

By the Committees on Governmental Oversight and Productivity;
Children and Families; and Senator Lynn

302-2018A-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; revising provisions
10 governing a young adult's preparation for
11 independent living; providing for the
12 department to conduct an independent-living
13 assessment and inform the child of the
14 Road-to-Independence Scholarship services;
15 requiring the department to conduct periodic
16 staffings; providing that delivery of services
17 is subject to the availability of funds;
18 stipulating the purpose of the aftercare
19 support services; expanding the aftercare
20 support services available; providing that
21 aftercare support services may be provided by
22 the department; requiring that assistance to
23 prevent homelessness be provided expeditiously;
24 revising the scholarship award amount; creating
25 a High School Scholarship Program and a
26 Postsecondary Education Scholarship Program;
27 providing the amounts for each award;
28 establishing eligibility criteria for each
29 program; providing renewal criteria for each
30 program; providing reinstatement requirements
31 for each program; providing for the age of

1 termination from each program; providing
2 requirements for the needs assessment for a
3 Postsecondary Education Scholarship; providing
4 strategies if sufficient program funds are not
5 available; providing for enrollment periods;
6 providing for restoration of reductions;
7 limiting the transitional support services that
8 young adults receiving a scholarship may
9 receive; requiring the department to establish
10 core expectations for independent living
11 transition service providers; requiring each
12 district or community-based care lead agency to
13 annually submit a plan for meeting core
14 expectations, a report containing outcomes, and
15 an accounting for the previous fiscal year;
16 requiring department authorization of plans for
17 expenditure of specified funds; requiring the
18 Department of Children and Family Services to
19 provide an appeals procedure following the
20 termination of services; abolishing the
21 Independent Living Services Workgroup; creating
22 the Independent Living Services Advisory
23 Council to review and evaluate the operation of
24 the department's independent living transition
25 services; providing for the activities and
26 duties of the Independent Living Services
27 Advisory Council; requiring the Independent
28 Living Services Advisory Council to report to
29 the Senate and the House of Representatives;
30 providing for membership on the advisory
31 council; providing for the Secretary of

1 Children and Family Services to appoint the
2 members and establish term lengths; eliminating
3 the department's rulemaking authority to
4 proportionally reduce the scholarship awards;
5 amending s. 39.701, F.S.; requiring that
6 information from the independent-living
7 assessment be provided to the courts; requiring
8 the court to attempt to determine the child's
9 preparation for independence; amending s.
10 1009.25, F.S.; revising requirements specifying
11 the students who are exempt from paying tuition
12 and fees; providing an effective date.

13

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

15

16 Section 1. Subsections (1), (2), (3), (4), (5), (6),
17 (7), and (9) of section 409.1451, Florida Statutes, are
18 amended to read:

19 409.1451 Independent living transition services.--

20 (1) SYSTEM OF SERVICES.--

21 (a) The Department of Children and Family Services, or
22 its agents, or community-based providers operating pursuant to
23 s. 409.1671 shall administer a system of independent living
24 transition services to enable older children in the legal
25 custody of the department ~~foster care~~ and young adults who
26 exit the legal custody of the department ~~foster care~~ at age 18
27 to make the transition to self-sufficiency as adults.

28 (b) The goals of independent living transition
29 services are to assist older children in the legal custody of
30 the department ~~foster care~~ and young adults who were formerly
31 in the legal custody of the department ~~foster care~~ to obtain

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

5 (c) State funds for foster care or federal funds shall
6 be used to establish a continuum of services for eligible
7 children in the legal custody of the department ~~foster care~~
8 and eligible young adults who were formerly in the legal
9 custody of the department ~~foster care~~ which accomplish the
10 goals for the independent living transition services and
11 provide the service components for services for ~~foster~~
12 children in the legal custody of the department, as provided
13 in subsection (3), and services for young adults who were
14 formerly in the legal custody of the department ~~foster care~~,
15 as provided in subsection (5).

16 (d) For children in the legal custody of the
17 department ~~foster care~~, independent living transition services
18 are not an alternative to adoption. Independent living
19 transition services may occur concurrently with continued
20 efforts to locate and achieve placement in adoptive families
21 for older children in the legal custody of the department
22 ~~foster care~~.

23 (2) ELIGIBILITY.--

24 (a) The department shall serve children who are 13 to
25 18 years of age and who are in the legal custody of the
26 department ~~foster care~~ through the program component of
27 services for ~~foster~~ children in the legal custody of the
28 department provided in subsection (3). Children to be served
29 must meet the eligibility requirements set forth for specific
30 services as provided in this section and through department
31 rule.

