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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 the Department
20 of Children and Family Services or the community-based
21 provider to provide reimbursement for the costs of
22 transportation provided for a child in care; requiring
23 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

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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 a child in
55 high school; requiring documentation of a child's
56 progress, the services needed, and the party who is

57 | responsible for providing services; providing for a
58 | child to be exposed to job-preparatory instruction,
59 | enrichment activities, and volunteer and service
60 | opportunities, including activities and services
61 | offered by the Department of Economic Opportunity;
62 | requiring that children in care be afforded
63 | opportunities to participate in the usual activities
64 | of school, community, and family life; requiring
65 | caregivers to encourage and support a child's
66 | participation in extracurricular activities; requiring
67 | that transportation be provided for a child; providing
68 | for the development of a transition plan; specifying
69 | the contents of a transition plan; requiring that the
70 | plan be reviewed by the court; requiring that a child
71 | be provided with specified documentation; requiring
72 | that the transition plan be coordinated with the case
73 | plan 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;

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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
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

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113 Independent Living Services Advisory Council;
 114 providing rulemaking authority to the Department of
 115 Children and Family Services; amending ss. 409.165,
 116 409.903, and 420.0004, F.S.; conforming cross-
 117 references; requiring the department to amend the case
 118 plan and judicial social service review formats;
 119 providing for young adults receiving transition
 120 services to continue to receive existing services
 121 until December 31, 2011; providing exceptions;
 122 providing an effective date.

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

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

128 39.013 Procedures and jurisdiction; right to counsel.—

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

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

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

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

181 | 39.6012 Case plan tasks; services.—

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

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

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

- 193 | 1. The names and addresses of the child's health, mental
- 194 | health, and educational providers;
- 195 | 2. The child's grade level performance;
- 196 | 3. The child's school record;

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

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

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

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

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

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

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

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

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

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

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

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

232 39.6015 Services for older children in care.—

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

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253 Legislature intends for services to be delivered in an age-
254 appropriate and developmentally appropriate manner, along with
255 modifications or accommodations as may be necessary to include
256 every child, specifically including a child with a disability.
257 It is also the intent of the Legislature that while services to
258 prepare an older child for life on his or her own are important,
259 these services will not diminish efforts to achieve permanency
260 goals of reunification, adoption, or permanent guardianship.

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

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

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

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

280 (b) School stability.—The mobility of a child in care can

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

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

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

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

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

308 5. The department and its community-based providers shall

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

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

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

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

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

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

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337 participate in age-appropriate extracurricular, enrichment, or
338 social activities.

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

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

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

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

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

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

357 (e) Education advocacy.—

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

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365 ad litem, educator, or individual hired and trained for the
366 specific purpose of serving as an education advocate.

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

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

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

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

389 a. Each child shall complete an electronic personalized
390 academic and career plan that must be signed by the child, the
391 child's teacher, guidance counselor, or academic advisor, and
392 the child's parent, caregiver, or other designated education

393 advocate. Any designated advocate must have the knowledge and
 394 training to serve in that capacity.

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

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

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

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

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

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

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

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

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

448 6. A child in care, particularly a child with a

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

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

466 8. The community-based care provider shall conduct an
467 annual staff meeting for each child who is enrolled in middle
468 school. The community-based care provider shall complete an
469 independent living assessment to determine the child's skills
470 and abilities to become self-sufficient and live independently
471 after the first staff meeting conducted after the child enters
472 middle school. The assessment must consider those skills that
473 are expected to be acquired by a child from his or her school
474 setting and living arrangement. The community-based care
475 provider must provide the needed services if additional services
476 are necessary to ensure that the child obtains the appropriate

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477 independent living skills. The community-based care provider
478 shall document in the case plan evidence of the child's progress
479 toward developing independent living skills.

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

494 1. An older child who plans to attend a college or
495 university after graduation must take certain courses to meet
496 state university admission requirements. The course requirements
497 for state university admission are the same for two Bright
498 Futures Scholarship awards, the Florida Academic Scholars award,
499 and the Florida Medallion Scholars award. By following this
500 course of study, which is required for state university
501 admission and recommended if the child intends to pursue an
502 associate in arts degree at a Florida College System institution
503 and transfer to a college or university to complete a bachelor's
504 degree, the child will meet the course requirements for high

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505 school graduation, state university admission, and two Bright
506 Futures Scholarship awards.

507 2. An older child who plans on a career technical program
508 in high school to gain skills for work or continue after
509 graduation at a Florida College System institution, technical
510 center, or registered apprenticeship program should choose a
511 course of study that meets the course requirements for high
512 school graduation, the third Bright Futures Scholarship award,
513 and the Florida Gold Seal Vocational Scholars award. This course
514 of study is recommended if the child intends to pursue a
515 technical certificate or license, an associate degree, or a
516 bachelor's degree, or wishes to gain specific career training.

517 3. An older child with a disability may choose to work
518 toward a standard diploma, a special diploma, or a certificate
519 of completion. The child shall be assisted in choosing a diploma
520 option by school and district staff through the development of
521 the individual education plan. The diploma choice shall be
522 reviewed each year at the child's individual education plan
523 meeting.

524 a. An older child or young adult with a disability who has
525 not earned a standard diploma or who has been awarded a special
526 diploma, certificate of completion, or special certificate of
527 completion before reaching 22 years of age may stay in school
528 until he or she reaches 22 years of age.

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

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533 4. This paragraph does not preclude an older child from
534 seeking the International Baccalaureate Diploma or the Advanced
535 International Certificate of Education Diploma.

536 5. Educational guidance and planning for high school shall
537 be based upon the decisions made during middle school.
538 Caregivers shall remain actively involved in the child's
539 academic life by attending parent-teacher conferences and by
540 taking advantage of available resources to enable the child to
541 achieve academic success.

542 6. The community-based care provider shall document in the
543 case plan evidence of the child's progress toward, and
544 achievement of, academic, life, social, and vocational skills.
545 The case plan shall be amended to completely reflect the child's
546 academic and career plan, identify the services and tasks needed
547 to support that plan, and identify the party responsible for
548 accomplishing the tasks or providing the needed services.

