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Proposed Committee Substitute by the Committee on Children,
Families, and Elder Affairs

1 A bill to be entitled
2 An act relating to independent living; amending s.
3 39.013, F.S.; requiring the court to retain
4 jurisdiction over a child until the child is 21 years
5 of age if the child elects to receive Foundations
6 First Program services; providing for an annual
7 judicial review; amending s. 39.6012, F.S.; requiring
8 assurance in a child's case plan that efforts were
9 made to avoid a change in the child's school;
10 requiring that the case plan contain procedures for an
11 older child to directly access and manage a personal
12 allowance; creating s. 39.6015, F.S.; providing
13 purpose and legislative intent with respect to the
14 provision of services for older children who are in
15 licensed care; requiring the documentation of
16 assurances that school stability is considered when a
17 child in care is moved; providing for the same
18 assurances for children with disabilities; defining
19 the term "school of origin"; requiring that the
20 Department of Children and Family Services or the
21 community-based provider provide reimbursement for the
22 costs of transportation provided for a child in care;
23 requiring changes in a child's school to be minimally
24 disruptive; specifying criteria to be considered by
25 the department and community-based provider during the
26 transition of a child to another school; requiring
27 children in care to attend school; requiring scheduled



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28 appointments to consider the child's school
29 attendance; providing penalties for caregivers who
30 refuse or fail to ensure that the child attends school
31 regularly; specifying who may serve as an education
32 advocate; requiring documentation that an education
33 advocate or surrogate parent has been designated or
34 appointed for a child in care; requiring a child in
35 middle school to complete an electronic personal
36 academic and career plan; requiring caregivers to
37 attend school meetings; specifying requirements for
38 individual education transition plan meetings for
39 children with disabilities; requiring that a child be
40 provided with information relating to the Road-to-
41 Independence Program; requiring that the caregiver or
42 education advocate attend parent-teacher conferences;
43 requiring that a caregiver be provided with access to
44 school resources in order to enable a child to achieve
45 educational success; requiring the delivery of a
46 curriculum model relating to self-advocacy; requiring
47 documentation of a child's progress, the services
48 needed, and the party responsible for providing
49 services; specifying choices for a child with respect
50 to diplomas and certificates for high school
51 graduation or completion; providing that a child with
52 a disability may stay in school until 22 years of age
53 under certain circumstances; requiring caregivers to
54 remain involved in the academic life of child in high
55 school; requiring documentation of a child's progress,
56 the services needed, and the party who is responsible



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57 for providing services; providing for a child to be
58 exposed to job-preparatory instruction, enrichment
59 activities, and volunteer and service opportunities,
60 including activities and services offered by the
61 Agency for Workforce Innovation; requiring that
62 children in care be afforded opportunities to
63 participate in the usual activities of school,
64 community, and family life; requiring caregivers to
65 encourage and support a child's participation in
66 extracurricular activities; requiring that
67 transportation be provided for a child; providing for
68 the development of a transition plan; specifying the
69 contents of a transition plan; requiring that the plan
70 be reviewed by the court; requiring that a child be
71 provided with specified documentation; requiring that
72 the transition plan be coordinated with the case plan
73 and a transition plan prepared pursuant to the
74 Individuals with Disabilities Education Act for a
75 child with disabilities; requiring the creation of a
76 notice that specifies the options that are available
77 to the child; requiring that community-based care lead
78 agencies and contracted providers report specified
79 data to the department and Legislature; amending s.
80 39.701, F.S.; conforming terminology; specifying the
81 required considerations during judicial review of a
82 child under the jurisdiction of the court; specifying
83 additional documents that must be provided to a child
84 and that must be verified at the judicial review;
85 requiring judicial review of a transition plan;



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86 amending s. 409.1451, F.S., relating to the Road-to-
87 Independence Program; creating the Foundations First
88 Program for young adults who want to remain in care
89 after reaching 18 years of age; providing eligibility,
90 termination, and reentry requirements for the program;
91 requiring a court hearing before termination;
92 providing for the development of a transition plan;
93 specifying the contents of the transition plan;
94 requiring that a young adult be provided with
95 specified documentation; requiring that the transition
96 plan be coordinated with the case plan and a
97 transition plan prepared pursuant to the Individuals
98 with Disabilities Education Act for a young adult with
99 disabilities; requiring the creation of a notice that
100 specifies the options that are available to the young
101 adult; requiring annual judicial reviews; creating the
102 College Bound Program for young adults who have
103 completed high school and have been admitted to an
104 eligible postsecondary institution; providing
105 eligibility requirements; providing for a stipend;
106 requiring satisfactory academic progress for
107 continuation of the stipend; providing for
108 reinstatement of the stipend; providing for
109 portability of services for a child or young adult who
110 moves out of the county or out of state; specifying
111 data required to be reported to the department and
112 Legislature; conforming terminology relating to the
113 Independent Living Services Advisory Council;
114 providing rulemaking authority to the Department of



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115 Children and Family Services; amending s. 409.903,
116 F.S.; conforming a cross-reference; requiring the
117 department to amend the case plan and judicial social
118 service review formats; providing for young adults
119 receiving transition services to continue to receive
120 existing services until their eligibility for that
121 benefit program expires; requiring the department to
122 develop a request for proposal for the creation of an
123 education advocacy system; requiring the department to
124 contract with a national nonprofit organization to
125 administer the Road-to-Independence Program; providing
126 an effective date.

127
128 Be It Enacted by the Legislature of the State of Florida:

129
130 Section 1. Subsection (2) of section 39.013, Florida
131 Statutes, is amended to read:

132 39.013 Procedures and jurisdiction; right to counsel.—

133 (2) The circuit court has exclusive original jurisdiction
134 of all proceedings under this chapter, of a child voluntarily
135 placed with a licensed child-caring agency, a licensed child-
136 placing agency, or the department, and of the adoption of
137 children whose parental rights have been terminated under this
138 chapter. Jurisdiction attaches when the initial shelter
139 petition, dependency petition, or termination of parental rights
140 petition is filed or when a child is taken into the custody of
141 the department. The circuit court may assume jurisdiction over
142 any such proceeding regardless of whether the child was in the
143 physical custody of both parents, was in the sole legal or



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144 physical custody of only one parent, caregiver, or some other
145 person, or was in the physical or legal custody of no person
146 when the event or condition occurred that brought the child to
147 the attention of the court. When the court obtains jurisdiction
148 of any child who has been found to be dependent, the court shall
149 retain jurisdiction, unless relinquished by its order, until the
150 child reaches 18 years of age. However, if a young adult youth
151 petitions the court at any time before his or her 19th birthday
152 requesting the court's continued jurisdiction, the juvenile
153 court may retain jurisdiction under this chapter for a period
154 not to exceed 1 year following the young adult's youth's 18th
155 birthday for the purpose of determining whether appropriate
156 ~~aftercare support, Road to Independence Program, transitional~~
157 ~~support, mental health, and developmental disability~~ services
158 that were required to be provided to the young adult before
159 reaching 18 years of age, to the extent otherwise authorized by
160 law, have been provided ~~to the formerly dependent child who was~~
161 ~~in the legal custody of the department immediately before his or~~
162 ~~her 18th birthday~~. If a young adult chooses to participate in
163 the Foundations First Program, the court shall retain
164 jurisdiction until the young adult leaves the program as
165 provided for in s. 409.1451(4). The court shall review the
166 status of the young adult at least every 12 months or more
167 frequently if the court deems it necessary. If a petition for
168 special immigrant juvenile status and an application for
169 adjustment of status have been filed on behalf of a foster child
170 and the petition and application have not been granted by the
171 time the child reaches 18 years of age, the court may retain
172 jurisdiction over the dependency case solely for the purpose of



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173 allowing the continued consideration of the petition and
174 application by federal authorities. Review hearings for the
175 child shall be set solely for the purpose of determining the
176 status of the petition and application. The court's jurisdiction
177 terminates upon the final decision of the federal authorities.
178 Retention of jurisdiction in this instance does not affect the
179 services available to a young adult under s. 409.1451. The court
180 may not retain jurisdiction of the case after the immigrant
181 child's 22nd birthday.