1 (b) The department shall serve young adults who are 18
2 to 23 years of age and who were in the legal custody of the
3 department ~~foster care~~ when they turned 18 years of age
4 through the program component of services for young adults who
5 were formerly in the legal custody of the department ~~foster~~
6 ~~care~~ in subsection (5). Children to be served must meet the
7 eligibility requirements set forth for specific services in
8 this section and through department rule.

9 (3) PROGRAM COMPONENT OF SERVICES FOR ~~FOSTER~~ CHILDREN
10 IN THE LEGAL CUSTODY OF THE DEPARTMENT.--The department shall
11 provide the following transition to independence services to
12 children in the legal custody of the department ~~foster care~~
13 who meet prescribed conditions and are determined eligible by
14 the department. The service categories available to children
15 in the legal custody of the department ~~foster care~~ which
16 facilitate successful transition into adulthood are:

17 (a) Preindependent-living services.--

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

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

25 (b) Life skills services.--

26 1. Life skills services may include, but are not
27 limited to, independent living skills training, educational
28 support, employment training, and counseling. The specific
29 services to be provided to a child shall be determined using
30 an independent life skills assessment.

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

4 (c) Subsidized independent living services.--

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

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

11 a. Is adjudicated dependent under chapter 39; has been
12 placed in licensed out-of-home care for at least 6 months
13 prior to entering subsidized independent living; and has a
14 permanency goal of adoption, independent living, or long-term
15 licensed care; and

16 b. Is able to demonstrate independent living skills,
17 as determined by the department, using established procedures
18 and assessments.

19 3. Independent living arrangements established for a
20 child must be part of an overall plan leading to the total
21 independence of the child from the department's supervision.
22 The plan must include, but need not be limited to, a
23 description of the skills of the child and a plan for learning
24 additional identified skills; the behavior that the child has
25 exhibited which indicates an ability to be responsible and a
26 plan for developing additional responsibilities, as
27 appropriate; a plan for future educational, vocational, and
28 training skills; present financial and budgeting capabilities
29 and a plan for improving resources and ability; a description
30 of the proposed residence; documentation that the child
31 understands the specific consequences of his or her conduct in

1 the independent living program; documentation of proposed
2 services to be provided by the department and other agencies,
3 including the type of service and the nature and frequency of
4 contact; and a plan for maintaining or developing
5 relationships with the family, other adults, friends, and the
6 community, as appropriate.

7 4. Subsidy payments in an amount established by the
8 department may be made directly to a child under the direct
9 supervision of a caseworker or other responsible adult
10 approved by the department.

11 (4) PREPARATION FOR INDEPENDENT LIVING PARTICIPATION
12 ~~IN LIFE SKILLS ACTIVITIES.~~--In order to assist older children
13 in the legal custody of the department foster care, ages 13 to
14 ~~18 years of age,~~with the transition to independent living as
15 adults, the program must provide them with opportunities to
16 participate in and learn from life skills activities in their
17 foster families and communities which are reasonable and
18 appropriate for their age and with services to build the
19 skills and ability to live independently and become
20 self-sufficient. ~~Such activities may include, but are not~~
21 ~~limited to, managing money earned from a job, taking driver's~~
22 ~~education, and participating in after-school or~~
23 ~~extracurricular activities.~~

24 (a) To support the provision of ~~these~~ opportunities
25 for participation in age-appropriate life skills activities,
26 the department may:

27 1.(a) Develop, with children in the program and their
28 foster parents, a list of age-appropriate activities and
29 responsibilities to be presented to all children involved in
30 independent living transition services and their foster
31 parents.

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

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

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

11 ~~5.(e)~~ Develop and implement procedures for older
12 children to directly access and manage the personal allowance
13 they receive from the department in order to learn
14 responsibility and participate in age-appropriate life skills
15 activities to the extent feasible.

16 (b) The department shall provide the following
17 services to each child in the legal custody of the department
18 by the first day of the calendar month following the child's
19 17th birthday:

20 1. An independent-living assessment to determine the
21 child's skills and abilities to live independently and become
22 self-sufficient and to determine whether the child possesses
23 those tangible skills and abilities needed for a successful
24 transition to adulthood and independence. Based on the results
25 of the independent-living assessment, services and training in
26 the transition to independent living shall be provided in
27 order for the child to develop the necessary skills and
28 abilities during the following year.

29 2. Detailed information on the Road-to-Independence
30 Scholarship services, including requirements for eligibility;
31 other grants, scholarships, and waivers that are available and

1 should be sought by the child with assistance from the
2 department, including, but not limited to, the Bright Futures
3 Scholarship Program, as provided in ss. 1009.53-1009.538;
4 application deadlines; and grade requirements.

