

By the Committee on Children and Families; and Senator Lynn

300-1344-04

1 A bill to be entitled
2 An act relating to independent living
3 transition services; amending s. 409.1451,
4 F.S.; authorizing community-based providers to
5 administer the independent living transition
6 services; deleting references to children in
7 foster care; adding references to children in
8 the legal custody of the Department of Children
9 and Family Services; defining children in the
10 legal custody of the department to include
11 children in the legal custody of a lead
12 community-based provider; revising provisions
13 governing a young adult's preparation for
14 independent living; providing for the
15 department to conduct an independent-living
16 assessment and inform the child of the
17 Road-to-Independence Scholarship Program;
18 revising the scholarship award amount; creating
19 a high school scholarship award and a
20 postsecondary education award; providing the
21 amounts for each award; establishing
22 eligibility criteria for each award; providing
23 requirements for the needs assessment for a
24 postsecondary education scholarship; providing
25 strategies if sufficient program funds are not
26 available; providing for enrollment periods;
27 expanding the eligibility requirements for
28 renewal awards; limiting the transitional
29 support services that young adults receiving a
30 scholarship may receive; requiring each
31 district or lead community-based provider to

1 submit an annual plan for meeting the agency's
2 specified obligations; abolishing the
3 Independent Living Services Workgroup; creating
4 the Independent Living Services Advisory Group
5 to review and evaluate the operation of the
6 department's independent living transition
7 services; providing for the activities of the
8 Independent Living Services Advisory Group;
9 requiring the Independent Living Services
10 Advisory Group to report to the Senate and the
11 House of Representatives; providing for
12 membership on the advisory group; eliminating
13 the department's rulemaking authority to
14 proportionally reduce the scholarship awards;
15 amending s. 39.701, F.S.; requiring that
16 information from the independent-living
17 assessment be provided to the courts; requiring
18 the court to attempt to determine the child's
19 preparation for independence; amending s.
20 1009.25, F.S.; revising requirements specifying
21 the students who are exempt from paying tuition
22 and fees; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsections (1), (2), (3), (4), (5), (6),
27 (7), and (9) of section 409.1451, Florida Statutes, are
28 amended to read:

29 409.1451 Independent living transition services.--
30 (1) SYSTEM OF SERVICES.--

31

1 (a) The Department of Children and Family Services, ~~or~~
2 its agents, or community-based providers operating pursuant to
3 s. 409.1671 shall administer a system of independent living
4 transition services to enable older children in the legal
5 custody of the department ~~foster care~~ and young adults who
6 exit the legal custody of the department ~~foster care~~ at age 18
7 to make the transition to self-sufficiency as adults.

8 (b) The goals of independent living transition
9 services are to assist older children in the legal custody of
10 the department ~~foster care~~ and young adults who were formerly
11 in the legal custody of the department ~~foster care~~ to obtain
12 life skills and education for independent living and
13 employment, to have a quality of life appropriate for their
14 age, and to assume personal responsibility for becoming
15 self-sufficient adults.

16 (c) State funds for foster care or federal funds shall
17 be used to establish a continuum of services for eligible
18 children in the legal custody of the department ~~foster care~~
19 and eligible young adults who were formerly in the legal
20 custody of the department ~~foster care~~ which accomplish the
21 goals for the independent living transition services and
22 provide the service components for services for ~~foster~~
23 children in the legal custody of the department, as provided
24 in subsection (3), and services for young adults who were
25 formerly in the legal custody of the department ~~foster care~~,
26 as provided in subsection (5).

27 (d) For children in the legal custody of the
28 department ~~foster care~~, independent living transition services
29 are not an alternative to adoption. Independent living
30 transition services may occur concurrently with continued
31 efforts to locate and achieve placement in adoptive families

1 for older children in the legal custody of the department
2 ~~foster care~~.

3 (e) As used in this section, the term "children in the
4 legal custody of the department" includes children in the
5 legal custody of a lead community-based provider operating
6 pursuant to s. 409.1671.

7 (2) ELIGIBILITY.--

8 (a) The department shall serve children who are 13 to
9 18 years of age and who are in the legal custody of the
10 department ~~foster care~~ through the program component of
11 services for ~~foster~~ children in the legal custody of the
12 department provided in subsection (3). Children to be served
13 must meet the eligibility requirements set forth for specific
14 services as provided in this section and through department
15 rule.

