

20111902e1

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
28 appointments to consider the child's school
29 attendance; providing penalties for caregivers who

20111902e1

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
57 for providing services; providing for a child to be
58 exposed to job-preparatory instruction, enrichment

20111902e1

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;
86 amending s. 409.1451, F.S., relating to the Road-to-
87 Independence Program; creating the Foundations First

20111902e1

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
115 Children and Family Services; amending s. 409.903,
116 F.S.; conforming a cross-reference; requiring the

20111902e1

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 December 31, 2011; providing
121 exceptions; providing an effective date.
122

123 Be It Enacted by the Legislature of the State of Florida:
124

125 Section 1. Subsection (2) of section 39.013, Florida
126 Statutes, is amended to read:

127 39.013 Procedures and jurisdiction; right to counsel.—

128 (2) The circuit court has exclusive original jurisdiction
129 of all proceedings under this chapter, of a child voluntarily
130 placed with a licensed child-caring agency, a licensed child-
131 placing agency, or the department, and of the adoption of
132 children whose parental rights have been terminated under this
133 chapter. Jurisdiction attaches when the initial shelter
134 petition, dependency petition, or termination of parental rights
135 petition is filed or when a child is taken into the custody of
136 the department. The circuit court may assume jurisdiction over
137 any such proceeding regardless of whether the child was in the
138 physical custody of both parents, was in the sole legal or
139 physical custody of only one parent, caregiver, or some other
140 person, or was in the physical or legal custody of no person
141 when the event or condition occurred that brought the child to
142 the attention of the court. When the court obtains jurisdiction
143 of any child who has been found to be dependent, the court shall
144 retain jurisdiction, unless relinquished by its order, until the
145 child reaches 18 years of age. However, if a young adult ~~youth~~

20111902e1

146 petitions the court at any time before his or her 19th birthday
147 requesting the court's continued jurisdiction, the juvenile
148 court may retain jurisdiction under this chapter for a period
149 not to exceed 1 year following the young adult's ~~youth's~~ 18th
150 birthday for the purpose of determining whether appropriate
151 ~~aftercare support, Road to Independence Program, transitional~~
152 ~~support, mental health, and developmental disability~~ services
153 that were required to be provided to the young adult before
154 reaching 18 years of age, to the extent otherwise authorized by
155 law, have been provided ~~to the formerly dependent child who was~~
156 ~~in the legal custody of the department immediately before his or~~
157 ~~her 18th birthday.~~ If a young adult chooses to participate in
158 the Foundations First Program, the court shall retain
159 jurisdiction until the young adult leaves the program as
160 provided for in s. 409.1451(4). The court shall review the
161 status of the young adult at least every 12 months or more
162 frequently if the court deems it necessary. If a petition for
163 special immigrant juvenile status and an application for
164 adjustment of status have been filed on behalf of a foster child
165 and the petition and application have not been granted by the
166 time the child reaches 18 years of age, the court may retain
167 jurisdiction over the dependency case solely for the purpose of
168 allowing the continued consideration of the petition and
169 application by federal authorities. Review hearings for the
170 child shall be set solely for the purpose of determining the
171 status of the petition and application. The court's jurisdiction
172 terminates upon the final decision of the federal authorities.
173 Retention of jurisdiction in this instance does not affect the
174 services available to a young adult under s. 409.1451. The court

20111902e1

175 may not retain jurisdiction of the case after the immigrant
176 child's 22nd birthday.

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

180 39.6012 Case plan tasks; services.—

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

183 (a) A description of the identified needs of the child
184 while in care.

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

192 1. The names and addresses of the child's health, mental
193 health, and educational providers;

194 2. The child's grade level performance;

195 3. The child's school record;

196 4. Assurances that the child's placement takes into account
197 proximity to the school in which the child is enrolled at the
198 time of placement and that efforts were made to allow the child
199 to remain in that school if it is in the best interest of the
200 child;

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

202 6. The child's known medical history, including any known
203 problems;

20111902e1

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

205 8. Any other relevant health, mental health, and education
206 information concerning the child.

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

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

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

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

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

224 (4) The case plan must contain procedures for an older
225 child to directly access and manage the personal allowance he or
226 she receives from the department in order to learn
227 responsibility and participate, to the extent feasible, in age-
228 appropriate life skills activities.

229 Section 3. Section 39.6015, Florida Statutes, is created to
230 read:

231 39.6015 Services for older children in care.—

232 (1) PURPOSE AND INTENT.—The Legislature recognizes that

20111902e1

233 education and the other positive experiences of a child are key
234 to a successful future as an adult and that it is particularly
235 important for a child in care to be provided with opportunities
236 to succeed. The Legislature intends that individuals and
237 communities become involved in the education of a child in care,
238 address issues that will improve the educational outcomes for
239 the child, and find ways to ensure that the child values and
240 receives a high-quality education. Many professionals in the
241 local community understand these issues, and it is the intent of
242 the Legislature that biological parents, caregivers, educators,
243 advocates, the department and its community-based care
244 providers, guardians ad litem, and judges, in fulfilling their
245 responsibilities to the child, work together to ensure that an
246 older child in care has access to the same academic resources,
247 services, and extracurricular and enrichment activities that are
248 available to all children. Engaging an older child in a broad
249 range of the usual activities of family, school, and community
250 life during adolescence will help to empower the child in his or
251 her transition into adulthood and in living independently. The
252 Legislature intends for services to be delivered in an age-
253 appropriate and developmentally appropriate manner, along with
254 modifications or accommodations as may be necessary to include
255 every child, specifically including a child with a disability.
256 It is also the intent of the Legislature that while services to
257 prepare an older child for life on his or her own are important,
258 these services will not diminish efforts to achieve permanency
259 goals of reunification, adoption, or permanent guardianship.

260 (2) EDUCATION PROVISIONS.—Perhaps more than any other
261 population, an older child in care is in need of a quality

20111902e1

262 education. The child depends on the school to provide positive
263 role models, to provide a network of relationships and
264 friendships that will help the child gain social and personal
265 skills, and to provide the educational opportunities and other
266 activities that are needed for a successful transition into
267 adulthood.

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

269 1. "Caregiver" has the same meaning as provided in s.
270 39.01(10) and also includes a staff member of the group home or
271 facility in which the child resides.