5 (c) The department shall conduct staffings for each
6 child in the custody of the department to ensure that the
7 independent-living training and services identified by the
8 preindependent-living, life skills, and independent-living
9 assessments are being received and to evaluate the progress of
10 the child in developing the needed independent-living skills.
11 For children 13 through 15 years of age, a staffing shall be
12 conducted at least annually. For children 16 through 17 years
13 of age, a staffing shall be conducted at least every 6 months.

14 (5) PROGRAM COMPONENT OF SERVICES FOR YOUNG ADULTS
15 FORMERLY IN THE LEGAL CUSTODY OF THE DEPARTMENT ~~FOSTER~~
16 ~~CARE~~.--Based on the availability of funds, the department
17 shall provide or arrange for the following services to young
18 adults formerly in the legal custody of the department ~~foster~~
19 ~~care~~ who meet the prescribed conditions and are determined
20 eligible by the department. The delivery of all the services
21 of this subsection, including levels of services or reduction
22 of services, shall be subject to the availability of funds.
23 The categories of services available to assist a young adult
24 formerly in the legal custody of the department ~~foster care~~ to
25 achieve independence are:

26 (a) Aftercare support services.--

27 1. Aftercare support services are available to assist
28 young adults who were formerly children in the legal custody
29 of the department in their efforts to continue to develop the
30 skills and abilities necessary for independent living and to
31 provide temporary assistance to prevent homelessness. The

1 aftercare support services available include, but are not
2 limited to, the following referrals to resources in the
3 ~~community for:~~

- 4 a. Mentoring and tutoring.
- 5 b. Mental health services and substance abuse
6 counseling.
- 7 c. Life skills classes, including credit management
8 and preventive health activities.
- 9 d. Parenting classes.
- 10 e. Job skills training.
- 11 f. Counselor consultations.
- 12 g. Financial assistance to prevent homelessness.

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14 The specific services to be provided under this subparagraph
15 shall be determined by an aftercare services assessment and
16 may be provided by the department or through referrals in the
17 community. The temporary assistance ~~may be~~ provided to prevent
18 homelessness shall be provided as expeditiously as possible
19 and within the limitations defined by the department.

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

24 (b) Road-to-Independence Scholarship services
25 ~~Program.--~~

26 1. ~~The~~ Road-to-Independence Scholarship services are
27 ~~Program is~~ intended to help eligible students who were
28 formerly are former foster children in the legal custody of
29 the department this state to receive the educational and
30 vocational training needed to achieve independence. ~~The amount~~
31 ~~of the award shall equal the earnings that the student would~~

1 ~~have been eligible to earn working a 40-hour-a-week federal~~
2 ~~minimum wage job, after considering other grants and~~
3 ~~scholarships that are in excess of the educational~~
4 ~~institutions' fees and costs, and contingent upon available~~
5 ~~funds.~~ Students eligible for the Road-to-Independence
6 Scholarship services Program may also be eligible for
7 educational fee waivers for workforce development
8 postsecondary programs, community colleges, and universities,
9 pursuant to s. 1009.25(2)(c). The High School Scholarship
10 Program and the Postsecondary Education Scholarship Program
11 shall be made available to help eligible students achieve
12 their educational goals.

13 2. The High School Scholarship Program awards shall be
14 available as an educational support for young adults working
15 towards obtaining a high school diploma or its equivalent. The
16 amount of the High School Scholarship award shall be equal to
17 the amount of the subsidized independent living board rate.
18 The award may be provided as a continued payment to the foster
19 parent or, at the request of the young adult, paid directly to
20 the young adult.

21 a.2. A young adult 18 through 20 ~~to 21~~ years of age is
22 eligible for the initial award of the high school scholarship,
23 or its renewal ~~and a young adult under 23 years of age is~~
24 ~~eligible for renewal awards,~~ if he or she:

25 (I)a. ~~Was is~~ a dependent child, pursuant to chapter
26 39, and was in the legal custody of the department ~~is living~~
27 ~~in licensed foster care~~ or in subsidized independent living at
28 the time of his or her 18th birthday;

29 (II)b. ~~Has~~ Spent at least 6 months in the legal
30 custody of the department ~~living in foster care~~ before
31 reaching his or her 18th birthday;