16 (b) The department shall serve young adults who are 18
17 to 23 years of age and who were in the legal custody of the
18 department ~~foster care~~ when they turned 18 years of age
19 through the program component of services for young adults who
20 were formerly in the legal custody of the department ~~foster~~
21 ~~care~~ in subsection (5). Children to be served must meet the
22 eligibility requirements set forth for specific services in
23 this section and through department rule.

24 (3) PROGRAM COMPONENT OF SERVICES FOR ~~FOSTER~~ CHILDREN
25 IN THE LEGAL CUSTODY OF THE DEPARTMENT.--The department shall
26 provide the following transition to independence services to
27 children in the legal custody of the department ~~foster care~~
28 who meet prescribed conditions and are determined eligible by
29 the department. The service categories available to children
30 in the legal custody of the department ~~foster care~~ which
31 facilitate successful transition into adulthood are:

1 (a) Preindependent-living services.--

2 1. Preindependent-living services include, but are not
3 limited to, life skills training, educational field trips, and
4 conferences. The specific services to be provided to a child
5 shall be determined using a preindependent-living assessment.

6 2. A child 13 to 15 years of age who is in the legal
7 custody of the department ~~foster care~~ is eligible for such
8 services.

9 (b) Life skills services.--

10 1. Life skills services may include, but are not
11 limited to, independent living skills training, educational
12 support, employment training, and counseling. The specific
13 services to be provided to a child shall be determined using
14 an independent life skills assessment.

15 2. A child 15 to 18 years of age who is in the legal
16 custody of the department ~~foster care~~ is eligible for such
17 services.

18 (c) Subsidized independent living services.--

19 1. Subsidized independent living services are living
20 arrangements that allow the child to live independently of the
21 daily care and supervision of an adult in a setting that is
22 not required to be licensed under s. 409.175.

23 2. A child 16 to 18 years of age is eligible for such
24 services if he or she:

25 a. Is adjudicated dependent under chapter 39; has been
26 placed in licensed out-of-home care for at least 6 months
27 prior to entering subsidized independent living; and has a
28 permanency goal of adoption, independent living, or long-term
29 licensed care; and

30
31

1 b. Is able to demonstrate independent living skills,
2 as determined by the department, using established procedures
3 and assessments.

4 3. Independent living arrangements established for a
5 child must be part of an overall plan leading to the total
6 independence of the child from the department's supervision.
7 The plan must include, but need not be limited to, a
8 description of the skills of the child and a plan for learning
9 additional identified skills; the behavior that the child has
10 exhibited which indicates an ability to be responsible and a
11 plan for developing additional responsibilities, as
12 appropriate; a plan for future educational, vocational, and
13 training skills; present financial and budgeting capabilities
14 and a plan for improving resources and ability; a description
15 of the proposed residence; documentation that the child
16 understands the specific consequences of his or her conduct in
17 the independent living program; documentation of proposed
18 services to be provided by the department and other agencies,
19 including the type of service and the nature and frequency of
20 contact; and a plan for maintaining or developing
21 relationships with the family, other adults, friends, and the
22 community, as appropriate.

23 4. Subsidy payments in an amount established by the
24 department may be made directly to a child under the direct
25 supervision of a caseworker or other responsible adult
26 approved by the department.

27 (4) PREPARATION FOR INDEPENDENT LIVING ~~PARTICIPATION~~
28 ~~IN LIFE SKILLS ACTIVITIES~~.--In order to assist older children
29 in the legal custody of the department and, in particular,
30 children in foster care, ages 13 to 18 years of age, with the
31 transition to independent living as adults, the program must

1 provide them with opportunities to participate in and learn
2 from life skills activities in their foster families and
3 communities which are reasonable and appropriate for their age
4 and with services to build the skills and ability to live
5 independently and become self-sufficient. ~~Such activities may~~
6 ~~include, but are not limited to, managing money earned from a~~
7 ~~job, taking driver's education, and participating in~~
8 ~~after-school or extracurricular activities.~~

9 (a) To support the provision of these opportunities
10 for participation in age-appropriate life skills activities,
11 the department may:

12 1.~~(a)~~ Develop, with children in the program and their
13 foster parents, a list of age-appropriate activities and
14 responsibilities to be presented to all children involved in
15 independent living transition services and their foster
16 parents.

17 2.~~(b)~~ Provide training for staff and foster parents
18 which addresses issues of older children ~~in foster care~~ and
19 their ~~the~~ transition to adulthood, including supporting
20 education and employment and providing opportunities to
21 participate in appropriate daily activities.

22 3.~~(c)~~ Develop procedures to maximize the authority of
23 foster parents to approve participation in age-appropriate
24 activities of children in their care.

