

1 A bill to be entitled
 2 An act relating to foster care; amending s. 409.1451,
 3 F.S.; revising eligibility requirements for awarding Road-
 4 to-Independence Scholarships and providing transitional
 5 support services to certain children in foster care and
 6 certain young adults formerly in foster care; providing an
 7 effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Paragraph (c) of subsection (4) and paragraphs
 12 (b) and (c) of subsection (5) of section 409.1451, Florida
 13 Statutes, are amended to read:

14 409.1451 Independent living transition services.--
 15 (1) SYSTEM OF SERVICES.--

16 (c) State funds for foster care or federal funds shall be
 17 used to establish a continuum of services for eligible children
 18 in foster care and eligible young adults who were formerly in
 19 foster care which accomplish the goals for the system of
 20 independent living transition services by providing services for
 21 foster children, pursuant to subsection (4), and services for
 22 young adults who were formerly in foster care, pursuant to
 23 subsection (5).

24 (2) ELIGIBILITY.--
 25 (a) The department shall serve children who have reached
 26 13 years of age but are not yet 18 years of age and who are in
 27 foster care by providing services pursuant to subsection (4).

28 Children to be served must meet the eligibility requirements set
 29 forth for specific services as provided in this section.

30 (b) The department shall serve young adults who have
 31 reached 18 years of age but are not yet 23 years of age and who
 32 were in foster care when they turned 18 years of age by
 33 providing services pursuant to subsection (5). Young adults to
 34 be served must meet the eligibility requirements set forth for
 35 specific services in this section.

36 (4) SERVICES FOR CHILDREN IN FOSTER CARE.--The department
 37 shall provide the following transition to independence services
 38 to children in foster care who meet prescribed conditions and
 39 are determined eligible by the department. The service
 40 categories available to children in foster care which facilitate
 41 successful transition into adulthood are:

42 (c) Subsidized independent living services.--

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

47 2. A child who has reached 16 years of age but is not yet
 48 18 years of age is eligible for such services if he or she:

49 a. Is adjudicated dependent under chapter 39; has been
 50 placed in ~~licensed~~ out-of-home care for at least 6 months prior
 51 to entering subsidized independent living; and has a permanency
 52 goal of adoption, independent living, or long-term licensed
 53 care; and

54 b. Is able to demonstrate independent living skills, as
 55 determined by the department, using established procedures and
 56 assessments.

57 3. Independent living arrangements established for a child
 58 must be part of an overall plan leading to the total
 59 independence of the child from the department's supervision. The
 60 plan must include, but need not be limited to, a description of
 61 the skills of the child and a plan for learning additional
 62 identified skills; the behavior that the child has exhibited
 63 which indicates an ability to be responsible and a plan for
 64 developing additional responsibilities, as appropriate; a plan
 65 for future educational, vocational, and training skills; present
 66 financial and budgeting capabilities and a plan for improving
 67 resources and ability; a description of the proposed residence;
 68 documentation that the child understands the specific
 69 consequences of his or her conduct in the independent living
 70 program; documentation of proposed services to be provided by
 71 the department and other agencies, including the type of service
 72 and the nature and frequency of contact; and a plan for
 73 maintaining or developing relationships with the family, other
 74 adults, friends, and the community, as appropriate.

75 4. Subsidy payments in an amount established by the
 76 department may be made directly to a child under the direct
 77 supervision of a caseworker or other responsible adult approved
 78 by the department.

79 (5) SERVICES FOR YOUNG ADULTS FORMERLY IN FOSTER
 80 CARE.--Based on the availability of funds, the department shall
 81 provide or arrange for the following services to young adults

82 formerly in foster care who meet the prescribed conditions and
 83 are determined eligible by the department. The categories of
 84 services available to assist a young adult formerly in foster
 85 care to achieve independence are:

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

87 1. The Road-to-Independence Scholarship Program is
 88 intended to help eligible students who are former foster
 89 children in this state to receive the educational and vocational
 90 training needed to achieve independence. The amount of the award
 91 shall be based on the living and educational needs of the young
 92 adult and may be up to, but may not exceed, the amount of
 93 earnings that the student would have been eligible to earn
 94 working a 40-hour-a-week federal minimum wage job.

95 2. A young adult who has reached 18 years of age but is
 96 not yet 21 years of age is eligible for the initial award, and a
 97 young adult under 23 years of age is eligible for renewal
 98 awards, if he or she:

99 a. Was a dependent child, under chapter 39, and was living
 100 in ~~licensed~~ foster care or in subsidized independent living at
 101 the time of his or her 18th birthday;

102 b. Spent at least 6 months living in foster care before
 103 reaching his or her 18th birthday;

104 c. Is a resident of this state as defined in s. 1009.40;
 105 and

106 d. Meets one of the following qualifications:

107 (I) Has earned a standard high school diploma or its
 108 equivalent as described in s. 1003.43 or s. 1003.435, or has
 109 earned a special diploma or special certificate of completion as

110 described in s. 1003.438, and has been admitted for full-time
111 enrollment in an eligible postsecondary education institution as
112 defined in s. 1009.533;

113 (II) Is enrolled full time in an accredited high school;
114 or

115 (III) Is enrolled full time in an accredited adult
116 education program designed to provide the student with a high
117 school diploma or its equivalent.