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

279 (b) School stability.—The mobility of a child in care can
280 disrupt the educational experience. Whenever a child enters
281 care, or is moved from one home to another, the proximity of the
282 new home to the child's school of origin shall be considered.
283 The case plan must include tasks or a plan for ensuring the
284 child's educational stability while in care. As part of this
285 plan, the community-based care provider shall document
286 assurances that:

287 1. The appropriateness of the current educational setting
288 and the proximity to the school in which the child is enrolled
289 at the time of coming into care have been taken into
290 consideration.

20111902e1

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

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

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

307 5. The department and its community-based providers shall
308 provide special reimbursement for expenses associated with
309 transporting a child to his or her school of origin if the
310 school district does not provide transportation or the
311 individualized education plan does not include transportation as
312 a service. Transportation arrangements shall follow a route that
313 is as direct and expedient for the child as is reasonably
314 possible.

315 (c) School transitions.—A change in schools, if necessary,
316 shall be as least disruptive as possible, and the support
317 necessary for a successful transition shall be provided by the
318 department, the community-based provider, and the caregiver. The
319 department and the community-based providers shall work with

20111902e1

320 school districts to develop and implement procedures to ensure
321 that a child in care:

322 1. Is enrolled immediately in a new school and can begin
323 classes promptly.

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

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

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

338 5. Receives credit or partial credit for coursework
339 completed at the prior school.

340 6. Has the ability to receive a high school diploma even
341 when the child has attended multiple schools that have varying
342 graduation requirements.

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

345 1. The community-based care provider and caregiver shall
346 eliminate any barriers to attendance such as required school
347 uniforms or school supplies.

348 2. Appointments and court appearances for a child in care

20111902e1

349 shall be scheduled to minimize the impact on the child's
350 education and to ensure that the child is not penalized for
351 school time or work missed because of court hearings or
352 activities related to the child welfare case.

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

356 (e) Education advocacy.—

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

366 2. A child in care with disabilities who is eligible for
367 the appointment of a surrogate parent, as required in s.
368 39.0016, shall be assigned a surrogate in a timely manner, but
369 no later than 30 days after a determination that a surrogate is
370 needed.

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

375 (f) Academic requirements and support; middle school
376 students.—A child must complete the required courses that
377 include mathematics, English, social studies, and science in

20111902e1

378 order to be promoted from a state school composed of middle
379 grades 6, 7, and 8.

380 1. In addition to other academic requirements, a child must
381 complete one course in career and education planning in 7th or
382 8th grade. The course, as required by s. 1003.4156, must include
383 career exploration using Florida CHOICES Explorer or Florida
384 CHOICES Planner and must include educational planning using the
385 online student advising system known as Florida Academic
386 Counseling and Tracking for Students at the Internet website
387 FACTS.org.

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

394 b. The required personalized academic and career plan must
395 inform students of high school graduation requirements, high
396 school assessment and college entrance test requirements,
397 Florida Bright Futures Scholarship Program requirements, state
398 university and Florida College System institution admission
399 requirements, and programs through which a high school student
400 may earn college credit, including Advanced Placement,
401 International Baccalaureate, Advanced International Certificate
402 of Education, dual enrollment, career academy opportunities, and
403 courses that lead to national industry certification.

404 c. A caregiver shall attend the parent meeting held by the
405 school to inform parents about the career and education planning
406 course curriculum and the activities associated with the

20111902e1

407 curriculum.

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

420 a. The team shall plan the appropriate course of study,
421 which may include basic education courses, career education
422 courses, and exceptional student education courses.

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

426 c. All decisions shall be documented on the individual
427 education transition plan, and this information shall be used to
428 guide the child's educational program as he or she enters high
429 school.

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

433 4. A caregiver or another designated education advocate
434 shall attend parent-teacher conferences and monitor each child's
435 academic progress.

20111902e1

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

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

457 7. The community-based care provider shall document in the
458 case plan evidence of the child's progress toward, and
459 achievement of, academic, life, social, and vocational skills.
460 The case plan shall be amended to fully and accurately reflect
461 the child's academic and career plan, identify the services and
462 tasks needed to support that plan, and identify the party
463 responsible for accomplishing the tasks or providing the needed
464 services.

20111902e1

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

479 1. An older child who plans to attend a college or
480 university after graduation must take certain courses to meet
481 state university admission requirements. The course requirements
482 for state university admission are the same for two Bright
483 Futures Scholarship awards, the Florida Academic Scholars award,
484 and the Florida Medallion Scholars award. By following this
485 course of study, which is required for state university
486 admission and recommended if the child intends to pursue an
487 associate in arts degree at a Florida College System institution
488 and transfer to a college or university to complete a bachelor's
489 degree, the child will meet the course requirements for high
490 school graduation, state university admission, and two Bright
491 Futures Scholarship awards.

492 2. An older child who plans on a career technical program
493 in high school to gain skills for work or continue after

20111902e1

494 graduation at a Florida College System institution, technical
495 center, or registered apprenticeship program should choose a
496 course of study which meets the course requirements for high
497 school graduation, the third Bright Futures Scholarship award,
498 and the Florida Gold Seal Vocational Scholars award. This course
499 of study is recommended if the child intends to pursue a
500 technical certificate or license, an associate degree, or a
501 bachelor's degree, or wishes to gain specific career training.

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

509 a. An older child or young adult with a disability who has
510 not earned a standard diploma or who has been awarded a special
511 diploma, certificate of completion, or special certificate of
512 completion before reaching 22 years of age may stay in school
513 until he or she reaches 22 years of age.

514 b. The school district shall continue to offer services
515 until the young adult reaches 22 years of age or until he or she
516 earns a standard diploma, whichever occurs first, as required by
517 the Individuals with Disabilities Education Act.

518 4. This paragraph does not preclude an older child from
519 seeking the International Baccalaureate Diploma or the Advanced
520 International Certificate of Education Diploma.

521 5. Educational guidance and planning for high school shall
522 be based upon the decisions made during middle school.

20111902e1

523 Caregivers shall remain actively involved in the child's
524 academic life by attending parent-teacher conferences and by
525 taking advantage of available resources to enable the child to
526 achieve academic success.