25 4.~~(d)~~ Provide opportunities for older children ~~in~~
26 ~~foster care~~ to interact with mentors.

27 5.~~(e)~~ Develop and implement procedures for older
28 children to directly access and manage the personal allowance
29 they receive from the department in order to learn
30 responsibility and participate in age-appropriate life skills
31 activities to the extent feasible.

1 **(b) The department shall provide the following**
2 **services to each child in the legal custody of the department**
3 **by the first day of the calendar month following the child's**
4 **17th birthday:**

5 **1. An independent-living assessment to determine the**
6 **child's skills and abilities to live independently and become**
7 **self-sufficient and to determine whether the child possesses**
8 **those tangible skills and abilities needed for a successful**
9 **transition to adulthood and independence. Based on the results**
10 **of the independent-living assessment, services and training in**
11 **the transition to independent living shall be provided in**
12 **order for the child to develop the necessary skills and**
13 **abilities during the following year.**

14 **2. Detailed information on the Road-to-Independence**
15 **Scholarship Program, including requirements for eligibility;**
16 **other grants, scholarships, and waivers that are available and**
17 **should be sought by the child with assistance from the**
18 **department, including, but not limited to, the Bright Futures**
19 **Scholarship Program, as provided in ss. 1009.53-1009.538;**
20 **application deadlines; and grade requirements.**

21 **(5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS**
22 **FORMERLY IN THE LEGAL CUSTODY OF THE DEPARTMENT ~~FOSTER~~**
23 **~~CARE~~--Based on the availability of funds, the department**
24 **shall provide or arrange for the following services to young**
25 **adults formerly in the legal custody of the department ~~foster~~**
26 **~~care~~ who meet the prescribed conditions and are determined**
27 **eligible by the department. The categories of services**
28 **available to assist a young adult formerly in the legal**
29 **custody of the department ~~foster care~~ to achieve independence**
30 **are:**

31 **(a) Aftercare support services.--**

1 1. Aftercare support services include, but are not
2 limited to, referrals to resources in the community for:

- 3 a. Mentoring and tutoring.
4 b. Mental health services and substance abuse
5 counseling.
6 c. Life skills classes, including credit management
7 and preventive health activities.
8 d. Parenting classes.
9 e. Job skills training.

10
11 The specific services to be provided under this subparagraph
12 shall be determined by an aftercare services assessment.
13 Temporary assistance may be provided to prevent homelessness
14 within the limitations defined by the department.

15 2. A young adult 18 to 23 years of age who leaves the
16 legal custody of the department ~~foster care~~ at 18 years of age
17 but who requests services prior to reaching 23 years of age is
18 eligible for such services.

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

20 1. The Road-to-Independence Scholarship Program is
21 intended to help eligible students who were formerly ~~are~~
22 ~~former foster~~ children in the legal custody of the department
23 ~~this state~~ to receive the educational and vocational training
24 needed to achieve independence. ~~The amount of the award shall~~
25 ~~equal the earnings that the student would have been eligible~~
26 ~~to earn working a 40-hour-a-week federal minimum wage job,~~
27 ~~after considering other grants and scholarships that are in~~
28 ~~excess of the educational institutions' fees and costs, and~~
29 ~~contingent upon available funds.~~ Students eligible for the
30 Road-to-Independence Scholarship Program may also be eligible
31 for educational fee waivers for workforce development

1 postsecondary programs, community colleges, and universities,
2 pursuant to s. 1009.25(2)(c). Two forms of scholarship awards
3 shall be made available to help eligible students achieve
4 their educational goals.

5 a. The high school scholarship award shall be
6 available as an educational support for young adults working
7 towards obtaining a high school diploma or its equivalent. The
8 amount of the award shall be equal to the amount of the
9 standard foster care board rate or, if the young adult has
10 been receiving subsidized independent living services, the
11 amount of the standard subsidized independent living board
12 rate. For a young adult who is not receiving an award based on
13 the standard subsidized independent living board rate, the
14 award may be provided as a continued board payment to the
15 foster parent or, at the request of the young adult, paid
16 directly to the young adult.

17 b. The postsecondary education scholarship award shall
18 be available as an educational support for young adults
19 working towards completing a postsecondary education program.
20 The amount of the postsecondary education scholarship award
21 shall be based on the living and education needs of the young
22 adult and may not exceed the amount equal to 150 percent of
23 the maximum amount allowed by the federal education and
24 training voucher.

