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1
 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.; requiring
 7 the Department of Children and Families to collaborate
 8 with specified entities for a certain purpose;
 9 requiring liaisons and coaching services to provide
 10 specified assistance for certain students at certain
 11 school district programs, Florida College System
 12 institutions, or state universities; providing
 13 requirements for such liaisons; requiring a liaison's
 14 contact information to be used in certain ways;
 15 requiring certain school district programs, Florida
 16 College System institutions, and state universities to
 17 maintain certain documentation; requiring certain
 18 entities to report certain information annually to the
 19 department; conforming provisions to changes made by
 20 the act; deleting obsolete language; amending s.
 21 409.1454, F.S.; revising legislative findings;
 22 revising eligibility and requirements for a certain
 23 driver education, licensure, and insurance program to
 24 include certain unaccompanied homeless youth; revising
 25 program operation and administration requirements;

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26 | amending s. 743.067, F.S.; revising the definition of
27 | the term "unaccompanied homeless youth"; specifying
28 | certification criteria for unaccompanied homeless
29 | youth; authorizing certain unaccompanied homeless
30 | youth to use a specified form to receive birth
31 | certificates; authorizing health care providers to
32 | accept such form for certain purposes; authorizing
33 | certain unaccompanied homeless youth to consent to
34 | specified medical and other care; amending s. 1001.42,
35 | F.S.; requiring district school boards to provide
36 | cards that contain specified information to certain
37 | unaccompanied homeless youth; specifying requirements
38 | for the card; amending s. 1003.01, F.S.; revising the
39 | definition of the term "children and youths who are
40 | experiencing homelessness"; defining the term
41 | "certified unaccompanied homeless youth"; amending s.
42 | 1009.25, F.S.; revising the standards certain students
43 | must meet to be eligible for certain fee exemptions;
44 | providing for the adequacy of certain documentation;
45 | providing a presumption; providing a way to overcome
46 | such presumption; requiring the Office of Program
47 | Policy Analysis and Government Accountability to
48 | conduct a specified study; specifying the scope of the
49 | study; requiring the study to include specified
50 | recommendations; requiring the office to consult with

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51 specified entities; requiring the office to submit a
 52 report on the study to the Legislature by a specified
 53 date; providing an effective date.

54
 55 Be It Enacted by the Legislature of the State of Florida:

56
 57 Section 1. Subsection (3) of section 382.0255, Florida
 58 Statutes, is amended to read:

59 382.0255 Fees.—

60 (3) Fees must ~~shall~~ be established by rule. However, until
 61 rules are adopted, the fees assessed pursuant to this section
 62 must ~~shall~~ be the minimum fees cited. The fees established by
 63 rule must be sufficient to meet the cost of providing the
 64 service. All fees must ~~shall~~ be paid by the person requesting
 65 the record, are due and payable at the time services are
 66 requested, and are nonrefundable, except that, when a search is
 67 conducted and no vital record is found, any fees paid for
 68 additional certified copies shall be refunded. The department
 69 may waive all or part of the fees required under this section
 70 for any government entity. The department shall waive all fees
 71 required under this section for a certified copy of a birth
 72 certificate issued for an unaccompanied homeless youth certified
 73 under s. 743.067; for a young adult who is, or was at the time
 74 he or she reached 18 years of age, in the custody of the
 75 Department of Children and Families; for purposes of an inmate

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76 acquiring a state identification card before release pursuant to
 77 s. 944.605(7); and for a juvenile offender ~~who is~~ in the custody
 78 or under the supervision of the Department of Juvenile Justice
 79 and receiving services under s. 985.461.

80 Section 2. Section 409.1452, Florida Statutes, is amended
 81 to read:

82 409.1452 Collaboration with State University System Board
 83 ~~of Governors~~, Florida College System, and Department of
 84 Education to assist children and young adults who have been or
 85 are in foster care or are experiencing homelessness;
 86 documentation regarding eligibility for tuition and fee
 87 exemptions.—The department shall collaborate with the State
 88 University System, the Florida College System, and the
 89 Department of Education to address the need for a comprehensive
 90 support structure in the academic arena to assist children and
 91 young adults who have been or remain in the foster care system
 92 in making the transition from a structured care system into an
 93 independent living setting.