1 ~~(III)~~e. Is a resident of this state as defined in s.
2 1009.40; and
3 ~~d. Meets one of the following qualifications:~~
4 ~~(I) Has earned a standard high school diploma or its~~
5 ~~equivalent as described in s. 1003.43 or s. 1003.435, and has~~
6 ~~been admitted for full-time enrollment in an eligible~~
7 ~~postsecondary education institution as defined in s. 1009.533;~~
8 ~~(IV)~~~~(II)~~ Is enrolled full time in an accredited high
9 school, ~~is within 2 years of graduation, and has maintained a~~
10 ~~grade point average of at least 2.0 on a scale of 4.0 for the~~
11 ~~two semesters preceding the date of his or her 18th birthday;~~
12 or
13 ~~(III)~~ is enrolled full time in an accredited adult
14 education program designed to provide the student with a high
15 school diploma or its equivalent, ~~is making satisfactory~~
16 ~~progress in that program as certified by the program, and is~~
17 ~~within 2 years of graduation.~~
18 b. In order to be eligible for a renewal award for the
19 subsequent year, the young adult must:
20 (I) Complete the number of hours or equivalent
21 considered full-time by the educational institution during the
22 last academic year; or
23 (II) Maintain appropriate progress as required by the
24 educational institution. If the young adult has not maintained
25 appropriate progress at any time during the eligibility
26 period, the young adult may restore eligibility by improving
27 his or her progress to the required level.
28 c. A High School Education Scholarship award recipient
29 who does not qualify for a renewal award or who chooses not to
30 renew the award may subsequently apply for reinstatement. An
31 application for reinstatement must be made before the young

1 adult reaches 21 years of age, and a young adult may not apply
2 for reinstatement more than once. In order to be eligible for
3 reinstatement, the young adult must meet the eligibility
4 criteria and the criteria for award renewal for the High
5 School Scholarship Program in the last year in which the young
6 adult received an award. However, a young adult who does not
7 meet the progress criteria of sub-subparagraph b. shall be
8 allowed one semester in the program. After one semester, the
9 renewal award criteria must be met in order for the young
10 adult to continue in the program.

11 d. The award of the High School Scholarship Program
12 shall be terminated when the young adult has attained a high
13 school diploma, or its equivalent, or reaches 21 years of age,
14 whichever occurs earlier.

15 3. The Postsecondary Education Scholarship Program
16 awards shall be available as an educational support for young
17 adults working toward completing a postsecondary education
18 program. The amount of the Postsecondary Education Scholarship
19 award shall be based on the living and education needs of the
20 young adult and may not exceed the amount equal to 150 percent
21 of the maximum amount allowed by the federal education and
22 training voucher.

23 a. A young adult 18 through 20 years of age is
24 eligible for the initial award of the Postsecondary Education
25 Scholarship, and a young adult younger than 23 years of age is
26 eligible for renewal awards, if he or she:

27 (I) Was a dependent child, pursuant to chapter 39, and
28 was in the legal custody of the department or in subsidized
29 independent living at the time of his or her 18th birthday;
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1 (II) Spent at least 6 months living in the legal
2 custody of the department before reaching his or her 18th
3 birthday;

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

6 (IV) Earned a standard or special high school diploma
7 or its equivalent as described in s. 1003.43, s. 1003.435, or
8 s. 1003.438, and has been admitted for full-time enrollment in
9 an eligible postsecondary education institution as defined in
10 s. 1009.5333.

11 b. A young adult applying for the Postsecondary
12 Education Scholarship Program must apply for any other grants
13 and scholarships for which he or she may qualify. The
14 department shall assist the young adult in applying for these
15 grants and scholarships.

16 c. The amount of the award from the Postsecondary
17 Education Scholarship Program shall be determined based on an
18 assessment of the funding needs of the young adult. This
19 assessment shall consider the young adult's living and
20 educational costs and other grants, scholarships, waivers,
21 earnings, and other income to be received by the young adult.
22 The department may use the federal financial aid grant process
23 to determine the funding needs of the young adult. The award
24 of the Postsecondary Education Scholarship shall be available
25 only if and to the extent that other grants and scholarships
26 are not sufficient to meet the living and educational needs of
27 the young adult, up to the level provided for in this
28 subparagraph. Pursuant to sub-subparagraph 4.d., the amount of
29 the scholarship award may be reduced due to insufficient
30 funds.

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

3 (I) Have completed the minimum number of full-time
4 hours or the equivalent number considered full-time by the
5 education institution during the last academic year, except
6 for a young adult who meets the requirements of s. 1009.41;
7 and

8 (II) Have maintained a cumulative 2.0 grade point
9 average.

10 e. 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 young adult may not apply for
15 reinstatement more than once. In order to be eligible for
16 reinstatement, the young adult must meet the eligibility
17 criteria and the criteria for award renewal for the
18 Postsecondary Education Scholarship Program in the last year
19 in which the young adult received an award, except that a
20 young adult who does not meet the grade point average
21 requirement in sub-subparagraph d. shall be allowed one
22 semester in the program. After one semester, the renewal award
23 criteria must be met in order for the young adult to continue
24 in the program.

