

1 A bill to be entitled
2 An act relating to homeless youth; amending s.
3 382.0255, F.S.; requiring the Department of Health to
4 waive fees for certified copies of birth certificates
5 issued to certain unaccompanied homeless youth and
6 young adults; amending s. 409.1452, F.S.; revising
7 requirements for required collaboration among the
8 Board of Governors, the Florida College System, and
9 the Department of Education in working with the
10 Department of Children and Families to assist
11 specified children and young adults; amending s.
12 409.1454, F.S.; revising legislative findings;
13 revising eligibility and requirements for a certain
14 driver education, licensure, and insurance program to
15 include certain unaccompanied homeless youth; revising
16 program operation and administration requirements;
17 amending s. 743.067, F.S.; revising the definition of
18 the term "unaccompanied homeless youth"; specifying
19 certification criteria for unaccompanied homeless
20 youth; authorizing certain unaccompanied homeless
21 youth to use a specified form to receive birth
22 certificates; authorizing health care providers to
23 accept such form for certain purposes; authorizing
24 certain unaccompanied homeless youth to consent to
25 specified medical and other care; amending s. 1001.42,

26 F.S.; requiring district school boards to provide
 27 cards that contain specified information to certain
 28 unaccompanied homeless youth; specifying requirements
 29 for the card; amending s. 1003.01, F.S.; revising the
 30 definition of the term "children and youths who are
 31 experiencing homelessness"; defining the term
 32 "certified unaccompanied homeless youth"; amending s.
 33 1009.25, F.S.; revising the standards certain students
 34 must meet to be eligible for certain fee exemptions;
 35 providing for the adequacy of certain documentation;
 36 providing a presumption; providing a way to overcome
 37 such presumption; requiring the Office of Program
 38 Policy Analysis and Government Accountability to
 39 conduct a specified study; specifying the scope of the
 40 study; requiring the study to include specified
 41 recommendations; requiring the office to consult with
 42 specified entities; requiring the office to submit a
 43 report on the study to the Legislature by a specified
 44 date; providing an effective date.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. Subsection (3) of section 382.0255, Florida
 49 Statutes, is amended to read:

50 382.0255 Fees.—

51 (3) Fees must ~~shall~~ be established by rule. However, until
52 rules are adopted, the fees assessed pursuant to this section
53 must ~~shall~~ be the minimum fees cited. The fees established by
54 rule must be sufficient to meet the cost of providing the
55 service. All fees must ~~shall~~ be paid by the person requesting
56 the record, are due and payable at the time services are
57 requested, and are nonrefundable, except that, when a search is
58 conducted and no vital record is found, any fees paid for
59 additional certified copies shall be refunded. The department
60 may waive all or part of the fees required under this section
61 for any government entity. The department shall waive all fees
62 required under this section for a certified copy of a birth
63 certificate issued for an unaccompanied homeless youth certified
64 under s. 743.067; for a young adult who is, or was at the time
65 he or she reached 18 years of age, in the custody of the
66 Department of Children and Families; for purposes of an inmate
67 acquiring a state identification card before release pursuant to
68 s. 944.605(7); and for a juvenile offender ~~who is~~ in the custody
69 or under the supervision of the Department of Juvenile Justice
70 and receiving services under s. 985.461.

71 Section 2. Section 409.1452, Florida Statutes, is amended
72 to read:

73 409.1452 Collaboration with Board of Governors, Florida
74 College System, and Department of Education to assist children
75 and young adults who have been or are in foster care or are