94 (1)(a) Each school district program, Florida College
 95 System institution, or state university at which a student is
 96 exempt from the payment of tuition and fees under s. 1009.25
 97 must have, at a minimum, a knowledgeable, accessible, and
 98 responsive employee who acts as a liaison and provides
 99 assistance to those students who are exempt from the payment of
 100 tuition and fees to assist in resolving any problems related to

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101 such exemption. The liaisons shall provide such students with
 102 on-campus support and must be employees of the program,
 103 institution, or university. The name and contact information of
 104 the liaison must be:

105 1. Provided to each student who is exempt from the payment
 106 of tuition and fees and who is attending that program,
 107 institution, or university.

108 2. Published on the website of the program, institution,
 109 or university.

110 3. Provided to the department and each community-based
 111 care lead agency.

112 (b) Each school district program, Florida College System
 113 institution, and state university must maintain the original
 114 documentation submitted by the student regarding his or her
 115 eligibility for the tuition and fee exemption under s. 1009.25
 116 and may not make additional requests for such documentation.

117 (2) A school district program, Florida College System
 118 institution, or state university may also provide campus
 119 coaching services and other support to a student who is exempt
 120 from the payment of tuition and fees under s. 1009.25 to promote
 121 his or her successful completion of postsecondary education and
 122 transition to independent living. ~~Effective July 1, 2013, the~~
 123 ~~Department of Children and Families shall work in collaboration~~
 124 ~~with the Board of Governors, the Florida College System, and the~~
 125 ~~Department of Education to help address the need for a~~

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126 ~~comprehensive support structure in the academic arena to assist~~
127 ~~children and young adults who have been or continue to remain in~~
128 ~~the foster care system in making the transition from a~~
129 ~~structured care system into an independent living setting. The~~
130 ~~State University System of Florida and the Florida College~~
131 ~~System shall provide postsecondary educational campus coaching~~
132 ~~positions that will be integrated into Florida College System~~
133 ~~institutions' and university institutions' general support~~
134 ~~services structure to provide current and former foster care~~
135 ~~children and young adults with dedicated, on-campus support. The~~
136 ~~Department of Children and Families has the sole discretion to~~
137 ~~determine which state college or university will offer a campus~~
138 ~~coaching position, based on departmental demographic data~~
139 ~~indicating greatest need. These campus coaching positions shall~~
140 ~~be employees of the selected educational institutions, focused~~
141 ~~on supporting children and young adults who have been or~~
142 ~~continue to remain in the foster care system.~~

143 (3) The Chancellors of the Division of Career and Adult
144 Education, the Florida College System, and the State University
145 System Board of Governors shall report annually to the
146 department ~~of Children and Families~~ specific data, subject to
147 privacy laws, about the students ~~children and young adults~~
148 served by the campus liaisons ~~coaches~~, including academic
149 progress, retention rates for students enrolled in the program,
150 financial aid requested and received, and information required

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151 | by the National Youth in Transition Database.

152 | Section 3. Section 409.1454, Florida Statutes, is amended
153 | to read:

154 | 409.1454 Motor vehicle insurance and driver licenses for
155 | children in care and certified unaccompanied homeless youth.-

156 | (1) The Legislature finds that the costs of driver
157 | education, licensure and costs incidental to licensure, and
158 | motor vehicle insurance for a child in out-of-home care or
159 | certain unaccompanied homeless youth certified under s. 743.067
160 | after such child obtains a driver license create an additional
161 | barrier to engaging in normal age-appropriate activities and
162 | gaining independence and may limit opportunities for obtaining
163 | employment and completing educational goals. The Legislature
164 | also finds that the completion of an approved driver education
165 | course is necessary to develop safe driving skills.

166 | (2) To the extent that funding is available, the
167 | department shall establish a program to pay the cost of driver
168 | education, licensure and other costs incidental to licensure,
169 | and motor vehicle insurance for a child who has completed a
170 | driver education program and who is: ~~children~~

171 | (a) In out-of-home care; or

172 | (b) Certified under s. 743.067 as an unaccompanied
173 | homeless youth and who is a citizen of the United States or
174 | legal resident of this state ~~who have successfully completed a~~
175 | driver education program.