25 2. A young adult 18 to 21 years of age is eligible for
26 the initial award of the high school scholarship, or its
27 renewal ~~and a young adult under 23 years of age is eligible~~
28 ~~for renewal awards~~, if he or she:

29 a. Is a dependent child, pursuant to chapter 39, and
30 is in the legal custody of the department ~~living in licensed~~
31

1 ~~foster care~~ or in subsidized independent living at the time of
2 his or her 18th birthday;

3 b. Has spent at least 6 months in the legal custody of
4 the department ~~living in foster care~~ before reaching his or
5 her 18th birthday;

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

8 d. Meets one of the following qualifications:

9 ~~(I) Has earned a standard high school diploma or its~~
10 ~~equivalent as described in s. 1003.43 or s. 1003.435, and has~~
11 ~~been admitted for full-time enrollment in an eligible~~
12 ~~postsecondary education institution as defined in s. 1009.533;~~

13 (I)~~(II)~~ Is enrolled full time in an accredited high
14 school, ~~is within 2 years of graduation, and has maintained a~~
15 ~~grade point average of at least 2.0 on a scale of 4.0 for the~~
16 ~~two semesters preceding the date of his or her 18th birthday;~~
17 or

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

23 3. A young adult 18 to 21 years of age is eligible for
24 the initial award of the postsecondary education scholarship,
25 and a young adult younger than 23 years of age is eligible for
26 renewal awards, if he or she:

27 a. Is a dependent child, pursuant to chapter 39, and
28 is in the legal custody of the department or in subsidized
29 independent living at the time of his or her 18th birthday;
30

31

1 b. Has spent at least 6 months living in the legal
2 custody of the department before reaching his or her 18th
3 birthday;

4 c. Is a resident of this state as defined in s.
5 1009.40; and

6 d. Has earned a standard high school diploma or its
7 equivalent as described in s. 1003.43 or s. 1003.435, has been
8 admitted for full-time enrollment in an eligible postsecondary
9 education institution as defined in s. 1009.5333, and has
10 maintained a grade point average of at least 2.0 on a scale of
11 4.0 for the two semesters preceding the date of his or her
12 18th birthday.

13 ~~4.3-a.~~ The department must advertise the availability
14 of the Road-to-Independence Scholarship Program and must
15 ensure that the children in the legal custody of the
16 department and young adults leaving foster care, foster
17 parents, or family services counselors are informed of the
18 availability of both the scholarship awards program and the
19 application procedures upon initial receipt of independent
20 living transition services, upon turning 17 years of age
21 pursuant to subsection (4), and upon leaving the legal custody
22 of the department at 18 years of age.

23 b. A young adult must apply for the initial award
24 during the 6 months immediately preceding his or her 18th
25 birthday. The department shall assist the young adult in
26 completing all forms necessary to determine eligibility for a
27 scholarship award.A young adult who fails to make an initial
28 application, but who otherwise meets the criteria for an
29 initial award, may make one application for the initial award
30 if such application is made before the young adult's 21st
31 birthday.

1 c. A young adult who is applying for the scholarship
2 award must apply for any other grants and scholarships for
3 which he or she may qualify. The department shall assist the
4 young adult in applying for these grants and scholarships.

5 d. The amount of the postsecondary education
6 scholarship award shall be determined based on an assessment
7 of the funding needs of the young adult. The assessment shall
8 consider the young adult's living and educational costs and
9 other grants, scholarships, waivers, and earnings to be
10 received by the young adult. The department may use the
11 federal financial aid grant process to determine the funding
12 needs of the young adult up to the level provided for in
13 sub-subparagraph 1.a. The amount of the scholarship award may
14 be reduced due to insufficient funds pursuant to
15 sub-subparagraph g.

16 e. An award shall be issued for a 1-year period, with
17 the exception of the first year, which may be for a period
18 that is less than 1 year in order to coincide with a
19 designated enrollment period provided for in sub-subparagraph
20 p.

21 f.c. If sufficient funding for the scholarship program
22 is available, the department shall issue awards from the
23 scholarship program for each young adult who meets all the
24 requirements of the program for the full amount determined by
25 the needs assessment.

26 g. If sufficient funding for the program is not
27 available, the department may execute any or all of the
28 following strategies:

29 (I) Reduce the postsecondary education awards to each
30 young adult as follows: reduce the awards during the
31 award-issuance period, in which case the reduction may not

1 exceed 10 percent of the funding need determined by the needs
2 assessment for each young adult, and reduce the award at the
3 annual renewal of awards, in which case the reduction may not
4 exceed 25 percent of the need determined by the needs
5 assessment for each young adult. The amount of the reduction
6 applied shall be uniformly applied to all young adults
7 receiving a postsecondary education scholarship award and
8 reductions applied may not be cumulative.