76 | experiencing homelessness. ~~Effective July 1, 2013,~~ The
77 | Department of Children and Families shall work in collaboration
78 | with the Board of Governors, the Florida College System, and the
79 | Department of Education to help address the need for a focused
80 | and consistent campus-based ~~comprehensive~~ support structure ~~in~~
81 | ~~the academic arena~~ to assist children and young adults who have
82 | been or continue to remain in the foster care system or who are
83 | experiencing homelessness to succeed in postsecondary education
84 | ~~in making the transition from a structured care system into an~~
85 | ~~independent living setting.~~ The State University System of
86 | Florida and the Florida College System shall provide
87 | postsecondary educational campus liaison ~~coaching~~ positions that
88 | will be integrated into Florida College System institutions' and
89 | university institutions' general support services structure to
90 | provide ~~current and former foster care~~ children and young adults
91 | who have been or continue to remain in the foster care system or
92 | who are experiencing homelessness with dedicated, on-campus
93 | support. ~~The Department of Children and Families has the sole~~
94 | ~~discretion to determine which state college or university will~~
95 | ~~offer a campus coaching position, based on departmental~~
96 | ~~demographic data indicating greatest need.~~ These campus liaison
97 | ~~coaching~~ positions must ~~shall~~ be employees of the selected
98 | educational institutions, and focused on supporting children and
99 | young adults who have been or continue to remain in the foster
100 | care system or who are experiencing homelessness. The

101 Chancellors of the Florida College System and the Board of
 102 Governors shall report annually to the Department of Children
 103 and Families specific data, subject to privacy laws, about the
 104 children and young adults served by the campus liaisons ~~coaches~~,
 105 including academic progress, retention rates for students
 106 enrolled in the program, financial aid requested and received,
 107 and information required by the National Youth in Transition
 108 Database.

109 Section 3. Section 409.1454, Florida Statutes, is amended
 110 to read:

111 409.1454 Motor vehicle insurance and driver licenses for
 112 children in care and certified unaccompanied homeless youth.-

113 (1) The Legislature finds that the costs of driver
 114 education, licensure and costs incidental to licensure, and
 115 motor vehicle insurance for a child in out-of-home care or
 116 certain unaccompanied homeless youth certified under s. 743.067
 117 after such child obtains a driver license create an additional
 118 barrier to engaging in normal age-appropriate activities and
 119 gaining independence and may limit opportunities for obtaining
 120 employment and completing educational goals. The Legislature
 121 also finds that the completion of an approved driver education
 122 course is necessary to develop safe driving skills.

123 (2) To the extent that funding is available, the
 124 department shall establish a program to pay the cost of driver
 125 education, licensure and other costs incidental to licensure,

126 and motor vehicle insurance for a child who has completed a
 127 driver education program and who is: ~~children~~

128 (a) In out-of-home care; ~~or~~

129 (b) Certified under s. 743.067 as an unaccompanied
 130 homeless youth and who is a citizen of the United States or
 131 legal resident of this state ~~who have successfully completed a~~
 132 ~~driver education program.~~

133 (3) If a caregiver, or an individual or not-for-profit
 134 entity approved by the caregiver, adds a child to his or her
 135 existing insurance policy, the amount paid to the caregiver or
 136 approved purchaser may not exceed the increase in cost
 137 attributable to the addition of the child to the policy.

138 (4) Payment must ~~shall~~ be made to eligible recipients in
 139 the order of eligibility until available funds are exhausted. If
 140 a child determined to be eligible reaches permanency status or
 141 turns 18 years of age, the program may pay for that child to
 142 complete a driver education program and obtain a driver license
 143 for up to 6 months after the date the child reaches permanency
 144 status or 6 months after the date the child turns 18 years of
 145 age. A child may be eligible to have the costs of and incidental
 146 to licensure paid if he or she demonstrates that such costs are
 147 creating barriers to obtaining employment or completing
 148 educational goals, if the child meets any of the following
 149 criteria:

150 (a) Is continuing in care under s. 39.6251; ~~or who~~

151 (b) Was in licensed care when the child reached 18 years
 152 of age and is currently receiving postsecondary education
 153 services and support under s. 409.1451(2); or

154 (c) Is an unaccompanied homeless youth certified under s.
 155 743.067 who is a citizen of the United States or legal resident
 156 of this state and is:

- 157 1. Completing secondary education;
- 158 2. Employed at least part time;
- 159 3. Attending any postsecondary education program at least
 160 part time; or

161 4. Has a disability that precludes full-time work or
 162 ~~education, may be eligible to have the costs of licensure and~~
 163 ~~costs incidental to licensure paid if the child demonstrates~~
 164 ~~that such costs are creating barriers for obtaining employment~~
 165 ~~or completing educational goals.~~

166 (5) The department shall contract with a not-for-profit
 167 entity whose mission is to support youth aging out of foster
 168 care to develop procedures for operating and administering the
 169 program, including, but not limited to:

- 170 (a) Determining eligibility, including responsibilities
 171 for the child and caregivers.
- 172 (b) Developing application and payment forms.
- 173 (c) Notifying eligible children, caregivers, group homes,
 174 ~~and residential programs,~~ local educational agency liaisons for
 175 homeless children and youth, and governmental or nonprofit

176 agencies that provide services to homeless children or youth of
 177 the program.