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

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

542 a. Who is interested in pursuing a career after high school
543 graduation is exposed to job-preparatory instruction in the
544 competencies that prepare students for effective entry into an
545 occupation, including diversified cooperative education, work
546 experience, and job-entry programs that coordinate directed
547 study and on-the-job training.

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

20111902e1

552 c. Is provided with volunteer and service learning
553 opportunities in order to develop workplace and planning skills,
554 self esteem, and personal leadership skills.

555 d. Is provided with an opportunity to participate in
556 activities and services provided by the Agency for Workforce
557 Innovation and its regional workforce boards which prepare all
558 young adults, including those with a disability, for the
559 workforce.

560 (3) EXTRACURRICULAR ACTIVITIES.—An older child in care
561 shall be accorded to the fullest extent possible the opportunity
562 to participate in the activities of community, school, and
563 family life.

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

567 (b) A caregiver shall provide transportation for such
568 activities, and community-based care providers shall reimburse
569 the caregiver for the expenses associated with such activities,
570 including mileage reimbursement.

571 (c) The department and its community-based providers may
572 not place an older child in a home if the caregiver does not
573 encourage or facilitate participation in and provide
574 transportation to the extracurricular activities of the child's
575 choice, unless other arrangements can be made by the community-
576 based care provider to enable the child's participation in such
577 activities.

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

20111902e1

581 (4) DEVELOPMENT OF THE TRANSITION PLAN.—If a child is
582 planning to leave care upon reaching 18 years of age, during the
583 180-day period before the child reaches 18 years of age, the
584 department and community-based care provider, in collaboration
585 with the caregiver, any other designated education advocate, and
586 any other individual whom the child would like to have included,
587 shall assist and support the older child in developing a
588 transition plan. The transition plan must take into account all
589 of the education and other skills achieved by the child in
590 middle and high school, must include specific options for the
591 child on housing, health insurance, education, local
592 opportunities for mentors and continuing support services, and
593 workforce support and employment services, and must be reviewed
594 by the court during the last review hearing before the child
595 reaches 18 years of age. In developing the plan, the department
596 and community-based provider shall:

597 (a) Provide the child with the documentation required in s.
598 39.701(7);

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

601 (c) Coordinate the transition plan with the independent
602 living provisions in the case plan and the Individuals with
603 Disabilities Education Act transition plan for a child with a
604 disability; and

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

20111902e1

610 (5) ACCOUNTABILITY.—

611 (a) The community-based care lead agencies and its
612 contracted providers shall report to the department the
613 following information:

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

621 2. For those children for whom transportation was provided,
622 how many children were provided transportation, how the
623 transportation was provided, how it was paid for, and the amount
624 of the total expenditure by the lead agency.

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

627 4. In a breakdown by age, for those children who changed
628 schools at least once, how many children experienced problems in
629 the transition, what kinds of problems were encountered, and
630 what steps the lead agency and the caregiver took to remedy
631 those problems.

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

636 6. Evidence that the lead agency has established a working
637 relationship with each school district in which a child in care
638 attends school.

20111902e1

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

643 8. In a breakdown by age, out of the total number of
644 children in care, the number of children who have documentation
645 in the case plan that they have an education advocate who
646 regularly participates in parent-teacher meetings and other
647 school-related activities.

648 9. For those children in care who have finished 8th grade,
649 the number of children who have documentation in the case plan
650 that they have completed the academic and career plan required
651 by s. 1003.4156 and that the child and the caregiver have signed
652 the plan.

653 10. For those children in care who have a disability and
654 have finished 8th grade, the number of children who have
655 documentation in the case plan that they have had an individual
656 education transition plan meeting.

657 11. In a breakdown by age, the total number of children in
658 care who are in middle school or high school. For each age, the
659 number of children who are reading at or above grade level, the
660 number of children who have successfully completed the FCAT and
661 end-of-course assessments, the number of children who have
662 dropped out of school, the number of children who have enrolled
663 in any dual enrollment or advanced placement courses, and the
664 number of children completing the required number of courses,
665 assessments, and hours needed to be promoted to the next grade
666 level.

667 12. With a breakdown by age, the total number of children

20111902e1

668 in care who are in middle school or high school. For each age,
669 the number of children who have documentation in the case plan
670 that they are involved in at least one extracurricular activity,
671 whether it is a school-based or community-based activity,
672 whether they are involved in at least one service or volunteer
673 activity, and who provides the transportation.

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

680 14. A breakdown of documented expenses for children in
681 middle and high school.

682 (b) Each community-based care lead agency shall provide its
683 report to the department by September 30 of each year. The
684 department shall compile the reports from each community-based
685 care lead agency and provide them to the Legislature by December
686 31 of each year, with the first report due to the Legislature on
687 December 31, 2012.

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

690 39.701 Judicial review.—

691 (7) (a) In addition to paragraphs (1) (a) and (2) (a), the
692 court shall hold a judicial review hearing within 90 days after
693 a child's ~~youth's~~ 17th birthday. The court shall also issue an
694 order, separate from the order on judicial review, that the
695 disability of nonage of the child ~~youth~~ has been removed
696 pursuant to s. 743.045. The court shall continue to hold timely

20111902e1

697 judicial review hearings thereafter. In addition, the court may
698 review the status of the child more frequently during the year
699 prior to the child's ~~youth's~~ 18th birthday if necessary. At each
700 review held under this subsection, in addition to any
701 information or report provided to the court, the caregiver
702 ~~foster parent~~, legal custodian, guardian ad litem, and the child
703 shall be given the opportunity to address the court with any
704 information relevant to the child's best interests, particularly
705 as it relates to the requirements of s. 39.6015 and the Road-to-
706 Independence Program under s. 409.1451 ~~independent living~~
707 ~~transition services~~. In addition to any information or report
708 provided to the court, the department shall include in its
709 judicial review social study report written verification that
710 the child has been provided with:

711 1. ~~Has been provided with~~ A current Medicaid card and ~~has~~
712 ~~been provided~~ all necessary information concerning the Medicaid
713 program sufficient to prepare the child ~~youth~~ to apply for
714 coverage upon reaching age 18, if such application would be
715 appropriate.

716 2. ~~Has been provided with~~ A certified copy of his or her
717 birth certificate and, if the child does not have a valid
718 driver's license, a Florida identification card issued under s.
719 322.051.