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176 (3) If a caregiver, or an individual or not-for-profit
 177 entity approved by the caregiver, adds a child to his or her
 178 existing insurance policy, the amount paid to the caregiver or
 179 approved purchaser may not exceed the increase in cost
 180 attributable to the addition of the child to the policy.

181 (4) Payment must ~~shall~~ be made to eligible recipients in
 182 the order of eligibility until available funds are exhausted. If
 183 a child determined to be eligible reaches permanency status or
 184 turns 18 years of age, the program may pay for that child to
 185 complete a driver education program and obtain a driver license
 186 for up to 6 months after the date the child reaches permanency
 187 status or 6 months after the date the child turns 18 years of
 188 age. A child may be eligible to have the costs of and incidental
 189 to licensure paid if he or she demonstrates that such costs are
 190 creating barriers to obtaining employment or completing
 191 educational goals, if the child meets any of the following
 192 criteria:

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

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

197 (c) Is an unaccompanied homeless youth certified under s.
 198 743.067 who is a citizen of the United States or legal resident
 199 of this state and is:

200 1. Completing secondary education;

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- 201 2. Employed at least part time;
- 202 3. Attending any postsecondary education program at least
- 203 part time; or
- 204 4. Has a disability that precludes full-time work or
- 205 education, ~~may be eligible to have the costs of licensure and~~
- 206 ~~costs incidental to licensure paid if the child demonstrates~~
- 207 ~~that such costs are creating barriers for obtaining employment~~
- 208 ~~or completing educational goals.~~
- 209 (5) The department shall contract with a not-for-profit
- 210 entity whose mission is to support youth aging out of foster
- 211 care to develop procedures for operating and administering the
- 212 program, including, but not limited to:
- 213 (a) Determining eligibility, including responsibilities
- 214 for the child and caregivers.
- 215 (b) Developing application and payment forms.
- 216 (c) Notifying eligible children, caregivers, group homes,
- 217 ~~and residential programs,~~ local educational agency liaisons for
- 218 homeless children and youth, and governmental or nonprofit
- 219 agencies that provide services to homeless children or youth of
- 220 the program.
- 221 (d) Providing technical assistance to lead agencies,
- 222 providers, group homes, and residential programs to support
- 223 removing obstacles that prevent children in foster care from
- 224 driving.
- 225 (e) Publicizing the program, engaging in outreach, and

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226 providing incentives to youth participating in the program to
 227 encourage the greatest number of eligible children to obtain
 228 driver licenses.

229 Section 4. Section 743.067, Florida Statutes, is amended
 230 to read:

231 743.067 Certified unaccompanied homeless youths.—

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

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

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

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

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

250 2. The director of a runaway or homeless youth basic

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251 center or transitional living program funded by the United
 252 States Department of Health and Human Services, or the
 253 director's designee; or

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

255 ~~(3)-(2)~~ PROOF OF CERTIFICATION.-

256 (a) The State Office on Homelessness within the Department
 257 of Children and Families shall develop a standardized form that
 258 must be used by the entities specified in subsection (2) ~~(1)~~ to
 259 certify qualifying unaccompanied homeless youth. The front of
 260 the form must include the circumstances that qualify the youth;
 261 the date the youth was certified; and the name, title, and
 262 signature of the certifying individual. This section must be
 263 reproduced in its entirety on the back of the form.

264 (b) A certified unaccompanied homeless youth may use the
 265 completed form to:

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

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

271 (c) A health care provider may accept the completed form
 272 or the card issued under s. 1001.42 ~~written certificate~~ as proof
 273 of the minor's status as a certified unaccompanied homeless
 274 youth and may keep a copy of the form or card ~~certificate~~ in the
 275 youth's medical file.