178 (d) Providing technical assistance to lead agencies,
 179 providers, group homes, and residential programs to support
 180 removing obstacles that prevent children in foster care from
 181 driving.

182 (e) Publicizing the program, engaging in outreach, and
 183 providing incentives to youth participating in the program to
 184 encourage the greatest number of eligible children to obtain
 185 driver licenses.

186 Section 4. Section 743.067, Florida Statutes, is amended
 187 to read:

188 743.067 Certified unaccompanied homeless youths.—

189 (1) DEFINITION.—For purposes of this section, an
 190 "unaccompanied homeless youth" is an individual who is 16 years
 191 of age or older and is not in the physical custody of a parent
 192 or guardian, including a youth who has run away from home, who
 193 has been forced to leave his or her home, or whose parents have
 194 left the area and left the youth behind.

195 (2) CERTIFICATION.—An unaccompanied homeless youth may
 196 become certified if he or she is:

197 (a) Found by a school district's liaison for homeless
 198 children and youths to be an unaccompanied homeless youth
 199 eligible for services pursuant to the McKinney-Vento Homeless
 200 Assistance Act, 42 U.S.C. ss. 11431-11435; or

201 (b) Believed to qualify as an unaccompanied homeless
 202 youth, as that term is defined in the McKinney-Vento Homeless
 203 Assistance Act, by:

204 1. The director of an emergency shelter program funded by
 205 the United States Department of Housing and Urban Development,
 206 or the director's designee;

207 2. The director of a runaway or homeless youth basic
 208 center or transitional living program funded by the United
 209 States Department of Health and Human Services, or the
 210 director's designee; or

211 3. A continuum of care lead agency, or its designee.

212 (3)~~(2)~~ PROOF OF CERTIFICATION.—

213 (a) The State Office on Homelessness within the Department
 214 of Children and Families shall develop a standardized form that
 215 must be used by the entities specified in subsection (2) ~~(1)~~ to
 216 certify qualifying unaccompanied homeless youth. The front of
 217 the form must include the circumstances that qualify the youth;
 218 the date the youth was certified; and the name, title, and
 219 signature of the certifying individual. This section must be
 220 reproduced in its entirety on the back of the form.

221 (b) A certified unaccompanied homeless youth may use the
 222 completed form to:

223 1. Apply at no charge for an identification card issued by
 224 the Department of Highway Safety and Motor Vehicles pursuant to
 225 s. 322.051(9).

226 2. Receive a certified copy of his or her birth
 227 certificate at no charge under s. 382.0255.

228 (c) A health care provider may accept the completed form
 229 or the card issued under s. 1001.42 ~~written certificate~~ as proof
 230 of the minor's status as a certified unaccompanied homeless
 231 youth and may keep a copy of the form or card ~~certificate~~ in the
 232 youth's medical file.

233 ~~(4)-(3)~~ REMOVAL OF DISABILITIES OF NONAGE.—A certified
 234 unaccompanied homeless youth may:

235 ~~(a)~~ petition the circuit court to have the disabilities of
 236 nonage removed under s. 743.015. The youth shall qualify as a
 237 person not required to prepay costs and fees as provided in s.
 238 57.081. The court shall advance the cause on the calendar.

239 ~~(5)-(b)~~ MEDICAL AND OTHER CARE.—Notwithstanding s.
 240 394.4625(1), a certified unaccompanied homeless youth may
 241 consent to medical care; dental care; behavioral health care
 242 services, including psychological counseling and treatment,
 243 psychiatric treatment, and substance abuse prevention and
 244 treatment services; and surgical diagnosis and treatment,
 245 including preventative care and care by a facility licensed
 246 under chapter 394, chapter 395, or chapter 397 and any forensic
 247 medical examination for the purpose of investigating any felony
 248 offense under chapter 784, chapter 787, chapter 794, chapter
 249 800, or chapter 827, for:

250 ~~(a)1-~~ Himself or herself; or

251 (b)2. His or her child, if the certified unaccompanied
 252 homeless youth is unmarried, is the parent of the child, and has
 253 actual custody of the child.