182 Section 2. Subsections (2) and (3) of section 39.6012,
183 Florida Statutes, are amended, and subsection (4) is added to
184 that section, to read:

185 39.6012 Case plan tasks; services.—

186 (2) The case plan must include all available information
187 that is relevant to the child's care including, at a minimum:

188 (a) A description of the identified needs of the child
189 while in care.

190 (b) A description of the plan for ensuring that the child
191 receives safe and proper care and that services are provided to
192 the child in order to address the child's needs. To the extent
193 available and accessible, the following health, mental health,
194 and education information and records of the child must be
195 attached to the case plan and updated throughout the judicial
196 review process:

- 197 1. The names and addresses of the child's health, mental
198 health, and educational providers;
- 199 2. The child's grade level performance;
- 200 3. The child's school record;
- 201 4. Assurances that the child's placement takes into account



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202 proximity to the school in which the child is enrolled at the
203 time of placement and that efforts were made to allow the child
204 to remain in that school if it is in the best interest of the
205 child;

206 5. A record of the child's immunizations;

207 6. The child's known medical history, including any known
208 problems;

209 7. The child's medications, if any; and

210 8. Any other relevant health, mental health, and education
211 information concerning the child.

212 (3) In addition to any other requirement, if the child is
213 in an out-of-home placement, the case plan must include:

214 (a) A description of the type of placement in which the
215 child is to be living.

216 (b) A description of the parent's visitation rights and
217 obligations and the plan for sibling visitation if the child has
218 siblings and is separated from them.

219 (c) When appropriate, for a child who is in middle school
220 or high school ~~13 years of age or older~~, a written description
221 of the programs and services that will help the child prepare
222 for the transition from ~~foster~~ care to independent living.

223 (d) A discussion of the safety and the appropriateness of
224 the child's placement, which placement is intended to be safe,
225 and the least restrictive and the most family-like setting
226 available consistent with the best interest and special needs of
227 the child and in as close proximity as possible to the child's
228 home.

229 (4) The case plan must contain procedures for an older
230 child to directly access and manage the personal allowance he or



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231 she receives from the department in order to learn
232 responsibility and participate, to the extent feasible, in age-
233 appropriate life skills activities.

234 Section 3. Section 39.6015, Florida Statutes, is created to
235 read:

236 39.6015 Services for older children in care.-

237 (1) PURPOSE AND INTENT.-The Legislature recognizes that
238 education and the other positive experiences of a child are key
239 to a successful future as an adult and that it is particularly
240 important for a child in care to be provided with opportunities
241 to succeed. The Legislature intends that individuals and
242 communities become involved in the education of a child in care,
243 address issues that will improve the educational outcomes for
244 the child, and find ways to ensure that the child values and
245 receives a high-quality education. Many professionals in the
246 local community understand these issues, and it is the intent of
247 the Legislature that biological parents, caregivers, educators,
248 advocates, the department and its community-based care
249 providers, guardians ad litem, and judges, in fulfilling their
250 responsibilities to the child, work together to ensure that an
251 older child in care has access to the same academic resources,
252 services, and extracurricular and enrichment activities that are
253 available to all children. Engaging an older child in a broad
254 range of the usual activities of family, school, and community
255 life during adolescence will help to empower the child in his or
256 her transition into adulthood and in living independently. The
257 Legislature intends for services to be delivered in an age-
258 appropriate and developmentally appropriate manner, along with
259 modifications or accommodations as may be necessary to include



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260 every child, specifically including a child with a disability.
261 It is also the intent of the Legislature that while services to
262 prepare an older child for life on his or her own are important,
263 these services will not diminish efforts to achieve permanency
264 goals of reunification, adoption, or permanent guardianship.

265 (2) EDUCATION PROVISIONS.—Perhaps more than any other
266 population, an older child in care is in need of a quality
267 education. The child depends on the school to provide positive
268 role models, to provide a network of relationships and
269 friendships that will help the child gain social and personal
270 skills, and to provide the educational opportunities and other
271 activities that are needed for a successful transition into
272 adulthood.

273 (a) Definitions.—As used in this section, the term:

274 1. "Caregiver" has the same meaning as provided in s.
275 39.01(10) and also includes a staff member of the group home or
276 facility in which the child resides.

277 2. "School of origin" means the school that the child
278 attended before coming into care or the school in which the
279 child was last enrolled. If the child is relocated outside the
280 area of the school of origin, the department and its community-
281 based providers shall provide the necessary support to the
282 caregiver so that the child can continue enrollment in the
283 school of origin if it is in the best interest of the child.

284 (b) School stability.—The mobility of a child in care can
285 disrupt the educational experience. Whenever a child enters
286 care, or is moved from one home to another, the proximity of the
287 new home to the child's school of origin shall be considered.
288 The case plan must include tasks or a plan for ensuring the



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289 child's educational stability while in care. As part of this
290 plan, the community-based care provider shall document
291 assurances that:

292 1. The appropriateness of the current educational setting
293 and the proximity to the school in which the child is enrolled
294 at the time of coming into care have been taken into
295 consideration.

296 2. The community-based care provider has coordinated with
297 the appropriate local school district to determine if the child
298 can remain in the school in which he or she is enrolled.

299 3. The child in care has been asked about his or her
300 educational preferences and needs, including his or her view on
301 whether to change schools when the living situation changes.

302 4. A child with a disability is allowed to continue in an
303 appropriate educational setting, regardless of changes to the
304 location of the home, and transportation is addressed and
305 provided in accordance with the child's individualized education
306 program. A child with a disability shall receive the protections
307 provided in federal and state law, including timelines for
308 evaluations, implementation of an individualized education plan
309 or an individual family service plan, and placement in the least
310 restrictive environment, even when the child changes school
311 districts.

312 5. The department and its community-based providers shall
313 provide special reimbursement for expenses associated with
314 transporting a child to his or her school of origin if the
315 school district does not provide transportation or the
316 individualized education plan does not include transportation as
317 a service. Transportation arrangements shall follow a route that



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318 is as direct and expedient for the child as is reasonably
319 possible.

320 (c) School transitions.—A change in schools, if necessary,
321 shall be as least disruptive as possible, and the support
322 necessary for a successful transition shall be provided by the
323 department, the community-based provider, and the caregiver. The
324 department and the community-based providers shall work with
325 school districts to develop and implement procedures to ensure
326 that a child in care:

327 1. Is enrolled immediately in a new school and can begin
328 classes promptly.

329 2. Does not experience a delay in enrollment and delivery
330 of appropriate services due to school or record requirements as
331 required by s. 1003.22.

332 3. Has education records that are comprehensive and
333 accurate and that promptly follow the child to a new school.

334 4. Is allowed to participate in all academic and
335 extracurricular programs, including athletics, when arriving at
336 a new school in the middle of a school term, even if normal
337 timelines have passed or programs are full. A district school
338 board or school athletic association, including the Florida High
339 School Athletic Association or successor, may not prevent, or
340 create barriers to, the ability of a child in care to
341 participate in age-appropriate extracurricular, enrichment, or
342 social activities.

343 5. Receives credit or partial credit for coursework
344 completed at the prior school.

345 6. Has the ability to receive a high school diploma even
346 when the child has attended multiple schools that have varying



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347 graduation requirements.

348 (d) School attendance.—A child in care shall attend school
349 as required by s. 1003.26.

350 1. The community-based care provider and caregiver shall
351 eliminate any barriers to attendance such as required school
352 uniforms or school supplies.

353 2. Appointments and court appearances for a child in care
354 shall be scheduled to minimize the impact on the child's
355 education and to ensure that the child is not penalized for
356 school time or work missed because of court hearings or
357 activities related to the child welfare case.

358 3. A caregiver who refuses or fails to ensure that a child
359 who is in his or her care attends school regularly is subject to
360 the same procedures and penalties as a parent under s. 1003.27.

361 (e) Education advocacy.—

362 1. A child in care shall have an adult caregiver who is
363 knowledgeable about schools and children in care and who serves
364 as an education advocate to reinforce the value of the child's
365 investment in education, to ensure that the child receives a
366 high-quality education, and to help the child plan for middle
367 school, high school, and postschool training, employment, or
368 college. The advocate may be a caregiver, care manager, guardian
369 ad litem, educator, or individual hired and trained for the
370 specific purpose of serving as an education advocate.

371 2. A child in care with disabilities who is eligible for
372 the appointment of a surrogate parent, as required in s.
373 39.0016, shall be assigned a surrogate in a timely manner, but
374 no later than 30 days after a determination that a surrogate is
375 needed.



