150 is within 2 years of graduation, and has maintained a grade  
151 point average of at least 2.0 on a scale of 4.0 for the two  
152 semesters preceding the date of his or her 18th birthday or, in  
153 the case of a student in a special education program in an  
154 accredited high school, has met the minimum grade point average  
155 required by that program to graduate; or

156 (III) Is enrolled full time in an accredited adult  
157 education program or high school equivalency diploma program  
158 designed to provide the student with a high school diploma or  
159 its equivalent, is making satisfactory progress in that program  
160 as certified by the program, and is within 2 years of attaining  
161 a high school diploma or its equivalent graduation.

162 3.a. The department must advertise the availability of the  
163 program and must ensure that the children and young adults  
164 leaving foster care, foster parents, or family services  
165 counselors are informed of the availability of the program and  
166 the application procedures.

167 b. A young adult must apply for the initial award during  
168 the 6 months immediately preceding his or her 18th birthday. A  
169 young adult who fails to make an initial application, but who  
170 otherwise meets the criteria for an initial award, may make one  
171 application for the initial award if such application is made  
172 before the young adult's 21st birthday.

173 c. If funding for the program is available, the department  
174 shall issue awards from the scholarship program for each young  
175 adult who meets all the requirements of the program.

176 d. An award shall be issued at the time the eligible  
177 student reaches 18 years of age.



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178 e. If the award recipient transfers from one eligible  
179 institution to another and continues to meet eligibility  
180 requirements, the award must be transferred with the recipient.

181 f. Scholarship funds awarded to any eligible young adult  
182 under this program are in addition to any other services  
183 provided to the young adult by the department through its  
184 independent living transition services.

185 g. The department shall provide information concerning  
186 young adults receiving the Road-to-Independence Scholarship to  
187 the Department of Education for inclusion in the student  
188 financial assistance database, as provided in s. 1009.94.

189 h. Scholarship funds shall be terminated when the young  
190 adult has attained a bachelor of arts or bachelor of science  
191 degree, or equivalent undergraduate degree, or reaches 23 years  
192 of age, whichever occurs earlier.

193 i. The department shall evaluate and renew each award  
194 annually during the 90-day period before the young adult's  
195 birthday. In order to be eligible for a renewal award for the  
196 subsequent year, the young adult must:

197 (I) Complete at least 12 semester hours or the equivalent  
198 in the last academic year in which the young adult earned a  
199 scholarship, except for a young adult who meets the requirements  
200 of s. 1009.41.

201 (II) Maintain the cumulative grade point average required  
202 by the scholarship program, except that, if the young adult's  
203 grades are insufficient to renew the scholarship at any time  
204 during the eligibility period, the young adult may restore  
205 eligibility by improving the grade point average to the required  
206 level.



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207 j. Scholarship funds may be terminated during the interim  
208 between an award and the evaluation for a renewal award if the  
209 department determines that the award recipient is no longer  
210 enrolled in an educational institution as defined in sub-  
211 subparagraph 2.d., or is no longer a state resident. The  
212 department shall notify a student who is terminated and inform  
213 the student of his or her right to appeal.

214 k. An award recipient who does not qualify for a renewal  
215 award or who chooses not to renew the award may subsequently  
216 apply for reinstatement. An application for reinstatement must  
217 be made before the young adult reaches 23 years of age, and a  
218 student may not apply for reinstatement more than once. In order  
219 to be eligible for reinstatement, the young adult must meet the  
220 eligibility criteria and the criteria for award renewal for the  
221 scholarship program.

222 1. A young adult receiving continued services of the  
223 foster care program under former s. 409.145(3) must transfer to  
224 the scholarship program by July 1, 2003.

225 (c) *Transitional support services.*--

226 1. In addition to any services provided through after care  
227 support or the Road-to-Independence Scholarship, a young adult  
228 formerly in foster care, may receive other appropriate short-  
229 term services, which may include financial, housing, counseling,  
230 employment, education and other services, if the young adult  
231 demonstrates that the services are critical to the young adult's  
232 own efforts to achieve self-sufficiency and to develop a  
233 personal support system.

234 2. A young adult formerly in foster care is eligible to  
235 apply for transitional support services if he or she is 18 to 23  
236 years of age, was a dependent child pursuant to chapter 39, was





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237 living in licensed foster care or in subsidized independent  
238 living within 6 months ~~at the time~~ of his or her 18th birthday,  
239 and had spent at least 6 months living in foster care before  
240 that date.

241 3. A young adult formerly in foster care who is eligible  
242 for transitional support services pursuant to this subsection is  
243 also eligible to receive Medicaid coverage through age 23.

244 ~~4.3.~~ If at any time the services are no longer critical to  
245 the young adult's own efforts to achieve self-sufficiency and to  
246 develop a personal support system, they shall be terminated.

247 Section 2. This act shall take effect July 1, 2003.