254 ~~(6)(4)~~ CONSTRUCTION.—This section does not affect the
 255 requirements of s. 390.01114.

256 Section 5. Present subsection (28) of section 1001.42,
 257 Florida Statutes, is redesignated as subsection (29), and a new
 258 subsection (28) is added to that section, to read:

259 1001.42 Powers and duties of district school board.—The
 260 district school board, acting as a board, shall exercise all
 261 powers and perform all duties listed below:

262 (28) UNACCOMPANIED HOMELESS YOUTH.—Provide to each student
 263 who is an unaccompanied homeless youth certified under s.
 264 743.067 a card that includes information on the rights and
 265 benefits for such youth, as well as the contact information for
 266 the school district's liaison for homeless children and youths.
 267 The card must be similar in size to the student identification
 268 card issued to students in the district and include all of the
 269 following information:

270 (a) On the front of the card, the following information
 271 from the standardized form developed by the Department of
 272 Children and Families under s. 743.067(3):

- 273 1. The circumstances that qualify the youth.
- 274 2. The date the youth was certified.
- 275 3. The name, title, and signature of the certifying

276 individual.

277 (b) On the back of the card, the following statement:

278

279 Section 743.067, Florida Statutes, provides that this
 280 certified youth may consent to medical care; dental
 281 care; behavioral health care services, including
 282 psychological counseling and treatment, psychiatric
 283 treatment, and substance abuse prevention and
 284 treatment services; and surgical diagnosis and
 285 treatment, including preventative care and care by a
 286 facility licensed under chapter 394, chapter 395, or
 287 chapter 397 and any forensic medical examination for
 288 the purpose of investigating any felony offense under
 289 chapter 784, chapter 787, chapter 794, chapter 800, or
 290 chapter 827, for himself or herself or his or her
 291 child, if the certified youth is unmarried, is the
 292 parent of the child, and has actual custody of the
 293 child.

294

295 Section 6. Subsection (12) of section 1003.01, Florida
 296 Statutes, is amended, and subsection (17) is added to that
 297 section, to read:

298 1003.01 Definitions.—As used in this chapter, the term:

299 (12) "Children and youths who are experiencing
 300 homelessness," for programs authorized under subtitle B,

301 Education for Homeless Children and Youths, of Title VII of the
 302 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
 303 seq., means children and youths who lack a fixed, regular, and
 304 adequate nighttime residence, and includes:

305 (a) Children and youths ~~who are~~ sharing the housing of
 306 other persons due to loss of housing, economic hardship, or a
 307 similar reason; are living in motels, hotels, travel trailer
 308 parks, or camping grounds due to the lack of alternative
 309 adequate accommodations; are living in emergency or transitional
 310 shelters; or are abandoned in hospitals; ~~or are awaiting foster~~
 311 ~~care placement.~~

312 (b) Children and youths who have a primary nighttime
 313 residence that is a public or private place not designed for or
 314 ordinarily used as a regular sleeping accommodation for human
 315 beings.

316 (c) Children and youths ~~who are~~ living in cars, parks,
 317 public spaces, abandoned buildings, bus or train stations, or
 318 similar settings.

319 (d) Migratory children ~~who are~~ living in circumstances
 320 described in paragraphs (a) - (c).

321 (17) "Certified unaccompanied homeless youth" means a
 322 youth certified as an unaccompanied homeless youth pursuant to
 323 s. 743.067.