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

20111902e1

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

728 4.5. Has been provided with All relevant information
729 related to the Road-to-Independence Program, including, but not
730 limited to, eligibility requirements, information on how forms
731 necessary to participate apply, and assistance in gaining
732 admission to the program ~~completing the forms~~. The child shall
733 also be informed that, if he or she is eligible for the Road-to-
734 Independence Program, he or she may reside with the licensed
735 ~~foster~~ family or group care provider with whom the child was
736 residing at the time of attaining his or her 18th birthday or
737 may reside in another licensed ~~foster~~ home or with a group care
738 provider arranged by the department.

739 5.6. An opportunity to ~~Has an~~ open a bank account, or
740 obtain ~~has~~ identification necessary to open an account, and has
741 been provided with essential banking and budgeting skills.

742 6.7. ~~Has been provided with~~ Information on public
743 assistance and how to apply.

744 7.8. ~~Has been provided~~ A clear understanding of where he or
745 she will be living on his or her 18th birthday, how living
746 expenses will be paid, and in what educational program or school
747 he or she will be enrolled ~~in~~.

748 8.9. Information related to the ability ~~Has been provided~~
749 ~~with notice~~ of the child youth's right to remain in care until
750 he or she reaches 21 years of age ~~petition for the court's~~
751 ~~continuing jurisdiction for 1 year after the youth's 18th~~
752 ~~birthday~~ as specified in s. 39.013(2) and ~~with~~ information on
753 how to participate in the Road-to-Independence Program ~~obtain~~
754 ~~access to the court.~~

20111902e1

755 9. A letter providing the dates that the child was under
756 the jurisdiction of the court.

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

759 11. His or her entire educational records.

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

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

762 ~~14.10. Encouragement~~ Has been encouraged to attend all
763 judicial review hearings occurring after his or her 17th
764 birthday.

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

773 (c) At the last judicial review hearing held before the
774 child's 18th birthday, in addition of the requirements of
775 subsection (8), the department shall provide to the court for
776 review the transition plan for a child who is planning to leave
777 care after reaching his or her 18th birthday.

778 ~~(d)(e)~~ At the time of a judicial review hearing held
779 pursuant to this subsection, if, in the opinion of the court,
780 the department has not complied with its obligations as
781 specified in the written case plan or in the provision of
782 ~~independent living~~ services as required by s. 39.6015, s.
783 409.1451, and this subsection, the court shall issue a show

20111902e1

784 cause order. If cause is shown for failure to comply, the court
785 shall give the department 30 days within which to comply and, on
786 failure to comply with this or any subsequent order, the
787 department may be held in contempt.

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

794 1. A description of the type of placement the child is in
795 at the time of the hearing, including the safety of the child
796 and the continuing necessity for and appropriateness of the
797 placement.

798 2. Documentation of the diligent efforts made by all
799 parties to the case plan to comply with each applicable
800 provision of the plan.

801 3. The amount of fees assessed and collected during the
802 period of time being reported.

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

806 5. A statement that either:

807 a. The parent, though able to do so, did not comply
808 substantially with the case plan, and the agency
809 recommendations;

810 b. The parent did substantially comply with the case plan;
811 or

812 c. The parent has partially complied with the case plan,

20111902e1

813 with a summary of additional progress needed and the agency
814 recommendations.

815 6. A statement from the caregiver ~~foster parent~~ or legal
816 custodian providing any material evidence concerning the return
817 of the child to the parent or parents.

818 7. A statement concerning the frequency, duration, and
819 results of the parent-child visitation, if any, and the agency
820 recommendations for an expansion or restriction of future
821 visitation.

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

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

829 10. If the child has entered middle school ~~reached 13 years~~
830 ~~of age~~ but is not yet 18 years of age, the specific information
831 contained in the case plan related to the provisions of s.
832 39.6015 results of the preindependent living, life skills, or
833 independent living assessment; the specific services needed; and
834 the status of the delivery of the identified services.

835 11. Copies of all medical, psychological, and educational
836 records that support the terms of the case plan and that have
837 been produced concerning the parents or any caregiver since the
838 last judicial review hearing.

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

841 (b) A copy of the social service agency's written report

20111902e1

842 and the written report of the guardian ad litem must be served
843 on all parties whose whereabouts are known; to the caregivers
844 ~~foster parents~~ or legal custodians; and to the citizen review
845 panel, at least 72 hours before the judicial review hearing or
846 citizen review panel hearing. The requirement for providing
847 parents with a copy of the written report does not apply to
848 those parents who have voluntarily surrendered their child for
849 adoption or who have had their parental rights to the child
850 terminated.

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

861 (d) In addition to or in lieu of any written statement
862 provided to the court, the caregiver ~~foster parent~~ or legal
863 custodian, or any preadoptive parent, shall be given the
864 opportunity to address the court with any information relevant
865 to the best interests of the child at any judicial review
866 hearing.

867 (9) The court and any citizen review panel shall take into
868 consideration the information contained in the social services
869 study and investigation and all medical, psychological, and
870 educational records that support the terms of the case plan;

20111902e1

871 testimony by the social services agency, the parent, the
872 caregiver ~~foster parent~~ or legal custodian, the guardian ad
873 litem or surrogate parent for educational decisionmaking if one
874 has been appointed for the child, and any other person deemed
875 appropriate; and any relevant and material evidence submitted to
876 the court, including written and oral reports to the extent of
877 their probative value. These reports and evidence may be
878 received by the court in its effort to determine the action to
879 be taken with regard to the child and may be relied upon to the
880 extent of their probative value, even though not competent in an
881 adjudicatory hearing. In its deliberations, the court and any
882 citizen review panel shall seek to determine:

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

886 (b) If the parent has been advised of the right to have
887 counsel present at the judicial review or citizen review
888 hearings. If not so advised, the court or citizen review panel
889 shall advise the parent of such right.

890 (c) If a guardian ad litem needs to be appointed for the
891 child in a case in which a guardian ad litem has not previously
892 been appointed or if there is a need to continue a guardian ad
893 litem in a case in which a guardian ad litem has been appointed.

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

899 (e) The compliance or lack of compliance of all parties

20111902e1

900 with applicable items of the case plan, including the parents'
901 compliance with child support orders.