549 7. The community-based care provider shall conduct a staff
550 meeting at least every 6 months for each child who is enrolled
551 in high school. The community-based care provider shall complete
552 an independent living assessment to determine the child's skills
553 and abilities to become self-sufficient and live independently
554 after the first staff meeting conducted after the child enters
555 high school. The assessment must consider those skills that are
556 expected to be acquired by a child from his or her school
557 setting and living arrangement. The community-based care
558 provider must provide the needed services if additional services
559 are necessary to ensure that the child obtains the appropriate
560 independent living skills. Such additional independent living

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561 skills may include, but not be limited to, training to develop
562 banking and budgeting skills, interviewing skills, parenting
563 skills, time management or organizational skills, educational
564 support, employment training, and personal counseling. The
565 community-based care provider shall document in the case plan
566 evidence of the child's progress toward developing independent
567 living skills.

568 8. Participation in workforce readiness activities is
569 essential for a child in care at the high school level to
570 prepare himself or herself to be a self-supporting and
571 productive adult. The caregiver and the community-based care
572 provider shall ensure that each child:

573 a. Who is interested in pursuing a career after high
574 school graduation is exposed to job-preparatory instruction in
575 the competencies that prepare students for effective entry into
576 an occupation, including diversified cooperative education, work
577 experience, and job-entry programs that coordinate directed
578 study and on-the-job training.

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

583 c. Is provided with volunteer and service learning
584 opportunities in order to develop workplace and planning skills,
585 self esteem, and personal leadership skills.

586 d. Is provided with an opportunity to participate in
587 activities and services provided by the Department of Economic
588 Opportunity and the regional workforce boards within the

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589 Division of Workforce Services which prepare all young adults,
590 including those with a disability, for the workforce.

591 (3) EXTRACURRICULAR ACTIVITIES.—An older child in care
592 shall be accorded to the fullest extent possible the opportunity
593 to participate in the activities of community, school, and
594 family life.

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

598 (b) A caregiver shall provide transportation for such
599 activities, and community-based care providers shall reimburse
600 the caregiver for the expenses associated with such activities.

601 (c) The department and its community-based providers may
602 not place an older child in a home if the caregiver does not
603 encourage or facilitate participation in and provide
604 transportation to the extracurricular activities of the child's
605 choice, unless other arrangements can be made by the community-
606 based care provider to enable the child's participation in such
607 activities.

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

611 (4) DEVELOPMENT OF THE TRANSITION PLAN.—If a child is
612 planning to leave care upon reaching 18 years of age, during the
613 180-day period before the child reaches 18 years of age, the
614 department and community-based care provider, in collaboration
615 with the caregiver, any other designated education advocate, and
616 any other individual whom the child would like to have included,

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617 shall assist and support the older child in developing a
618 transition plan. The transition plan must take into account all
619 of the education and other skills achieved by the child in
620 middle and high school, must include specific options for the
621 child on housing, health insurance, education, local
622 opportunities for mentors and continuing support services, and
623 workforce support and employment services, and must be reviewed
624 by the court during the last review hearing before the child
625 reaches 18 years of age. In developing the plan, the department
626 and community-based provider shall:

627 (a) Provide the child with the documentation required in
628 s. 39.701(7);

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

631 (c) Coordinate the transition plan with the independent
632 living provisions in the case plan and the Individuals with
633 Disabilities Education Act transition plan for a child with a
634 disability; and

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

640 (5) ACCOUNTABILITY.—

641 (a) The community-based care lead agencies and its
642 contracted providers shall report to the department the
643 following information:

644 1. The total number of children in care who are enrolled

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645 in middle school, high school, adult high school, and GED
646 programs and, in a breakdown by age, how many had their living
647 arrangements change one time and how many were moved two or more
648 times. For the children who were moved, how many had to change
649 schools and how many of those changes were due to a lack of
650 transportation.

651 2. For those children for whom transportation was
652 provided, how many children were provided transportation, how
653 the transportation was provided, how it was paid for, and the
654 amount of the total expenditure by the lead agency.

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

657 4. In a breakdown by age, for those children who changed
658 schools at least once, how many children experienced problems in
659 the transition, what kinds of problems were encountered, and
660 what steps the lead agency and the caregiver took to remedy
661 those problems.

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

666 6. Evidence that the lead agency has established a working
667 relationship with each school district in which a child in care
668 attends school.

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

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673 8. In a breakdown by age, out of the total number of
674 children in care, the number of children who have documentation
675 in the case plan that they have an education advocate who
676 regularly participates in parent-teacher meetings and other
677 school-related activities.

678 9. For those children in care who have finished 8th grade,
679 the number of children who have documentation in the case plan
680 that they have completed the academic and career plan required
681 by s. 1003.4156 and that the child and the caregiver have signed
682 the plan.

683 10. For those children in care who have a disability and
684 have finished 8th grade, the number of children who have
685 documentation in the case plan that they have had an individual
686 education transition plan meeting.

687 11. In a breakdown by age, the total number of children in
688 care who are in middle school or high school. For each age, the
689 number of children who are reading at or above grade level, the
690 number of children who have successfully completed the FCAT and
691 end-of-course assessments, the number of children who have
692 dropped out of school, the number of children who have enrolled
693 in any dual enrollment or advanced placement courses, and the
694 number of children completing the required number of courses,
695 assessments, and hours needed to be promoted to the next grade
696 level.

697 12. With a breakdown by age, the total number of children
698 in care who are in middle school or high school. For each age,
699 the number of children who have documentation in the case plan
700 that they are involved in at least one extracurricular activity,

701 whether it is a school-based or community-based activity,
 702 whether they are involved in at least one service or volunteer
 703 activity, and who provides the transportation.

704 13. The total number of children in care who are 17 years
 705 of age and who are obtaining services from the lead agency or
 706 its contracted providers and how many of that total number have
 707 indicated that they plan to remain in care after turning 18
 708 years of age, and for those children who plan to leave care, how
 709 many children have a transition plan.

710 14. A breakdown of documented expenses for children in
 711 middle and high school.

712 (b) Each community-based care lead agency shall provide
 713 its report to the department by September 30 of each year. The
 714 department shall compile the reports from each community-based
 715 care lead agency and provide them to the Legislature by December
 716 31 of each year, with the first report due to the Legislature on
 717 December 31, 2012.