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376 3. The community-based provider shall document in the
377 child's case plan that an education advocate has been identified
378 for each child in care or that a surrogate parent has been
379 appointed for each child in care with a disability.

380 (f) Academic requirements and support; middle school
381 students.—A child must complete the required courses that
382 include mathematics, English, social studies, and science in
383 order to be promoted from a state school composed of middle
384 grades 6, 7, and 8.

385 1. In addition to other academic requirements, a child must
386 complete one course in career and education planning in 7th or
387 8th grade. The course, as required by s. 1003.4156, must include
388 career exploration using Florida CHOICES Explorer or Florida
389 CHOICES Planner and must include educational planning using the
390 online student advising system known as Florida Academic
391 Counseling and Tracking for Students at the Internet website
392 FACTS.org.

393 a. Each child shall complete an electronic personalized
394 academic and career plan that must be signed by the child, the
395 child's teacher, guidance counselor, or academic advisor, and
396 the child's parent, caregiver, or other designated education
397 advocate. Any designated advocate must have the knowledge and
398 training to serve in that capacity.

399 b. The required personalized academic and career plan must
400 inform students of high school graduation requirements, high
401 school assessment and college entrance test requirements,
402 Florida Bright Futures Scholarship Program requirements, state
403 university and Florida College System institution admission
404 requirements, and programs through which a high school student



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405 may earn college credit, including Advanced Placement,
406 International Baccalaureate, Advanced International Certificate
407 of Education, dual enrollment, career academy opportunities, and
408 courses that lead to national industry certification.

409 c. A caregiver shall attend the parent meeting held by the
410 school to inform parents about the career and education planning
411 course curriculum and the activities associated with the
412 curriculum.

413 2. For a child with a disability, the decision whether to
414 work toward a standard diploma or a special diploma shall be
415 addressed at the meeting on the individual education transition
416 plan conducted during the child's 8th grade or the year the
417 child turns 14 years of age, whichever occurs first. The child
418 shall be invited to participate in this and each subsequent
419 transition plan meeting. At this meeting, the individual
420 education transition plan team, including the child, the
421 caregiver, and other designated education advocate, shall
422 determine whether a standard or special diploma best prepares
423 the child for his or her education and career goals after high
424 school.

425 a. The team shall plan the appropriate course of study,
426 which may include basic education courses, career education
427 courses, and exceptional student education courses.

428 b. The team shall identify any special accommodations,
429 modifications, and related services needed to help the child
430 participate fully in the educational program.

431 c. All decisions shall be documented on the individual
432 education transition plan, and this information shall be used to
433 guide the child's educational program as he or she enters high



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434 school.

435 3. A caregiver or the community-based care provider shall
436 provide the child with all information related to the Road-to-
437 Independence Program as provided in s. 409.1451.

438 4. A caregiver or another designated education advocate
439 shall attend parent-teacher conferences and monitor each child's
440 academic progress.

441 5. Each district school board, as required by s. 1002.23,
442 shall develop and implement a well-planned, inclusive, and
443 comprehensive program to assist parents and families in
444 effectively participating in their child's education. A school
445 district shall have available resources and services for parents
446 and their children, such as family literacy services; mentoring,
447 tutorial, and other academic reinforcement programs; college
448 planning, academic advisement, and student counseling services;
449 and after-school programs. A caregiver shall access these
450 resources as necessary to enable the child in his or her care to
451 achieve educational success.

452 6. A child in care, particularly a child with a disability,
453 shall be involved and engaged in all aspects of his or her
454 education and educational planning and must be empowered to be
455 an advocate for his or her education needs. Community-based care
456 providers shall enter into partnerships with school districts to
457 deliver curriculum on self-determination or self-advocacy to
458 engage and empower the child to be his or her own advocate,
459 along with support from the caregiver, community-based care
460 provider, guardian ad litem, teacher, school guidance counselor,
461 and other designated education advocate.

462 7. The community-based care provider shall document in the



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463 case plan evidence of the child's progress toward, and
464 achievement of, academic, life, social, and vocational skills.
465 The case plan shall be amended to fully and accurately reflect
466 the child's academic and career plan, identify the services and
467 tasks needed to support that plan, and identify the party
468 responsible for accomplishing the tasks or providing the needed
469 services.

470 (g) Academic requirements and support; high school
471 students.—Graduation from high school is essential for a child
472 to be able to succeed and live independently as an adult. In
473 Florida, 70 percent of children in care reach 18 years of age
474 without having obtained a high school diploma. It is the
475 responsibility of the department, its community-based providers,
476 and caregivers to ensure that a child in care is able to take
477 full advantage of every resource and opportunity in order to be
478 able to graduate from high school and be adequately prepared to
479 pursue postsecondary education at a college or university or to
480 acquire the education and skills necessary to enter the
481 workplace. In preparation for accomplishing education and career
482 goals after high school, the child must select the appropriate
483 course of study which best meets his or her needs.

484 1. An older child who plans to attend a college or
485 university after graduation must take certain courses to meet
486 state university admission requirements. The course requirements
487 for state university admission are the same for two Bright
488 Futures Scholarship awards, the Florida Academic Scholars award,
489 and the Florida Medallion Scholars award. By following this
490 course of study, which is required for state university
491 admission and recommended if the child intends to pursue an



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492 associate in arts degree at a Florida College System institution
493 and transfer to a college or university to complete a bachelor's
494 degree, the child will meet the course requirements for high
495 school graduation, state university admission, and two Bright
496 Futures Scholarship awards.

497 2. An older child who plans on a career technical program
498 in high school to gain skills for work or continue after
499 graduation at a Florida College System institution, technical
500 center, or registered apprenticeship program should choose a
501 course of study which meets the course requirements for high
502 school graduation, the third Bright Futures Scholarship award,
503 and the Florida Gold Seal Vocational Scholars award. This course
504 of study is recommended if the child intends to pursue a
505 technical certificate or license, an associate degree, or a
506 bachelor's degree, or wishes to gain specific career training.

507 3. An older child with a disability may choose to work
508 toward a standard diploma, a special diploma, or a certificate
509 of completion. The child shall be assisted in choosing a diploma
510 option by school and district staff through the development of
511 the individual education plan. The diploma choice shall be
512 reviewed each year at the child's individual education plan
513 meeting.

514 a. An older child or young adult with a disability who has
515 not earned a standard diploma or who has been awarded a special
516 diploma, certificate of completion, or special certificate of
517 completion before reaching 22 years of age may stay in school
518 until he or she reaches 22 years of age.

519 b. The school district shall continue to offer services
520 until the young adult reaches 22 years of age or until he or she



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521 earns a standard diploma, whichever occurs first, as required by
522 the Individuals with Disabilities Education Act.

523 4. This paragraph does not preclude an older child from
524 seeking the International Baccalaureate Diploma or the Advanced
525 International Certificate of Education Diploma.

526 5. Educational guidance and planning for high school shall
527 be based upon the decisions made during middle school.
528 Caregivers shall remain actively involved in the child's
529 academic life by attending parent-teacher conferences and by
530 taking advantage of available resources to enable the child to
531 achieve academic success.

532 6. The community-based care provider shall document in the
533 case plan evidence of the child's progress toward, and
534 achievement of, academic, life, social, and vocational skills.
535 The case plan shall be amended to completely reflect the child's
536 academic and career plan, identify the services and tasks needed
537 to support that plan, and identify the party responsible for
538 accomplishing the tasks or providing the needed services. At a
539 minimum, a case staffing must be held annually before the child
540 reaches 16 years of age and every 6 months thereafter to ensure
541 that the child's case plan is up to date.

542 7. Participation in workforce readiness activities is
543 essential for a child in care at the high school level to
544 prepare himself or herself to be a self-supporting and
545 productive adult. The caregiver and the community-based care
546 provider shall ensure that each child:

547 a. Who is interested in pursuing a career after high school
548 graduation is exposed to job-preparatory instruction in the
549 competencies that prepare students for effective entry into an



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550 occupation, including diversified cooperative education, work
551 experience, and job-entry programs that coordinate directed
552 study and on-the-job training.

553 b. Is provided with the opportunity to participate in
554 enrichment activities that increase the child's understanding of
555 the workplace, to explore careers, and to develop goal-setting,
556 decisionmaking, and time-management skills.

