

By the Committee on Children and Families; and Senator
Campbell

300-2404-03

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 district of the Department
5 of Children and Family Services to identify
6 adolescent foster children with developmental
7 disabilities or special mental health needs;
8 requiring the program to provide former foster
9 youth having disabilities with activities to
10 learn life skills; revising eligibility
11 requirements for participation in the
12 Road-to-Independence Scholarship Program and
13 transitional support services; providing for
14 young adults to continue in foster care in lieu
15 of a Road-to-Independence Scholarship;
16 providing an 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. Subsections (1) and (4) and paragraphs (b)
21 and (c) of subsection (5) of section 409.1451, Florida
22 Statutes, are amended to read:

23 409.1451 Independent living transition services.--

24 (1) SYSTEM OF SERVICES.--

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

30 (b) The goals of independent living transition
31 services are to assist older children in foster care and young

1 adults who were formerly in foster care to obtain life skills
2 and education for independent living and employment, to have a
3 quality of life appropriate for their age, and to assume
4 personal responsibility for becoming self-sufficient adults.

5 (c) Each district of the Department of Children and
6 Family Services shall identify adolescent foster youth with
7 developmental disabilities or special mental health needs. The
8 department shall work with these foster youth to help them
9 make the transition to self-sufficiency and shall assist the
10 youth and young adults with reasonable accommodations for
11 their disabilities. The department shall assist the youth with
12 accessing support and funding from other sources, such as the
13 department's Developmental Disabilities Office and the
14 department's Mental Health Office. The department shall
15 coordinate the independent living plan for a youth with the
16 school's individual education plan for a child who is in a
17 special education program. The department shall give special
18 attention to 17-year-old foster children residing at
19 residential treatment facilities, therapeutic foster homes, or
20 other mental health placements who face a particularly
21 difficult transition to living as adults in the community.

22 (d)(e) State funds for foster care or federal funds
23 shall be used to establish a continuum of services for
24 eligible children in foster care and eligible young adults who
25 were formerly in foster care which accomplish the goals for
26 the independent living transition services and provide the
27 service components for services for foster children, as
28 provided in subsection (3), and services for young adults who
29 were formerly in foster care, as provided in subsection (5).

30 (e)(d) For children in foster care, independent living
31 transition services are not an alternative to adoption.

1 Independent living transition services may occur concurrently
2 with continued efforts to locate and achieve placement in
3 adoptive families for older children in foster care.

4 (4) PARTICIPATION IN LIFE SKILLS ACTIVITIES.--In order
5 to assist older children in foster care, ages 13 to 18 years
6 of age, and former foster youth with disabilities, ages 18 to
7 23 years, with the transition to independent living as adults,
8 the program must provide them with opportunities to
9 participate in and learn from life skills activities in their
10 foster families and communities which are reasonable and
11 appropriate for their age. Such activities may include, but
12 are not limited to, managing money earned from a job, taking
13 driver's education, and participating in after-school or
14 extracurricular activities. To support these opportunities for
15 participation in age-appropriate life skills activities, the
16 department may:

17 (a) Develop, with children in the program and their
18 foster parents, a list of age-appropriate activities and
19 responsibilities to be presented to all children involved in
20 independent living transition services and their foster
21 parents.

22 (b) Provide training for staff and foster parents
23 which addresses issues of older children in foster care and
24 the transition to adulthood, including supporting education
25 and employment and providing opportunities to participate in
26 appropriate daily activities.

27 (c) Develop procedures to maximize the authority of
28 foster parents to approve participation in age-appropriate
29 activities of children in their care.

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

1 (e) Develop and implement procedures for older
2 children to directly access and manage the personal allowance
3 they receive from the department in order to learn
4 responsibility and participate in age-appropriate life skills
5 activities to the extent feasible.

6 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS
7 FORMERLY IN FOSTER CARE.--Based on the availability of funds,
8 the department shall provide or arrange for the following
9 services to young adults formerly in foster care who meet the
10 prescribed conditions and are determined eligible by the
11 department. The categories of services available to assist a
12 young adult formerly in foster care to achieve independence
13 are:

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

15 1. The Road-to-Independence Scholarship Program is
16 intended to help eligible students who are former foster
17 children in this state to receive the educational and
18 vocational training needed to achieve independence. The amount
19 of the award shall equal the earnings that the student would
20 have been eligible to earn working a 40-hour-a-week federal
21 minimum wage job, after considering other grants and
22 scholarships that are in excess of the educational
23 institutions' fees and costs, and contingent upon available
24 funds. Students eligible for the Road-to-Independence
25 Scholarship Program may also be eligible for educational fee
26 waivers for workforce development postsecondary programs,
27 community colleges, and universities, pursuant to s.
28 1009.25(2)(c).