718 Section 4. Subsections (7), (8), and (9) of section
 719 39.701, Florida Statutes, are amended to read:

720 39.701 Judicial review.—

721 (7) (a) In addition to paragraphs (1) (a) and (2) (a), the
 722 court shall hold a judicial review hearing within 90 days after
 723 a child's ~~youth's~~ 17th birthday. The court shall also issue an
 724 order, separate from the order on judicial review, that the
 725 disability of nonage of the child ~~youth~~ has been removed
 726 pursuant to s. 743.045. The court shall continue to hold timely
 727 judicial review hearings thereafter. In addition, the court may
 728 review the status of the child more frequently during the year

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729 prior to the child's ~~youth's~~ 18th birthday if necessary. At each
730 review held under this subsection, in addition to any
731 information or report provided to the court, the caregiver
732 ~~foster parent~~, legal custodian, guardian ad litem, and the child
733 shall be given the opportunity to address the court with any
734 information relevant to the child's best interests, particularly
735 as it relates to the requirements of s. 39.6015 and the Road-to-
736 Independence Program under s. 409.1451 ~~independent living~~
737 ~~transition services~~. In addition to any information or report
738 provided to the court, the department shall include in its
739 judicial review social study report written verification that
740 the child has been provided with:

741 1. ~~Has been provided with~~ A current Medicaid card and ~~has~~
742 ~~been provided~~ all necessary information concerning the Medicaid
743 program sufficient to prepare the child ~~youth~~ to apply for
744 coverage upon reaching age 18, if such application would be
745 appropriate.

746 2. ~~Has been provided with~~ A certified copy of his or her
747 birth certificate and, if the child does not have a valid
748 driver's license, a Florida identification card issued under s.
749 322.051.

750 3. A social security card and ~~Has been provided~~
751 information relating to Social Security Insurance benefits if
752 the child is eligible for these benefits. If the child has
753 received these benefits and they are being held in trust for the
754 child, a full accounting of those funds must be provided and the
755 child must be informed about how to access those funds.

756 4. ~~Has been provided with information and training related~~

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757 ~~to budgeting skills, interviewing skills, and parenting skills.~~

758 ~~4.5. Has been provided with~~ All relevant information
759 related to the Road-to-Independence Program, including, but not
760 limited to, eligibility requirements, information on how forms
761 ~~necessary to participate apply,~~ and assistance in gaining
762 admission to the program ~~completing the forms.~~ The child shall
763 also be informed that, if he or she is eligible for the Road-to-
764 Independence Program, he or she may reside with the licensed
765 ~~foster~~ family or group care provider with whom the child was
766 residing at the time of attaining his or her 18th birthday or
767 may reside in another licensed ~~foster~~ home or with a group care
768 provider arranged by the department.

769 ~~5.6. An opportunity to~~ Has an open a bank account, or
770 obtain ~~has~~ identification necessary to open an account, and has
771 been provided with essential banking and budgeting skills.

772 ~~6.7. Has been provided with~~ Information on public
773 assistance and how to apply.

774 ~~7.8. Has been provided~~ A clear understanding of where he
775 or she will be living on his or her 18th birthday, how living
776 expenses will be paid, and in what educational program or school
777 he or she will be enrolled ~~in~~.

778 ~~8.9. Information related to the ability~~ Has been provided
779 ~~with notice of the~~ child youth's right to remain in care until
780 he or she reaches 21 years of age ~~petition for the court's~~
781 ~~continuing jurisdiction for 1 year after the youth's 18th~~
782 ~~birthday~~ as specified in s. 39.013(2) and ~~with~~ information on
783 how to participate in the Road-to-Independence Program ~~obtain~~
784 ~~access to the court.~~

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785 9. A letter providing the dates that the child was under
786 the jurisdiction of the court.

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

789 11. His or her entire educational records.

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

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

792 14.10. Encouragement ~~Has been encouraged~~ to attend all
793 judicial review hearings occurring after his or her 17th
794 birthday.

795 (b) At the first judicial review hearing held subsequent
796 to the child's 17th birthday, in addition to the requirements of
797 subsection (8), the department shall provide the court with an
798 updated case plan that includes specific information related to
799 the provisions of s. 39.6015, ~~independent living services that~~
800 ~~have been provided~~ since the child entered middle school ~~child's~~
801 ~~13th birthday,~~ or since the date the child came into ~~foster~~
802 care, whichever came later.

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

808 (d) ~~(e)~~ At the time of a judicial review hearing held
809 pursuant to this subsection, if, in the opinion of the court,
810 the department has not complied with its obligations as
811 specified in the written case plan or in the provision of
812 ~~independent living~~ services as required by s. 39.6015, s.

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813 409.1451, and this subsection, the court shall issue a show
 814 cause order. If cause is shown for failure to comply, the court
 815 shall give the department 30 days within which to comply and, on
 816 failure to comply with this or any subsequent order, the
 817 department may be held in contempt.

818 (8) (a) Before every judicial review hearing or citizen
 819 review panel hearing, the social service agency shall make an
 820 investigation and social study concerning all pertinent details
 821 relating to the child and shall furnish to the court or citizen
 822 review panel a written report that includes, but is not limited
 823 to:

824 1. A description of the type of placement the child is in
 825 at the time of the hearing, including the safety of the child
 826 and the continuing necessity for and appropriateness of the
 827 placement.

828 2. Documentation of the diligent efforts made by all
 829 parties to the case plan to comply with each applicable
 830 provision of the plan.

831 3. The amount of fees assessed and collected during the
 832 period of time being reported.

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

836 5. A statement that either:

837 a. The parent, though able to do so, did not comply
 838 substantially with the case plan, and the agency
 839 recommendations;

840 b. The parent did substantially comply with the case plan;

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841 or

842 c. The parent has partially complied with the case plan,
843 with a summary of additional progress needed and the agency
844 recommendations.

845 6. A statement from the caregiver ~~foster parent~~ or legal
846 custodian providing any material evidence concerning the return
847 of the child to the parent or parents.

848 7. A statement concerning the frequency, duration, and
849 results of the parent-child visitation, if any, and the agency
850 recommendations for an expansion or restriction of future
851 visitation.

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

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

859 10. If the child has entered middle school ~~reached 13~~
860 ~~years of age~~ but is not yet 18 years of age, the specific
861 information contained in the case plan related to the provisions
862 of s. 39.6015 ~~results of the preindependent living, life skills,~~
863 ~~or independent living assessment;~~ the specific services needed;
864 and the status of the delivery of the identified services.

865 11. Copies of all medical, psychological, and educational
866 records that support the terms of the case plan and that have
867 been produced concerning the parents or any caregiver since the
868 last judicial review hearing.