902 (f) The compliance or lack of compliance with a visitation
903 contract between the parent and the social service agency for
904 contact with the child, including the frequency, duration, and
905 results of the parent-child visitation and the reason for any
906 noncompliance.

907 (g) The compliance or lack of compliance of the parent in
908 meeting specified financial obligations pertaining to the care
909 of the child, including the reason for failure to comply if such
910 is the case.

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

920 1. The placement of the child takes into account the
921 appropriateness of the current educational setting and the
922 proximity to the school in which the child is enrolled at the
923 time of placement.

924 2. The community-based care agency has coordinated with
925 appropriate local educational agencies to ensure that the child
926 remains in the school in which the child is enrolled at the time
927 of placement.

928 (i) A projected date likely for the child's return home or

20111902e1

929 other permanent placement.

930 (j) When appropriate, the basis for the unwillingness or
931 inability of the parent to become a party to a case plan. The
932 court and the citizen review panel shall determine if the
933 efforts of the social service agency to secure party
934 participation in a case plan were sufficient.

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

940 Section 5. Section 409.1451, Florida Statutes, is amended
941 to read:

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

944 409.1451 The Road-to-Independence Program.—The Legislature
945 recognizes that most children and young adults are resilient
946 and, with adequate support, can expect to be successful as
947 independent adults. Not unlike all young adults, some young
948 adults who have lived in care need additional resources and
949 support for a period of time after reaching 18 years of age. The
950 Legislature intends for these young adults to receive the
951 education, training, and health care services necessary for them
952 to become self-sufficient through the Road-to-Independence
953 Program. A young adult who participates in the Road-to-
954 Independence Program may choose to remain in care until 21 years
955 of age and receive help achieving his or her postsecondary goals
956 by participating in the Foundations First Program, or he or she
957 may choose to receive financial assistance to attend college

20111902e1

958 through the College Bound Program.

959 (1) THE FOUNDATIONS FIRST PROGRAM.—The Foundations First
960 Program is designed for young adults who have reached 18 years
961 of age but are not yet 21 years of age, and who need to finish
962 high school or who have a high school diploma, or its
963 equivalent, and want to achieve additional goals. These young
964 adults are ready to try postsecondary or vocational education,
965 try working part-time or full-time, or need help with issues
966 that might stand in their way of becoming employed. Young adults
967 who are unable to participate in any of these programs or
968 activities full time due to an impairment, including behavioral,
969 developmental, and cognitive disabilities, might also benefit
970 from remaining in care longer. The provision of services under
971 this subsection is intended to supplement, not supplant,
972 services available under any other program for which the young
973 adult is eligible, including, but not limited to, Medicaid
974 waiver services, vocational rehabilitation programs, or school
975 system programs. For purposes of this section, the term “child”
976 means an individual who has not attained 21 years of age, and
977 the term “young adult” means a child who has attained 18 years
978 of age but who has not attained 21 years of age.

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

980 1. A young adult who was living in licensed care on his or
981 her 18th birthday or who is currently living in licensed care,
982 or who after reaching 16 years of age was adopted from licensed
983 care or placed with a court-approved dependency guardian, and
984 has spent a minimum of 6 months in licensed care within the 12
985 months immediately preceding such placement or adoption, is
986 eligible for the Foundations First Program if he or she is:

20111902e1

987 a. Completing secondary education or a program leading to
988 an equivalent credential;

989 b. Enrolled in an institution that provides postsecondary
990 or vocational education;

991 c. Participating in a program or activity designed to
992 promote, or eliminate barriers to, employment;

993 d. Employed for at least 80 hours per month; or

994 e. Unable to participate in these programs or activities
995 full time due to a physical, intellectual, emotional, or
996 psychiatric condition that limits participation. Any such
997 restriction to participation must be supported by information in
998 the young adult's case file or school or medical records of a
999 physical, intellectual, or psychiatric condition that impairs
1000 the young adult's ability to perform one or more life
1001 activities.

1002 2. The young adult in care must leave the Foundations First
1003 Program on the earliest of the date the young adult:

1004 a. Knowingly and voluntarily withdraws his or her consent
1005 to participate;

1006 b. Leaves care to live in a permanent home consistent with
1007 his or her permanency plan;

1008 c. Reaches 21 years of age;

1009 d. Becomes incarcerated in an adult or juvenile justice
1010 facility; or

1011 e. In the case of a young adult with a disability, reaches
1012 22 years of age.

1013 3. Notwithstanding the provisions of this paragraph, the
1014 department may not close a case and the court may not terminate
1015 its jurisdiction until it finds, following a hearing held after

20111902e1

1016 notice to all parties, that the following criteria have been
1017 met:

1018 a. Attendance of the young adult at the hearing; or

1019 b. Findings by the court that:

1020 (I) The young adult has been informed by the department of
1021 his or her right to attend the hearing and has provided written
1022 consent to waive this right;

1023 (II) The young adult has been informed of the potential
1024 negative effects of terminating care early, the option to
1025 reenter care before reaching 21 years of age, the procedure to,
1026 and limitations on, reentering care, the availability of
1027 alternative services, and that the young adult has signed a
1028 document attesting that he or she has been so informed and
1029 understands these provisions; and

1030 (III) The department and the community-based care provider
1031 have complied with the case plan and any individual education
1032 plan. At the time of this judicial hearing, if, in the opinion
1033 of the court, the department and community-based provider have
1034 not complied with their obligations as specified in the case
1035 plan and any individual education plan, the court shall issue a
1036 show cause order. If cause is shown for failure to comply, the
1037 court shall give the department and community-based provider 30
1038 days within which to comply and, upon failure to comply with
1039 this or any subsequent order, the department and community-based
1040 provider may be held in contempt.

1041 4. A young adult who left care at or after reaching his or
1042 her 18th birthday, but before reaching age 21, may be
1043 automatically readmitted to the program by applying to the
1044 community-based care provider. The community-based care provider

20111902e1

1045 shall readmit the young adult if he or she is engaged in the
1046 programs or activities described in this paragraph. Any
1047 additional readmissions require that the young adult petition
1048 the court to resume jurisdiction. The department and community-
1049 based provider shall update the case plan within 30 days after
1050 the young adult comes back into the Foundations First Program.