557 c. Is provided with volunteer and service learning
558 opportunities in order to develop workplace and planning skills,
559 self esteem, and personal leadership skills.

560 d. Is provided with an opportunity to participate in
561 activities and services provided by the Agency for Workforce
562 Innovation and its regional workforce boards which prepare all
563 young adults, including those with a disability, for the
564 workforce.

565 (3) EXTRACURRICULAR ACTIVITIES.—An older child in care
566 shall be accorded to the fullest extent possible the opportunity
567 to participate in the activities of community, school, and
568 family life.

569 (a) A caregiver shall encourage and support participation
570 in age-appropriate extracurricular and social activities for an
571 older child, including a child with a disability.

572 (b) A caregiver shall provide transportation for such
573 activities, and community-based care providers shall reimburse
574 the caregiver for the expenses associated with such activities,
575 including mileage reimbursement.

576 (c) The department and its community-based providers may
577 not place an older child in a home if the caregiver does not
578 encourage or facilitate participation in and provide



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579 transportation to the extracurricular activities of the child's
580 choice, unless other arrangements can be made by the community-
581 based care provider to enable the child's participation in such
582 activities.

583 (d) A caregiver's license or licensure status is not
584 affected by the age-appropriate actions of a child engaging in
585 activities while in his or her care.

586 (4) DEVELOPMENT OF THE TRANSITION PLAN.—If a child is
587 planning to leave care upon reaching 18 years of age, during the
588 180-day period before the child reaches 18 years of age, the
589 department and community-based care provider, in collaboration
590 with the caregiver, any other designated education advocate, and
591 any other individual whom the child would like to have included,
592 shall assist and support the older child in developing a
593 transition plan. The transition plan must take into account all
594 of the education and other skills achieved by the child in
595 middle and high school, must include specific options for the
596 child on housing, health insurance, education, local
597 opportunities for mentors and continuing support services, and
598 workforce support and employment services, and must be reviewed
599 by the court during the last review hearing before the child
600 reaches 18 years of age. In developing the plan, the department
601 and community-based provider shall:

602 (a) Provide the child with the documentation required in s.
603 39.701(7);

604 (b) Coordinate with local public and private entities in
605 designing the transition plan as appropriate;

606 (c) Coordinate the transition plan with the independent
607 living provisions in the case plan and the Individuals with



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608 Disabilities Education Act transition plan for a child with a
609 disability; and

610 (d) Create a clear and developmentally appropriate notice
611 specifying the options available for a young adult who chooses
612 to remain in care for a longer period. The notice must include
613 information about what services the child is eligible for and
614 how such services may be obtained.

615 (5) ACCOUNTABILITY.—

616 (a) The community-based care lead agencies and its
617 contracted providers shall report to the department the
618 following information:

619 1. The total number of children in care who are enrolled in
620 middle school, high school, adult high school, and GED programs
621 and, in a breakdown by age, how many had their living
622 arrangements change one time and how many were moved two or more
623 times. For the children who were moved, how many had to change
624 schools and how many of those changes were due to a lack of
625 transportation.

626 2. For those children for whom transportation was provided,
627 how many children were provided transportation, how the
628 transportation was provided, how it was paid for, and the amount
629 of the total expenditure by the lead agency.

630 3. The same information required in subparagraphs 1. and
631 2., specific to children in care with a disability.

632 4. In a breakdown by age, for those children who changed
633 schools at least once, how many children experienced problems in
634 the transition, what kinds of problems were encountered, and
635 what steps the lead agency and the caregiver took to remedy
636 those problems.



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637 5. In a breakdown by age, out of the total number of
638 children in care, the number of children who were absent from
639 school more than 10 days in a semester and the steps taken by
640 the lead agency and the caregiver to reduce absences.

641 6. Evidence that the lead agency has established a working
642 relationship with each school district in which a child in care
643 attends school.

644 7. In a breakdown by age, out of the total number of
645 children in care, the number who have documentation in the case
646 plan that either an education advocate or a surrogate parent has
647 been designated or appointed.

648 8. In a breakdown by age, out of the total number of
649 children in care, the number of children who have documentation
650 in the case plan that they have an education advocate who
651 regularly participates in parent-teacher meetings and other
652 school-related activities.

653 9. For those children in care who have finished 8th grade,
654 the number of children who have documentation in the case plan
655 that they have completed the academic and career plan required
656 by s. 1003.4156 and that the child and the caregiver have signed
657 the plan.

658 10. For those children in care who have a disability and
659 have finished 8th grade, the number of children who have
660 documentation in the case plan that they have had an individual
661 education transition plan meeting.

662 11. In a breakdown by age, the total number of children in
663 care who are in middle school or high school. For each age, the
664 number of children who are reading at or above grade level, the
665 number of children who have successfully completed the FCAT and



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666 end-of-course assessments, the number of children who have
667 dropped out of school, the number of children who have enrolled
668 in any dual enrollment or advanced placement courses, and the
669 number of children completing the required number of courses,
670 assessments, and hours needed to be promoted to the next grade
671 level.

672 12. With a breakdown by age, the total number of children
673 in care who are in middle school or high school. For each age,
674 the number of children who have documentation in the case plan
675 that they are involved in at least one extracurricular activity,
676 whether it is a school-based or community-based activity,
677 whether they are involved in at least one service or volunteer
678 activity, and who provides the transportation.

679 13. The total number of children in care who are 17 years
680 of age and who are obtaining services from the lead agency or
681 its contracted providers and how many of that total number have
682 indicated that they plan to remain in care after turning 18
683 years of age, and for those children who plan to leave care, how
684 many children have a transition plan.

685 14. A breakdown of documented expenses for children in
686 middle and high school.

687 (b) Each community-based care lead agency shall provide its
688 report to the department by September 30 of each year. The
689 department shall compile the reports from each community-based
690 care lead agency and provide them to the Legislature by December
691 31 of each year, with the first report due to the Legislature on
692 December 31, 2012.

693 Section 4. Subsections (7), (8), and (9) of section 39.701,
694 Florida Statutes, are amended to read:



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695 39.701 Judicial review.—

696 (7) (a) In addition to paragraphs (1) (a) and (2) (a), the
697 court shall hold a judicial review hearing within 90 days after
698 a child's youth's 17th birthday. The court shall also issue an
699 order, separate from the order on judicial review, that the
700 disability of nonage of the child youth has been removed
701 pursuant to s. 743.045. The court shall continue to hold timely
702 judicial review hearings thereafter. In addition, the court may
703 review the status of the child more frequently during the year
704 prior to the child's youth's 18th birthday if necessary. At each
705 review held under this subsection, in addition to any
706 information or report provided to the court, the caregiver
707 ~~foster parent~~, legal custodian, guardian ad litem, and the child
708 shall be given the opportunity to address the court with any
709 information relevant to the child's best interests, particularly
710 as it relates to the requirements of s. 39.6015 and the Road-to-
711 Independence Program under s. 409.1451 independent living
712 transition services. In addition to any information or report
713 provided to the court, the department shall include in its
714 judicial review social study report written verification that
715 the child has been provided with:

716 1. ~~Has been provided with~~ A current Medicaid card and ~~has~~
717 ~~been provided~~ all necessary information concerning the Medicaid
718 program sufficient to prepare the child youth to apply for
719 coverage upon reaching age 18, if such application would be
720 appropriate.

721 2. ~~Has been provided with~~ A certified copy of his or her
722 birth certificate and, if the child does not have a valid
723 driver's license, a Florida identification card issued under s.



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724 322.051.

725 3. A social security card and ~~Has been provided~~ information
726 relating to Social Security Insurance benefits if the child is
727 eligible for these benefits. If the child has received these
728 benefits and they are being held in trust for the child, a full
729 accounting of those funds must be provided and the child must be
730 informed about how to access those funds.

731 ~~4. Has been provided with information and training related~~
732 ~~to budgeting skills, interviewing skills, and parenting skills.~~

733 ~~4.5.~~ Has been provided with All relevant information
734 related to the Road-to-Independence Program, including, but not
735 limited to, eligibility requirements, information on how forms
736 necessary to participate apply, and assistance in gaining
737 admission to the program ~~completing the forms.~~ The child shall
738 also be informed that, if he or she is eligible for the Road-to-
739 Independence Program, he or she may reside with the licensed
740 ~~foster~~ family or group care provider with whom the child was
741 residing at the time of attaining his or her 18th birthday or
742 may reside in another licensed ~~foster~~ home or with a group care
743 provider arranged by the department.