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

871 (b) A copy of the social service agency's written report
872 and the written report of the guardian ad litem must be served
873 on all parties whose whereabouts are known; to the caregivers
874 ~~foster parents~~ or legal custodians; and to the citizen review
875 panel, at least 72 hours before the judicial review hearing or
876 citizen review panel hearing. The requirement for providing
877 parents with a copy of the written report does not apply to
878 those parents who have voluntarily surrendered their child for
879 adoption or who have had their parental rights to the child
880 terminated.

881 (c) In a case in which the child has been permanently
882 placed with the social service agency, the agency shall furnish
883 to the court a written report concerning the progress being made
884 to place the child for adoption. If the child cannot be placed
885 for adoption, a report on the progress made by the child towards
886 alternative permanency goals or placements, including, but not
887 limited to, guardianship, long-term custody, long-term licensed
888 custody, or independent living, must be submitted to the court.
889 The report must be submitted to the court at least 72 hours
890 before each scheduled judicial review.

891 (d) In addition to or in lieu of any written statement
892 provided to the court, the caregiver ~~foster parent~~ or legal
893 custodian, or any preadoptive parent, shall be given the
894 opportunity to address the court with any information relevant
895 to the best interests of the child at any judicial review
896 hearing.

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897 (9) The court and any citizen review panel shall take into
898 consideration the information contained in the social services
899 study and investigation and all medical, psychological, and
900 educational records that support the terms of the case plan;
901 testimony by the social services agency, the parent, the
902 caregiver ~~foster parent~~ or legal custodian, the guardian ad
903 litem or surrogate parent for educational decisionmaking if one
904 has been appointed for the child, and any other person deemed
905 appropriate; and any relevant and material evidence submitted to
906 the court, including written and oral reports to the extent of
907 their probative value. These reports and evidence may be
908 received by the court in its effort to determine the action to
909 be taken with regard to the child and may be relied upon to the
910 extent of their probative value, even though not competent in an
911 adjudicatory hearing. In its deliberations, the court and any
912 citizen review panel shall seek to determine:

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

916 (b) If the parent has been advised of the right to have
917 counsel present at the judicial review or citizen review
918 hearings. If not so advised, the court or citizen review panel
919 shall advise the parent of such right.

920 (c) If a guardian ad litem needs to be appointed for the
921 child in a case in which a guardian ad litem has not previously
922 been appointed or if there is a need to continue a guardian ad
923 litem in a case in which a guardian ad litem has been appointed.

924 (d) Who holds the rights to make educational decisions for

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925 the child. If appropriate, the court may refer the child to the
926 district school superintendent for appointment of a surrogate
927 parent or may itself appoint a surrogate parent under the
928 Individuals with Disabilities Education Act and s. 39.0016.

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

932 (f) The compliance or lack of compliance with a visitation
933 contract between the parent and the social service agency for
934 contact with the child, including the frequency, duration, and
935 results of the parent-child visitation and the reason for any
936 noncompliance.

937 (g) The compliance or lack of compliance of the parent in
938 meeting specified financial obligations pertaining to the care
939 of the child, including the reason for failure to comply if such
940 is the case.

941 (h) Whether the child is receiving safe and proper care
942 according to s. 39.6012, including, but not limited to, the
943 appropriateness of the child's current placement, including
944 whether the child is in a setting that is as family-like and as
945 close to the parent's home as possible, consistent with the
946 child's best interests and special needs, and including
947 maintaining stability in the child's educational placement, as
948 documented by assurances from the community-based care provider
949 that:

950 1. The placement of the child takes into account the
951 appropriateness of the current educational setting and the
952 proximity to the school in which the child is enrolled at the

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953 time of placement.

954 2. The community-based care agency has coordinated with
955 appropriate local educational agencies to ensure that the child
956 remains in the school in which the child is enrolled at the time
957 of placement.

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

960 (j) When appropriate, the basis for the unwillingness or
961 inability of the parent to become a party to a case plan. The
962 court and the citizen review panel shall determine if the
963 efforts of the social service agency to secure party
964 participation in a case plan were sufficient.

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

970 (l) If amendments to the case plan are required.

971 Amendments to the case plan must be made under s. 39.6013.

972 Section 5. Section 409.1451, Florida Statutes, is amended
973 to read:

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

976 409.1451 The Road-to-Independence Program.—The Legislature
977 recognizes that most children and young adults are resilient
978 and, with adequate support, can expect to be successful as
979 independent adults. Not unlike all young adults, some young
980 adults who have lived in care need additional resources and

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981 support for a period of time after reaching 18 years of age. The
982 Legislature intends for these young adults to receive the
983 education, training, and health care services necessary for them
984 to become self-sufficient through the Road-to-Independence
985 Program. A young adult who participates in the Road-to-
986 Independence Program may choose to remain in care until 21 years
987 of age and receive help achieving his or her postsecondary goals
988 by participating in the Foundations First Program, or he or she
989 may choose to receive financial assistance to attend college
990 through the College Bound Program.

991 (1) THE FOUNDATIONS FIRST PROGRAM.—The Foundations First
992 Program is designed for young adults who have reached 18 years
993 of age but are not yet 21 years of age, and who need to finish
994 high school or who have a high school diploma, or its
995 equivalent, and want to achieve additional goals. These young
996 adults are ready to try postsecondary or vocational education,
997 try working part-time or full-time, or need help with issues
998 that might stand in their way of becoming employed. Young adults
999 who are unable to participate in any of these programs or
1000 activities full time due to an impairment, including behavioral,
1001 developmental, and cognitive disabilities, might also benefit
1002 from remaining in care longer. The provision of services under
1003 this subsection is intended to supplement, not supplant,
1004 services available under any other program for which the young
1005 adult is eligible, including, but not limited to, Medicaid
1006 waiver services, vocational rehabilitation programs, or school
1007 system programs. For purposes of this section, the term "child"
1008 means an individual who has not attained 21 years of age, and

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1009 the term "young adult" means a child who has attained 18 years
 1010 of age but who has not attained 21 years of age.