1051 (b) Benefits and requirements.-

1052 1. A stipend shall be available to a young adult who is
1053 considered a full-time student or its equivalent by the
1054 educational institution in which he or she is enrolled, unless
1055 that young adult has a recognized disability preventing full-
1056 time attendance. The amount of the award, whether it is being
1057 used by a young adult working toward completion of a high school
1058 diploma or its equivalent or working toward completion of a
1059 postsecondary education program, shall be determined based on an
1060 assessment of the funding needs of the young adult. This
1061 assessment must consider the young adult's living and
1062 educational costs based on the actual cost of attendance, and
1063 other grants, scholarships, waivers, earnings, or other income
1064 to be received by the young adult. An award shall be available
1065 only to the extent that other grants and scholarships are not
1066 sufficient to meet the living and educational needs of the young
1067 adult, but an award may not be less than \$25 in order to
1068 maintain Medicaid eligibility for the young adult as provided in
1069 s. 409.903.

1070 2. The young adult must reside in a semi-supervised living
1071 arrangement. For the purposes of this requirement, a "semi-
1072 supervised living arrangement" includes foster homes, college
1073 dormitories, shared housing, semi-supervised apartments,

20111902e1

1074 supervised apartments, or another housing arrangement approved
1075 by the provider and acceptable to the young adult.

1076 3. Payment of the stipend shall be made directly on the
1077 recipient's behalf in order to secure housing and utilities,
1078 with the balance being paid directly to the young adult.

1079 (c) Transition plan.—For all young adults during the 180-
1080 day period immediately before leaving care, before reaching 21
1081 years of age, or after leaving care on or after reaching 21
1082 years of age, the department and the community-based care
1083 provider, in collaboration with the caregiver, any other
1084 designated education advocate, or any other individual whom the
1085 young adult would like to include, shall assist and support the
1086 young adult in developing a transition plan. The transition plan
1087 must take into account all of the education and other
1088 achievements of the young adult, include specific options for
1089 the young adult for housing, health insurance, education, local
1090 opportunities for mentors and continuing support services, and
1091 workforce support and employment services, and must be reviewed
1092 by the court during the last review hearing before the child
1093 leaves care. In developing the plan, the department and
1094 community-based provider shall:

1095 1. Provide the young adult with the documentation required
1096 in s. 39.701(7);

1097 2. Coordinate with local public and private entities in
1098 designing the transition plan as appropriate;

1099 3. Coordinate the transition plan with the independent
1100 living provisions in the case plan and the Individuals with
1101 Disabilities Education Act transition plan for a young adult
1102 with disabilities; and

20111902e1

1103 4. Create a clear and developmentally appropriate notice
1104 specifying the rights of a young adult who is leaving care. The
1105 notice must include information about what services the young
1106 adult may be eligible for and how such services may be obtained.
1107 The plan must clearly identify the young adult's goals and the
1108 work that will be required to achieve those goals.

1109 (d) Periodic reviews for young adults.-

1110 1. For any young adult who continues to remain in care on
1111 or after reaching 18 years of age, the department and community-
1112 based provider shall implement a case review system that
1113 requires:

1114 a. A judicial review at least once a year;

1115 b. The court to maintain oversight to ensure that the
1116 department is coordinating with the appropriate agencies, and,
1117 as otherwise permitted, maintains oversight of other agencies
1118 involved in implementing the young adult's case plan and
1119 individual education plan;

1120 c. The department to prepare and present to the court a
1121 report, developed in collaboration with the young adult,
1122 addressing the young adult's progress in meeting the goals in
1123 the case plan and individual education plan, and shall propose
1124 modifications as necessary to further those goals;

1125 d. The court to determine whether the department and any
1126 service provider under contract with the department is providing
1127 the appropriate services as identified in the case plan and any
1128 individual education plan. If the court decides that the young
1129 adult is entitled to additional services in order to achieve the
1130 goals enumerated in the case plan, under the department's
1131 policies, or under a contract with a service provider, the court

20111902e1

1132 may order the department to take action to ensure that the young
1133 adult receives the identified services and remediation for any
1134 failure to timely provide identified services; and

1135 e. The young adult or any other party to the dependency
1136 case may request an additional hearing or review.

1137 2. In all permanency hearings or hearings regarding the
1138 transition of the young adult from care to independent living,
1139 the court shall consult, in an age-appropriate manner, with the
1140 young adult regarding the proposed permanency, case plan, and
1141 individual education plan for the young adult.

1142 (2) THE COLLEGE BOUND PROGRAM.—

1143 (a) Purpose.—This program is designed for young adults who
1144 are 18 years of age but are not yet 23 years of age, have
1145 graduated from high school, have been accepted into a college, a
1146 Florida College System institution, or a vocational school, and
1147 need minimal support from the state other than the financial
1148 resources to attend college.

1149 (b) Eligibility; termination; and reentry.—

1150 1. A young adult who has earned a standard high school
1151 diploma or its equivalent as described in s. 1003.43 or s.
1152 1003.435, has earned a special diploma or special certificate of
1153 completion as described in s. 1003.438, or has been admitted for
1154 full-time enrollment in an eligible postsecondary educational
1155 institution as defined in s. 1009.533, and is 18 years of age
1156 but is not yet 23 years of age is eligible for the College Bound
1157 Program if he or she:

1158 a. Was living in care on his or her 18th birthday or is
1159 currently living in care, or, after reaching 16 years of age,
1160 was adopted from care or placed with a court-approved dependency

20111902e1

1161 guardian and has spent a minimum of 6 months in care within the
1162 12 months immediately preceding such placement or adoption; and

1163 b. Spent at least 6 months in care before reaching his or
1164 her 18th birthday.

1165 2. A young adult with a disability may attend school part
1166 time and be eligible for this program.

1167 3. A stipend is available to a young adult who is
1168 considered a full-time student or its equivalent by the
1169 educational institution in which he or she is enrolled, unless
1170 that young adult has a recognized disability preventing full-
1171 time attendance. The amount of the award shall be determined
1172 based on an assessment of the funding needs of the young adult.
1173 This assessment must consider the young adult's living and
1174 educational costs based on the actual cost of attendance, and
1175 other grants, scholarships, waivers, earnings, or other income
1176 to be received by the young adult. An award is available only to
1177 the extent that other grants and scholarships are not sufficient
1178 to meet the living and educational needs of the young adult, but
1179 an award may not be less than \$25 in order to maintain Medicaid
1180 eligibility for the young adult as provided in s. 409.903.