9 (II) Reduce the high school scholarship awards to each
10 young adult as follows: reduce the awards during the
11 award-issuance period, in which case the reduction may not
12 exceed 5 percent of the award amount, and reduce the award at
13 the annual renewal of awards, in which case the reduction may
14 not exceed 20 percent of the award amount. The amount of the
15 reduction applied shall be uniformly applied to all young
16 adults receiving a high school scholarship award and
17 reductions applied may not be cumulative.

18 (III) Cease issuance of initial scholarship awards and
19 create a waiting list of eligible young adults.

20 h. If the department must execute any or all of the
21 strategies identified in sub-subparagraph g., young adults who
22 are receiving the high school scholarship award and who are
23 within 1 year of earning a high school diploma or its
24 equivalent shall have the highest priority for maintaining the
25 full award amount.

26 i. Notwithstanding sub-subparagraph p., if funding
27 becomes available after a waiting list is created pursuant to
28 sub-subparagraph g., awards may be issued to young adults on
29 the waiting list at the time the funds are determined
30 available.

31

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

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

7 ~~l.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 ~~m.g.~~ The department shall provide information
12 concerning young adults receiving the Road-to-Independence
13 Scholarship to the Department of Education for inclusion in
14 the student financial assistance database, as provided in s.
15 1009.94.

16 n. High school scholarship award funds shall be
17 terminated when the young adult has attained a high school
18 diploma or its equivalent, or reaches 21 years of age,
19 whichever occurs earlier.

20 o.h. Postsecondary education scholarship award funds
21 shall be terminated when the young adult has attained a
22 bachelor of arts or bachelor of science degree, or equivalent
23 undergraduate degree, or reaches 23 years of age, whichever
24 occurs earlier.

25 p.i. The department shall annually evaluate and renew
26 each award for renewal during one of the 30-day-enrollment
27 periods. A minimum of two 30-day-enrollment periods shall be
28 held each year. The renewal award amount shall be determined
29 based on a needs assessment for the postsecondary education
30 scholarship as provided for in sub-subparagraph d. and funds
31 determined available by the department pursuant to

1 ~~sub-subparagraphs f. and g. annually during the 90-day period~~
2 ~~before the young adult's birthday.~~

3 g. In order to be eligible for a renewal award for the
4 subsequent year, the young adult must:

5 (I) Complete the minimum number of full-time at least
6 ~~12 semester~~ hours, or the equivalent number considered
7 full-time by the education institution, in the last academic
8 year in which the young adult earned a scholarship, except for
9 a young adult who meets the requirements of s. 1009.41.

10 (II) Maintain a the cumulative 2.0 grade point
11 average, if receiving a postsecondary education scholarship
12 award.

13 (III) Maintain appropriate progress, if receiving a
14 high school education scholarship award. ~~required by the~~
15 ~~scholarship program, except that,~~

16
17 If the young adult's grades are insufficient to renew the
18 scholarship at any time during the eligibility period, the
19 young adult may restore eligibility by improving the grade
20 point average to the required level.

21 ~~r.j.~~ Scholarship funds may be terminated during the
22 interim between an award and the evaluation for a renewal
23 award if the department determines that the award recipient is
24 no longer enrolled in an educational institution as defined in
25 sub-subparagraph 2.d., or is no longer a state resident. The
26 department shall notify a student who is terminated and inform
27 the student of his or her right to appeal.

28 ~~s.k.~~ An award recipient who does not qualify for a
29 renewal award or who chooses not to renew the award may
30 subsequently apply for reinstatement. An application for
31 reinstatement must be made before the young adult reaches 23

1 years of age, if applying for a postsecondary scholarship
2 award, or 21 years of age, if applying for a high school
3 scholarship award,and a student may not apply for
4 reinstatement more than once. In order to be eligible for
5 reinstatement, the young adult must meet the eligibility
6 criteria and the criteria for award renewal for the
7 scholarship program, except that a young adult who does not
8 meet the criteria for a renewal award shall be given one
9 semester in the scholarship program. After one semester, the
10 renewal award criteria must be met in order for the young
11 adult to continue in the scholarship program.

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

15 (c) Transitional support services.--

16 1. In addition to any services provided through
17 aftercare ~~after care~~ support or the Road-to-Independence
18 Scholarship, a young adult formerly in the legal custody of
19 the department ~~foster care~~, may receive other appropriate
20 short-term services, not to exceed \$ _____,which may include
21 financial, housing, counseling, employment, education and
22 other services, if the young adult demonstrates that the
23 services are critical to the young adult's own efforts to
24 achieve self-sufficiency and to develop a personal support
25 system.