25 f. The award of the Postsecondary Education
26 Scholarship Program shall be terminated when the young adult
27 has attained a bachelor of arts or bachelor of science degree,
28 or equivalent undergraduate degree, or reaches 23 years of
29 age, whichever occurs earlier.

30 4.3-a. The department must advertise the availability
31 of the Road-to-Independence Scholarship services Program and

1 must ensure that the children in the legal custody of the
2 department and young adults leaving foster care, foster
3 parents, or family services counselors are informed of the
4 availability of both scholarship programs ~~the program~~ and the
5 application procedures upon initial receipt of independent
6 living transition services, upon turning 17 years of age
7 pursuant to subsection (4), and upon leaving the legal custody
8 of the department at 18 years of age.

9 b. A young adult must apply for the initial award
10 during the 6 months immediately preceding his or her 18th
11 birthday. The department shall assist the young adult in
12 completing all forms necessary to determine eligibility for an
13 award. A young adult who fails to make an initial application,
14 but who otherwise meets the criteria for an initial award, may
15 make one application for the initial award if such application
16 is made before the young adult's 21st birthday.

17 c. If sufficient funding for the Road-to-Independence
18 Scholarship services ~~program~~ is available, the department
19 shall issue awards ~~from the scholarship program~~ for each young
20 adult who meets all the requirements of the program for the
21 full amount as provided for in subparagraph 2. or subparagraph
22 3.

23 d. If sufficient funding for the Road-to-Independence
24 Scholarship services is not available, the department may
25 execute any or all of the following strategies:

26 (I) Reduce the award from the Postsecondary Education
27 Scholarship Program to each young adult as follows: reduce the
28 awards during the award-issuance period, in which case the
29 reduction may not exceed 10 percent of the funding need
30 determined by the needs assessment for each young adult, and
31 reduce the award at the annual renewal of awards, in which

1 case the reduction may not exceed 25 percent of the need
2 determined by the needs assessment for each young adult. The
3 amount of the reduction shall be uniformly applied to all
4 young adults receiving a Postsecondary Education Scholarship
5 award, including young adults being issued new awards during a
6 reduction period, and reductions applied may not be
7 cumulative.

8 (II) Reduce the award from the High School Scholarship
9 Program to each young adult as follows: reduce the awards
10 during the award-issuance period, in which case the reduction
11 may not exceed 10 percent of the award amount, and reduce the
12 award at the annual renewal of awards, in which case the
13 reduction may not exceed 25 percent of the award amount. The
14 amount of the reduction shall be uniformly applied to all
15 young adults receiving a High School Scholarship award, except
16 as provided in sub-subparagraph e., and including young adults
17 being issued new awards during a reduction period. Reductions
18 applied may not be cumulative.

19 (III) Cease issuance of initial awards for either the
20 High School Scholarship Program or the Postsecondary
21 Scholarship Program or both and create a waiting list of
22 eligible young adults.

23 e. If the department must execute any or all of the
24 strategies identified in sub-subparagraph d., young adults who
25 are receiving an award from the High School Scholarship
26 Program and who are within 1 year of earning a high school
27 diploma or its equivalent shall have the highest priority for
28 maintaining the full award amount.

29 f. If funding becomes available after the department
30 has executed one or more of the strategies identified in
31 sub-subparagraph d., partial or full restoration of reductions

1 in awards may be issued or new awards may be issued to young
2 adults on the waiting list based on the department's
3 assessment of the availability of funds. Such actions may be
4 implemented notwithstanding the enrollment periods provided
5 for in sub-subparagraph k., but may not include retroactive
6 payments for the period during which the reduction in awards
7 or the waiting list was in place. Any restoration of
8 reductions must be uniformly applied to all young adults
9 receiving scholarship awards, except as provided in
10 sub-subparagraph e.

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

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

17 i.f. Awards issued under the Road-to-Independence
18 Scholarship services funds awarded to any eligible young adult
19 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 j.g. The department shall provide information
23 concerning young adults receiving the Road-to-Independence
24 Scholarship services to the Department of Education for
25 inclusion in the student financial assistance database, as
26 provided in s. 1009.94.