1011 (a) Eligibility; termination; and reentry.—

1012 1. A young adult who was living in licensed care on his or
 1013 her 18th birthday or who is currently living in licensed care,
 1014 or who after reaching 16 years of age was adopted from licensed
 1015 care or placed with a court-approved dependency guardian, and
 1016 has spent a minimum of 6 months in licensed care within the 12
 1017 months immediately preceding such placement or adoption, is
 1018 eligible for the Foundations First Program if he or she is:

1019 a. Completing secondary education or a program leading to
 1020 an equivalent credential;

1021 b. Enrolled in an institution that provides postsecondary
 1022 or vocational education;

1023 c. Participating in a program or activity designed to
 1024 promote, or eliminate barriers to, employment;

1025 d. Employed for at least 80 hours per month; or

1026 e. Unable to participate in these programs or activities
 1027 full time due to a physical, intellectual, emotional, or
 1028 psychiatric condition that limits participation. Any such
 1029 restriction to participation must be supported by information in
 1030 the young adult's case file or school or medical records of a
 1031 physical, intellectual, or psychiatric condition that impairs
 1032 the young adult's ability to perform one or more life
 1033 activities.

1034 2. The young adult in care must leave the Foundations
 1035 First Program on the earliest of the date the young adult:

1036 a. Knowingly and voluntarily withdraws his or her consent

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1037 to participate;
 1038 b. Leaves care to live in a permanent home consistent with
 1039 his or her permanency plan;
 1040 c. Reaches 21 years of age;
 1041 d. Becomes incarcerated in an adult or juvenile justice
 1042 facility; or
 1043 e. In the case of a young adult with a disability, reaches
 1044 22 years of age.
 1045 3. Notwithstanding the provisions of this paragraph, the
 1046 department may not close a case and the court may not terminate
 1047 its jurisdiction until it finds, following a hearing held after
 1048 notice to all parties, that the following criteria have been
 1049 met:
 1050 a. Attendance of the young adult at the hearing; or
 1051 b. Findings by the court that:
 1052 (I) The young adult has been informed by the department of
 1053 his or her right to attend the hearing and has provided written
 1054 consent to waive this right;
 1055 (II) The young adult has been informed of the potential
 1056 negative effects of terminating care early, the option to
 1057 reenter care before reaching 21 years of age, the procedure to,
 1058 and limitations on, reentering care, the availability of
 1059 alternative services, and that the young adult has signed a
 1060 document attesting that he or she has been so informed and
 1061 understands these provisions;
 1062 (III) The young adult has voluntarily left the program,
 1063 has not signed the document in sub-sub-subparagraph (II), and is
 1064 unwilling to participate in any further court proceedings; and

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1065 (IV) The department and the community-based care provider
1066 have complied with the case plan and any individual education
1067 plan. At the time of this judicial hearing, if, in the opinion
1068 of the court, the department and community-based provider have
1069 not complied with their obligations as specified in the case
1070 plan and any individual education plan, the court shall issue a
1071 show cause order. If cause is shown for failure to comply, the
1072 court shall give the department and community-based provider 30
1073 days within which to comply and, upon failure to comply with
1074 this or any subsequent order, the department and community-based
1075 provider may be held in contempt.

1076 4. A young adult who left care at or after reaching his or
1077 her 18th birthday, but before reaching age 21, may be
1078 automatically readmitted to the program by applying to the
1079 community-based care provider. The community-based care provider
1080 shall readmit the young adult if he or she is engaged in the
1081 programs or activities described in this paragraph. Any
1082 additional readmissions require that the young adult petition
1083 the court to resume jurisdiction. The department and community-
1084 based provider shall update the case plan within 30 days after
1085 the young adult comes back into the Foundations First Program.

1086 (b) *Benefits and requirements.*

1087 1. A stipend shall be available to a young adult who is
1088 considered a full-time student or its equivalent by the
1089 educational institution in which he or she is enrolled, unless
1090 that young adult has a recognized disability preventing full-
1091 time attendance. The amount of the award, whether it is being
1092 used by a young adult working toward completion of a high school

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1093 diploma or its equivalent or working toward completion of a
1094 postsecondary education program, shall be determined based on an
1095 assessment of the funding needs of the young adult. This
1096 assessment must consider the young adult's living and
1097 educational costs based on the actual cost of attendance, and
1098 other grants, scholarships, waivers, earnings, or other income
1099 to be received by the young adult. An award shall be available
1100 only to the extent that other grants and scholarships are not
1101 sufficient to meet the living and educational needs of the young
1102 adult, but an award may not be less than \$25 in order to
1103 maintain Medicaid eligibility for the young adult as provided in
1104 s. 409.903.

1105 2. The young adult must reside in a semi-supervised living
1106 arrangement. For the purposes of this requirement, a "semi-
1107 supervised living arrangement" includes foster homes, college
1108 dormitories, shared housing, semi-supervised apartments,
1109 supervised apartments, or another housing arrangement approved
1110 by the provider and acceptable to the young adult.

1111 3. Payment of the stipend shall be made directly on the
1112 recipient's behalf in order to secure housing and utilities,
1113 with the balance being paid directly to the young adult.

1114 4. A young adult who so desires may continue to reside
1115 with the licensed foster family or group care provider with whom
1116 he or she was residing at the time he or she attained his or her
1117 18th birthday. The department shall pay directly to the foster
1118 parent the recipient's costs for room and board services, with
1119 the balance paid directly to the young adult.

1120 (c) Transition plan.—For all young adults during the 180-

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1121 day period immediately before leaving care, before reaching 21
1122 years of age, or after leaving care on or after reaching 21
1123 years of age, the department and the community-based care
1124 provider, in collaboration with the caregiver, any other
1125 designated education advocate, or any other individual whom the
1126 young adult would like to include, shall assist and support the
1127 young adult in developing a transition plan. The transition plan
1128 must take into account all of the education and other
1129 achievements of the young adult, include specific options for
1130 the young adult for housing, health insurance, education, local
1131 opportunities for mentors and continuing support services, and
1132 workforce support and employment services, and must be reviewed
1133 by the court during the last review hearing before the child
1134 leaves care. In developing the plan, the department and
1135 community-based provider shall:

1136 1. Provide the young adult with the documentation required
1137 in s. 39.701(7);

1138 2. Coordinate with local public and private entities in
1139 designing the transition plan as appropriate;

1140 3. Coordinate the transition plan with the independent
1141 living provisions in the case plan and the Individuals with
1142 Disabilities Education Act transition plan for a young adult
1143 with disabilities; and

1144 4. Create a clear and developmentally appropriate notice
1145 specifying the rights of a young adult who is leaving care. The
1146 notice must include information about what services the young
1147 adult may be eligible for and how such services may be obtained.
1148 The plan must clearly identify the young adult's goals and the

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1149 work that will be required to achieve those goals.