26 2. A young adult formerly in the legal custody of the
27 department ~~foster care~~ is eligible to apply for transitional
28 support services if he or she is 18 to 23 years of age, was a
29 dependent child pursuant to chapter 39, was in the legal
30 custody of the department ~~living in licensed foster care~~ or in
31 subsidized independent living at the time of his or her 18th

1 birthday, and had spent at least 6 months in the legal custody
2 of the department living in foster care before that date.
3 Young adults not receiving a scholarship award shall have
4 priority for the transitional support services.

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

9 (d) Payment of aftercare, scholarship, or transitional
10 support funds.--Payment of aftercare, scholarship, or
11 transitional support funds shall be made directly to the
12 recipient unless the recipient requests that the payments or a
13 portion of the payments be made directly to a licensed foster
14 family or group care provider with whom the recipient was
15 residing at the time of attaining the 18th birthday and with
16 whom the recipient desires to continue to reside. If a young
17 adult and the former foster parent agree that the young adult
18 shall continue to live in the foster home while receiving
19 aftercare, scholarship, or transitional support funds, the
20 caregiver shall establish written expectations for the young
21 adult's behavior and responsibilities. The young adult who
22 continues with a foster family shall not be included as a
23 child in calculating any licensing restriction on the number
24 of children in the foster home.

25 (e) Appeals process.--

26 1. The Department of Children and Family Services
27 shall adopt by rule a procedure by which a young adult may
28 appeal an eligibility determination or the department's
29 failure to provide aftercare, scholarship, or transitional
30 support services if such funds are available.

31

1 2. The procedure developed by the department must be
2 readily available to young adults and must provide for an
3 appeal to the Secretary of Children and Family Services. The
4 decision of the secretary constitutes final agency action and
5 is reviewable by the court as provided in s. 120.68.

6 (6) ACCOUNTABILITY.--

7 (a) The department shall develop outcome measures for
8 the program and other performance measures.

9 (b) Each district or lead community-based provider
10 shall annually prepare a plan for meeting the core
11 expectations as stipulated in subsection (7) and describe the
12 outcomes of the previous year's plan in meeting the core
13 expectations and an accounting of the expenditure of the
14 funds. Authorization to expend funds associated with
15 independent living transition services is contingent upon the
16 department's approval of the plan for meeting the core
17 expectations.

18 (7) INDEPENDENT LIVING SERVICES ADVISORY GROUP
19 ~~WORKGROUP~~.--The Secretary of Children and Family Services
20 shall establish the Independent Living Services Advisory Group
21 for the purpose of reviewing and making recommendations
22 concerning the implementation and operation of the independent
23 living transition services. This advisory group shall continue
24 to function as specified in this subsection until the
25 Legislature determines that the advisory group can no longer
26 provide a valuable contribution to the department's efforts to
27 achieve the goals of the independent living transition
28 services.

29 (a) Specifically, the advisory group ~~workgroup, which,~~
30 ~~at a minimum, shall include representatives from the~~
31 ~~Department of Children and Family Services, the Agency for~~

1 ~~Workforce Innovation, the Department of Education, the Agency~~
2 ~~for Health Care Administration, the State Youth Advisory~~
3 ~~Board, Workforce Florida, Inc., and foster parents. The~~
4 ~~workgroup~~ shall assess the implementation and operation of the
5 system of independent living transition services and advise
6 the department on actions that would improve the ability of
7 the independent living transition services to meet the
8 established goals. The advisory group ~~workgroup~~ shall keep the
9 department informed of problems being experienced with the
10 services, barriers to the effective and efficient integration
11 of services and support across systems, and successes that the
12 system of independent living transition services has achieved.
13 The department shall consider, but is not required to
14 implement, the recommendations of the advisory group
15 ~~workgroup~~.

16 (b) The advisory group shall develop and recommend to
17 the department core expectations that are determined necessary
18 to ensure that the goals of the independent living transition
19 services are met statewide. The department shall establish
20 core expectations for independent living transition services
21 which districts and lead community-based providers must meet.
22 These core expectations must be appropriate for specific age
23 groups within the independent living transition services
24 program and be applicable to every district and lead
25 community-based provider. The advisory group shall participate
26 in the department's annual review of the local plans and
27 outcomes in achieving the core expectations.