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

1 a. Is a dependent child, pursuant to chapter 39, and
2 has lived ~~is living~~ in licensed foster care or in subsidized
3 independent living within 6 months ~~at the time~~ of his or her
4 18th birthday;

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

7 c. Is a resident of this state as defined in s.
8 1009.40; and

9 d. Meets one of the following qualifications:

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

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

21 (III) Is enrolled full time in an accredited adult
22 education program or high school equivalency diploma program
23 designed to provide the student with a high school diploma or
24 its equivalent, is making satisfactory progress in that
25 program as certified by the program, and is within 2 years of
26 attaining a high school diploma or its equivalent graduation.

27 3.a. The department must advertise the availability of
28 the program and must ensure that the children and young adults
29 leaving foster care, foster parents, or family services
30 counselors are informed of the availability of the program and
31 the application procedures.

1 b. A young adult must apply for the initial award
2 during the 6 months immediately preceding his or her 18th
3 birthday. A young adult who fails to make an initial
4 application, but who otherwise meets the criteria for an
5 initial award, may make one application for the initial award
6 if such application is made before the young adult's 21st
7 birthday.

8 c. If funding for the program is available, the
9 department shall issue awards from the scholarship program for
10 each young adult who meets all the requirements of the
11 program.

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

14 e. If the award recipient transfers from one eligible
15 institution to another and continues to meet eligibility
16 requirements, the award must be transferred with the
17 recipient.

18 f. Scholarship funds awarded to any eligible young
19 adult under this program are in addition to any other services
20 provided to the young adult by the department through its
21 independent living transition services.

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

26 h. Scholarship funds shall be terminated when the
27 young adult has attained a bachelor of arts or bachelor of
28 science degree, or equivalent undergraduate degree, or reaches
29 23 years of age, whichever occurs earlier.

30 i. The department shall evaluate and renew each award
31 annually during the 90-day period before the young adult's

1 birthday. In order to be eligible for a renewal award for the
2 subsequent year, the young adult must:

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

7 (II) Maintain the cumulative grade point average
8 required by the scholarship program, except that, if the young
9 adult's grades are insufficient to renew the scholarship at
10 any time during the eligibility period, the young adult may
11 restore eligibility by improving the grade point average to
12 the required level.

13 j. Scholarship funds may be terminated during the
14 interim between an award and the evaluation for a renewal
15 award if the department determines that the award recipient is
16 no longer enrolled in an educational institution as defined in
17 sub-subparagraph 2.d., or is no longer a state resident. The
18 department shall notify a student who is terminated and inform
19 the student of his or her right to appeal.

20 k. An award recipient who does not qualify for a
21 renewal award or who chooses not to renew the award may
22 subsequently apply for reinstatement. An application for
23 reinstatement must be made before the young adult reaches 23
24 years of age, and a student may not apply for reinstatement
25 more than once. In order to be eligible for reinstatement, the
26 young adult must meet the eligibility criteria and the
27 criteria for award renewal for the scholarship program.

28 4. A young adult who is eligible for the
29 Road-to-Independence Scholarship may, in lieu of the
30 scholarship award, choose to remain in foster care and
31 continue to receive the services of the children's foster care

1 program for as long as the young adult continues to qualify
2 for the Road-to-Independence Scholarship.

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

6 (c) Transitional support services.--

7 1. In addition to any services provided through after
8 care support or the Road-to-Independence Scholarship, a young
9 adult formerly in foster care, may receive other appropriate
10 short-term services, which may include financial, housing,
11 counseling, employment, education and other services, if the
12 young adult demonstrates that the services are critical to the
13 young adult's own efforts to achieve self-sufficiency and to
14 develop a personal support system.

15 2. A young adult formerly in foster care is eligible
16 to apply for transitional support services if he or she is 18
17 to 23 years of age, was a dependent child pursuant to chapter
18 39, was living in licensed foster care or in subsidized
19 independent living within 6 months ~~at the time~~ of his or her
20 18th birthday, and had spent at least 6 months living in
21 foster care before that date.

22 3. If at any time the services are no longer critical
23 to the young adult's own efforts to achieve self-sufficiency
24 and to develop a personal support system, they shall be
25 terminated.

26 Section 2. This act shall take effect October 1, 2003.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2460
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5 Broadens the responsibility to assist adolescent foster
6 children with developmental disabilities and special mental
7 health needs to apply to the department, not just the
8 independent living counselors, and removes the requirement
9 that the independent living counselors receive special
10 training.
11 Removes the inclusion of the young adults 18 to 23 years of
12 age who are in special education, in a high school equivalency
13 diploma program, or in an adult education program from the
14 eligibility definition for the services available for older
15 foster children.
16 Replaces the 18 to 23 year olds in special education, in a
17 high school equivalency diploma program, and in adult
18 education with former foster youth with disabilities ages 18
19 to 23 years in the department's directive to provide
20 opportunities to participate in life skills activities.
21 Replaces the requirement that young adults receiving foster
22 care services be transferred to the Road to Independence
23 Scholarship program with permitting these young adults to
24 continue to receive the foster care services in lieu of the
25 scholarship award.
26 Removes the requirement that all young adults formerly in
27 foster care who are eligible for transitional support services
28 be eligible for Medicaid coverage through age 23.
29 Extends the implementation date from July 1, 2003, to October
30 1, 2003.
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