1150 (d) Periodic reviews for young adults.—

1151 1. For any young adult who continues to remain in care on
1152 or after reaching 18 years of age, the department and community-
1153 based provider shall implement a case review system that
1154 requires:

1155 a. A judicial review at least once a year;

1156 b. The court to maintain oversight to ensure that the
1157 department is coordinating with the appropriate agencies, and,
1158 as otherwise permitted, maintains oversight of other agencies
1159 involved in implementing the young adult's case plan and
1160 individual education plan;

1161 c. The department to prepare and present to the court a
1162 report, developed in collaboration with the young adult,
1163 addressing the young adult's progress in meeting the goals in
1164 the case plan and individual education plan, and shall propose
1165 modifications as necessary to further those goals;

1166 d. The court to determine whether the department and any
1167 service provider under contract with the department is providing
1168 the appropriate services as identified in the case plan and any
1169 individual education plan. If the court decides that the young
1170 adult is entitled to additional services in order to achieve the
1171 goals enumerated in the case plan, under the department's
1172 policies, or under a contract with a service provider, the court
1173 may order the department to take action to ensure that the young
1174 adult receives the identified services and remediation for any
1175 failure to timely provide identified services; and

1176 e. The young adult or any other party to the dependency

1177 case may request an additional hearing or review.

1178 2. In all permanency hearings or hearings regarding the
 1179 transition of the young adult from care to independent living,
 1180 the court shall consult, in an age-appropriate manner, with the
 1181 young adult regarding the proposed permanency, case plan, and
 1182 individual education plan for the young adult.

1183 3. For any young adult who continues to remain in care on
 1184 or after reaching 18 years of age, the community-based care
 1185 provider shall provide regular case management reviews that must
 1186 include at least monthly contact with the case manager.

1187 (e) Early entry into Foundations First.—A child who has
 1188 reached 16 years of age but is not yet 18 years of age is
 1189 eligible for early entry into the program, if he or she meets
 1190 the eligibility requirements, as determined by the case manager
 1191 and the department, using procedures and assessments established
 1192 by rule.

1193 (2) THE COLLEGE BOUND PROGRAM.—

1194 (a) Purpose.—This program is designed for young adults who
 1195 are 18 years of age but are not yet 23 years of age, have
 1196 graduated from high school, have been accepted into a college, a
 1197 Florida College System institution, or a vocational school, and
 1198 need minimal support from the state other than the financial
 1199 resources to attend college.

1200 (b) Eligibility; termination; and reentry.—

1201 1. A young adult who has earned a standard high school
 1202 diploma or its equivalent as described in s. 1003.43 or s.
 1203 1003.435, has earned a special diploma or special certificate of
 1204 completion as described in s. 1003.438, or has been admitted for

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1205 full-time enrollment in an eligible postsecondary educational
 1206 institution as defined in s. 1009.533, and is 18 years of age
 1207 but is not yet 23 years of age is eligible for the College Bound
 1208 Program if he or she:

1209 a. Was living in care on his or her 18th birthday or is
 1210 currently living in care, or, after reaching 16 years of age,
 1211 was adopted from care or placed with a court-approved dependency
 1212 guardian and has spent a minimum of 6 months in care within the
 1213 12 months immediately preceding such placement or adoption; and

1214 b. Spent at least 6 months in care before reaching his or
 1215 her 18th birthday.

1216 2. A young adult with a disability may attend school part
 1217 time and be eligible for this program.

1218 3. A stipend is available to a young adult who is
 1219 considered a full-time student or its equivalent by the
 1220 educational institution in which he or she is enrolled, unless
 1221 that young adult has a recognized disability preventing full-
 1222 time attendance. The amount of the award shall be determined
 1223 based on an assessment of the funding needs of the young adult.
 1224 This assessment must consider the young adult's living and
 1225 educational costs based on the actual cost of attendance, and
 1226 other grants, scholarships, waivers, earnings, or other income
 1227 to be received by the young adult. An award is available only to
 1228 the extent that other grants and scholarships are not sufficient
 1229 to meet the living and educational needs of the young adult, but
 1230 an award may not be less than \$25 in order to maintain Medicaid
 1231 eligibility for the young adult as provided in s. 409.903.

1232 4. An eligible young adult may receive a stipend for the

1233 subsequent academic years if, for each subsequent academic year,
 1234 the young adult meets the standards by which the approved
 1235 institution measures a student's satisfactory academic progress
 1236 toward completion of a program of study for the purposes of
 1237 determining eligibility for federal financial aid under the
 1238 Higher Education Act. Any young adult who is placed on academic
 1239 probation may continue to receive a stipend for one additional
 1240 semester if the approved institution allows the student to
 1241 continue in school. If the student fails to make satisfactory
 1242 academic progress in the semester or term subsequent to the term
 1243 in which he received academic probation, the stipend assistance
 1244 is discontinued for the period required for the young adult to
 1245 be reinstated by the college or university. Upon reinstatement,
 1246 a young adult who has not yet reached 23 years of age may
 1247 reapply for financial assistance.

1248 (3) EMERGENCY ASSISTANCE.-

1249 (a) Emergency assistance is available to assist young
 1250 adults who were formerly in the care of the department in their
 1251 efforts to continue to develop the skills and abilities
 1252 necessary for independent living. Such assistance includes, but
 1253 is not limited to, the following:

- 1254 1. Mentoring and tutoring.
- 1255 2. Mental health services and substance abuse counseling.
- 1256 3. Life skills classes, including credit management and
 1257 preventive health activities.
- 1258 4. Parenting classes.
- 1259 5. Job and career skills training.
- 1260 6. Counselor consultations.

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1261 7. Temporary financial assistance.

1262 8. Financial literacy skills training.

1263

1264 The specific services to be provided under this subparagraph
 1265 shall be determined by an assessment of the young adult and may
 1266 be provided by the community-based care provider or through
 1267 referrals in the community.

1268 (b) Temporary assistance provided to prevent homelessness
 1269 shall be provided as expeditiously as possible and within the
 1270 limitations defined by the department.

1271 (c) A young adult who is 18 years of age or older but is
 1272 not yet 23 years of age who leaves care but requests services
 1273 before reaching 23 years of age is eligible to receive such
 1274 services.

1275 (4) APPEAL PROCESS.—

1276 (a) The Department of Children and Family Services shall
 1277 adopt a procedure by which a young adult may appeal an
 1278 eligibility determination, the department's failure to provide
 1279 Road-to-Independence Program services, or the termination of
 1280 such services, if funds for such services or stipend are
 1281 available.