28 (c) For the 2002-2003 and 2003-2004 fiscal years, The
29 advisory group ~~workgroup~~ shall report to the appropriate
30 substantive committees of the Senate and the House of
31 Representatives on the status of the implementation of the

1 system of independent living transition services; efforts to
2 publicize the availability of aftercare support services, the
3 Road-to-Independence Scholarship Program, and transitional
4 support services; specific barriers to financial aid created
5 by the scholarship and possible solutions; the success of the
6 services; problems identified; recommendations for department
7 or legislative action; and the department's implementation of
8 the recommendations contained in the Independent Living
9 Services Integration Workgroup Report submitted to the Senate
10 and the House substantive committees December 31, 2002. This
11 advisory group ~~workgroup~~ report shall ~~is to~~ be submitted by
12 ~~December 31, 2003, and~~ December 31, 2004, and shall be
13 accompanied by a report from the department which identifies
14 the recommendations of the advisory group ~~workgroup~~ and either
15 describes the department's actions to implement these
16 recommendations or provides the department's rationale for not
17 implementing the recommendations. This report must also contain
18 the core expectations developed and recommended to the
19 department pursuant to paragraph (b).

20 (d) The advisory group must include, at a minimum,
21 representatives from the headquarters and district offices of
22 the Department of Children and Family Services, lead
23 community-based providers, the Agency for Workforce
24 Innovation, the Department of Education, the Agency for Health
25 Care Administration, the State Youth Advisory Board, Workforce
26 Florida, Inc., the Statewide Guardian Ad Litem Office, foster
27 parents, and advocates for foster children.

28 (9) RULEMAKING.--The department shall adopt by rule
29 procedures to administer this section, ~~including provision for~~
30 ~~the proportional reduction of scholarship awards when adequate~~
31 ~~funds are not available for all applicants.~~ These rules shall

1 balance the goals of normalcy and safety for the youth and
2 provide the caregivers with as much flexibility as possible to
3 enable the youth to participate in normal life experiences.
4 The department shall engage in appropriate planning to
5 prevent, to the extent possible, a reduction in scholarship
6 awards after issuance.

7 Section 2. Paragraph (a) of subsection (6) and
8 subsection (7) of section 39.701, Florida Statutes, are
9 amended to read:

10 39.701 Judicial review.--

11 (6)(a) Prior to every judicial review hearing or
12 citizen review panel hearing, the social service agency shall
13 make an investigation and social study concerning all
14 pertinent details relating to the child and shall furnish to
15 the court or citizen review panel a written report that
16 includes, but is not limited to:

17 1. A description of the type of placement the child is
18 in at the time of the hearing, including the safety of the
19 child and the continuing necessity for and appropriateness of
20 the placement.

21 2. Documentation of the diligent efforts made by all
22 parties to the case plan to comply with each applicable
23 provision of the plan.

24 3. The amount of fees assessed and collected during
25 the period of time being reported.

26 4. The services provided to the foster family or legal
27 custodian in an effort to address the needs of the child as
28 indicated in the case plan.

29 5. A statement that either:
30
31

1 a. The parent, though able to do so, did not comply
2 substantially with the provisions of the case plan, and the
3 agency recommendations;

4 b. The parent did substantially comply with the
5 provisions of the case plan; or

6 c. The parent has partially complied with the
7 provisions of the case plan, with a summary of additional
8 progress needed and the agency recommendations.

9 6. A statement from the foster parent or legal
10 custodian providing any material evidence concerning the
11 return of the child to the parent or parents.

12 7. A statement concerning the frequency, duration, and
13 results of the parent-child visitation, if any, and the agency
14 recommendations for an expansion or restriction of future
15 visitation.

16 8. The number of times a child has been removed from
17 his or her home and placed elsewhere, the number and types of
18 placements that have occurred, and the reason for the changes
19 in placement.

20 9. The number of times a child's educational placement
21 has been changed, the number and types of educational
22 placements which have occurred, and the reason for any change
23 in placement.

24 10. If the child is between 13 and 18 years of age,
25 the results of the preindependent-living or independent-living
26 assessment, the specific services needed, and the status of
27 the delivery of the identified services.

28 ~~11.10.~~ Copies of all medical, psychological, and
29 educational records that support the terms of the case plan
30 and that have been produced concerning the child, parents, or
31 any caregiver since the last judicial review hearing.