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276 ~~(4)(3)~~ REMOVAL OF DISABILITIES OF NONAGE.—A certified
 277 unaccompanied homeless youth may:
 278 ~~(a)~~ petition the circuit court to have the disabilities of
 279 nonage removed under s. 743.015. The youth shall qualify as a
 280 person not required to prepay costs and fees as provided in s.
 281 57.081. The court shall advance the cause on the calendar.

282 ~~(5)(b)~~ MEDICAL AND OTHER CARE.—Notwithstanding s.
 283 394.4625(1), a certified unaccompanied homeless youth may
 284 consent to medical care; dental care; behavioral health care
 285 services, including psychological counseling and treatment,
 286 psychiatric treatment, and substance abuse prevention and
 287 treatment services; and surgical diagnosis and treatment,
 288 including preventative care and care by a facility licensed
 289 under chapter 394, chapter 395, or chapter 397 and any forensic
 290 medical examination for the purpose of investigating any felony
 291 offense under chapter 784, chapter 787, chapter 794, chapter
 292 800, or chapter 827, for:
 293 ~~(a)1.~~ Himself or herself; or
 294 ~~(b)2.~~ His or her child, if the certified unaccompanied
 295 homeless youth is unmarried, is the parent of the child, and has
 296 actual custody of the child.

297 ~~(6)(4)~~ CONSTRUCTION.—This section does not affect the
 298 requirements of s. 390.01114.

299 Section 5. Present subsection (28) of section 1001.42,
 300 Florida Statutes, is redesignated as subsection (29), and a new

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301 subsection (28) is added to that section, to read:

302 1001.42 Powers and duties of district school board.—The
 303 district school board, acting as a board, shall exercise all
 304 powers and perform all duties listed below:

305 (28) UNACCOMPANIED HOMELESS YOUTH.—Provide to each student
 306 who is an unaccompanied homeless youth certified under s.
 307 743.067 a card that includes information on the rights and
 308 benefits for such youth, as well as the contact information for
 309 the school district's liaison for homeless children and youths.
 310 The card must be similar in size to the student identification
 311 card issued to students in the district and include all of the
 312 following information:

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

- 316 1. The circumstances that qualify the youth.
- 317 2. The date the youth was certified.
- 318 3. The name, title, and signature of the certifying
 319 individual.

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

321
 322 Section 743.067, Florida Statutes, provides that this
 323 certified youth may consent to medical care; dental
 324 care; behavioral health care services, including
 325 psychological counseling and treatment, psychiatric

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326 treatment, and substance abuse prevention and
 327 treatment services; and surgical diagnosis and
 328 treatment, including preventative care and care by a
 329 facility licensed under chapter 394, chapter 395, or
 330 chapter 397 and any forensic medical examination for
 331 the purpose of investigating any felony offense under
 332 chapter 784, chapter 787, chapter 794, chapter 800, or
 333 chapter 827, for himself or herself or his or her
 334 child, if the certified youth is unmarried, is the
 335 parent of the child, and has actual custody of the
 336 child.

337
 338 Section 6. Subsection (12) of section 1003.01, Florida
 339 Statutes, is amended, and subsection (17) is added to that
 340 section, to read:

341 1003.01 Definitions.—As used in this chapter, the term:

342 (12) "Children and youths who are experiencing
 343 homelessness," for programs authorized under subtitle B,
 344 Education for Homeless Children and Youths, of Title VII of the
 345 McKinney-Vento Homeless Assistance Act, 42 U.S.C. ss. 11431 et
 346 seq., means children and youths who lack a fixed, regular, and
 347 adequate nighttime residence, and includes:

348 (a) Children and youths ~~who are~~ sharing the housing of
 349 other persons due to loss of housing, economic hardship, or a
 350 similar reason; are living in motels, hotels, travel trailer

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351 parks, or camping grounds due to the lack of alternative
 352 adequate accommodations; are living in emergency or transitional
 353 shelters; or are abandoned in hospitals; ~~or are awaiting foster~~
 354 ~~care placement.~~

355 (b) Children and youths who have a primary nighttime
 356 residence that is a public or private place not designed for or
 357 ordinarily used as a regular sleeping accommodation for human
 358 beings.

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

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

364 (17) "Certified unaccompanied homeless youth" means a
 365 youth certified as an unaccompanied homeless youth pursuant to
 366 s. 743.067.