1282 (b) The procedure must be readily accessible to young
 1283 adults, must provide for timely decisions, and must provide for
 1284 an appeal to the department. The decision of the department
 1285 constitutes final agency action and is reviewable by the court
 1286 as provided in s. 120.68.

1287 (5) PORTABILITY.—The services provided under this section
 1288 are portable across county and state lines.

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1289 (a) The services provided for in the original transition
 1290 plan shall be provided by the county where the young adult
 1291 resides but shall be funded by the county where the transition
 1292 plan was initiated. The care managers of the county of residence
 1293 and the county of origination must coordinate to ensure a smooth
 1294 transition for the young adult.

1295 (b) If a child in care under 18 years of age is placed in
 1296 another state, the sending state is responsible for care
 1297 maintenance payments, case planning, including a written
 1298 description of the programs and services that will help a child
 1299 16 years of age or older prepare for the transition from care to
 1300 independence, and a case review system as required by federal
 1301 law. The sending state has placement and care responsibility for
 1302 the child.

1303 (c) If a young adult formerly in care moves to another
 1304 state from the state in which he or she has left care due to
 1305 age, the state shall certify that it will provide assistance and
 1306 federally funded independent living services to the young adult
 1307 who has left care because he or she is 18 years of age. The
 1308 state in which the young adult resides is responsible for
 1309 services if the state provides the services needed by the young
 1310 adult.

1311 (6) ACCOUNTABILITY.—

1312 (a) The community-based care lead agencies and their
 1313 contracted providers shall report the following information to
 1314 the department:

1315 1. Out of the total number of young adults who remain in
 1316 care upon reaching 18 years of age, the number of young adults

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1317 who do not have a high school diploma or its equivalent, a
1318 special diploma, or a certificate of completion. Out of those
1319 young adults without a diploma or its equivalent, a special
1320 diploma, or a certificate of completion, the number of young
1321 adults who are receiving assistance through tutoring and other
1322 types of support.

1323 2. Out of the total number of young adults who decided to
1324 remain in care after reaching 18 years of age, a breakdown of
1325 academic and career goals and type of living arrangement.

1326 3. The same information required in subparagraphs 1. and
1327 2., specific to young adults in care with a disability.

1328 4. Out of the total number of young adults remaining in
1329 care, the number of young adults who are enrolled in an
1330 educational or vocational program and a breakdown of the types
1331 of programs.

1332 5. Out of the total number of young adults remaining in
1333 care, the number of young adults who are working and a breakdown
1334 of the types of employment held.

1335 6. Out of the total number of young adults remaining in
1336 care, the number of young adults who have a disability and a
1337 breakdown of how many young adults are in school, are training
1338 for employment, are employed, or are unable to participate in
1339 any of these activities.

1340 7. Evidence that the lead agency has established a working
1341 relationship with the Department of Economic Opportunity and the
1342 regional workforce boards within the Division of Workforce
1343 Services, the Able Trust, and other entities that provide
1344 services related to gaining employment.

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1345 8. Out of the total number of young adults in care upon
1346 reaching 18 years of age, the number of young adults who are in
1347 the Road-to-Independence Program and a breakdown by the schools
1348 or other programs they are attending.

1349 9. Out of the total number of young adults who are in
1350 postsecondary institutions, a breakdown of the types and amounts
1351 of financial support received from sources other than the Road-
1352 to-Independence Program.

1353 10. Out of the total number of young adults who are in
1354 postsecondary institutions, a breakdown of the types of living
1355 arrangements.

1356 (b) Each community-based care lead agency shall provide
1357 its report to the department and to the Independent Living
1358 Services Advisory Council by September 30 of each year. The
1359 department shall compile the reports from each community-based
1360 care lead agency and provide them to the Legislature by December
1361 31 of each year, with the first report due to the Legislature on
1362 December 31, 2012.

1363 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1364 secretary shall establish the Independent Living Services
1365 Advisory Council for the purpose of reviewing and making
1366 recommendations concerning the implementation and operation of
1367 the provisions of s. 39.6015 and the Road-to-Independence
1368 Program. The advisory council shall function as specified in
1369 this subsection until the Legislature determines that the
1370 advisory council can no longer provide a valuable contribution
1371 to the department's efforts to achieve the goals of the services
1372 designed to enable a young adult to live independently.

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1373 (a) Specifically, the advisory council shall assess the
1374 implementation and operation of the provisions of s. 39.6015 and
1375 the Road-to-Independence Program and advise the department on
1376 actions that would improve the ability of those Road-to-
1377 Independence Program services to meet the established goals. The
1378 advisory council shall keep the department informed of problems
1379 being experienced with the services, barriers to the effective
1380 and efficient integration of services and support across
1381 systems, and successes that the system of services has achieved.
1382 The department shall consider, but is not required to implement,
1383 the recommendations of the advisory council.

1384 (b) The advisory council shall report to the secretary on
1385 the status of the implementation of the Road-To-Independence
1386 Program; efforts to publicize the availability of the Road-to-
1387 Independence Program; the success of the services; problems
1388 identified; recommendations for department or legislative
1389 action; and the department's implementation of the
1390 recommendations contained in the Independent Living Services
1391 Integration Workgroup Report submitted to the appropriate
1392 substantive committees of the Legislature by December 31, 2013.
1393 The department shall submit a report by December 31 of each year
1394 to the Governor and the Legislature which includes a summary of
1395 the factors reported on by the council and identifies the
1396 recommendations of the advisory council and either describes the
1397 department's actions to implement the recommendations or
1398 provides the department's rationale for not implementing the
1399 recommendations.

1400 (c) Members of the advisory council shall be appointed by

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1401 the secretary of the department. The membership of the advisory
1402 council must include, at a minimum, representatives from the
1403 headquarters and district offices of the Department of Children
1404 and Family Services, community-based care lead agencies, the
1405 Department of Economic Opportunity, the Department of Education,
1406 the Agency for Health Care Administration, the State Youth
1407 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
1408 Ad Litem Office, foster parents, recipients of services and
1409 funding through the Road-to-Independence Program, and advocates
1410 for children in care. The secretary shall determine the length
1411 of the term to be served by each member appointed to the
1412 advisory council, which may not exceed 4 years.

1413 (d) The department shall provide administrative support to
1414 the Independent Living Services Advisory Council to accomplish
1415 its assigned tasks. The advisory council shall be afforded
1416 access to all appropriate data from the department, each
1417 community-based care lead agency, and other relevant agencies in
1418 order to accomplish the tasks set forth in this section. The
1419 data collected may not include any information that would
1420 identify a specific child or young adult.