744 ~~5.6.~~ An opportunity to ~~Has an~~ open a bank account, or
745 obtain ~~has~~ identification necessary to open an account, and has
746 been provided with essential banking and budgeting skills.

747 ~~6.7.~~ ~~Has been provided with~~ Information on public
748 assistance and how to apply.

749 ~~7.8.~~ ~~Has been provided~~ A clear understanding of where he or
750 she will be living on his or her 18th birthday, how living
751 expenses will be paid, and in what educational program or school
752 he or she will be enrolled ~~in~~.



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753 ~~8.9. Information related to the ability Has been provided~~
754 ~~with notice of the child youth's right to remain in care until~~
755 ~~he or she reaches 21 years of age petition for the court's~~
756 ~~continuing jurisdiction for 1 year after the youth's 18th~~
757 ~~birthday as specified in s. 39.013(2) and with information on~~
758 ~~how to participate in the Road-to-Independence Program obtain~~
759 ~~access to the court.~~

760 9. A letter providing the dates that the child was under
761 the jurisdiction of the court.

762 10. A letter stating that the child was in care, in
763 compliance with financial aid documentation requirements.

764 11. His or her entire educational records.

765 12. His or her entire health and mental health records.

766 13. The process for accessing his or her case file.

767 ~~14.10. Encouragement Has been encouraged~~ to attend all
768 judicial review hearings occurring after his or her 17th
769 birthday.

770 (b) At the first judicial review hearing held subsequent to
771 the child's 17th birthday, in addition to the requirements of
772 subsection (8), the department shall provide the court with an
773 updated case plan that includes specific information related to
774 the provisions of s. 39.6015, independent living services that
775 ~~have been provided since the child entered middle school child's~~
776 ~~13th birthday,~~ or since the date the child came into foster
777 care, whichever came later.

778 (c) At the last judicial review hearing held before the
779 child's 18th birthday, in addition of the requirements of
780 subsection (8), the department shall provide to the court for
781 review the transition plan for a child who is planning to leave



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782 care after reaching his or her 18th birthday.

783 (d) ~~(e)~~ At the time of a judicial review hearing held
784 pursuant to this subsection, if, in the opinion of the court,
785 the department has not complied with its obligations as
786 specified in the written case plan or in the provision of
787 ~~independent living~~ services as required by s. 39.6015, s.
788 409.1451, and this subsection, the court shall issue a show
789 cause order. If cause is shown for failure to comply, the court
790 shall give the department 30 days within which to comply and, on
791 failure to comply with this or any subsequent order, the
792 department may be held in contempt.

793 (8) (a) Before every judicial review hearing or citizen
794 review panel hearing, the social service agency shall make an
795 investigation and social study concerning all pertinent details
796 relating to the child and shall furnish to the court or citizen
797 review panel a written report that includes, but is not limited
798 to:

799 1. A description of the type of placement the child is in
800 at the time of the hearing, including the safety of the child
801 and the continuing necessity for and appropriateness of the
802 placement.

803 2. Documentation of the diligent efforts made by all
804 parties to the case plan to comply with each applicable
805 provision of the plan.

806 3. The amount of fees assessed and collected during the
807 period of time being reported.

808 4. The services provided to the caregiver ~~foster family~~ or
809 legal custodian in an effort to address the needs of the child
810 as indicated in the case plan.



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- 811 5. A statement that either:
- 812 a. The parent, though able to do so, did not comply
- 813 substantially with the case plan, and the agency
- 814 recommendations;
- 815 b. The parent did substantially comply with the case plan;
- 816 or
- 817 c. The parent has partially complied with the case plan,
- 818 with a summary of additional progress needed and the agency
- 819 recommendations.
- 820 6. A statement from the caregiver ~~foster parent~~ or legal
- 821 custodian providing any material evidence concerning the return
- 822 of the child to the parent or parents.
- 823 7. A statement concerning the frequency, duration, and
- 824 results of the parent-child visitation, if any, and the agency
- 825 recommendations for an expansion or restriction of future
- 826 visitation.
- 827 8. The number of times a child has been removed from his or
- 828 her home and placed elsewhere, the number and types of
- 829 placements that have occurred, and the reason for the changes in
- 830 placement.
- 831 9. The number of times a child's educational placement has
- 832 been changed, the number and types of educational placements
- 833 which have occurred, and the reason for any change in placement.
- 834 10. If the child has entered middle school ~~reached 13 years~~
- 835 ~~of age~~ but is not yet 18 years of age, the specific information
- 836 contained in the case plan related to the provisions of s.
- 837 39.6015 results of the preindependent living, life skills, or
- 838 independent living assessment; the specific services needed; and
- 839 the status of the delivery of the identified services.



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840 11. Copies of all medical, psychological, and educational
841 records that support the terms of the case plan and that have
842 been produced concerning the parents or any caregiver since the
843 last judicial review hearing.

844 12. Copies of the child's current health, mental health,
845 and education records as identified in s. 39.6012.

846 (b) A copy of the social service agency's written report
847 and the written report of the guardian ad litem must be served
848 on all parties whose whereabouts are known; to the caregivers
849 ~~foster parents~~ or legal custodians; and to the citizen review
850 panel, at least 72 hours before the judicial review hearing or
851 citizen review panel hearing. The requirement for providing
852 parents with a copy of the written report does not apply to
853 those parents who have voluntarily surrendered their child for
854 adoption or who have had their parental rights to the child
855 terminated.

856 (c) In a case in which the child has been permanently
857 placed with the social service agency, the agency shall furnish
858 to the court a written report concerning the progress being made
859 to place the child for adoption. If the child cannot be placed
860 for adoption, a report on the progress made by the child towards
861 alternative permanency goals or placements, including, but not
862 limited to, guardianship, long-term custody, long-term licensed
863 custody, or independent living, must be submitted to the court.
864 The report must be submitted to the court at least 72 hours
865 before each scheduled judicial review.

866 (d) In addition to or in lieu of any written statement
867 provided to the court, the caregiver ~~foster parent~~ or legal
868 custodian, or any preadoptive parent, shall be given the



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869 opportunity to address the court with any information relevant
870 to the best interests of the child at any judicial review
871 hearing.

872 (9) The court and any citizen review panel shall take into
873 consideration the information contained in the social services
874 study and investigation and all medical, psychological, and
875 educational records that support the terms of the case plan;
876 testimony by the social services agency, the parent, the
877 caregiver ~~foster parent~~ or legal custodian, the guardian ad
878 litem or surrogate parent for educational decisionmaking if one
879 has been appointed for the child, and any other person deemed
880 appropriate; and any relevant and material evidence submitted to
881 the court, including written and oral reports to the extent of
882 their probative value. These reports and evidence may be
883 received by the court in its effort to determine the action to
884 be taken with regard to the child and may be relied upon to the
885 extent of their probative value, even though not competent in an
886 adjudicatory hearing. In its deliberations, the court and any
887 citizen review panel shall seek to determine:

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

891 (b) If the parent has been advised of the right to have
892 counsel present at the judicial review or citizen review
893 hearings. If not so advised, the court or citizen review panel
894 shall advise the parent of such right.

895 (c) If a guardian ad litem needs to be appointed for the
896 child in a case in which a guardian ad litem has not previously
897 been appointed or if there is a need to continue a guardian ad



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898 litem in a case in which a guardian ad litem has been appointed.

899 (d) Who holds the rights to make educational decisions for
900 the child. If appropriate, the court may refer the child to the
901 district school superintendent for appointment of a surrogate
902 parent or may itself appoint a surrogate parent under the
903 Individuals with Disabilities Education Act and s. 39.0016.

904 (e) The compliance or lack of compliance of all parties
905 with applicable items of the case plan, including the parents'
906 compliance with child support orders.

907 (f) The compliance or lack of compliance with a visitation
908 contract between the parent and the social service agency for
909 contact with the child, including the frequency, duration, and
910 results of the parent-child visitation and the reason for any
911 noncompliance.

912 (g) The compliance or lack of compliance of the parent in
913 meeting specified financial obligations pertaining to the care
914 of the child, including the reason for failure to comply if such
915 is the case.

