

By Senator Campbell

32-1466-03

See HB 1325

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

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

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20 Section 1. Subsection (1), paragraph (a) of subsection
21 (2), subsection (4), and paragraphs (b) and (c) of subsection
22 (5) of section 409.1451, Florida Statutes, are amended to
23 read:

24 409.1451 Independent living transition services.--

25 (1) SYSTEM OF SERVICES.--

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

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1 (b) The goals of independent living transition
2 services are to assist older children in foster care and young
3 adults who were formerly in foster care to obtain life skills
4 and education for independent living and employment, to have a
5 quality of life appropriate for their age, and to assume
6 personal responsibility for becoming self-sufficient adults.

7 (c) Each Department of Children and Family Services
8 district shall identify adolescent foster children with
9 developmental disabilities or special mental health needs and
10 assign to them a department independent living counselor
11 specially trained in working with this population of children.
12 It shall be the specific responsibility of the counselor to
13 work with these foster youth to help them make the transition
14 to self-sufficiency as adults and to ensure that these
15 children are provided with reasonable accommodations for their
16 disabilities. The counselor must assist the youth with
17 accessing support and funding from other sources, such as the
18 department's Developmental Disabilities Office and the
19 department's Mental Health Office. The counselor must
20 coordinate the department's independent living plan for a
21 child with the school's individual education plan for a child
22 who is in a special education program. The counselor must
23 begin working with an eligible child at least 1 year prior to
24 the child turning 18 years of age, with special attention paid
25 to 17-year-old foster children residing at children's
26 residential treatment facilities who face a particularly
27 difficult transition to living as adults in the community.

28 (d)(c) State funds for foster care or federal funds
29 shall be used to establish a continuum of services for
30 eligible children in foster care and eligible young adults who
31 were formerly in foster care which accomplish the goals for

1 the independent living transition services and provide the
2 service components for services for foster children, as
3 provided in subsection (3), and services for young adults who
4 were formerly in foster care, as provided in subsection (5).

5 ~~(e)(d)~~ For children in foster care, independent living
6 transition services are not an alternative to adoption.
7 Independent living transition services may occur concurrently
8 with continued efforts to locate and achieve placement in
9 adoptive families for older children in foster care.

10 (2) ELIGIBILITY.--

11 (a) The department shall serve children who are 13 to
12 18 years of age or who are 18 to 23 years of age and are in
13 high school as a special education student, in a high school
14 equivalency diploma program pursuant to s. 1003.435, or in an
15 adult education program pursuant to s. 1004.93 and who are in
16 foster care through the program component of services for
17 foster children provided in subsection (3). Children to be
18 served must meet the eligibility requirements set forth for
19 specific services as provided in this section and through
20 department rule.

21 (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order
22 to assist older children in foster care, ages 13 to 18 years
23 of age or who are 18 to 23 years of age and are enrolled in
24 high school as a special education student, in a high school
25 equivalency diploma program pursuant to s. 1003.435, or in an
26 adult education program pursuant to s. 1004.93, with the
27 transition to independent living as adults, the program must
28 provide them with opportunities to participate in and learn
29 from life skills activities in their foster families and
30 communities which are reasonable and appropriate for their
31 age. Such activities may include, but are not limited to,

1 managing money earned from a job, taking driver's education,
2 and participating in after-school or extracurricular
3 activities. To support these opportunities for participation
4 in age-appropriate life skills activities, the department may:
5 (a) Develop, with children in the program and their
6 foster parents, a list of age-appropriate activities and
7 responsibilities to be presented to all children involved in
8 independent living transition services and their foster
9 parents.
10 (b) Provide training for staff and foster parents
11 which addresses issues of older children in foster care and
12 the transition to adulthood, including supporting education
13 and employment and providing opportunities to participate in
14 appropriate daily activities.
15 (c) Develop procedures to maximize the authority of
16 foster parents to approve participation in age-appropriate
17 activities of children in their care.
18 (d) Provide opportunities for older children in foster
19 care to interact with mentors.
20 (e) Develop and implement procedures for older
21 children to directly access and manage the personal allowance
22 they receive from the department in order to learn
23 responsibility and participate in age-appropriate life skills
24 activities to the extent feasible.
25 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS
26 FORMERLY IN FOSTER CARE.--Based on the availability of funds,
27 the department shall provide or arrange for the following
28 services to young adults formerly in foster care who meet the
29 prescribed conditions and are determined eligible by the
30 department. The categories of services available to assist a
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1 young adult formerly in foster care to achieve independence
2 are:

3 (b) Road-to-Independence Scholarship Program.--

4 1. The Road-to-Independence Scholarship Program is
5 intended to help eligible students who are former foster
6 children in this state to receive the educational and
7 vocational training needed to achieve independence. The amount
8 of the award shall equal the earnings that the student would
9 have been eligible to earn working a 40-hour-a-week federal
10 minimum wage job, after considering other grants and
11 scholarships that are in excess of the educational
12 institutions' fees and costs, and contingent upon available
13 funds. Students eligible for the Road-to-Independence
14 Scholarship Program may also be eligible for educational fee
15 waivers for workforce development postsecondary programs,
16 community colleges, and universities, pursuant to s.
17 1009.25(2)(c).