1421 (e) The advisory council report required under paragraph
1422 (b), shall include an analysis of the system of independent
1423 living transition services for young adults who reach 18 years
1424 of age while in care prior to completing high school or its
1425 equivalent and recommendations for department or legislative
1426 action. The council shall assess and report on the most
1427 effective method of assisting these young adults to complete
1428 high school or its equivalent by examining the practices of

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1429 other states.

1430 (8) PERSONAL PROPERTY.—Property acquired on behalf of a
1431 young adult of this program shall become the personal property
1432 of the young adult and is not subject to the requirements of
1433 chapter 273 relating to state-owned tangible personal property.
1434 Such property continues to be subject to applicable federal
1435 laws.

1436 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN CARE.—
1437 The department shall enroll in the Florida Kidcare program,
1438 outside the open enrollment period, each young adult who is
1439 eligible as described in paragraph (1) (a) and who has not yet
1440 reached his or her 19th birthday.

1441 (a) A young adult who was formerly in care at the time of
1442 his or her 18th birthday and who is 18 years of age but not yet
1443 19 years of age, shall pay the premium for the Florida Kidcare
1444 program as required in s. 409.814.

1445 (b) A young adult who has health insurance coverage from a
1446 third party through his or her employer or who is eligible for
1447 Medicaid is not eligible for enrollment under this subsection.

1448 (10) RULEMAKING.—The department shall adopt rules to
1449 administer this section. The rules shall provide the procedures
1450 and requirements necessary to administer the Road-to-
1451 Independence Program. In developing the rules, the department
1452 shall consider that the program is for young adults who remain
1453 in care for an extended period of time or who are planning to
1454 attain postsecondary education and accommodate a young adult's
1455 busy life and schedule. The rules shall make the program easy
1456 for a qualified young adult to access and facilitate and

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1457 encourage his or her participation.

1458 Section 6. Paragraph (f) of subsection (3) of section
1459 409.165, Florida Statutes, is amended to read:

1460 409.165 Alternate care for children.—

1461 (3) With the written consent of parents, custodians, or
1462 guardians, or in accordance with those provisions in chapter 39
1463 that relate to dependent children, the department, under rules
1464 properly adopted, may place a child:

1465 (f) In an ~~a subsidized~~ independent living situation,
1466 subject to the provisions of s. 409.1451~~(4)(e)~~,
1467
1468 under such conditions as are determined to be for the best
1469 interests or the welfare of the child. Any child placed in an
1470 institution or in a family home by the department or its agency
1471 may be removed by the department or its agency, and such other
1472 disposition may be made as is for the best interest of the
1473 child, including transfer of the child to another institution,
1474 another home, or the home of the child. Expenditure of funds
1475 appropriated for out-of-home care can be used to meet the needs
1476 of a child in the child's own home or the home of a relative if
1477 the child can be safely served in the child's own home or that
1478 of a relative if placement can be avoided by the expenditure of
1479 such funds, and if the expenditure of such funds in this manner
1480 is calculated by the department to be a potential cost savings.

1481 Section 7. Subsection (4) of section 409.903, Florida
1482 Statutes, is amended to read:

1483 409.903 Mandatory payments for eligible persons.—The
1484 agency shall make payments for medical assistance and related

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1485 services on behalf of the following persons who the department,
 1486 or the Social Security Administration by contract with the
 1487 Department of Children and Family Services, determines to be
 1488 eligible, subject to the income, assets, and categorical
 1489 eligibility tests set forth in federal and state law. Payment on
 1490 behalf of these Medicaid eligible persons is subject to the
 1491 availability of moneys and any limitations established by the
 1492 General Appropriations Act or chapter 216.

1493 (4) A child who is eligible under Title IV-E of the Social
 1494 Security Act for subsidized board payments, foster care, or
 1495 adoption subsidies, and a child for whom the state has assumed
 1496 temporary or permanent responsibility and who does not qualify
 1497 for Title IV-E assistance but is in foster care, shelter or
 1498 emergency shelter care, or subsidized adoption. This category
 1499 includes a young adult who is eligible to receive services under
 1500 s. 409.1451~~(5)~~, until the young adult reaches 21 years of age,
 1501 without regard to any income, resource, or categorical
 1502 eligibility test that is otherwise required. This category also
 1503 includes a person who as a child was eligible under Title IV-E
 1504 of the Social Security Act for foster care or the state-provided
 1505 foster care and who is a participant in the Road-to-Independence
 1506 Program.

1507 Section 8. Subsection (13) of section 420.0004, Florida
 1508 Statutes, is amended to read:

1509 420.0004 Definitions.—As used in this part, unless the
 1510 context otherwise indicates:

1511 (13) "Person with special needs" means an adult person
 1512 requiring independent living services in order to maintain

CODING: Words **stricken** are deletions; words **underlined** are additions.

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1513 housing or develop independent living skills and who has a
1514 disabling condition; a young adult formerly in foster care who
1515 is eligible for services under s. 409.1451~~(5)~~; a survivor of
1516 domestic violence as defined in s. 741.28; or a person receiving
1517 benefits under the Social Security Disability Insurance (SSDI)
1518 program or the Supplemental Security Income (SSI) program or
1519 from veterans' disability benefits.

1520 Section 9. The Department of Children and Family Services
1521 shall format the case plan and the judicial review social
1522 service report consistent with the provisions of ss. 39.6015 and
1523 409.1451, Florida Statutes.

1524 Section 10. Effective October 1, 2012, a child or young
1525 adult who is a participant in the Road-to-Independence Program
1526 may continue in the program as it exists through December 31,
1527 2012. Effective January 1, 2013, a child or young adult who is a
1528 participant in the program shall transfer to the program
1529 services provided in this act and his or her monthly stipend may
1530 not be reduced, the method of payment of the monthly stipend may
1531 not be changed, and the young adult may not be required to
1532 change his or her living arrangement. These conditions shall
1533 remain in effect for a child or young adult until he or she
1534 ceases to meet the eligibility requirements under which he or
1535 she entered the Road-to-Independence Program. A child or young
1536 adult applying or reapplying for the Road-to-Independence
1537 Program on or after October 1, 2012, may apply for program
1538 services only as provided in this act.

1539 Section 11. This act shall take effect July 1, 2012.