916 (h) Whether the child is receiving safe and proper care
917 according to s. 39.6012, including, but not limited to, the
918 appropriateness of the child's current placement, including
919 whether the child is in a setting that is as family-like and as
920 close to the parent's home as possible, consistent with the
921 child's best interests and special needs, and including
922 maintaining stability in the child's educational placement, as
923 documented by assurances from the community-based care provider
924 that:

925 1. The placement of the child takes into account the
926 appropriateness of the current educational setting and the



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927 proximity to the school in which the child is enrolled at the
928 time of placement.

929 2. The community-based care agency has coordinated with
930 appropriate local educational agencies to ensure that the child
931 remains in the school in which the child is enrolled at the time
932 of placement.

933 (i) A projected date likely for the child's return home or
934 other permanent placement.

935 (j) When appropriate, the basis for the unwillingness or
936 inability of the parent to become a party to a case plan. The
937 court and the citizen review panel shall determine if the
938 efforts of the social service agency to secure party
939 participation in a case plan were sufficient.

940 (k) For a child who has entered middle school ~~reached 13~~
941 ~~years of age~~ but is not yet 18 years of age, the progress the
942 child has made in achieving the goals outlined in s. 39.6015
943 ~~adequacy of the child's preparation for adulthood and~~
944 ~~independent living.~~

945 Section 5. Section 409.1451, Florida Statutes, is amended
946 to read:

947 (Substantial rewording of section. See
948 s. 409.1451, F.S., for present text).

949 409.1451 The Road-to-Independence Program.-The Legislature
950 recognizes that most children and young adults are resilient
951 and, with adequate support, can expect to be successful as
952 independent adults. Not unlike all young adults, some young
953 adults who have lived in care need additional resources and
954 support for a period of time after reaching 18 years of age. The
955 Legislature intends for these young adults to receive the



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956 education, training, and health care services necessary for them
957 to become self-sufficient through the Road-to-Independence
958 Program. A young adult who participates in the Road-to-
959 Independence Program may choose to remain in care until 21 years
960 of age and receive help achieving his or her postsecondary goals
961 by participating in the Foundations First Program, or he or she
962 may choose to receive financial assistance to attend college
963 through the College Bound Program.

964 (1) THE FOUNDATIONS FIRST PROGRAM.—The Foundations First
965 Program is designed for young adults who have reached 18 years
966 of age but are not yet 21 years of age, and who need to finish
967 high school or who have a high school diploma, or its
968 equivalent, and want to achieve additional goals. These young
969 adults are ready to try postsecondary or vocational education,
970 try working part-time or full-time, or need help with issues
971 that might stand in their way of becoming employed. Young adults
972 who are unable to participate in any of these programs or
973 activities full time due to an impairment, including behavioral,
974 developmental, and cognitive disabilities, might also benefit
975 from remaining in out-of-home care longer.

976 (a) Eligibility; termination; and reentry.—

977 1. A young adult in care who spent at least 6 months in
978 care before reaching 18 years of age is eligible for the
979 Foundations First Program if he or she is:

980 a. Completing secondary education or a program leading to
981 an equivalent credential;

982 b. Enrolled in an institution that provides postsecondary
983 or vocational education;

984 c. Participating in a program or activity designed to



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985 promote, or eliminate barriers to, employment;
986 d. Employed for at least 80 hours per month; or
987 e. Unable to participate in these programs or activities
988 full time due to a physical, intellectual, emotional, or
989 psychiatric condition that limits participation. Any such
990 restriction to participation must be supported by information in
991 the young adult's case file or school or medical records of a
992 physical, intellectual, or psychiatric condition that impairs
993 the young adult's ability to perform one or more life
994 activities.
995 2. The young adult in care must leave the Foundations First
996 Program on the earliest of the date the young adult:
997 a. Knowingly and voluntarily withdraws his or her consent
998 to participate;
999 b. Leaves care to live in a permanent home consistent with
1000 his or her permanency plan;
1001 c. Reaches 21 years of age;
1002 d. Becomes incarcerated in an adult or juvenile justice
1003 facility; or
1004 e. In the case of a young adult with a disability, reaches
1005 22 years of age.
1006 3. Notwithstanding the provisions of this paragraph, the
1007 department may not close a case and the court may not terminate
1008 its jurisdiction until it finds, following a hearing held after
1009 notice to all parties, that the following criteria have been
1010 met:
1011 a. Attendance of the young adult at the hearing; or
1012 b. Findings by the court that:
1013 (I) The young adult has been informed by the department of



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1014 his or her right to attend the hearing and has provided written
1015 consent to waive this right;

1016 (II) The young adult has been informed of the potential
1017 negative effects of terminating care early, the option to
1018 reenter care before reaching 21 years of age, the procedure to,
1019 and limitations on, reentering care, the availability of
1020 alternative services, and that the young adult has signed a
1021 document attesting that he or she has been so informed and
1022 understands these provisions; and

1023 (III) The department and the community-based care provider
1024 have complied with the case plan and any individual education
1025 plan. At the time of this judicial hearing, if, in the opinion
1026 of the court, the department and community-based provider have
1027 not complied with their obligations as specified in the case
1028 plan and any individual education plan, the court shall issue a
1029 show cause order. If cause is shown for failure to comply, the
1030 court shall give the department and community-based provider 30
1031 days within which to comply and, upon failure to comply with
1032 this or any subsequent order, the department and community-based
1033 provider may be held in contempt.

1034 4. A young adult who left care at or after reaching his or
1035 her 18th birthday, but before reaching age 21, may be
1036 automatically readmitted to the program by applying to the
1037 community-based care provider. The community-based care provider
1038 shall readmit the young adult if he or she is engaged in the
1039 programs or activities described in this paragraph. Any
1040 additional readmissions require that the young adult petition
1041 the court to resume jurisdiction. The department and community-
1042 based provider shall update the case plan within 30 days after



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1043 the young adult comes back into the Foundations First Program.

1044 (b) Benefits and requirements.—

1045 1. A stipend shall be available to a young adult who is
1046 considered a full-time student or its equivalent by the
1047 educational institution in which he or she is enrolled, unless
1048 that young adult has a recognized disability preventing full-
1049 time attendance. The amount of the award, whether it is being
1050 used by a young adult working toward completion of a high school
1051 diploma or its equivalent or working toward completion of a
1052 postsecondary education program, shall be determined based on an
1053 assessment of the funding needs of the young adult. This
1054 assessment must consider the young adult's living and
1055 educational costs based on the actual cost of attendance, and
1056 other grants, scholarships, waivers, earnings, or other income
1057 to be received by the young adult. An award shall be available
1058 only to the extent that other grants and scholarships are not
1059 sufficient to meet the living and educational needs of the young
1060 adult, but an award may not be less than \$25 in order to
1061 maintain Medicaid eligibility for the young adult as provided in
1062 s. 409.903.

1063 2. The young adult must reside in a semi-supervised living
1064 arrangement. For the purposes of this requirement, a "semi-
1065 supervised living arrangement" includes foster homes, college
1066 dormitories, shared housing, semi-supervised apartments,
1067 supervised apartments, or another housing arrangement approved
1068 by the provider and acceptable to the young adult.

1069 3. Payment of the stipend shall be made directly on the
1070 recipient's behalf in order to secure housing and utilities,
1071 with the balance being paid directly to the young adult.



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1072 (c) Transition plan.—For all young adults during the 180-
1073 day period immediately before leaving care, before reaching 21
1074 years of age, or after leaving care on or after reaching 21
1075 years of age, the department and the community-based care
1076 provider, in collaboration with the caregiver, any other
1077 designated education advocate, or any other individual whom the
1078 young adult would like to include, shall assist and support the
1079 young adult in developing a transition plan. The transition plan
1080 must take into account all of the education and other
1081 achievements of the young adult, include specific options for
1082 the young adult for housing, health insurance, education, local
1083 opportunities for mentors and continuing support services, and
1084 workforce support and employment services, and must be reviewed
1085 by the court during the last review hearing before the child
1086 leaves care. In developing the plan, the department and
1087 community-based provider shall:

1088 1. Provide the young adult with the documentation required
1089 in s. 39.701(7);

1090 2. Coordinate with local public and private entities in
1091 designing the transition plan as appropriate;

1092 3. Coordinate the transition plan with the independent
1093 living provisions in the case plan and the Individuals with
1094 Disabilities Education Act transition plan for a young adult
1095 with disabilities; and

1096 4. Create a clear and developmentally appropriate notice
1097 specifying the rights of a young adult who is leaving care. The
1098 notice must include information about what services the young
1099 adult may be eligible for and how such services may be obtained.
1100 The plan must clearly identify the young adult's goals and the



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1101 work that will be required to achieve those goals.