324 Section 7. Paragraph (f) of subsection (1) of section
 325 1009.25, Florida Statutes, is amended to read:

326 1009.25 Fee exemptions.—

327 (1) The following students are exempt from the payment of
 328 tuition and fees, including lab fees, at a school district that
 329 provides workforce education programs, Florida College System
 330 institution, or state university:

331 (f) A student who meets the definition of homeless
 332 children and youths in s. 725 of the McKinney-Vento Homeless
 333 Assistance Act, 42 U.S.C. s. 11434a(2) ~~lacks a fixed, regular,~~
 334 ~~and adequate nighttime residence or whose primary nighttime~~
 335 ~~residence is a public or private shelter designed to provide~~
 336 ~~temporary residence, a public or private transitional living~~
 337 ~~program, or a public or private place not designed for, or~~
 338 ~~ordinarily used as, a regular sleeping accommodation for human~~
 339 ~~beings~~. This includes a student who would otherwise meet the
 340 requirements of this paragraph, as determined by a college or
 341 university, but for his or her residence in college or
 342 university dormitory housing. The State Board of Education may
 343 adopt rules and the Board of Governors may adopt regulations
 344 regarding documentation and procedures to implement this
 345 paragraph. Such rules and regulations must consider
 346 documentation of a student's circumstance to be adequate if such
 347 documentation meets the standards under 20 U.S.C. s. 1087uu-
 348 2(a). Any student who is determined to be a homeless child or
 349 youth for a preceding award year is presumed to be a homeless
 350 child or youth for each subsequent year unless the student

351 informs the institution that the student's circumstances have
352 changed or the institution has specific conflicting information
353 about the student's independence, and has informed the student
354 of this information.

355 Section 8. (1) The Office of Program Policy Analysis and
356 Government Accountability (OPPAGA) shall conduct a study to
357 evaluate the effectiveness of campus liaisons provided pursuant
358 to s. 409.1452, Florida Statutes, and of local school districts'
359 delivery of benefits and services required under the McKinney-
360 Vento Homeless Assistance Act, 42 U.S.C. ss. 11431-11435. The
361 study's scope must include, but need not be limited to:

362 (a) Current use of liaisons by all colleges and
363 universities, the number of children and young adults served by
364 such liaisons, the type and prevalence of the services requested
365 by such children and young adults, and the experiences of the
366 students served by the liaisons.

367 (b) Local school districts' delivery of benefits and
368 services to unaccompanied homeless youth eligible for services
369 under s. 743.067, Florida Statutes, and the McKinney-Vento
370 Homeless Assistance Act and school districts' adherence to
371 provisions of the act, such as the:

372 1. Ability for an unaccompanied homeless youth to remain
373 in his or her school of origin for the duration of the period
374 the youth is experiencing homelessness and until the end of an
375 academic year in which the youth obtains permanent housing, if

376 remaining in the school of origin is determined to be in the
377 youth's best interest.

378 2. Extent to which school district liaisons make best
379 interest determinations by considering specific student-centered
380 factors when determining the best school for an unaccompanied
381 homeless youth.

382 3. Ability of unaccompanied homeless youth to receive
383 transportation to the school of origin from the applicable
384 school district.

385 4. Prompt enrollment of an unaccompanied homeless youth in
386 a school or classes while the school of origin arranges for the
387 transfer of school and immunization records and other required
388 enrollment documents to ensure compliance with s. 1003.21(1)(f),
389 Florida Statutes.

390 5. Ability of an unaccompanied homeless youth to
391 participate in all available education programs and
392 extracurricular activities and receive any school services for
393 which the youth meets all relevant eligibility criteria.

394 (2) The study must include recommendations for any changes
395 needed to:

396 (a) Ensure all eligible children and young adults who seek
397 such support receive services.

398 (b) Improve the outcomes of children and young adults who
399 receive services and benefits from campus liaisons or under the
400 McKinney-Vento Homeless Assistance Act.

401 (c) Ensure campus liaisons in local school districts and
402 postsecondary institutions are qualified to provide adequate
403 information and support and are knowledgeable about the relevant
404 programs and benefits that may be accessed by the children and
405 young adults they serve.

406 (3) In conducting the study, OPPAGA shall consult with the
407 Department of Children and Families, the Board of Governors of
408 the State University System, the Florida College System, the
409 Department of Education, local school districts, and any other
410 relevant stakeholders, including, but not limited to, students
411 eligible for the assistance of a liaison.

412 (4) OPPAGA shall submit a report on its findings to the
413 President of the Senate and the Speaker of the House of
414 Representatives by December 1, 2022.

415 Section 9. This act shall take effect July 1, 2022.