1181 4. An eligible young adult may receive a stipend for the
1182 subsequent academic years if, for each subsequent academic year,
1183 the young adult meets the standards by which the approved
1184 institution measures a student's satisfactory academic progress
1185 toward completion of a program of study for the purposes of
1186 determining eligibility for federal financial aid under the
1187 Higher Education Act. Any young adult who is placed on academic
1188 probation may continue to receive a stipend for one additional
1189 semester if the approved institution allows the student to

20111902e1

1190 continue in school. If the student fails to make satisfactory
1191 academic progress in the semester or term subsequent to the term
1192 in which he received academic probation, the stipend assistance
1193 is discontinued for the period required for the young adult to
1194 be reinstated by the college or university. Upon reinstatement,
1195 a young adult who has not yet reached 23 years of age may
1196 reapply for financial assistance.

1197 (3) EMERGENCY ASSISTANCE.—A young adult in the Foundations
1198 First Program or the College Bound Program may apply to the
1199 community-based care provider for financial assistance for an
1200 unexpected or extraordinary expense.

1201 (4) APPEAL PROCESS.—

1202 (a) The Department of Children and Family Services shall
1203 adopt a procedure by which a young adult may appeal an
1204 eligibility determination, the department's failure to provide
1205 Road-to-Independence Program services, or the termination of
1206 such services, if funds for such services or stipend are
1207 available.

1208 (b) The procedure must be readily accessible to young
1209 adults, must provide for timely decisions, and must provide for
1210 an appeal to the department. The decision of the department
1211 constitutes final agency action and is reviewable by the court
1212 as provided in s. 120.68.

1213 (5) PORTABILITY.—The services provided under this section
1214 are portable across county and state lines.

1215 (a) The services provided for in the original transition
1216 plan shall be provided by the county where the young adult
1217 resides but shall be funded by the county where the transition
1218 plan was initiated. The care managers of the county of residence

20111902e1

1219 and the county of origination must coordinate to ensure a smooth
1220 transition for the young adult.

1221 (b) If a child in care under 18 years of age is placed in
1222 another state, the sending state is responsible for care
1223 maintenance payments, case planning, including a written
1224 description of the programs and services that will help a child
1225 16 years of age or older prepare for the transition from care to
1226 independence, and a case review system as required by federal
1227 law. The sending state has placement and care responsibility for
1228 the child.

1229 (c) If a young adult formerly in care moves to another
1230 state from the state in which he or she has left care due to
1231 age, the state shall certify that it will provide assistance and
1232 federally funded independent living services to the young adult
1233 who has left care because he or she is 18 years of age. The
1234 state in which the young adult resides is responsible for
1235 services if the state provides the services needed by the young
1236 adult.

1237 (6) ACCOUNTABILITY.—

1238 (a) The community-based care lead agencies and their
1239 contracted providers shall report the following information to
1240 the department:

1241 1. Out of the total number of young adults who remain in
1242 care upon reaching 18 years of age, the number of young adults
1243 who do not have a high school diploma or its equivalent, a
1244 special diploma, or a certificate of completion. Out of those
1245 young adults without a diploma or its equivalent, a special
1246 diploma, or a certificate of completion, the number of young
1247 adults who are receiving assistance through tutoring and other

20111902e1

1248 types of support.

1249 2. Out of the total number of young adults who decided to
1250 remain in care after reaching 18 years of age, a breakdown of
1251 academic and career goals and type of living arrangement.

1252 3. The same information required in subparagraphs 1. and
1253 2., specific to young adults in care with a disability.

1254 4. Out of the total number of young adults remaining in
1255 care, the number of young adults who are enrolled in an
1256 educational or vocational program and a breakdown of the types
1257 of programs.

1258 5. Out of the total number of young adults remaining in
1259 care, the number of young adults who are working and a breakdown
1260 of the types of employment held.

1261 6. Out of the total number of young adults remaining in
1262 care, the number of young adults who have a disability and a
1263 breakdown of how many young adults are in school, are training
1264 for employment, are employed, or are unable to participate in
1265 any of these activities.

1266 7. Evidence that the lead agency has established a working
1267 relationship with the Agency for Workforce Innovation and its
1268 regional workforce boards, the Able Trust, and other entities
1269 that provide services related to gaining employment.

1270 8. Out of the total number of young adults in care upon
1271 reaching 18 years of age, the number of young adults who are in
1272 the Road-to-Independence Program and a breakdown by the schools
1273 or other programs they are attending.

1274 9. Out of the total number of young adults who are in
1275 postsecondary institutions, a breakdown of the types and amounts
1276 of financial support received from sources other than the Road-

20111902e1

1277 to-Independence Program.

1278 10. Out of the total number of young adults who are in
1279 postsecondary institutions, a breakdown of the types of living
1280 arrangements.

1281 (b) Each community-based care lead agency shall provide its
1282 report to the department by September 30 of each year. The
1283 department shall compile the reports from each community-based
1284 care lead agency and provide them to the Legislature by December
1285 31 of each year, with the first report due to the Legislature on
1286 December 31, 2012.

1287 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1288 secretary shall establish the Independent Living Services
1289 Advisory Council for the purpose of reviewing and making
1290 recommendations concerning the implementation and operation of
1291 the provisions of s. 39.6015 and the Road-to-Independence
1292 Program. This advisory council shall function as specified in
1293 this subsection until the Legislature determines that the
1294 advisory council can no longer provide a valuable contribution
1295 to the department's efforts to achieve the goals of the services
1296 designed to enable a young adult to live independently.

1297 (a) Specifically, the advisory council shall assess the
1298 implementation and operation of the provisions of s. 39.6015 and
1299 the Road-to-Independence Program and advise the department on
1300 actions that would improve the ability of those Road-to-
1301 Independence Program services to meet the established goals. The
1302 advisory council shall keep the department informed of problems
1303 being experienced with the services, barriers to the effective
1304 and efficient integration of services and support across
1305 systems, and successes that the system of services has achieved.