1102 (d) Periodic reviews for young adults.—

1103 1. For any young adult who continues to remain in care on
1104 or after reaching 18 years of age, the department and community-
1105 based provider shall implement a case review system that
1106 requires:

1107 a. A judicial review at least once a year;

1108 b. The court to maintain oversight to ensure that the
1109 department is coordinating with the appropriate agencies, and,
1110 as otherwise permitted, maintains oversight of other agencies
1111 involved in implementing the young adult's case plan and
1112 individual education plan;

1113 c. The department to prepare and present to the court a
1114 report, developed in collaboration with the young adult,
1115 addressing the young adult's progress in meeting the goals in
1116 the case plan and individual education plan, and shall propose
1117 modifications as necessary to further those goals;

1118 d. The court to determine whether the department and any
1119 service provider under contract with the department is providing
1120 the appropriate services as identified in the case plan and any
1121 individual education plan. If the court decides that the young
1122 adult is entitled to additional services in order to achieve the
1123 goals enumerated in the case plan, under the department's
1124 policies, or under a contract with a service provider, the court
1125 may order the department to take action to ensure that the young
1126 adult receives the identified services and remediation for any
1127 failure to timely provide identified services; and

1128 e. The young adult or any other party to the dependency
1129 case may request an additional hearing or review.



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1130 2. In all permanency hearings or hearings regarding the
1131 transition of the young adult from care to independent living,
1132 the court shall consult, in an age-appropriate manner, with the
1133 young adult regarding the proposed permanency, case plan, and
1134 individual education plan for the young adult.

1135 (2) THE COLLEGE BOUND PROGRAM.—

1136 (a) Purpose.—This program is designed for young adults who
1137 are 18 years of age but are not yet 23 years of age, have
1138 graduated from high school, have been accepted into college, and
1139 need a minimum of support from the state other than the
1140 financial resources to attend college.

1141 (b) Eligibility; termination; and reentry.—

1142 1. A young adult who has earned a standard high school
1143 diploma or its equivalent as described in s. 1003.43 or s.
1144 1003.435, has earned a special diploma or special certificate of
1145 completion as described in s. 1003.438, or has been admitted for
1146 full-time enrollment in an eligible postsecondary educational
1147 institution as defined in s. 1009.533, and is 18 years of age
1148 but is not yet 23 years of age is eligible for the College Bound
1149 Program if he or she:

1150 a. Was living in care on his or her 18th birthday or is
1151 currently living in care, or, after reaching 16 years of age,
1152 was adopted from care or placed with a court-approved dependency
1153 guardian and has spent a minimum of 6 months in care immediately
1154 preceding such placement or adoption; and

1155 b. Spent at least 6 months in care before reaching his or
1156 her 18th birthday.

1157 2. A young adult with a disability may attend school part
1158 time and be eligible for this program.



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1159 3. A stipend is available to a young adult who is
1160 considered a full-time student or its equivalent by the
1161 educational institution in which he or she is enrolled, unless
1162 that young adult has a recognized disability preventing full-
1163 time attendance. The amount of the award shall be determined
1164 based on an assessment of the funding needs of the young adult.
1165 This assessment must consider the young adult's living and
1166 educational costs based on the actual cost of attendance, and
1167 other grants, scholarships, waivers, earnings, or other income
1168 to be received by the young adult. An award is available only to
1169 the extent that other grants and scholarships are not sufficient
1170 to meet the living and educational needs of the young adult, but
1171 an award may not be less than \$25 in order to maintain Medicaid
1172 eligibility for the young adult as provided in s. 409.903.

1173 4. An eligible young adult may receive a stipend for the
1174 subsequent academic years if, for each subsequent academic year,
1175 the young adult meets the standards by which the approved
1176 institution measures a student's satisfactory academic progress
1177 toward completion of a program of study for the purposes of
1178 determining eligibility for federal financial aid under the
1179 Higher Education Act. Any young adult who is placed on academic
1180 probation may continue to receive a stipend for one additional
1181 semester if the approved institution allows the student to
1182 continue in school. If the student fails to make satisfactory
1183 academic progress in the semester or term subsequent to the term
1184 in which he received academic probation, the stipend assistance
1185 is discontinued for the period required for the young adult to
1186 be reinstated by the college or university. Upon reinstatement,
1187 a young adult who has not yet reached 23 years of age may



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1188 reapply for financial assistance.

1189 (3) EMERGENCY ASSISTANCE.—A young adult in the Foundations
1190 First Program or the College Bound Program may apply to the
1191 community-based care provider for financial assistance for an
1192 unexpected or extraordinary expense.

1193 (4) APPEAL PROCESS.—

1194 (a) The Department of Children and Family Services shall
1195 adopt a procedure by which a young adult may appeal an
1196 eligibility determination, the department's failure to provide
1197 Road-to-Independence Program services, or the termination of
1198 such services, if funds for such services or stipend are
1199 available.

1200 (b) The procedure must be readily accessible to young
1201 adults, must provide for timely decisions, and must provide for
1202 an appeal to the department. The decision of the department
1203 constitutes final agency action and is reviewable by the court
1204 as provided in s. 120.68.

1205 (5) PORTABILITY.—The services provided under this section
1206 are portable across county and state lines.

1207 (a) The services provided for in the original transition
1208 plan shall be provided by the county where the young adult
1209 resides but shall be funded by the county where the transition
1210 plan was initiated. The care managers of the county of residence
1211 and the county of origination must coordinate to ensure a smooth
1212 transition for the young adult.

1213 (b) If a child in care under 18 years of age is placed in
1214 another state, the sending state is responsible for care
1215 maintenance payments, case planning, including a written
1216 description of the programs and services that will help a child



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1217 16 years of age or older prepare for the transition from care to
1218 independence, and a case review system as required by federal
1219 law. The sending state has placement and care responsibility for
1220 the child.

1221 (c) If a young adult formerly in care moves to another
1222 state from the state in which he or she has left care due to
1223 age, the state shall certify that it will provide assistance and
1224 federally funded independent living services to the young adult
1225 who has left care because he or she is 18 years of age. The
1226 state in which the young adult resides is responsible for
1227 services if the state provides the services needed by the young
1228 adult.

1229 (6) ACCOUNTABILITY.—

1230 (a) The community-based care lead agencies and their
1231 contracted providers shall report the following information to
1232 the department:

1233 1. Out of the total number of young adults who remain in
1234 care upon reaching 18 years of age, the number of young adults
1235 who do not have a high school diploma or its equivalent, a
1236 special diploma, or a certificate of completion. Out of those
1237 young adults without a diploma or its equivalent, a special
1238 diploma, or a certificate of completion, the number of young
1239 adults who are receiving assistance through tutoring and other
1240 types of support.

1241 2. Out of the total number of young adults who decided to
1242 remain in care after reaching 18 years of age, a breakdown of
1243 academic and career goals and type of living arrangement.

1244 3. The same information required in subparagraphs 1. and
1245 2., specific to young adults in care with a disability.



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1246 4. Out of the total number of young adults remaining in
1247 care, the number of young adults who are enrolled in an
1248 educational or vocational program and a breakdown of the types
1249 of programs.

1250 5. Out of the total number of young adults remaining in
1251 care, the number of young adults who are working and a breakdown
1252 of the types of employment held.

1253 6. Out of the total number of young adults remaining in
1254 care, the number of young adults who have a disability and a
1255 breakdown of how many young adults are in school, are training
1256 for employment, are employed, or are unable to participate in
1257 any of these activities.

1258 7. Evidence that the lead agency has established a working
1259 relationship with the Agency for Workforce Innovation and its
1260 regional workforce boards, the Able Trust, and other entities
1261 that provide services related to gaining employment.

1262 8. Out of the total number of young adults in care upon
1263 reaching 18 years of age, the number of young adults who are in
1264 the Road-to-Independence Program and a breakdown by the schools
1265 or other programs they are attending.