27 h. ~~Scholarship funds shall be terminated when the~~
28 ~~young adult has attained a bachelor of arts or bachelor of~~
29 ~~science degree, or equivalent undergraduate degree, or reaches~~
30 ~~23 years of age, whichever occurs earlier.~~

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1 ~~k.i.~~ The department shall determine eligibility for
2 new awards and for the annual renewals of the awards during
3 one of the 30-day enrollment periods. The department shall
4 establish a minimum of two 30-day enrollment periods. The two
5 minimum enrollment periods shall be held at the same time
6 period each year. Young adults shall be well-informed of their
7 designated enrollment period.~~evaluate and renew each award~~
8 ~~annually during the 90-day period before the young adult's~~
9 ~~birthday. In order to be eligible for a renewal award for the~~
10 ~~subsequent year, the young adult must:~~

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

15 ~~(II) Maintain the cumulative grade point average~~
16 ~~required by the scholarship program, except that, if the young~~
17 ~~adult's grades are insufficient to renew the scholarship at~~
18 ~~any time during the eligibility period, the young adult may~~
19 ~~restore eligibility by improving the grade point average to~~
20 ~~the required level.~~

21 l.j. An award Scholarship funds may be terminated
22 during the interim between an award and the annual renewal of
23 the award ~~evaluation for a renewal award~~ if the department
24 determines that the award recipient is no longer enrolled in
25 an educational institution as defined in sub-subparagraph 2.a.
26 or sub-subparagraph 3.a.2.d., or is no longer a state
27 resident. The department shall notify a student who is
28 terminated and inform the student of his or her right to
29 appeal.

30 ~~k.~~ ~~An award recipient who does not qualify for a~~
31 ~~renewal award or who chooses not to renew the award may~~

1 ~~subsequently apply for reinstatement. An application for~~
2 ~~reinstatement must be made before the young adult reaches 23~~
3 ~~years of age, and a student may not apply for reinstatement~~
4 ~~more than once. In order to be eligible for reinstatement, the~~
5 ~~young adult must meet the eligibility criteria and the~~
6 ~~criteria for award renewal for the scholarship program.~~

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

10 (c) Transitional support services.--

11 1. In addition to any services provided through
12 aftercare ~~after care~~ support or the Road-to-Independence
13 Scholarship, a young adult formerly in the legal custody of
14 the department ~~foster care~~, may receive other appropriate
15 short-term services, which may include financial, housing,
16 counseling, employment, education and other services, if the
17 young adult demonstrates that the services are critical to the
18 young adult's own efforts to achieve self-sufficiency and to
19 develop a personal support system.

20 2. A young adult formerly in the legal custody of the
21 department ~~foster care~~ is eligible to apply for transitional
22 support services if he or she is 18 through 22 ~~to 23~~ years of
23 age, was a dependent child pursuant to chapter 39, was in the
24 legal custody of the department ~~living in licensed foster care~~
25 or in subsidized independent living at the time of his or her
26 18th birthday, and had spent at least 6 months in the legal
27 custody of the department ~~living in foster care~~ before that
28 date. The amount expended annually for any financial
29 assistance provided through transitional support services to a
30 young adult receiving an award from the Road-to-Independence
31 Scholarship services may not exceed 25 percent of the annual

1 maximum scholarship award amount set forth in subparagraph
2 (b)2. or subparagraph (b)3., unless an increase is approved by
3 the secretary. Young adults not receiving a scholarship award
4 shall have 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; or the
31 termination of such services.

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

7 (6) ACCOUNTABILITY.--

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

10 (b) By January 31, 2005, the department shall
11 establish core expectations for independent living transition
12 services which must be met by each district and
13 community-based care lead agency. The core expectations must
14 be appropriate for specific age groups within the independent
15 living transition services program and, at a minimum, must
16 address the following aspects of the independent living
17 transition services program: allocation of resources between
18 youth under 18 years of age and young adults 18 years of age
19 and older; life skills development for youth under 18 years of
20 age; continued life skills development for young adults 18 to
21 23 years of age; linkages with other service systems such as
22 education, mental health, and developmental disabilities,
23 particularly for those youth approaching their 18th birthday;
24 and community partnerships.

25 (c)1. Each district and community-based care lead
26 agency shall annually prepare a written:

27 a. Plan for meeting the core expectations established
28 by the department pursuant to paragraph (b), which shall be
29 submitted to the department by April 30, 2005, and annually
30 thereafter; and

31

1 b. Report for the previous fiscal year which contains
2 a description of the outcomes of the district's or agency's
3 plan for meeting the core expectations and an accounting of
4 expenditures for independent living transition services. The
5 report shall be submitted to the department by August 31,
6 2006, and annually thereafter.

7 2. For the fiscal year beginning July 1, 2005, and for
8 each fiscal year thereafter, a district or community-based
9 care lead agency may not expend funds for independent living
10 transition services until the plan required by subparagraph
11 1.a. is approved by the department.

12 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL
13 WORKGROUP.--The Secretary of Children and Family Services
14 shall establish the Independent Living Services Advisory
15 Council for the purpose of reviewing and making
16 recommendations concerning the implementation and operation of
17 the independent living transition services. This advisory
18 council shall continue to function as specified in this
19 subsection until the Legislature determines that the advisory
20 council can no longer provide a valuable contribution to the
21 department's efforts to achieve the goals of the independent
22 living transition services.