20111902e1

1306 The department shall consider, but is not required to implement,
1307 the recommendations of the advisory council.

1308 (b) The advisory council shall report to the secretary on
1309 the status of the implementation of the Road-To-Independence
1310 Program; efforts to publicize the availability of the Road-to-
1311 Independence Program; the success of the services; problems
1312 identified; recommendations for department or legislative
1313 action; and the department's implementation of the
1314 recommendations contained in the Independent Living Services
1315 Integration Workgroup Report submitted to the appropriate
1316 substantive committees of the Legislature by December 31, 2012.
1317 The department shall submit a report by December 31 of each year
1318 to the Governor and the Legislature which includes a summary of
1319 the factors reported on by the council and identifies the
1320 recommendations of the advisory council and either describes the
1321 department's actions to implement the recommendations or
1322 provides the department's rationale for not implementing the
1323 recommendations.

1324 (c) Members of the advisory council shall be appointed by
1325 the secretary of the department. The membership of the advisory
1326 council must include, at a minimum, representatives from the
1327 headquarters and district offices of the Department of Children
1328 and Family Services, community-based care lead agencies, the
1329 Agency for Workforce Innovation, the Department of Education,
1330 the Agency for Health Care Administration, the State Youth
1331 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
1332 Ad Litem Office, foster parents, recipients of services and
1333 funding through the Road-to-Independence Program, and advocates
1334 for children in care. The secretary shall determine the length

20111902e1

1335 of the term to be served by each member appointed to the
1336 advisory council, which may not exceed 4 years.

1337 (d) The department shall provide administrative support to
1338 the Independent Living Services Advisory Council to accomplish
1339 its assigned tasks. The advisory council shall be afforded
1340 access to all appropriate data from the department, each
1341 community-based care lead agency, and other relevant agencies in
1342 order to accomplish the tasks set forth in this section. The
1343 data collected may not include any information that would
1344 identify a specific child or young adult.

1345 (e) The advisory council report required under paragraph
1346 (b), shall include an analysis of the system of independent
1347 living transition services for young adults who reach 18 years
1348 of age while in care prior to completing high school or its
1349 equivalent and recommendations for department or legislative
1350 action. The council shall assess and report on the most
1351 effective method of assisting these young adults to complete
1352 high school or its equivalent by examining the practices of
1353 other states.

1354 (8) PERSONAL PROPERTY. -Property acquired on behalf of a
1355 young adult of this program shall become the personal property
1356 of the young adult and is not subject to the requirements of
1357 chapter 273 relating to state-owned tangible personal property.
1358 Such property continues to be subject to applicable federal
1359 laws.

1360 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN CARE.-
1361 The department shall enroll in the Florida Kidcare program,
1362 outside the open enrollment period, each young adult who is
1363 eligible as described in paragraph (1) (a) and who has not yet

20111902e1

1364 reached his or her 19th birthday.

1365 (a) A young adult who was formerly in care at the time of
1366 his or her 18th birthday and who is 18 years of age but not yet
1367 19 years of age, shall pay the premium for the Florida Kidcare
1368 program as required in s. 409.814.

1369 (b) A young adult who has health insurance coverage from a
1370 third party through his or her employer or who is eligible for
1371 Medicaid is not eligible for enrollment under this subsection.

1372 (10) RULEMAKING.—The department shall adopt rules to
1373 administer this section. The rules shall provide the procedures
1374 and requirements necessary to administer the Road-to-
1375 Independence Program. In developing the rules, the department
1376 shall consider that the program is for young adults who remain
1377 in care for an extended period of time or who are planning to
1378 attain post secondary education and accommodate a young adult's
1379 busy life and schedule. The rules shall make the program easy
1380 for a qualified young adult to access and facilitate and
1381 encourage his or her participation.

1382 Section 6. Subsection (4) of section 409.903, Florida
1383 Statutes, is amended to read:

1384 409.903 Mandatory payments for eligible persons.—The agency
1385 shall make payments for medical assistance and related services
1386 on behalf of the following persons who the department, or the
1387 Social Security Administration by contract with the Department
1388 of Children and Family Services, determines to be eligible,
1389 subject to the income, assets, and categorical eligibility tests
1390 set forth in federal and state law. Payment on behalf of these
1391 Medicaid eligible persons is subject to the availability of
1392 moneys and any limitations established by the General

20111902e1

1393 Appropriations Act or chapter 216.

1394 (4) A child who is eligible under Title IV-E of the Social
1395 Security Act for subsidized board payments, foster care, or
1396 adoption subsidies, and a child for whom the state has assumed
1397 temporary or permanent responsibility and who does not qualify
1398 for Title IV-E assistance but is in foster care, shelter or
1399 emergency shelter care, or subsidized adoption. This category
1400 includes a young adult who is eligible to receive services under
1401 s. 409.1451~~(5)~~, until the young adult reaches 21 years of age,
1402 without regard to any income, resource, or categorical
1403 eligibility test that is otherwise required. This category also
1404 includes a person who as a child was eligible under Title IV-E
1405 of the Social Security Act for foster care or the state-provided
1406 foster care and who is a participant in the Road-to-Independence
1407 Program.

1408 Section 7. The Department of Children and Family Services
1409 shall format the case plan and the judicial review social
1410 service report consistent with the provisions of ss. 39.6015 and
1411 409.1451, Florida Statutes.

1412 Section 8. Effective October 1, 2011, a child or young
1413 adult who is a participant in the Road-to-Independence Program
1414 may continue in the program as it exists through December 31,
1415 2011. Effective January 1, 2012, a child or young adult who is a
1416 participant in the program shall transfer to the program
1417 services provided in this act and his or her monthly stipend may
1418 not be reduced, the method of payment of the monthly stipend may
1419 not be changed, and the young adult may not be required to
1420 change his or her living arrangement. These conditions shall
1421 remain in effect for a child or young adult until he or she

20111902e1

1422 ceases to meet the eligibility requirements under which he or
1423 she entered the Road-to-Independence Program. A child or young
1424 adult applying or reapplying for the Road-to-Independence
1425 Program on or after October 1, 2011, may apply for program
1426 services only as provided in this act.

1427 Section 9. This act shall take effect October 1, 2011.