1266 9. Out of the total number of young adults who are in
1267 postsecondary institutions, a breakdown of the types and amounts
1268 of financial support received from sources other than the Road-
1269 to-Independence Program.

1270 10. Out of the total number of young adults who are in
1271 postsecondary institutions, a breakdown of the types of living
1272 arrangements.

1273 (b) Each community-based care lead agency shall provide its
1274 report to the department by September 30 of each year. The



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1275 department shall compile the reports from each community-based
1276 care lead agency and provide them to the Legislature by December
1277 31 of each year, with the first report due to the Legislature on
1278 December 31, 2012.

1279 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1280 secretary shall establish the Independent Living Services
1281 Advisory Council for the purpose of reviewing and making
1282 recommendations concerning the implementation and operation of
1283 the provisions of s. 39.6015 and the Road-to-Independence
1284 Program. This advisory council shall function as specified in
1285 this subsection until the Legislature determines that the
1286 advisory council can no longer provide a valuable contribution
1287 to the department's efforts to achieve the goals of the services
1288 designed to enable a young adult to live independently.

1289 (a) Specifically, the advisory council shall assess the
1290 implementation and operation of the provisions of s. 39.6015 and
1291 the Road-to-Independence Program and advise the department on
1292 actions that would improve the ability of those Road-to-
1293 Independence Program services to meet the established goals. The
1294 advisory council shall keep the department informed of problems
1295 being experienced with the services, barriers to the effective
1296 and efficient integration of services and support across
1297 systems, and successes that the system of services has achieved.
1298 The department shall consider, but is not required to implement,
1299 the recommendations of the advisory council.

1300 (b) The advisory council shall report to the secretary on
1301 the status of the implementation of the Road-To-Independence
1302 Program; efforts to publicize the availability of the Road-to-
1303 Independence Program; the success of the services; problems



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1304 identified; recommendations for department or legislative
1305 action; and the department's implementation of the
1306 recommendations contained in the Independent Living Services
1307 Integration Workgroup Report submitted to the appropriate
1308 substantive committees of the Legislature by December 31, 2012.
1309 The department shall submit a report by December 31 of each year
1310 to the Governor and the Legislature which includes a summary of
1311 the factors reported on by the council and identifies the
1312 recommendations of the advisory council and either describes the
1313 department's actions to implement the recommendations or
1314 provides the department's rationale for not implementing the
1315 recommendations.

1316 (c) Members of the advisory council shall be appointed by
1317 the secretary of the department. The membership of the advisory
1318 council must include, at a minimum, representatives from the
1319 headquarters and district offices of the Department of Children
1320 and Family Services, community-based care lead agencies, the
1321 Agency for Workforce Innovation, the Department of Education,
1322 the Agency for Health Care Administration, the State Youth
1323 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
1324 Ad Litem Office, foster parents, recipients of services and
1325 funding through the Road-to-Independence Program, and advocates
1326 for children in care. The secretary shall determine the length
1327 of the term to be served by each member appointed to the
1328 advisory council, which may not exceed 4 years.

1329 (d) The department shall provide administrative support to
1330 the Independent Living Services Advisory Council to accomplish
1331 its assigned tasks. The advisory council shall be afforded
1332 access to all appropriate data from the department, each



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1333 community-based care lead agency, and other relevant agencies in
1334 order to accomplish the tasks set forth in this section. The
1335 data collected may not include any information that would
1336 identify a specific child or young adult.

1337 (e) The advisory council report required under paragraph
1338 (b), shall include an analysis of the system of independent
1339 living transition services for young adults who reach 18 years
1340 of age while in care prior to completing high school or its
1341 equivalent and recommendations for department or legislative
1342 action. The council shall assess and report on the most
1343 effective method of assisting these young adults to complete
1344 high school or its equivalent by examining the practices of
1345 other states.

1346 (8) PERSONAL PROPERTY. -Property acquired on behalf of a
1347 young adult of this program shall become the personal property
1348 of the young adult and is not subject to the requirements of
1349 chapter 273 relating to state-owned tangible personal property.
1350 Such property continues to be subject to applicable federal
1351 laws.

1352 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN CARE.-
1353 The department shall enroll in the Florida Kidcare program,
1354 outside the open enrollment period, each young adult who is
1355 eligible as described in paragraph (1) (a) and who has not yet
1356 reached his or her 19th birthday.

1357 (a) A young adult who was formerly in care at the time of
1358 his or her 18th birthday and who is 18 years of age but not yet
1359 19 years of age, shall pay the premium for the Florida Kidcare
1360 program as required in s. 409.814.

1361 (b) A young adult who has health insurance coverage from a



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1362 third party through his or her employer or who is eligible for
1363 Medicaid is not eligible for enrollment under this subsection.

1364 (10) RULEMAKING.—The department shall adopt rules to
1365 administer this section. The rules shall provide the procedures
1366 and requirements necessary to administer the Road-to-
1367 Independence Program. In developing the rules, the department
1368 shall consider that the program is for young adults who remain
1369 in care for an extended period of time or who are planning to
1370 attain post secondary education and accommodate a young adult's
1371 busy life and schedule. The rules shall make the program easy
1372 for a qualified young adult to access and facilitate and
1373 encourage his or her participation.

1374 Section 6. Subsection (4) of section 409.903, Florida
1375 Statutes, is amended to read:

1376 409.903 Mandatory payments for eligible persons.—The agency
1377 shall make payments for medical assistance and related services
1378 on behalf of the following persons who the department, or the
1379 Social Security Administration by contract with the Department
1380 of Children and Family Services, determines to be eligible,
1381 subject to the income, assets, and categorical eligibility tests
1382 set forth in federal and state law. Payment on behalf of these
1383 Medicaid eligible persons is subject to the availability of
1384 moneys and any limitations established by the General
1385 Appropriations Act or chapter 216.

1386 (4) A child who is eligible under Title IV-E of the Social
1387 Security Act for subsidized board payments, foster care, or
1388 adoption subsidies, and a child for whom the state has assumed
1389 temporary or permanent responsibility and who does not qualify
1390 for Title IV-E assistance but is in foster care, shelter or



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1391 emergency shelter care, or subsidized adoption. This category
1392 includes a young adult who is eligible to receive services under
1393 s. 409.1451~~(5)~~, until the young adult reaches 21 years of age,
1394 without regard to any income, resource, or categorical
1395 eligibility test that is otherwise required. This category also
1396 includes a person who as a child was eligible under Title IV-E
1397 of the Social Security Act for foster care or the state-provided
1398 foster care and who is a participant in the Road-to-Independence
1399 Program.

1400 Section 7. The Department of Children and Family Services
1401 shall format the case plan and the judicial review social
1402 service report consistent with the provisions of ss. 39.6015 and
1403 409.1451, Florida Statutes.

1404 Section 8. Effective October 1, 2011, a child or young
1405 adult who is currently participating in the Road-to-Independence
1406 Program may continue in the program as it exists as of September
1407 30, 2011. A child or young adult applying or reapplying for the
1408 Road-to-Independence program on or after October 1, 2011, may
1409 apply for program services only as provided in this act.

1410 Section 9. The Department of Children and Family Services
1411 shall develop a request for proposal for the purpose of
1412 establishing and operating a system to provide educational
1413 advocates for a child in care who is in middle or high school.
1414 Competitive proposals shall be solicited by the department
1415 pursuant to chapter 287, Florida Statutes. Entities responding
1416 to the request for proposal must have child advocacy as their
1417 primary focus, be knowledgeable about the operation of district
1418 schools in the state, and have experience in working with paid
1419 staff and volunteers. The department may award more than one



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1420 contract under this section.

1421 Section 10. The Department of Children and Family Services
1422 shall contract with a national nonprofit organization that
1423 advocates for and provides services to older children in care
1424 and young adults formerly in care for the purpose of
1425 administering the Road-to-Independence Program. The organization
1426 must have experience and expertise in administering scholarship
1427 programs, providing mentoring and academic coaching to help
1428 young adults at risk of failing or dropping out of school, and
1429 assisting young adults locate internship opportunities. The
1430 organization must also be able to report enrollment, attendance,
1431 academic progress, and financial data for each young adult to
1432 the state at an agreed-upon interval.

1433 Section 11. This act shall take effect October 1, 2011.