367 Section 7. Paragraph (f) of subsection (1) of section
 368 1009.25, Florida Statutes, is amended to read:

369 1009.25 Fee exemptions.—

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

374 (f) A student who meets the definition of homeless
 375 children and youths in s. 725 of the McKinney-Vento Homeless

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376 Assistance Act, 42 U.S.C. s. 11434a(2) lacks a fixed, regular,
 377 and adequate nighttime residence or whose primary nighttime
 378 residence is a public or private shelter designed to provide
 379 temporary residence, a public or private transitional living
 380 program, or a public or private place not designed for, or
 381 ordinarily used as, a regular sleeping accommodation for human
 382 beings. This includes a student who would otherwise meet the
 383 requirements of this paragraph, as determined by a college or
 384 university, but for his or her residence in college or
 385 university dormitory housing. The State Board of Education may
 386 adopt rules and the Board of Governors may adopt regulations
 387 regarding documentation and procedures to implement this
 388 paragraph. Such rules and regulations must consider
 389 documentation of a student's circumstance to be adequate if such
 390 documentation meets the standards under 20 U.S.C. s. 1087uu-
 391 2(a). Any student who is determined to be a homeless child or
 392 youth for a preceding award year is presumed to be a homeless
 393 child or youth for each subsequent year unless the student
 394 informs the institution that the student's circumstances have
 395 changed or the institution has specific conflicting information
 396 about the student's independence, and has informed the student
 397 of this information.

398 Section 8. (1) The Office of Program Policy Analysis and
 399 Government Accountability (OPPAGA) shall conduct a study to
 400 evaluate the effectiveness of campus liaisons provided pursuant

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401 to s. 409.1452, Florida Statutes, and of local school districts'
 402 delivery of benefits and services required under the McKinney-
 403 Vento Homeless Assistance Act, 42 U.S.C. ss. 11431-11435. The
 404 study's scope must include, but need not be limited to:

405 (a) Current use of liaisons by all colleges and
 406 universities, the number of children and young adults served by
 407 such liaisons, the type and prevalence of the services requested
 408 by such children and young adults, and the experiences of the
 409 students served by the liaisons.

410 (b) Local school districts' delivery of benefits and
 411 services to unaccompanied homeless youth eligible for services
 412 under s. 743.067, Florida Statutes, and the McKinney-Vento
 413 Homeless Assistance Act and school districts' adherence to
 414 provisions of the act, such as the:

415 1. Ability for an unaccompanied homeless youth to remain
 416 in his or her school of origin for the duration of the period
 417 the youth is experiencing homelessness and until the end of an
 418 academic year in which the youth obtains permanent housing, if
 419 remaining in the school of origin is determined to be in the
 420 youth's best interest.

421 2. Extent to which school district liaisons make best
 422 interest determinations by considering specific student-centered
 423 factors when determining the best school for an unaccompanied
 424 homeless youth.

425 3. Ability of unaccompanied homeless youth to receive

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426 transportation to the school of origin from the applicable
427 school district.

428 4. Prompt enrollment of an unaccompanied homeless youth in
429 a school or classes while the school of origin arranges for the
430 transfer of school and immunization records and other required
431 enrollment documents to ensure compliance with s. 1003.21(1)(f),
432 Florida Statutes.

433 5. Ability of an unaccompanied homeless youth to
434 participate in all available education programs and
435 extracurricular activities and receive any school services for
436 which the youth meets all relevant eligibility criteria.

437 (2) The study must include recommendations for any changes
438 needed to:

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

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

444 (c) Ensure campus liaisons in local school districts and
445 postsecondary institutions are qualified to provide adequate
446 information and support and are knowledgeable about the relevant
447 programs and benefits that may be accessed by the children and
448 young adults they serve.

449 (3) In conducting the study, OPPAGA shall consult with the
450 Department of Children and Families, the Board of Governors of

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451 the State University System, the Florida College System, the
452 Department of Education, local school districts, and any other
453 relevant stakeholders, including, but not limited to, students
454 eligible for the assistance of a liaison.

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

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