23 (a) Specifically, the advisory council ~~workgroup,~~
24 which, at a minimum, shall include representatives from the
25 Department of Children and Family Services, the Agency for
26 Workforce Innovation, the Department of Education, the Agency
27 for Health Care Administration, the State Youth Advisory
28 Board, Workforce Florida, Inc., and foster parents. The
29 workgroup shall assess the implementation and operation of the
30 system of independent living transition services and advise
31 the department on actions that would improve the ability of

1 the independent living transition services to meet the
2 established goals. The advisory council ~~workgroup~~ shall keep
3 the department informed of problems being experienced with the
4 services, barriers to the effective and efficient integration
5 of services and support across systems, and successes that the
6 system of independent living transition services has achieved.
7 The department shall consider, but is not required to
8 implement, the recommendations of the advisory council
9 ~~workgroup~~.

10 (b) The advisory council shall develop recommendations
11 for core expectations that ensure that the goals of this
12 section are met statewide and conform to the requirements for
13 core expectations in paragraph (6)(b). These recommendations
14 shall be provided to the department on or before October 31,
15 2004. The advisory council shall participate in the
16 department's annual review of the plans and outcomes submitted
17 to the department pursuant to paragraph (6)(b).

18 (c) ~~For the 2002-2003 and 2003-2004 fiscal years,~~The
19 advisory council ~~workgroup~~ shall report to the appropriate
20 substantive committees of the Senate and the House of
21 Representatives on the status of the implementation of the
22 system of independent living transition services; efforts to
23 publicize the availability of aftercare support services, the
24 Road-to-Independence Scholarship Program, and transitional
25 support services; specific barriers to financial aid created
26 by the scholarship and possible solutions; the success of the
27 services; problems identified; recommendations for department
28 or legislative action; and the department's implementation of
29 the recommendations contained in the Independent Living
30 Services Integration Workgroup Report submitted to the Senate
31 and the House substantive committees December 31, 2002. This

1 advisory council ~~workgroup~~ report shall ~~is to~~ be submitted by
2 January 31, 2005 ~~December 31, 2003, and December 31, 2004,~~ and
3 shall be accompanied by a report from the department which
4 identifies the recommendations of the advisory council
5 ~~workgroup~~ and either describes the department's actions to
6 implement these recommendations or provides the department's
7 rationale for not implementing the recommendations. This
8 report must also contain the core expectations developed and
9 recommended to the department pursuant to paragraph (b).

10 (d) Members of the advisory council shall be appointed
11 by the secretary of the department. The membership of the
12 advisory council must include, at a minimum, representatives
13 from the headquarters and district offices of the Department
14 of Children and Family Services, community-based care lead
15 agencies, the Agency for Workforce Innovation, the Department
16 of Education, the Agency for Health Care Administration, the
17 State Youth Advisory Board, Workforce Florida, Inc., the
18 Statewide Guardian Ad Litem Office, foster parents, and
19 advocates for foster children. The secretary shall determine
20 the length of the term to be served by each member appointed
21 to the advisory council, which may not exceed 4 years.

22 (9) RULEMAKING.--The department shall adopt by rule
23 procedures to administer this section, ~~including provision for~~
24 ~~the proportional reduction of scholarship awards when adequate~~
25 ~~funds are not available for all applicants.~~ These rules shall
26 balance the goals of normalcy and safety for the youth and
27 provide the caregivers with as much flexibility as possible to
28 enable the youth to participate in normal life experiences.
29 The department shall engage in appropriate planning to
30 prevent, to the extent possible, a reduction in scholarship
31 awards after issuance.

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

4 39.701 Judicial review.--

5 (6)(a) Prior to every judicial review hearing or
6 citizen review panel hearing, the social service agency shall
7 make an investigation and social study concerning all
8 pertinent details relating to the child and shall furnish to
9 the court or citizen review panel a written report that
10 includes, but is not limited to:

11 1. A description of the type of placement the child is
12 in at the time of the hearing, including the safety of the
13 child and the continuing necessity for and appropriateness of
14 the placement.

15 2. Documentation of the diligent efforts made by all
16 parties to the case plan to comply with each applicable
17 provision of the plan.

18 3. The amount of fees assessed and collected during
19 the period of time being reported.

20 4. The services provided to the foster family or legal
21 custodian in an effort to address the needs of the child as
22 indicated in the case plan.

23 5. A statement that either:

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

27 b. The parent did substantially comply with the
28 provisions of the case plan; or

29 c. The parent has partially complied with the
30 provisions of the case plan, with a summary of additional
31 progress needed and the agency recommendations.

1 6. A statement from the foster parent or legal
2 custodian providing any material evidence concerning the
3 return of the child to the parent or parents.