118 3. A young adult applying for a Road-to-Independence
119 Scholarship must apply for any other grants and scholarships for
120 which he or she may qualify. The department shall assist the
121 young adult in the application process and may use the federal
122 financial aid grant process to determine the funding needs of
123 the young adult.

124 4. The amount of the award, whether it is being used by a
125 young adult working toward completion of a high school diploma
126 or its equivalent or working toward completion of a
127 postsecondary education program, shall be determined based on an
128 assessment of the funding needs of the young adult. This
129 assessment must consider the young adult's living and
130 educational costs and other grants, scholarships, waivers,
131 earnings, and other income to be received by the young adult. An
132 award shall be available only to the extent that other grants
133 and scholarships are not sufficient to meet the living and
134 educational needs of the young adult, but an award may not be
135 less than \$25 in order to maintain Medicaid eligibility for the
136 young adult as provided in s. 409.903.

137 5.a. The department must advertise the availability of the
138 program and must ensure that the children and young adults
139 leaving foster care, foster parents, or family services
140 counselors are informed of the availability of the program and
141 the application procedures.

142 b. A young adult must apply for the initial award during
143 the 6 months immediately preceding his or her 18th birthday, and
144 the department shall provide assistance with the application
145 process. A young adult who fails to make an initial application,
146 but who otherwise meets the criteria for an initial award, may
147 make one application for the initial award if the application is
148 made before the young adult's 21st birthday. If the young adult
149 does not apply for an initial award before his or her 18th
150 birthday, the department shall inform that young adult of the
151 opportunity to apply before turning 21 years of age.

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

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

157 e. A young adult who is eligible for the Road-to-
158 Independence Program and who so desires shall be allowed to
159 reside with the ~~licensed~~ foster family or group care provider
160 with whom he or she was residing at the time of attaining his or
161 her 18th birthday or to reside in another ~~licensed~~ foster home
162 or with a group care provider arranged by the department.

163 f. If the award recipient transfers from one eligible
164 institution to another and continues to meet eligibility
165 requirements, the award must be transferred with the recipient.

166 g. Scholarship funds awarded to any eligible young adult
167 under this program are in addition to any other services
168 provided to the young adult by the department through its
169 independent living transition services.

170 h. The department shall provide information concerning
171 young adults receiving the Road-to-Independence Scholarship to
172 the Department of Education for inclusion in the student
173 financial assistance database, as provided in s. 1009.94.

174 i. Scholarship funds are intended to help eligible
175 students who are former foster children in this state to receive
176 the educational and vocational training needed to become
177 independent and self-supporting. The funds shall be terminated
178 when the young adult has attained one of four postsecondary
179 goals under subsection (3) or reaches 23 years of age, whichever
180 occurs earlier. In order to initiate postsecondary education, to
181 allow for a change in career goal, or to obtain additional
182 skills in the same educational or vocational area, a young adult
183 may earn no more than two diplomas, certificates, or
184 credentials. A young adult attaining an associate of arts or
185 associate of science degree shall be permitted to work toward
186 completion of a bachelor of arts or a bachelor of science degree
187 or an equivalent undergraduate degree. Road-to-Independence
188 Scholarship funds may not be used for education or training
189 after a young adult has attained a bachelor of arts or a

190 bachelor of science degree or an equivalent undergraduate
191 degree.

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

196 (I) Complete the number of hours, or the equivalent
197 considered full time by the educational institution, in the last
198 academic year in which the young adult earned a scholarship,
199 except for a young adult who meets the requirements of s.
200 1009.41.

201 (II) Maintain appropriate progress as required by the
202 educational institution, except that, if the young adult's
203 progress is insufficient to renew the scholarship at any time
204 during the eligibility period, the young adult may restore
205 eligibility by improving his or her progress to the required
206 level.

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

214 l. An award recipient who does not qualify for a renewal
215 award or who chooses not to renew the award may subsequently
216 apply for reinstatement. An application for reinstatement must
217 be made before the young adult reaches 23 years of age, and a

218 student may not apply for reinstatement more than once. In order
219 to be eligible for reinstatement, the young adult must meet the
220 eligibility criteria and the criteria for award renewal for the
221 scholarship program.

222 (c) Transitional support services.--

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

231 2. A young adult formerly in foster care is eligible to
232 apply for transitional support services if he or she has reached
233 18 years of age but is not yet 23 years of age, was a dependent
234 child pursuant to chapter 39, was living in ~~licensed~~ foster care
235 or in subsidized independent living at the time of his or her
236 18th birthday, and had spent at least 6 months living in foster
237 care before that date.

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

241 Section 2. This act shall take effect July 1, 2006.