1 (7) The court and any citizen review panel shall take
2 into consideration the information contained in the social
3 services study and investigation and all medical,
4 psychological, and educational records that support the terms
5 of the case plan; testimony by the social services agency, the
6 parent, the foster parent or legal custodian, the guardian ad
7 litem if one has been appointed for the child, and any other
8 person deemed appropriate; and any relevant and material
9 evidence submitted to the court, including written and oral
10 reports to the extent of their probative value. These reports
11 and evidence may be received by the court in its effort to
12 determine the action to be taken with regard to the child and
13 may be relied upon to the extent of their probative value,
14 even though not competent in an adjudicatory hearing. In its
15 deliberations, the court and any citizen review panel shall
16 seek to determine:

17 (a) If the parent was advised of the right to receive
18 assistance from any person or social service agency in the
19 preparation of the case plan.

20 (b) If the parent has been advised of the right to
21 have counsel present at the judicial review or citizen review
22 hearings. If not so advised, the court or citizen review panel
23 shall advise the parent of such right.

24 (c) If a guardian ad litem needs to be appointed for
25 the child in a case in which a guardian ad litem has not
26 previously been appointed or if there is a need to continue a
27 guardian ad litem in a case in which a guardian ad litem has
28 been appointed.

29 (d) The compliance or lack of compliance of all
30 parties with applicable items of the case plan, including the
31 parents' compliance with child support orders.

1 (e) The compliance or lack of compliance with a
2 visitation contract between the parent and the social service
3 agency for contact with the child, including the frequency,
4 duration, and results of the parent-child visitation and the
5 reason for any noncompliance.

6 (f) The compliance or lack of compliance of the parent
7 in meeting specified financial obligations pertaining to the
8 care of the child, including the reason for failure to comply
9 if such is the case.

10 (g) The appropriateness of the child's current
11 placement, including whether the child is in a setting which
12 is as family-like and as close to the parent's home as
13 possible, consistent with the child's best interests and
14 special needs, and including maintaining stability in the
15 child's educational placement.

16 (h) A projected date likely for the child's return
17 home or other permanent placement.

18 (i) When appropriate, the basis for the unwillingness
19 or inability of the parent to become a party to a case plan.
20 The court and the citizen review panel shall determine if the
21 efforts of the social service agency to secure party
22 participation in a case plan were sufficient.

23 (j) For a child between the ages of 13 and 18 years of
24 age, the adequacy of the child's preparation for adulthood and
25 independent living.

26 Section 3. Paragraph (c) of subsection (2) of section
27 1009.25, Florida Statutes, is amended to read:

28 1009.25 Fee exemptions.--

29 (2) The following students are exempt from the payment
30 of tuition and fees, including lab fees, at a school district
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1 that provides postsecondary career and technical programs,
2 community college, or state university:

3 (c) A student ~~to~~ whom the state has determined is
4 eligible for the ~~awarded~~ a Road-to-Independence Scholarship,
5 regardless of whether an award is issued or not, or a student
6 who is or was at the time he or she reached 18 years of age in
7 the custody of a relative under s. 39.5085, or who is adopted
8 from the Department of Children and Family Services after May
9 5, 1997. Such exemption includes fees associated with
10 enrollment in vocational-preparatory instruction and
11 completion of the college-level communication and computation
12 skills testing program. Such an exemption is available to any
13 student who was in the custody of a relative under s. 39.5085
14 at the time he or she reached 18 years of age or was adopted
15 from the Department of Children and Family Services after May
16 5, 1997; however, the exemption remains valid for no more than
17 4 years after the date of graduation from high school.

18 Section 4. This act shall take effect upon becoming a
19 law.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 512

4 Requires the Department of Children and Families to conduct an
5 independent living assessment and provide information on the
6 Road to Independence Scholarship at the age of 17 years.

7 Redesigns the Road to Independence Scholarship Program to
8 provide two types of scholarships with revisions to the
9 eligibility criteria, the maximum scholarship amounts, and the
10 method of determining the awards.

11 Replaces the Department of Children and Families' rulemaking
12 authority to proportionally reduce the scholarship awards if
13 funds are not sufficient with specific options in statute.

14 Prioritizes the Transitional Support Services for young adults
15 not receiving a Road to Independence Scholarship award.

16 Requires judicial review of the youths' preparation for
17 independent living.

18 Expands the tuition waiver for postsecondary education
19 institutions to include young adults eligible for the Road to
20 Independence Scholarship regardless of whether funds are
21 available to issue an award.

22 Expands the representation on the advisory group.

23 Recognizes community-based providers as entities that are
24 providing independent living transition services.

25 Creates enrollment periods for processing renewal awards.

26 Requires that annual local plans report on the expenditure of
27 funds.

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