4 7. A statement concerning the frequency, duration, and
5 results of the parent-child visitation, if any, and the agency
6 recommendations for an expansion or restriction of future
7 visitation.

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

12 9. The number of times a child's educational placement
13 has been changed, the number and types of educational
14 placements which have occurred, and the reason for any change
15 in placement.

16 10. If the child is between 13 and 18 years of age,
17 the results of the preindependent-living or independent-living
18 assessment, the specific services needed, and the status of
19 the delivery of the identified services.

20 ~~11.10.~~ Copies of all medical, psychological, and
21 educational records that support the terms of the case plan
22 and that have been produced concerning the child, parents, or
23 any caregiver since the last judicial review hearing.

24 (7) The court and any citizen review panel shall take
25 into consideration the information contained in the social
26 services study and investigation and all medical,
27 psychological, and educational records that support the terms
28 of the case plan; testimony by the social services agency, the
29 parent, the foster parent or legal custodian, the guardian ad
30 litem if one has been appointed for the child, and any other
31 person deemed appropriate; and any relevant and material

1 evidence submitted to the court, including written and oral
2 reports to the extent of their probative value. These reports
3 and evidence may be received by the court in its effort to
4 determine the action to be taken with regard to the child and
5 may be relied upon to the extent of their probative value,
6 even though not competent in an adjudicatory hearing. In its
7 deliberations, the court and any citizen review panel shall
8 seek to determine:

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

12 (b) If the parent has been advised of the right to
13 have counsel present at the judicial review or citizen review
14 hearings. If not so advised, the court or citizen review panel
15 shall advise the parent of such right.

16 (c) If a guardian ad litem needs to be appointed for
17 the child in a case in which a guardian ad litem has not
18 previously been appointed or if there is a need to continue a
19 guardian ad litem in a case in which a guardian ad litem has
20 been appointed.

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

24 (e) The compliance or lack of compliance with a
25 visitation contract between the parent and the social service
26 agency for contact with the child, including the frequency,
27 duration, and results of the parent-child visitation and the
28 reason for any noncompliance.

29 (f) The compliance or lack of compliance of the parent
30 in meeting specified financial obligations pertaining to the
31

1 care of the child, including the reason for failure to comply
2 if such is the case.

3 (g) The appropriateness of the child's current
4 placement, including whether the child is in a setting which
5 is as family-like and as close to the parent's home as
6 possible, consistent with the child's best interests and
7 special needs, and including maintaining stability in the
8 child's educational placement.

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

11 (i) When appropriate, the basis for the unwillingness
12 or inability of the parent to become a party to a case plan.
13 The court and the citizen review panel shall determine if the
14 efforts of the social service agency to secure party
15 participation in a case plan were sufficient.

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

19 Section 3. Paragraph (c) of subsection (2) of section
20 1009.25, Florida Statutes, is amended to read:

21 1009.25 Fee exemptions.--

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

26 (c) A student ~~to~~ whom the state has determined is
27 eligible for the ~~awarded~~ a Road-to-Independence Scholarship,
28 regardless of whether an award is issued or not, or a student
29 who is or was at the time he or she reached 18 years of age in
30 the custody of a relative under s. 39.5085, or who is adopted
31 from the Department of Children and Family Services after May

1 5, 1997. Such exemption includes fees associated with
2 enrollment in vocational-preparatory instruction and
3 completion of the college-level communication and computation
4 skills testing program. Such an exemption is available to any
5 student who was in the custody of a relative under s. 39.5085
6 at the time he or she reached 18 years of age or was adopted
7 from the Department of Children and Family Services after May
8 5, 1997; however, the exemption remains valid for no more than
9 4 years after the date of graduation from high school.

10 Section 4. This act shall take effect upon becoming a
11 law.

12
13 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
14 COMMITTEE SUBSTITUTE FOR
15 CS for Senate Bill 512

16 Clarifies that the High School Scholarships and Postsecondary
17 Education Scholarships are two separate award programs.
18 Provides that the High School Scholarship award is \$654.
19 Requires consideration of other grants and scholarships when
20 considering whether to award the Postsecondary Education
21 Scholarship. Revises the reduction levels for the scholarships
22 in the event of insufficient funds. Limits transitional
23 support services for scholarship recipients. Requires the
24 development of core expectations for independent living
25 transition services. Requires staffings and counselor
26 consultations for young adults between 18 and 23 years of age.
27 Redesignates the Independent Living Services Workgroup as an
28 advisory council. Broadens appeal process to include appeals
29 from decisions to terminate services. Clarifies that aftercare
30 services are available from the department as well as the
31 community. Amends high school diploma criteria for
Postsecondary Education Scholarships.