18 2. A young adult 18 to 23 ~~21~~ years of age is eligible
19 for the initial award, ~~and a young adult under 23 years of age~~
20 ~~is eligible~~ for renewal awards, if he or she:

21 a. Is a dependent child, pursuant to chapter 39, and
22 has lived ~~is living~~ in licensed foster care or in subsidized
23 independent living within 6 months ~~at the time~~ of his or her
24 18th birthday;

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

27 c. Is a resident of this state as defined in s.
28 1009.40; and

29 d. Meets one of the following qualifications:

30 (I) Has earned a standard high school diploma or its
31 equivalent as described in s. 1003.425 or s. 1003.43, and has

1 | been admitted for full-time enrollment in an eligible
2 | postsecondary education institution as defined in s. 1009.533;

3 | (II) Is enrolled full time in an accredited high
4 | school, is within 2 years of graduation, and has maintained a
5 | grade point average of at least 2.0 on a scale of 4.0 for the
6 | two semesters preceding the date of his or her 18th birthday
7 | or, in the case of a student in a special education program in
8 | an accredited high school, has met the minimum grade point
9 | average required by that program to graduate; or

10 | (III) Is enrolled full time in an accredited adult
11 | education program or high school equivalency diploma program
12 | designed to provide the student with a high school diploma or
13 | its equivalent, is making satisfactory progress in that
14 | program as certified by the program, and is within 2 years of
15 | attaining a high school diploma or its equivalent graduation.

16 | 3.a. The department must advertise the availability of
17 | the program and must ensure that the children and young adults
18 | leaving foster care, foster parents, or family services
19 | counselors are informed of the availability of the program and
20 | the application procedures.

21 | b. A young adult must apply for the initial award
22 | during the 6 months immediately preceding his or her 18th
23 | birthday. A young adult who fails to make an initial
24 | application, but who otherwise meets the criteria for an
25 | initial award, may make one application for the initial award
26 | if such application is made before the young adult's 21st
27 | birthday.

28 | c. If funding for the program is available, the
29 | department shall issue awards from the scholarship program for
30 | each young adult who meets all the requirements of the
31 | program.

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

3 e. If the award recipient transfers from one eligible
4 institution to another and continues to meet eligibility
5 requirements, the award must be transferred with the
6 recipient.

7 f. Scholarship funds awarded to any eligible young
8 adult under this program are in addition to any other services
9 provided to the young adult by the department through its
10 independent living transition services.

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

15 h. Scholarship funds shall be terminated when the
16 young adult has attained a bachelor of arts or bachelor of
17 science degree, or equivalent undergraduate degree, or reaches
18 23 years of age, whichever occurs earlier.

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

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

27 (II) Maintain the cumulative grade point average
28 required by the scholarship program, except that, if the young
29 adult's grades are insufficient to renew the scholarship at
30 any time during the eligibility period, the young adult may
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1 restore eligibility by improving the grade point average to
2 the required level.

3 j. Scholarship funds may be terminated during the
4 interim between an award and the evaluation for a renewal
5 award if the department determines that the award recipient is
6 no longer enrolled in an educational institution as defined in
7 sub-subparagraph 2.d., or is no longer a state resident. The
8 department shall notify a student who is terminated and inform
9 the student of his or her right to appeal.

10 k. An award recipient who does not qualify for a
11 renewal award or who chooses not to renew the award may
12 subsequently apply for reinstatement. An application for
13 reinstatement must be made before the young adult reaches 23
14 years of age, and a student may not apply for reinstatement
15 more than once. In order to be eligible for reinstatement, the
16 young adult must meet the eligibility criteria and the
17 criteria for award renewal for the scholarship program.

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

21 (c) Transitional support services.--

22 1. In addition to any services provided through after
23 care support or the Road-to-Independence Scholarship, a young
24 adult formerly in foster care, may receive other appropriate
25 short-term services, which may include financial, housing,
26 counseling, employment, education and other services, if the
27 young adult demonstrates that the services are critical to the
28 young adult's own efforts to achieve self-sufficiency and to
29 develop a personal support system.

30 2. A young adult formerly in foster care is eligible
31 to apply for transitional support services if he or she is 18

1 to 23 years of age, was a dependent child pursuant to chapter
2 39, was living in licensed foster care or in subsidized
3 independent living within 6 months ~~at the time~~ of his or her
4 18th birthday, and had spent at least 6 months living in
5 foster care before that date.

6 3. A young adult formerly in foster care who is
7 eligible for transitional support services pursuant to this
8 subsection is also eligible to receive Medicaid coverage
9 through age 23.

10 ~~4.3.~~ If at any time the services are no longer
11 critical to the young adult's own efforts to achieve
12 self-sufficiency and to develop a personal support system,
13 they shall be terminated.

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